



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2003 Senate Bill 209

Senate Amendment 1

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Current law does not regulate athlete agents. *The bill* regulates athlete agents by enacting the Uniform Athlete Agents Act, which was approved by the National Conference of Commissioners on Uniform State Laws in 2000.

Senate Amendment 1 makes three changes to the bill as follows:

1. The bill authorizes an educational institution to bring a civil action against an athlete agent or a former student athlete for damages caused by a violation of the bill. The amendment eliminates the civil liability of former student athletes. Thus, former student athletes would not be subject to the civil remedy set forth in the bill although they would still be required to provide notice of the fact that they have signed a contract with an athlete agent.
2. The bill establishes a \$53 fee for processing an application for or renewing the registration of an athlete agent. Senate Amendment 1 instead directs the Department of Regulation and Licensing (DRL) to establish the fee amounts in administrative rules. The fees must be based on DRL's costs attributable to processing applications and regulating athlete agents. The amendment authorizes DRL to adopt emergency rules without having to meet the requirement that the rules are necessary for the preservation of the public peace, health, safety, or welfare.
3. The amendment modifies the contents of the notice that must be included in an agency contract so that it conforms with the notice requirements in the text of the bill. Specifically, the notice requirement is amended to insert the underscored language in the following clause of the notice: “IF YOU HAVE AN ATHLETIC DIRECTOR, WITHIN 72 HOURS AFTER ENTERING INTO THIS CONTRACT OR BEFORE THE NEXT SCHEDULED ATHLETIC EVENT IN WHICH YOU MAY PARTICIPATE, WHICHEVER OCCURS FIRST, BOTH YOU AND YOUR ATHLETE AGENT MUST NOTIFY YOUR ATHLETIC DIRECTOR....”

Senate Amendment 1 to Senate Bill 209 is identical to Assembly Amendment 1 to Assembly Bill 403, the companion bill to Senate Bill 209.

Senate Bill 209 was introduced by Senator Kanavas and others; cosponsored by Representative Wieckert and others; and referred to the Senate Committee on Higher Education and Tourism. A public hearing was held by that committee on September 10, 2003. Senator Kanavas offered Senate Amendment 1 on January 14, 2004. On February 4, 2004, the committee voted to adopt the amendment on a vote of Ayes, 5; Noes, 0, and voted to recommend passage of the bill as amended, on a vote of Ayes, 5; Noes, 0.

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