

SENATE BILL NO. 1249

December 03, 2020, Introduced by Senator HOLLIER and referred to the Committee on Regulatory Reform.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending section 411e (MCL 750.411e), as added by 1988 PA 476.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 411e. (1) An athlete agent shall not ~~do either of the~~
- 2 ~~following:~~
- 3 ~~(a) Induce a student athlete to enter into an agent contract~~
- 4 ~~or professional sport services contract before the student~~
- 5 ~~athlete's eligibility for collegiate athletics expires.~~
- 6 ~~(b) Enter~~ **enter** into an agreement whereby the athlete agent

1 gives, offers, or promises anything of value to an employee of an
2 institution of higher education in return for the referral of a
3 student athlete by that employee.

4 (2) An athlete agent who violates subsection (1) is guilty of
5 a misdemeanor, punishable by a fine of not more than \$50,000.00 or
6 an amount equal to ~~3 times the amount given, offered, or promised~~
7 ~~as an inducement as described in subsection (1)(a) or~~ 3 times the
8 value of the agreement entered into as described in subsection
9 ~~(1)(b), (1)~~, whichever is greater, or imprisonment for not more
10 than 1 year, or both.

11 (3) As used in this section:

12 (a) "Agent contract" means any contract or agreement pursuant
13 to which a person authorizes or empowers an athlete agent to
14 negotiate or solicit on behalf of the person with 1 or more
15 professional sport teams for the employment of the person by a
16 professional sport team or to negotiate or solicit on behalf of the
17 person for the employment of the person as a professional athlete.

18 (b) "Athlete agent" means a person who, directly or
19 indirectly, recruits or solicits a person to enter into an agent
20 contract or professional sport services contract, or who procures,
21 offers, promises, or attempts to obtain employment for a person
22 with a professional sport team or as a professional athlete.
23 Athlete agent does not include a member of a person's immediate
24 family.

25 (c) "Immediate family" means a person's spouse, child, parent,
26 stepparent, grandparent, grandchild, brother, sister, parent-in-
27 law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle,
28 first cousin, or the spouse or guardian of any of the persons
29 described in this subdivision.

1 (d) "Institution of higher education" means a public or
2 private college or university.

3 (e) "Person" means an individual, sole proprietorship,
4 partnership, association, corporation, or other legal entity.

5 (f) "Professional sport services contract" means a contract or
6 agreement pursuant to which a person is employed or agrees to
7 render services as a player on a professional sport team or as a
8 professional athlete.

9 (g) "Student athlete" means an individual who engages in, is
10 eligible to engage in, or may be eligible to engage in any
11 intercollegiate sporting event, contest, exhibition, or program.

12 Enacting section 1. This amendatory act does not take effect
13 unless Senate Bill No. 660 of the 100th Legislature is enacted into
14 law.