

1 **SENATE FLOOR VERSION**

2 March 29, 2012

3 ENGROSSED HOUSE
4 BILL NO. 2967

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

5 and

6 Bingman of the Senate
7

8
9 An Act relating to athlete agents; amending 70 O.S.
10 2011, Section 821.85, which relates to the Uniform
11 Athlete Agents Act; modifying application for
12 registration; reducing certain surety bond amount;
13 and providing an effective date.

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

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

17 Section 821.85 A. An applicant for registration shall submit
18 an application for registration to the Secretary of State in a form
19 prescribed by the Secretary of State. An application filed under
20 this section is a public record. The application shall be in the
21 name of an individual and, except as provided in subsection B of
22 this section, signed or otherwise authenticated by the applicant
23 under penalty of perjury and state or contain:
24

- 1 1. The name of the applicant and the address of the applicant's
2 principal place of business;
- 3 2. The name of the applicant's business or employer, if
4 applicable;
- 5 3. Any business or occupation engaged in by the applicant for
6 the five (5) years next preceding the date of submission of the
7 application;
- 8 4. A description of the applicant's:
- 9 a. formal training as an athlete agent,
10 b. practical experience as an athlete agent, and
11 c. educational background relating to the applicant's
12 activities as an athlete agent;
- 13 5. The names and addresses of three individuals not related to
14 or residing with the applicant who are willing to serve as
15 references;
- 16 6. The name, sport, and last-known team for each individual for
17 whom the applicant acted as an athlete agent during the five (5)
18 years next preceding the date of submission of the application;
- 19 7. The names and addresses of all persons who are:
- 20 a. with respect to the athlete agent's business if it is
21 not a corporation, the partners, members, officers,
22 managers, associates, or profit-sharers of the
23 business, and
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1 b. with respect to a corporation employing the athlete
2 agent, the officers, directors, and any shareholder of
3 the corporation having an interest of five percent
4 (5%) or greater;

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

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

13 10. Any instance in which the conduct of the applicant or any
14 person named pursuant to paragraph 7 of this subsection resulted in
15 the imposition of a sanction, suspension, or declaration of
16 ineligibility to participate in an interscholastic or
17 intercollegiate athletic event on a student-athlete or educational
18 institution;

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

23 12. Whether there has been any denial of an application for,
24 suspension or revocation of, or refusal to renew, the registration

1 or licensure of the applicant or any person named pursuant to
2 paragraph 7 of this subsection as an athlete agent in any state.

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

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

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

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

19 C. Every applicant for registration shall also submit to the
20 Secretary of State a valid surety bond in the penal sum of ~~Two~~
21 ~~Hundred Fifty Thousand Dollars (\$250,000.00)~~ Fifty Thousand Dollars
22 (\$50,000.00) conditioned upon the athlete agent not violating any
23 provision of this act. Every athlete agent registered under the
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1 provisions of this act shall thereafter maintain such a surety bond
2 in like amount as a condition of continued registration.

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

4 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 3-27-12 - DO
5 PASS.

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