

## **BILL ANALYSIS**

Senate Research Center

S.B. 1190  
By: Armbrister  
State Affairs  
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As Filed

### **DIGEST**

Currently, Texas law establishes guidelines for the behavior of athlete agents. Concern exists that the behavior of some athlete agents may be contradictory to established guidelines between athletes and athlete agents. This bill establishes provisions that relate to contracts and communications involving certain athletes and athlete agents.

### **PURPOSE**

As proposed, S.B. 1190 establishes provisions that relate to contracts and communications involving certain athletes and athlete agents.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 1(a)(2), Article 8871, V.T.C.S., to redefine "athlete agent."

SECTION 2. Amends Section 1(d), Article 8871, V.T.C.S., to provide that a person who declares himself eligible for recruitment by a professional sports team may be contacted by an athlete agent. Provides that any contact with the person by an athlete agent is subject to the requirements of this Act, if the person later becomes eligible to participate in intercollegiate sports.

SECTION 3. Amends Section 2(a), Article 8871, V.T.C.S., to authorize an athlete agent to contact an athlete only as provided by this Act. Requires the athlete agent to register with the state before the athlete agent is authorized to enter into a contract with an athlete. Deletes a provision authorizing a registered athlete agent to make those contacts only in accordance with this Act.

SECTION 4. Amends Section 6, Article 8871, V.T.C.S., by amending Subsections (b) and (c) and adding Subsection (d), to prohibit an athlete agent from certain activities, including directly contacting an athlete who is participating in football or basketball until after completion of the athlete's last intercollegiate contest, except as otherwise provided by this Act. Prohibits an athlete agent from entering into an oral or written agreement that the athlete agent will represent the athlete before the athlete's last intercollegiate contest. Deletes a provision prohibiting an athlete agent from entering into any agreement, written or oral, by which the agent will represent the athlete and from entering into an agreement that purports to take effect at a time after that contest is completed.

(c) Provides that this Act does not prohibit or limit an athlete agent from simultaneously sending certain written materials, rather than sending to an athlete certain written materials. Provides that materials that relate to the provision of financial services by the agent may be sent to both the athlete and the athletic director of the institution of higher education in which the athlete is enrolled as a student or to the athletic director's designee.

(d) Provides that this Act does not prohibit certain persons from contacting, rather than contacting and interviewing, an athlete agent to arrange an interview to make certain determinations. Prohibits the athlete agent from discussing the agent's services with certain persons until after the athlete agent has given notice of the proposed discussion to the athletic

director or the athletic director's designee of the institution of higher education in which the athlete is enrolled as a student.

SECTION 5. Effective date: September 1, 1997.

SECTION 6. Emergency clause.