

# An Act

ENROLLED HOUSE  
BILL NO. 2967

By: Thomsen, Pittman and  
McDaniel (Jeannie) of the  
House

and

Bingman and Ivester of the  
Senate

An Act relating to athlete agents; amending 70 O.S. 2011, Section 821.85, which relates to the Uniform Athlete Agents Act; modifying application for registration; reducing certain surety bond amount; and providing an effective date.

SUBJECT: Uniform Athlete Agents Act

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 821.85, is amended to read as follows:

Section 821.85 A. An applicant for registration shall submit an application for registration to the Secretary of State in a form prescribed by the Secretary of State. An application filed under this section is a public record. The application shall be in the name of an individual and, except as provided in subsection B of this section, signed or otherwise authenticated by the applicant under penalty of perjury and state or contain:

1. The name of the applicant and the address of the applicant's principal place of business;

2. The name of the applicant's business or employer, if applicable;

3. Any business or occupation engaged in by the applicant for the five (5) years next preceding the date of submission of the application;

4. A description of the applicant's:

- a. formal training as an athlete agent,
- b. practical experience as an athlete agent, and
- c. educational background relating to the applicant's activities as an athlete agent;

5. The names and addresses of three individuals not related to or residing with the applicant who are willing to serve as references;

6. The name, sport, and last-known team for each individual for whom the applicant acted as an athlete agent during the five (5) years next preceding the date of submission of the application;

7. The names and addresses of all persons who are:

- a. with respect to the athlete agent's business if it is not a corporation, the partners, members, officers, managers, associates, or profit-sharers of the business, and
- b. with respect to a corporation employing the athlete agent, the officers, directors, and any shareholder of the corporation having an interest of five percent (5%) or greater;

8. Whether the applicant or any person named pursuant to paragraph 7 of this subsection has been convicted of a crime that, if committed in this state, would be a crime involving moral turpitude or a felony, and identify the crime;

9. Whether there has been any administrative or judicial determination that the applicant or any person named pursuant to paragraph 7 of this subsection made a false, misleading, deceptive, or fraudulent representation;

10. Any instance in which the conduct of the applicant or any person named pursuant to paragraph 7 of this subsection resulted in

the imposition of a sanction, suspension, or declaration of ineligibility to participate in an interscholastic or intercollegiate athletic event on a student-athlete or educational institution;

11. Any sanction, suspension, or disciplinary action taken against the applicant or any person named pursuant to paragraph 7 of this subsection arising out of occupational or professional conduct; and

12. Whether there has been any denial of an application for, suspension or revocation of, or refusal to renew, the registration or licensure of the applicant or any person named pursuant to paragraph 7 of this subsection as an athlete agent in any state.

B. An individual who has submitted an application for, and holds a certificate of, registration or licensure as an athlete agent in another state, may submit a copy of the application and certificate in lieu of submitting an application in the form prescribed pursuant to subsection A of this section. The Secretary of State shall accept the application and the certificate from the other state as an application for registration in this state if the application to the other state:

1. Was submitted in the other state within six (6) months next preceding the submission of the application in this state and the applicant certifies that the information contained in the application is current;

2. Contains information substantially similar to or more comprehensive than that required in an application submitted in this state; and

3. Was signed by the applicant under penalty of perjury.

C. Every applicant for registration shall also submit to the Secretary of State a valid surety bond in the penal sum of ~~Two Hundred Fifty Thousand Dollars (\$250,000.00)~~ Fifty Thousand Dollars (\$50,000.00) conditioned upon the athlete agent not violating any provision of this act. Every athlete agent registered under the provisions of this act shall thereafter maintain such a surety bond in like amount as a condition of continued registration.

SECTION 2. This act shall become effective November 1, 2012.

Passed the House of Representatives the 15th day of March, 2012.

\_\_\_\_\_  
Presiding Officer of the House of  
Representatives

Passed the Senate the 24th day of April, 2012.

\_\_\_\_\_  
Presiding Officer of the Senate

**OFFICE OF THE GOVERNOR**

Received by the Governor this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma the \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

**OFFICE OF THE SECRETARY OF STATE**

Received by the Secretary of State this \_\_\_\_\_  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_