

# ASSEMBLY, No. 2349

## STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED FEBRUARY 25, 2010

**Sponsored by:**

**Assemblyman JOHN F. MCKEON**

**District 27 (Essex)**

**Assemblyman CRAIG J. COUGHLIN**

**District 19 (Middlesex)**

**SYNOPSIS**

"New Jersey Uniform Athlete Agents Act."

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 9/14/2010)

1 AN ACT providing for the regulation of athlete agents, amending  
2 P.L.1971, c.60, P.L.1974, c.46 and P.L.1978, c.73, and  
3 supplementing Title 45 of the Revised Statutes.

4  
5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7  
8 1. (New section) This act shall be known and may be cited as  
9 the "New Jersey Uniform Athlete Agents Act."

10  
11 2. (New section) As used in this act:

12 "Agency contract" means an agreement in which a student-athlete  
13 authorizes a person to negotiate or solicit on behalf of the student-  
14 athlete a professional-sports-services contract or an endorsement  
15 contract.

16 "Athlete agent" means an individual who enters into an agency  
17 contract with a student-athlete or, directly or indirectly, recruits or  
18 solicits a student-athlete to enter into an agency contract, including an  
19 individual who represents to the public that the individual is an athlete  
20 agent, but does not mean a spouse, parent, sibling, grandparent or  
21 guardian of the student-athlete or an individual acting solely on behalf  
22 of a professional sports team or professional sports organization.

23 "Athletic director" means an individual responsible for  
24 administering the overall athletic program of an educational institution  
25 or, if an educational institution has separately administered athletic  
26 programs for male students and female students, the athletic program  
27 for males or the athletic program for females, as appropriate.

28 "Board" means the New Jersey Athlete Agent Regulatory Board  
29 established by section 3 of this act.

30 "Contact" means a communication, direct or indirect, between an  
31 agent and a student-athlete to recruit or solicit the student-athlete to  
32 enter into an agency contract.

33 "Director" means the Director of the Division of Consumer Affairs  
34 in the Department of Law and Public Safety.

35 "Endorsement contract" means an agreement under which a  
36 student-athlete is employed or receives consideration to use on behalf  
37 of the other party any value that the student-athlete may have because  
38 of publicity, reputation, following or fame obtained because of athletic  
39 ability or performance.

40 "Intercollegiate sport" means a sport played at the collegiate level  
41 for which eligibility requirements for participation by a student-  
42 athlete are established by a national association for the promotion or  
43 regulation of collegiate athletics.

44 "Professional-sports-services contract" means an agreement under  
45 which an individual is employed or agrees to render services as a

**EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1 player on a professional sports team, with a professional sports  
2 organization, or as a professional athlete.

3 "Student-athlete" means an individual who engages in, is eligible to  
4 engage in, or may be eligible in the future to engage in any  
5 intercollegiate sport, but if an individual is permanently ineligible to  
6 participate in a particular intercollegiate sport, the individual is not a  
7 student-athlete for purposes of that sport.

8

9 3. (New section) There is created, within the Division of  
10 Consumer Affairs in the Department of Law and Public Safety, the  
11 New Jersey Athlete Agent Regulatory Board. The board shall  
12 consist of nine members who are residents of the State, two of  
13 whom shall be public members appointed pursuant to the provisions  
14 of subsection b. of section 2 of P.L.1971, c.60 (C.45:1-2.2), and one  
15 of whom shall be a member from a department in the Executive  
16 Branch of the State Government, appointed in fulfillment of the  
17 requirement of subsection c. of that section. Of the remaining six  
18 members: two members shall have experience in college athletics;  
19 two members shall have experience in high school athletics; and  
20 two members shall have experience counseling professional athletes  
21 with regard to legal or financial matters.

22 The Governor shall appoint each member, other than the State  
23 executive department member, for terms of four years, except that  
24 of the members first appointed, other than the State executive  
25 department member, two shall serve for a term of four years, two  
26 shall serve for a term of three years, two shall serve for a term of  
27 two years, and two shall serve for a term of one year. Any vacancy  
28 in the membership of the board shall be filled for the unexpired  
29 term in the manner provided by the original appointment. No  
30 member of the board may serve more than two successive terms in  
31 addition to any unexpired term to which the member has been  
32 appointed. The Governor may remove any member of the board,  
33 other than the State executive department member, for cause.

34

35 4. (New section) Members of the board shall be compensated  
36 and reimbursed for expenses and provided with office and meeting  
37 facilities pursuant to section 2 of P.L.1977, c.285 (C.45:1-2.5).

38

39 5. (New section) The board shall annually elect from among  
40 its members a chairperson and a vice-chairperson. The board shall  
41 meet twice a year and may hold additional meetings as necessary to  
42 discharge its duties.

43

44 6. (New section) The board shall:

- 45 a. Review the qualifications of applicants for registration;  
46 b. Issue and renew biennial registrations for athlete agents  
47 pursuant to this act;  
48 c. Maintain a record of every athlete agent registered in this

1 State, their places of business, places of residence and the date and  
2 number of their registration; and

3 d. Adopt and promulgate rules and regulations pursuant to the  
4 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
5 seq.) necessary to effectuate the purposes of this act, except that the  
6 initial rules and regulations shall be promulgated by the director.  
7

8 7. (New section) There shall be an Executive Director of the  
9 board appointed by the director who shall serve at the director's  
10 pleasure. The salary of the Executive Director shall be determined  
11 by the director within the limits of available funds.  
12

13 8. (New section) a. Except as otherwise provided in  
14 subsection b. of this section, no person shall engage in or carry on  
15 the occupation of an athlete agent either within the State or with a  
16 resident of the State without first registering as an athlete agent with  
17 the board.

18 b. Before being issued a certificate of registration, a person  
19 may act as an athlete agent in this State for all purposes except  
20 signing an agency contract, if:

21 (1) a student-athlete or another person acting on behalf of the  
22 student-athlete initiates communication with the individual; and

23 (2) within seven days after an initial act as an athlete agent, the  
24 person submits an application for registration as an athlete agent.

25 c. An agency contract resulting from conduct in violation of  
26 this section is void and the athlete agent shall return any  
27 consideration under the contract.  
28

29 9. (New section) A written application for registration as an  
30 athlete agent shall be made to the board on the form prescribed by  
31 the board and shall state the following:

32 a. The name of the applicant and address of the applicant's  
33 principal place of business;

34 b. The name of the applicant's business or employer, if  
35 applicable;

36 c. The business or occupation engaged in by the applicant for  
37 at least five years immediately preceding the date of application;  
38 and

39 d. A description of the applicant's:

40 (1) Formal training as an athlete agent;

41 (2) Practical experience as an athlete agent; and

42 (3) Educational background relating to the applicant's activities as  
43 an athlete agent;

44 e. The names and addresses of three individuals not related to the  
45 applicant who are willing to serve as references;

46 f. The name, sport and last known team for each individual for  
47 whom the applicant acted as an athlete agent during the five years

1 immediately preceding the date of submission of the application;  
2 and

3 g. The names and addresses of all persons who are:

4 (1) With respect to the athlete agent's business, if it is not a  
5 corporation, the partners, members, officers, managers, associates or  
6 profit-sharers of the business; and

7 (2) With respect to a corporation employing the athlete agent, the  
8 officers, directors and any shareholder of the corporation having an  
9 interest of five percent or greater.

10

11 10. (New section) An individual who has submitted an application  
12 for, and holds a certificate of, registration or licensure as an athlete  
13 agent in another state may submit a copy of the application and  
14 certificate in lieu of submitting an application in the form prescribed  
15 pursuant to section 9 of this act. The board shall accept the application  
16 and the certificate from the other state as an application for registration  
17 in this State if the application to the other state:

18 a. Was submitted in the other state within six months  
19 immediately preceding the submission of the application in this State  
20 and the applicant certifies that the information contained in the  
21 application is current; and

22 b. Contains information substantially similar to or more  
23 comprehensive than that required in an application submitted in this  
24 State.

25

26 11. (New section) In addition to the provisions of section 8 of  
27 P.L.1978, c.73 (C.45:1-21), the board may refuse to grant or may  
28 suspend or revoke the registration of an athlete agent upon proof  
29 showing by a preponderance of the evidence that the agent or the  
30 agent's representative or employee:

31 a. Had made false or misleading statements of a material nature  
32 in the application for registration;

33 b. Has ever misappropriated funds or engaged in other specific  
34 acts such as embezzlement, theft, or fraud which would render the  
35 applicant unfit to serve in a fiduciary capacity;

36 c. Has engaged in other conduct having a significant adverse  
37 impact on the applicant's credibility, integrity, or competence to  
38 serve in a fiduciary capacity;

39 d. Has engaged in conduct which resulted in the imposition of a  
40 sanction, suspension or declaration of ineligibility to participate in  
41 an interscholastic or intercollegiate athletic event on a student-  
42 athlete or educational institution;

43 e. Has been convicted of a crime that, if committed in this  
44 State, would be a crime involving moral turpitude or a crime of the  
45 third degree or above;

46 f. Has been convicted of an offense relating to the profession  
47 of an athlete agent in another state; or

48 g. Has been refused registration or licensure or renewal of

1 registration or licensure, or had suspended or revoked a registration  
2 or licensure as an athlete agent in another state.

3

4 12. (New section) A registration shall be valid for a period of  
5 up to two years. Renewal of a registration shall require the filing of  
6 an application for renewal. A renewal fee shall be paid by the  
7 athlete agent at the time of filing such application.

8

9 13. (New section) The board may, at its discretion, issue a  
10 temporary registration, valid for a period not exceeding 90 days,  
11 while an application for registration or renewal of registration is  
12 pending.

13

14 14. (New section) A filing fee shall be paid at the time the  
15 application for issuance of an athlete agent registration is filed. In  
16 addition to the fee required for application for issuance of the  
17 registration, an athlete agent shall pay to the board biennially a  
18 renewal fee which shall accompany the application for renewal.  
19 The board shall set the fees required by this section in the amount  
20 necessary to generate sufficient revenue to cover the costs of  
21 administration and enforcement of this act.

22

23 15. (New section) a. An agency contract shall be in a record  
24 signed or otherwise authenticated by the parties.

25 b. An agency contract shall state:

26 (1) The amount and method of calculating the consideration to  
27 be paid by the student-athlete for services to be provided by the  
28 athlete agent under the contract and any other consideration the  
29 athlete agent has received or will receive from any other source for  
30 entering into the contract or for providing the services;

31 (2) The name of any person not listed in the application for  
32 registration or renewal of registration who will be compensated  
33 because the student-athlete signed the agency contract;

34 (3) A description of any expenses that the student-athlete agrees  
35 to reimburse;

36 (4) A description of the services to be provided to the student-  
37 athlete;

38 (5) The duration of the contract; and

39 (6) The date of execution.

40 c. An agency contract shall contain, in close proximity to the  
41 signature of the student-athlete, a notice in not less than 10-point  
42 type stating:

43

44 IF YOU SIGN THIS CONTRACT:

45 (1) YOU MAY LOSE YOUR ELIGIBILITY TO COMPETE AS  
46 A STUDENT-ATHLETE IN YOUR SPORT;

47 (2) IF YOU HAVE AN ATHLETIC DIRECTOR, WITHIN 72  
48 HOURS AFTER ENTERING INTO THIS CONTRACT, BOTH

1 YOU AND YOUR ATHLETE AGENT MUST NOTIFY YOUR  
2 ATHLETIC DIRECTOR; AND

3 (3) YOU MAY CANCEL THIS CONTRACT WITHIN 14  
4 DAYS AFTER SIGNING IT. CANCELLATION OF THIS  
5 CONTRACT MAY NOT REINSTATE YOUR ELIGIBILITY.

6  
7 d. An agency contract that does not conform to this section is  
8 voidable by the student-athlete. If a student-athlete voids an agency  
9 contract, the student-athlete is not required to pay any consideration  
10 under the contract or to return any consideration received from the  
11 athlete agent to induce the student-athlete to enter into the contract.

12 e. The athlete agent shall give a record of the signed or  
13 otherwise authenticated agency contract to the student-athlete at the  
14 time of execution.

15  
16 16. (New section) a. Within 72 hours after entering into an  
17 agency contract or before the next scheduled athletic event in which  
18 the student-athlete may participate, whichever occurs first, the  
19 athlete agent shall give notice in a record of the existence of the  
20 contract to the athletic director of the educational institution at  
21 which the student-athlete is enrolled or the athlete agent has  
22 reasonable grounds to believe the student-athlete intends to enroll.

23 b. Within 72 hours after entering into an agency contract or  
24 before the next athletic event in which the student-athlete may  
25 participate, whichever occurs first, the student-athlete shall inform  
26 the athletic director of the educational institution at which the  
27 student-athlete is enrolled that the student-athlete has entered into  
28 an agency contract.

29  
30 17. (New section) a. A student-athlete may cancel an agency  
31 contract by giving notice of the cancellation to the athlete agent in a  
32 record within 14 days after the contract is signed.

33 b. A student-athlete may not waive the right to cancel an  
34 agency contract.

35 c. If a student-athlete cancels an agency contract, the student-  
36 athlete is not required to pay any consideration under the contract or  
37 to return any consideration received from the athlete agent to induce  
38 the student-athlete to enter into the contract.

39  
40 18. (New section) a. An athlete agent, with the intent to induce  
41 a student-athlete to enter into an agency contract, shall not:

42 (1) Give any materially false or misleading information or make  
43 a materially false promise or representation;

44 (2) Furnish anything of value to a student-athlete before the  
45 student-athlete enters into the agency contract; or

46 (3) Furnish anything of value to any individual other than the  
47 student-athlete or another registered athlete agent.

48 b. An athlete agent shall not intentionally:

- 1 (1) Initiate contact with a student-athlete unless registered under
- 2 this act;
- 3 (2) Refuse or fail to retain or permit inspection of the records
- 4 required to be retained by this act;
- 5 (3) Fail to register as required by this act;
- 6 (4) Provide materially false or misleading information in an
- 7 application for registration or renewal of registration;
- 8 (5) Predate or postdate an agency contract; or
- 9 (6) Fail to notify a student-athlete before the student-athlete
- 10 signs or otherwise authenticates an agency contract for a particular
- 11 sport that the signing or authentication may make the student-
- 12 athlete ineligible to participate as a student-athlete in that sport.
- 13 c. An athlete agent shall not split a fee with or receive
- 14 compensation from:
- 15 (1) A professional sports league;
- 16 (2) A professional sports franchise;
- 17 (3) A representative or employee of a professional sports league
- 18 or franchise; or
- 19 (4) An employee of an educational institution in this State.

20

21 19. (New section) Every athlete agent shall keep records  
22 approved by the board, in which shall be entered all of the  
23 following:

- 24 a. The name and address of each individual represented by an
- 25 athlete agent;
- 26 b. Every agency contract entered into by an athlete agent;
- 27 c. Any direct costs incurred by the athlete agent in the
- 28 recruitment or solicitation of a student-athlete to enter into an
- 29 agency contract; and
- 30 d. Other information which the board may from time to time
- 31 require.

32 No athlete agent or his representatives or employees shall make  
33 any false entry in any such records. All records required by this act  
34 shall be kept for a period of five years. All books, records, and  
35 other papers kept pursuant to this act by an athlete agent shall be  
36 open to the inspection of the board and its representatives. Every  
37 athlete agent shall furnish to the board upon request a true copy of  
38 the books, records, and papers kept pursuant to this act, or any  
39 portion thereof, and shall make those reports as the board  
40 prescribes.

41

42 20. Section 1 of P.L.1971, c.60 (C.45:1-2.1) is amended to read  
43 as follows:

- 44 1. The provisions of this act shall apply to the following boards
- 45 and commissions: the New Jersey State Board of Accountancy, the
- 46 New Jersey State Board of Architects, the New Jersey State Board
- 47 of Cosmetology and Hairstyling, the Board of Examiners of
- 48 Electrical Contractors, the New Jersey State Board of Dentistry, the



1 State Board of Mortuary Science of New Jersey, the State Board of  
2 Professional Engineers and Land Surveyors, the State Board of  
3 Marriage and Family Therapy Examiners, the State Board of  
4 Medical Examiners, the New Jersey Board of Nursing, the New  
5 Jersey State Board of Optometrists, the State Board of Examiners of  
6 Ophthalmic Dispensers and Ophthalmic Technicians, the Board of  
7 Pharmacy, the State Board of Professional Planners, the State Board  
8 of Psychological Examiners, the State Board of Examiners of  
9 Master Plumbers, the New Jersey Real Estate Commission, the  
10 State Board of Court Reporting, the State Board of Veterinary  
11 Medical Examiners, the Radiologic Technology Board of  
12 Examiners, the Acupuncture Examining Board, the State Board of  
13 Chiropractic Examiners, the State Board of Respiratory Care, the  
14 State Real Estate Appraiser Board, the State Board of Social Work  
15 Examiners, the State Board of Examiners of Heating, Ventilating,  
16 Air Conditioning and Refrigeration Contractors, the State Board of  
17 Physical Therapy Examiners, the Orthotics and Prosthetics Board of  
18 Examiners, the New Jersey Cemetery Board, the State Board of  
19 Polysomnography, the New Jersey Board of Massage and  
20 Bodywork Therapy, the Genetic Counseling Advisory Committee,  
21 the New Jersey Athlete Agent Regulatory Board and any other  
22 entity hereafter created under Title 45 to license or otherwise  
23 regulate a profession or occupation.

24 (cf: P.L.2009, c.41, s.11)

25

26 21. Section 1 of P.L.1974, c.46 (C.45:1-3.1) is amended to read  
27 as follows:

28 1. The provisions of this act shall apply to the following boards  
29 and commissions: the New Jersey State Board of Accountancy, the  
30 New Jersey State Board of Architects, the New Jersey State Board  
31 of Cosmetology and Hairstyling, the Board of Examiners of  
32 Electrical Contractors, the New Jersey State Board of Dentistry, the  
33 State Board of Mortuary Science of New Jersey, the State Board of  
34 Professional Engineers and Land Surveyors, the State Board of  
35 Marriage and Family Therapy Examiners, the State Board of  
36 Medical Examiners, the New Jersey Board of Nursing, the New  
37 Jersey State Board of Optometrists, the State Board of Examiners of  
38 Ophthalmic Dispensers and Ophthalmic Technicians, the Board of  
39 Pharmacy, the State Board of Professional Planners, the State Board  
40 of Psychological Examiners, the State Board of Examiners of  
41 Master Plumbers, the State Board of Court Reporting, the State  
42 Board of Veterinary Medical Examiners, the Radiologic  
43 Technology Board of Examiners, the Acupuncture Examining  
44 Board, the State Board of Chiropractic Examiners, the State Board  
45 of Respiratory Care, the State Real Estate Appraiser Board, the New  
46 Jersey Cemetery Board, the State Board of Social Work Examiners,  
47 the State Board of Examiners of Heating, Ventilating, Air  
48 Conditioning and Refrigeration Contractors, the State Board of

1 Physical Therapy Examiners, the State Board of Polysomnography,  
2 the Orthotics and Prosthetics Board of Examiners, the New Jersey  
3 Board of Massage and Bodywork Therapy, the Genetic Counseling  
4 Advisory Committee, the New Jersey Athlete Agent Regulatory  
5 Board and any other entity hereafter created under Title 45 to  
6 license or otherwise regulate a profession or occupation.  
7 (cf: P.L.2009, c.41, s.12)

8  
9 22. Section 2 of P.L.1978, c.73 (C.45:1-15) is amended to read  
10 as follows:

11 2. The provisions of this act shall apply to the following boards  
12 and all professions or occupations regulated by, through or with the  
13 advice of those boards: the New Jersey State Board of  
14 Accountancy, the New Jersey State Board of Architects, the New  
15 Jersey State Board of Cosmetology and Hairstyling, the Board of  
16 Examiners of Electrical Contractors, the New Jersey State Board of  
17 Dentistry, the State Board of Mortuary Science of New Jersey, the  
18 State Board of Professional Engineers and Land Surveyors, the  
19 State Board of Marriage and Family Therapy Examiners, the State  
20 Board of Medical Examiners, the New Jersey Board of Nursing, the  
21 New Jersey State Board of Optometrists, the State Board of  
22 Examiners of Ophthalmic Dispensers and Ophthalmic Technicians,  
23 the Board of Pharmacy, the State Board of Professional Planners,  
24 the State Board of Psychological Examiners, the State Board of  
25 Examiners of Master Plumbers, the State Board of Court Reporting,  
26 the State Board of Veterinary Medical Examiners, the State Board  
27 of Chiropractic Examiners, the State Board of Respiratory Care, the  
28 State Real Estate Appraiser Board, the State Board of Social Work  
29 Examiners, the State Board of Examiners of Heating, Ventilating,  
30 Air Conditioning and Refrigeration Contractors, the State Board of  
31 Physical Therapy Examiners, the State Board of Polysomnography,  
32 the Professional Counselor Examiners Committee, the New Jersey  
33 Cemetery Board, the Orthotics and Prosthetics Board of Examiners,  
34 the Occupational Therapy Advisory Council, the Electrologists  
35 Advisory Committee, the Acupuncture Advisory Committee, the  
36 Alcohol and Drug Counselor Committee, the Athletic Training  
37 Advisory Committee, the Certified Psychoanalysts Advisory  
38 Committee, the Fire Alarm, Burglar Alarm, and Locksmith  
39 Advisory Committee, the Home Inspection Advisory Committee,  
40 the Interior Design Examination and Evaluation Committee, the  
41 Hearing Aid Dispensers Examining Committee, the Landscape  
42 Architect Examination and Evaluation Committee, the Perfusionists  
43 Advisory Committee, the Physician Assistant Advisory Committee,  
44 the Audiology and Speech-Language Pathology Advisory  
45 Committee, the New Jersey Board of Massage and Bodywork  
46 Therapy, the Genetic Counseling Advisory Committee, the New  
47 Jersey Athlete Agent Regulatory Board and any other entity

1 hereafter created under Title 45 to license or otherwise regulate a  
2 profession or occupation.

3 (cf: P.L.2009, c.41, s.13)

4

5 23. Sections 1 through 6 of this act shall take effect  
6 immediately, and the remaining sections shall take effect on the  
7 180th day following enactment.

8

9

10 STATEMENT

11

12 This bill establishes the New Jersey Athlete Agent Regulatory  
13 Board within the Division of Consumer Affairs in the Department  
14 of Law and Public Safety for the registration and regulation of  
15 athlete agents.

16 The bill defines "athlete agent" as an individual who enters into  
17 an agency contract with a student-athlete or, directly or indirectly,  
18 recruits or solicits a student-athlete to enter into an agency contract,  
19 including an individual who represents to the public that the  
20 individual is an athlete agent, but does not mean a spouse, parent,  
21 sibling, grandparent or guardian of the student-athlete or an  
22 individual acting solely on behalf of a professional sports team or  
23 professional sports organization. A "student-athlete" is defined as  
24 an individual who engages in, is eligible to engage in, or may be  
25 eligible in the future to engage in any intercollegiate sport, but if an  
26 individual is permanently ineligible to participate in a particular  
27 intercollegiate sport, the individual is not a student-athlete for  
28 purposes of that sport.

29 The New Jersey Athlete Agent Regulatory Board shall consist of  
30 nine members who are residents of the State, two of whom shall be  
31 public members, and one of whom shall be a member from a  
32 department in the Executive Branch of the State Government. Of  
33 the remaining six members: two members shall have experience in  
34 college athletics; two members shall have experience in high school  
35 athletics; and two members shall have experience counseling  
36 professional athletes with regard to legal or financial matters.

37 The bill provides student-athletes with a statutory right to cancel  
38 an agency contract within 14 days after the contract is signed  
39 without penalty. The athlete agent contracts are required to disclose  
40 the amount and method of calculating the agent's compensation, the  
41 name of any unregistered person receiving compensation because  
42 the student-athlete signed the agreement, a description of  
43 reimbursable expenses and services to be provided, as well as  
44 warnings disclosing the cancellation and notice requirements  
45 imposed under the bill.

46 Furthermore, the bill requires both the athlete agent and the  
47 student-athlete to give notice of the contract to the athletic director  
48 of the affected educational institution within 72 hours of signing the

1 agreement, or before the athlete's next scheduled athletic event,  
2 whichever occurs first.

3 The bill also prohibits athlete agents from providing materially  
4 false or misleading information or making a materially false  
5 promise or representation with the intent of inducing a student-  
6 athlete to enter into an agency contract, or from furnishing anything  
7 of value to a student-athlete or another person before that athlete  
8 enters into an agency contract. The bill provides that an athlete  
9 agent may not intentionally initiate contact with a student-athlete  
10 unless registered under the provisions of this bill, and may not  
11 refuse or willfully fail to retain or permit inspection of required  
12 records, fail to register where required, provide materially false or  
13 misleading information in an application for registration or renewal  
14 thereof, predate or postdate an agency contract, or fail to notify a  
15 student-athlete, prior to signing, that signing an agency contract  
16 may make the student-athlete ineligible to participate as a student-  
17 athlete in that sport. Also, the bill prohibits an athlete agent from  
18 splitting a fee with or receiving compensation from: a professional  
19 sports league; a professional sports franchise; a representative or  
20 employee of a professional sports league or franchise; or an  
21 employee of an educational institution in this State.

22 The bill makes athlete agents subject to the provisions of the  
23 uniform enforcement act for professional boards, P.L.1978, c.73  
24 (C.45:1-14 et seq.). In addition, the board may deny, suspend or  
25 revoke the registration of an athlete agent if the agent has engaged  
26 in conduct involving certain civil or criminal offenses, has engaged  
27 in conduct which resulted in the imposition of a sanction,  
28 suspension or declaration of ineligibility to participate in an  
29 interscholastic or intercollegiate athletic event on a student-athlete  
30 or educational institution, or has been refused registration or  
31 licensure or renewal of registration or licensure, or had suspended  
32 or revoked a registration or licensure as an athlete agent in another  
33 state.