

**Sixty-seventh Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 5, 2021**

SENATE BILL NO. 2047
(Industry, Business and Labor Committee)
(At the request of the Commission on Uniform State Laws)

AN ACT to amend and reenact section 9-15.2-13 of the North Dakota Century Code, relating to conduct prohibited under the Revised Uniform Athlete Agents Act; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

9-15.2-13. Prohibited conduct.

1. An athlete agent, ~~with the intent to influence a student-athlete or, if the athlete is a minor, a parent or guardian of the athlete to enter 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 intentionally:~~

 - a.1. Give a student-athlete or, if the athlete is a minor, give a parent or guardian of the athlete materially false or misleading information or make a materially false promise or representation ~~with the intent to influence the athlete, parent, or guardian to enter an agency contract;~~
 - b.2. Furnish anything of value to the athlete before the athlete enters into the contract; or

 - c. Furnish anything of value to an individual other than the athlete or another registered athlete agent.
2. An athlete agent ~~may not intentionally do any of the following or encourage any other individual to do any of the following on behalf of the agent:~~

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

 - a. The agent notifies the athletic director of the educational institution at which the athlete is enrolled or at which the agent has reasonable grounds to believe the athlete intends to enroll, not later than seventy-two hours after giving the thing of value; and
 - b. The athlete or, if the athlete is a minor, the parent or guardian of the athlete acknowledges to the agent in a record that receipt of the thing of value may result in loss of the athlete's eligibility to participate in the athlete's sport;
3. Initiate contact, directly or indirectly, with a student-athlete or, if the athlete is a minor, a parent or guardian of the athlete, to recruit or solicit the athlete or, parent, or guardian to enter an agency contract unless registered under this chapter;

 - b.4. Fail to create or, retain, or to permit inspection of the records required by section 9-15.2-12;
 - e.5. Fail to register when required by section 9-15.2-03;
 - d.6. Provide materially false or misleading information in an application for registration or renewal of registration;
 - e.7. Predate or postdate an agency contract; or

- f.8. Fail to notify a student-athlete or, if the athlete is a minor, a parent or guardian of the athlete, before the athlete ~~or, parent, or guardian signs an agency contract for a particular sport that the signing may make the athlete ineligible~~result in loss of the athlete's eligibility to participate as a student-athlete in that in the athlete's sport;
- 9. Encourage another individual to do any of the acts described in subsections 1 through 8 on behalf of the agent; or
- 10. Encourage another individual to assist any other individual in doing any of the acts described in subsections 1 through 8 on behalf of the agent.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-seventh Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2047.

Senate Vote: Yeas 45 Nays 0 Absent 2

House Vote: Yeas 90 Nays 1 Absent 2

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2021.

Approved at _____ M. on _____, 2021.

Governor

Filed in this office this _____ day of _____, 2021,
at _____ o'clock _____ M.

Secretary of State