

**BILL SUMMARY**  
1<sup>st</sup> Session of the 57<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>HB 2636</b>
<b>Version:</b>	<b>Introduced</b>
<b>Request Number:</b>	<b>5501</b>
<b>Author:</b>	<b>Rep. Echols</b>
<b>Date:</b>	<b>2/19/2019</b>
<b>Impact:</b>	<b>Budget Neutral</b>

**Research Analysis**

HB 2636 creates the Revised Uniform Athlete Agents Act. The measure provides definitions to be used in the Act. The Secretary of State is to adopt rules to implement the Revised Uniform Athlete Agents Act. Athletic agents are required to be registered and any contract signed by an unregistered agent is void. The measure provides application requirements to perform as an athlete agent and qualifications which must be met to be registered or remain registered. The Secretary of State may limit, suspend, revoke or refuse to renew a registration under certain conditions. The measure provides for temporary registration and registration and renewal fees in the amount of \$1,000. The measure provides the format for an agency contract. The measure requires notice of communication between an agent and student athlete to the educational institution within 72 hours after entering into a contract. The measure allows a student athlete to cancel a contract within 14 days of signing the contract. The measure requires the athlete agent to retain certain records for 5 years. The measure provides conduct which is prohibited by the agent and provides for a misdemeanor penalty subject to a fine of not less than \$10,000 nor more than \$250,000, imprisonment of up to 1 year or both fine and imprisonment. A second or subsequent conviction is a felony, punishable by a fine of not less than \$50,000 nor more than \$500,000, imprisonment of up to 3 years or both fine and imprisonment. Half of all fines collected are to be deposited in the Attorney General's Law Enforcement Revolving Fund. The measure allows a student athlete or educational institution to bring a civil action against an agent. The Secretary of State may assess a civil penalty of up to \$50,000 for a violation of the Revised Uniform Athlete Agents Act. The measure allows for the use of electronic signatures.

The measure repeals Title 70, Sections 821.81 through 821.99 which relate to the Uniform Athlete Agents Act.

Prepared By: Brad Wolgamott

**Fiscal Analysis**

HB 2636 in its current form creates the Revised Uniform Athlete Agents Act (RUAAA) and repeals the Uniform Athlete Agents Act (UAAA). The RUAAA:

- places administration authority for the Act under the Secretary of State,
- requires an application process,
- provides for \$1,000 application and renewal fees,
- provides for the deposit of registration fees in the Secretary of State Revolving Fund,
- authorizes civil penalty assessments by the Secretary of State up to \$50,000
- creates a misdemeanor with a fine from \$10,000 – 250,000, and/or imprisonment up to 1 year,
- creates a felony for subsequent violations with a fine between \$50,000 – 500,000, and/or imprisonment up to 3 years,

- apportions 50% of such fines to the Attorney Generals Law Enforcement Revolving Fund,

These RUAAA provisions are parallel to such provisions currently in place under the UAAA, which is being repealed; therefore, the implementation of the RUAAA and the simultaneous repeal of the UAAA will have budget neutral effect on the state budget.

Prepared By: John McPhetridge

**Other Considerations**

None.

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