

Introduced by

Industry, Business and Labor Committee

(At the request of the Commission on Uniform State Laws)

1 A BILL for an Act to amend and reenact section 9-15.2-13 of the North Dakota Century Code,
2 relating to conduct prohibited under the Revised Uniform Athlete Agents Act; and to provide a
3 penalty.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 9-15.2-13 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **9-15.2-13. Prohibited conduct.**

8 ~~1. An athlete agent, with the intent to influence a student athlete or, if the athlete is a minor,~~
9 ~~a parent or guardian of the athlete to enter an agency contract, may not take any of the~~
10 ~~following actions or encourage any other individual to take or assist any other individual in~~
11 ~~taking any of the following actions on behalf of the agent intentionally:~~

12 ~~a.1. Give a student-athlete or, if the athlete is a minor, give a parent or guardian of the~~
13 ~~athlete materially false or misleading information or make a materially false promise or~~
14 ~~representation with the intent to influence the athlete, parent, or guardian to enter an~~
15 ~~agency contract;~~

16 ~~b.2. Furnish anything of value to the athlete before the athlete enters into the contract; or~~
17 ~~e. Furnish anything of value to an individual other than the athlete or another~~
18 ~~registered athlete agent.~~

19 ~~2. An athlete agent may not intentionally do any of the following or encourage any other~~
20 ~~individual to do any of the following on behalf of the agent:~~

21 ~~a. a student-athlete or another individual, if to do so may result in loss of the~~
22 ~~athlete's eligibility to participate in the athlete's sport, unless:~~

23 ~~a. The agent notifies the athletic director of the educational institution at which the~~
24 ~~athlete is enrolled or at which the agent has reasonable grounds to believe the~~

- 1 athlete intends to enroll, not later than seventy-two hours after giving the thing of
2 value; and
- 3 b. The athlete or, if the athlete is a minor, the parent or guardian of the athlete
4 acknowledges to the agent in a record that receipt of the thing of value may result
5 in loss of the athlete's eligibility to participate in the athlete's sport:
- 6 3. Initiate contact, directly or indirectly, with a student-athlete or, if the athlete is a minor,
7 a parent or guardian of the athlete, to recruit or solicit the athlete or parent, or
8 guardian to enter an agency contract unless registered under this chapter;
- 9 ~~b.4.~~ Fail to create or retain, or to permit inspection of the records required by
10 section 9-15.2-12;
- 11 ~~e.5.~~ Fail to register when required by section 9-15.2-03;
- 12 ~~d.6.~~ Provide materially false or misleading information in an application for registration or
13 renewal of registration;
- 14 ~~e.7.~~ Predate or postdate an agency contract; or
- 15 ~~f.8.~~ Fail to notify a student-athlete or, if the athlete is a minor, a parent or guardian of the
16 athlete, before the athlete or parent, or guardian signs an agency contract for a
17 particular sport that the signing may ~~make the athlete ineligible~~ result in loss of the
18 athlete's eligibility to participate as a student-athlete in that in the athlete's sport;
- 19 9. Encourage another individual to do any of the acts described in subsections 1
20 through 8 on behalf of the agent; or
- 21 10. Encourage another individual to assist any other individual in doing any of the acts
22 described in subsections 1 through 8 on behalf of the agent.