

# Enrolled Senate Bill 686

Sponsored by COMMITTEE ON JUDICIARY

CHAPTER .....

AN ACT

Relating to student athlete agents; creating new provisions; and amending ORS 702.030 and 702.991.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** ORS 702.030 is amended to read:

702.030. (1) **Except as otherwise provided in subsection (2) of this section**, an athlete agent, with the intent to induce a student athlete or, if the athlete is a minor, a parent or guardian of the athlete to enter into an agency contract, may not take any of the following actions or encourage any other individual to take or assist any other individual in taking any of the following actions on behalf of the agent:

- [(1)] (a) Give any materially false or misleading information or make a materially false promise or representation.
- [(2)] (b) Furnish anything of value to the student athlete before the student athlete enters into an agency contract.
- [(3)] (c) Furnish anything of value to any individual other than the student athlete or another registered athlete agent.

**(2) An athlete agent, who is certified to be an athlete agent in a particular sport by a national association that promotes or regulates intercollegiate athletics and establishes eligibility standards for participation by a student athlete in that sport, may pay expenses incurred before the signing of an agency contract to:**

- (a) A student athlete;
- (b) A parent or guardian of the student athlete; or
- (c) An individual who is a member of a class of individuals authorized to receive payment for the expenses by the national association that certified the agent if the expenses are:
  - (A) For the benefit of a student athlete who is a member of a class of student athletes authorized to receive the benefit by the national association that certified the athlete agent;
  - (B) Of a type authorized to be paid by an athlete agent by the national association that certified the athlete agent; and
  - (C) For a purpose authorized by the national association that certified the athlete agent.

**SECTION 2.** ORS 702.991 is amended to read:

- 702.991. (1) Violation of ORS 702.027 is a Class A misdemeanor.
- (2) An athlete agent who violates ORS 702.030 [(2)] (1)(b) is guilty of a Class C felony.
- (3) Violation of the athlete agent's 72-hour notice requirement provided under ORS 702.054 (1) is a Class C felony.

(4) It is a Class A misdemeanor for any person to conduct business as an athlete agent in the State of Oregon unless the person has a valid certificate of registration issued pursuant to ORS 702.012 or 702.019.

(5) It is a Class A misdemeanor for any person to represent to another person by verbal claim, advertisement, letterhead, business card or any other means that the person is an athlete agent unless the person has a valid certificate of registration issued pursuant to ORS 702.012 or 702.019.

**SECTION 3. The amendments to ORS 702.030 by section 1 of this 2019 Act apply to regulations that prescribe the types of authorized expenses permitted to be paid by an athlete agent that a national association that promotes or regulates intercollegiate athletics adopted on or before January 1, 2019.**

**Passed by Senate March 11, 2019**

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

**Passed by House April 29, 2019**

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Tina Kotek, Speaker of House

**Received by Governor:**

.....M,....., 2019

**Approved:**

.....M,....., 2019

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Kate Brown, Governor

**Filed in Office of Secretary of State:**

.....M,....., 2019

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Bev Clarno, Secretary of State