TITLE 54
PROFESSIONS, VOCATIONS, AND BUSINESSES

CHAPTER 48
REVISED UNIFORM ATHLETE AGENTS ACT

54-4801. SHORT TITLE. This chapter may be cited as the "Revised Uniform Athlete Agents Act."

[54-4801, added 2016, ch. 201, sec. 2, p. 562.]

54-4802. DEFINITIONS. As used in this chapter:
(1) "Agency contract" means an agreement in which a student athlete authorizes a person to negotiate or solicit on behalf of the athlete a professional-sports-services contract or endorsement contract.
(2) "Athlete agent":
(a) Means an individual, whether or not registered under this chapter, who:
   (i) Directly or indirectly recruits or solicits a student athlete to enter into an agency contract or, for compensation, procures employment or offers, procures, attempts or negotiates to obtain employment for a student athlete as a professional athlete or member of a professional sports team or organization;
   (ii) For compensation or in anticipation of compensation related to a student athlete's participation in athletics:
      1. Serves the athlete in an advisory capacity on a matter related to finances, business pursuits or career management decisions, unless the individual is an employee of an educational institution acting exclusively as an employee of the institution for the benefit of the institution; or
      2. Manages the business affairs of the athlete by providing assistance with bills, payments, contracts or taxes; or
   (iii) In anticipation of representing a student athlete for a purpose related to the athlete's participation in athletics:
      1. Gives consideration to the student athlete or another person;
      2. Serves the athlete in an advisory capacity on a matter related to finances, business pursuits or career management decisions; or
      3. Manages the business affairs of the athlete by providing assistance with bills, payments, contracts or taxes; but
(b) Does not include an individual who:
   (i) Acts solely on behalf of a professional sports team or organization; or
   (ii) Is a licensed, registered or certified professional and offers or provides services to a student athlete customarily provided by members of the profession, unless the individual:
      1. Also recruits or solicits the athlete to enter into an agency contract;
      2. Also, for compensation, procures employment or offers, promises, attempts or negotiates to obtain employment for the athlete as a professional athlete or member of a professional sports team or organization; or
3. Receives consideration for providing the services calculated using a different method than for an individual who is not a student athlete.  

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

(4) "Bureau" means the bureau of occupational licenses.  

(5) "Educational institution" includes a public or private elementary school, secondary school, technical or vocational school, community college, college and university.  

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

(7) "Enrolled" means registered for courses and attending athletic practice or class. "Enrolls" has a corresponding meaning.  

(8) "Intercollegiate sport" means a sport played at the collegiate level for which eligibility requirements for participation by a student athlete are established by a national association that promotes or regulates collegiate athletics.  

(9) "Interscholastic sport" means a sport played between educational institutions that are not community colleges, colleges or universities.  

(10) "Licensed, registered or certified professional" means an individual licensed, registered or certified as an attorney, dealer in securities, financial planner, insurance agent, real estate broker or sales agent, tax consultant, accountant or member of a profession, other than that of athlete agent, who is licensed, registered or certified by the state or a nationally recognized organization that licenses, registers or certifies members of the profession on the basis of experience, education or testing.  

(11) "Person" means an individual, estate, business or nonprofit entity, public corporation, government or governmental subdivision, agency or instrumentality, or other legal entity.  

(12) "Professional-sports-services contract" means an agreement under which an individual is employed as a professional athlete or agrees to render services as a player on a professional sports team or with a professional sports organization.  

(13) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.  

(14) "Recruit or solicit" means attempt to influence the choice of an athlete agent by a student athlete or, if the athlete is a minor, a parent or guardian of the athlete. The term does not include giving advice on the selection of a particular agent in a family, coaching or social situation unless the individual giving the advice does so because of the receipt or anticipated receipt of an economic benefit, directly or indirectly, from the agent.  

(15) "Registration" means registration as an athlete agent under this chapter.  

(16) "Sign" means, with present intent to authenticate or adopt a record:  

(a) To execute or adopt a tangible symbol; or
(b) To attach to or logically associate with the record an electronic symbol, sound or process.

(17) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands or any territory or insular possession subject to the jurisdiction of the United States.

(18) "Student athlete" means an individual who is eligible to attend an educational institution and engages in, is eligible to engage in, or may be eligible in the future to engage in, any interscholastic or intercollegiate sport. The term does not include an individual permanently ineligible to participate in a particular interscholastic or intercollegiate sport for that sport.

[54-4802, added 2016, ch. 201, sec. 2, p. 562.]

54-4803. BUREAU OF OCCUPATIONAL LICENSES -- AUTHORITY -- PROCE-DURE. (1) Chapter 52, title 67, Idaho Code, shall apply to this chapter. The bureau may adopt rules pursuant to chapter 52, title 67, Idaho Code, to implement the provisions of this chapter.

(2) By acting as an athlete agent in this state, a nonresident individual appoints the bureau as the individual's agent for service of process in any civil action in this state related to the individual acting as an athlete agent in this state.

(3) The bureau may issue subpoenas for any material that is relevant to the administration of this chapter.

[54-4803, added 2016, ch. 201, sec. 2, p. 564.]

54-4804. ATHLETE AGENT REGISTRATION REQUIRED -- VOID CONTRACT. (1) Except as otherwise provided in subsection (2) of this section, an individual may not act as an athlete agent in this state without holding a certificate of registration under this chapter.

(2) Before being issued a certificate of registration under this chapter, an individual may act as an athlete agent in this state for all purposes except signing an agency contract, if:

(a) A student athlete or another person acting on behalf of the athlete initiates communication with the individual; and

(b) Not later than seven (7) days after an initial act that requires the individual to register as an athlete agent, the individual submits an application for registration as an athlete agent in this state.

(3) An agency contract resulting from conduct in violation of this section is void, and the athlete agent shall return any consideration received under the contract.

[54-4804, added 2016, ch. 201, sec. 2, p. 564.]

54-4805. REGISTRATION AS ATHLETE AGENT -- APPLICATION -- REQUIREMENTS -- RECIPROCAL REGISTRATION. (1) An applicant for registration as an athlete agent shall submit an application for registration to the bureau in a form prescribed by the bureau. The applicant must be an individual, and the application must be signed by the applicant under penalty of perjury. An application filed under this section is a public record. The application must contain at least the following:

(a) The name and date and place of birth of the applicant and the following contact information for the applicant:
(i) The address of the applicant's principal place of business;
(ii) Work and mobile telephone numbers; and
(iii) Any means of communicating electronically, including a facsimile number, electronic-mail address and personal and business or employer websites;
(b) The name of the applicant's business or employer, if applicable, including for each business or employer, its mailing address, telephone number, type of business organization and the nature of the business;
(c) Each social media account with which the applicant or the applicant's business or employer is affiliated;
(d) Each business or occupation in which the applicant engaged within five (5) years before the date of the application, including self-employment and employment by others, and any professional or occupational license, registration or certification held by the applicant during that time;
(e) A description of the applicant's:
   (i) Formal training as an athlete agent;
   (ii) Practical experience as an athlete agent; and
   (iii) Educational background relating to the applicant's activities as an athlete agent;
(f) The name of each student athlete for whom the applicant acted as an athlete agent within five (5) years before the date of the application or, if the individual is a minor, the name of the parent or guardian of the minor, together with the athlete's sport and last known team;
(g) The name and address of each person that:
   (i) Is a partner, member, officer, manager, associate or profit sharer or directly or indirectly holds an equity interest of five percent (5%) or greater of the athlete agent's business if it is not a corporation; and
   (ii) Is an officer or director of a corporation employing the athlete agent or a shareholder having an interest of five percent (5%) or greater in the corporation;
(h) A description of the status of any application by the applicant, or any person named under paragraph (g) of this subsection, for a state or federal business, professional or occupational license, other than as an athlete agent, from a state or federal agency, including any denial, refusal to renew, suspension, withdrawal or termination of the license and any reprimand or censure related to the license;
(i) Whether the applicant, or any person named under paragraph (g) of this subsection, has pleaded guilty or no contest to; has been convicted of; entered an Alford plea for; received a withheld judgment, suspended sentence or deferred prosecution for; or has charges pending for, a crime that would involve moral turpitude or be a felony if committed in this state and, if so, identification of:
   (i) The crime;
   (ii) The law enforcement agency involved; and
   (iii) If applicable, the date of the conviction and the fine or penalty imposed;
(j) Whether, within fifteen (15) years before the date of application, the applicant, or any person named under paragraph (g) of this subsection, has been a defendant or respondent in a civil proceeding, including a proceeding seeking an adjudication of legal incompetence and, if so, the date and a full explanation of each proceeding;
(k) Whether the applicant, or any person named under paragraph (g) of this subsection, has an unsatisfied judgment or a judgment of continuing effect, including spousal support or a domestic order in the nature of child support, that is not current at the date of the application;
(l) Whether, within ten (10) years before the date of application, the applicant, or any person named under paragraph (g) of this subsection, was adjudicated bankrupt or was an owner of a business that was adjudicated bankrupt;
(m) Whether there has been any administrative or judicial determination that the applicant, or any person named under paragraph (g) of this subsection, made a false, misleading, deceptive or fraudulent representation;
(n) Each instance in which conduct of the applicant, or any person named under paragraph (g) of this subsection, resulted in the imposition of a sanction, suspension or declaration of ineligibility to participate in an interscholastic, intercollegiate or professional athletic event on a student athlete or a sanction on an educational institution;
(o) Each sanction, suspension or disciplinary action taken against the applicant, or any person named under paragraph (g) of this subsection, arising out of occupational or professional conduct;
(p) Whether there has been a denial of an application for, suspension or revocation of, refusal to renew or abandonment of the registration of the applicant, or any person named under paragraph (g) of this subsection, as an athlete agent in any state;
(q) Each state in which the applicant currently is registered as an athlete agent or has applied to be registered as an athlete agent;
(r) If the applicant is certified or registered by a professional league or players association:
   (i) The name of the league or association;
   (ii) The date of certification or registration and the date of expiration of the certification or registration, if any; and
   (iii) If applicable, the date of any denial of an application for, suspension or revocation of, refusal to renew, withdrawal of, or termination of the certification or registration, or any remedial or censure related to the certification or registration; and
(s) Any additional information requested by the bureau.
(2) Instead of proceeding under subsection (1) of this section, an individual registered as an athlete agent in another state may apply for registration as an athlete agent in this state by submitting to the bureau:
   (a) A copy of the application for registration in the other state;
   (b) A statement that identifies any material change in the information on the application or verifies there is no material change in the information, signed under penalty of perjury; and
   (c) A copy of the certificate of registration from the other state.
(3) The bureau shall issue a certificate of registration to an individual who applies for registration under subsection (2) of this section, if the bureau determines:
   (a) The application and registration requirements of the other state are substantially similar to or more restrictive than this chapter; and
   (b) The registration has not been revoked or suspended and no action involving the individual's conduct as an athlete agent is pending against the individual or the individual's registration in any state.
(4) For purposes of implementing subsection (3) of this section, the bureau shall:
   (a) Cooperate with national organizations concerned with athlete agent issues, and agencies in other states that register athlete agents, to develop a common registration form and determine which states have laws that are substantially similar to or more restrictive than this chapter; and
   (b) Exchange information, including information related to actions taken against registered athlete agents or their registrations, with those organizations and agencies.

[54-4805, added 2016, ch. 201, sec. 2, p. 564.]

54-4806. CERTIFICATE OF REGISTRATION -- ISSUANCE OR DENIAL -- RENEWAL. (1) Except as otherwise provided in subsection (2) of this section, the bureau shall issue a certificate of registration to an applicant for registration who complies with section 54-4805(1), Idaho Code.

(2) The bureau may refuse to issue a certificate of registration to an applicant for registration under section 54-4805(1), Idaho Code, if the bureau determines that the applicant has engaged in conduct that significantly adversely reflects on the applicant's fitness to act as an athlete agent. In making the determination, the bureau may consider whether the applicant has:
   (a) Pledged guilty or no contest to; has been convicted of; entered an Alford plea for; received a withheld judgment, suspended sentence or deferred prosecution for; or has charges pending for, a crime that would involve moral turpitude or be a felony if committed in this state;
   (b) Made a materially false, misleading, deceptive or fraudulent representation in the application or as an athlete agent;
   (c) Engaged in conduct that would disqualify the applicant from serving in a fiduciary capacity;
   (d) Engaged in conduct prohibited by section 54-4814, Idaho Code;
   (e) Had a registration as an athlete agent suspended, revoked or denied in any state;
   (f) Been refused renewal of registration as an athlete agent in any state;
   (g) Engaged in conduct resulting in imposition of a sanction, suspension or declaration of ineligibility to participate in an interscholastic, intercollegiate or professional athletic event on a student athlete or a sanction on an educational institution; or
   (h) Engaged in conduct that adversely reflects on the applicant's credibility, honesty or integrity.

(3) In making a determination under subsection (2) of this section, the bureau shall consider:
   (a) How recently the conduct occurred;
   (b) The nature of the conduct and the context in which it occurred; and
   (c) Other relevant conduct of the applicant.

(4) An athlete agent registered under subsection (1) of this section may apply to renew the registration by submitting an application for renewal in a form prescribed by the bureau. The applicant shall sign the application for renewal under penalty of perjury and include current information on all matters required in an original application for registration.

(5) An athlete agent registered under section 54-4805(3), Idaho Code, may renew the registration by proceeding under subsection (4) of this section or, if the registration in the other state has been renewed, by submit-
ting to the bureau copies of the application for renewal in the other state and the renewed registration from the other state. The bureau shall renew the registration if the bureau determines:

(a) The registration requirements of the other state are substantially similar to or more restrictive than this chapter; and

(b) The renewed registration has not been suspended or revoked and no action involving the individual's conduct as an athlete agent is pending against the individual or the individual's registration in any state.

(6) A certificate of registration or renewal of registration under this chapter is valid for two (2) years.

[54-4806, added 2016, ch. 201, sec. 2, p. 566.]

54-4807. SUSPENSION, REVOCATION OR REFUSAL TO RENEW REGISTRATION. (1) The bureau may limit, suspend, revoke or refuse to renew a registration of an individual registered under section 54-4806(1), Idaho Code, for conduct that would have justified refusal to issue a certificate of registration under section 54-4806(2), Idaho Code.

(2) The bureau may suspend or revoke the registration of an individual registered under section 54-4805(3), Idaho Code, or renewed under section 54-4806(5), Idaho Code, for any reason that the bureau could have refused to grant or renew registration or for conduct that would justify refusal to issue a certificate of registration under section 54-4806(2), Idaho Code.

(3) The bureau may deny, suspend, revoke or refuse to renew a certificate of registration or licensure only after proper notice and an opportunity for a hearing in accordance with the provisions of chapter 52, title 67, Idaho Code.

[54-4807, added 2016, ch. 201, sec. 2, p. 567.]

54-4808. TEMPORARY REGISTRATION. The bureau may issue a temporary certificate of registration as an athlete agent while an application for registration or renewal of registration is pending.

[54-4808, added 2016, ch. 201, sec. 2, p. 567.]

54-4809. REGISTRATION AND RENEWAL FEES. (1) An application for registration or renewal of registration as an athlete agent must be accompanied by a fee in an amount prescribed by the bureau, but not to exceed two hundred fifty dollars ($250), for any registration period for the following:

(a) An initial application for registration;

(b) Registration based on a certificate of registration issued by another state;

(c) An application for renewal of registration; or

(d) Renewal of registration based on a renewal of registration in another state.

(2) All fees received under the provisions of this chapter shall be deposited in the state treasury to the credit of the occupational licenses fund and all costs and expenses incurred by the bureau under the provisions of this chapter shall be a charge against and paid from said fund for such purposes. Notwithstanding the provisions of any other law, the funds collected hereunder shall be immediately available for the administration of this chapter. In no event will the occupational licenses fund be obligated
to pay any claims which, in aggregate with claims already paid, exceed the income to the occupational licenses fund that has been derived by the application of this chapter.

(3) The money paid into the occupational licenses fund is continuously appropriated to the bureau for expenditure in the manner prescribed herein to defray the expenses of the bureau in carrying out and enforcing the provisions of this chapter.

[54-4809, added 2016, ch. 201, sec. 2, p. 568.]

54-4810. REQUIRED FORM OF AGENCY CONTRACT. (1) An agency contract must be in a record signed by the parties.

(2) An agency contract must contain:
(a) A statement that the athlete agent is registered as an athlete agent in this state and a list of any other states in which the agent is registered as an athlete agent;
(b) The amount and method of calculating the consideration to be paid by the student athlete for services to be provided by the agent under the contract and any other consideration the agent has received or will receive from any other source for entering into the contract or providing the services;
(c) The name of any person not listed in the agent's application for registration or renewal of registration that will be compensated because the athlete signed the contract;
(d) A description of any expenses the athlete agrees to reimburse;
(e) A description of the services to be provided to the athlete;
(f) The duration of the contract; and
(g) The date of execution.

(3) Subject to subsection (7) of this section, an agency contract must contain a conspicuous notice in boldface type and in substantially the following form:

WARNING TO STUDENT ATHLETE
IF YOU SIGN THIS CONTRACT:
(1) YOU MAY LOSE YOUR ELIGIBILITY TO COMPETE AS A STUDENT ATHLETE IN YOUR SPORT;
(2) IF YOU HAVE AN ATHLETIC DIRECTOR, WITHIN 72 HOURS AFTER SIGNING THIS CONTRACT OR BEFORE THE NEXT SCHEDULED ATHLETIC EVENT IN WHICH YOU PARTICIPATE, WHICHEVER OCCURS FIRST, BOTH YOU AND YOUR ATHLETE AGENT MUST NOTIFY YOUR ATHLETIC DIRECTOR THAT YOU HAVE ENTERED INTO THIS CONTRACT AND PROVIDE THE NAME AND CONTACT INFORMATION OF THE ATHLETE AGENT; AND
(3) YOU MAY CANCEL THIS CONTRACT WITHIN 14 DAYS AFTER SIGNING IT. CANCELLATION OF THIS CONTRACT MAY NOT REINSTATE YOUR ELIGIBILITY AS A STUDENT ATHLETE IN YOUR SPORT.

(4) An agency contract must be accompanied by a separate record signed by the student athlete or, if the athlete is a minor, the parent or guardian of the athlete acknowledging that signing the contract may result in the loss of the athlete's eligibility to participate in the athlete's sport.

(5) A student athlete or, if the athlete is a minor, the parent or guardian of the athlete may void an agency contract that does not conform to this section. If the contract is voided, any consideration received from the
athlete agent under the contract to induce entering into the contract is not required to be returned.

(6) At the time an agency contract is executed, the athlete agent shall give the student athlete or, if the athlete is a minor, the parent or guardian of the athlete a copy in a record of the contract and the separate acknowledgment required by subsection (4) of this section.

(7) If a student athlete is a minor, an agency contract must be signed by the parent or guardian of the minor and the notice required by subsection (3) of this section must be revised accordingly.

[54-4810, added 2016, ch. 201, sec. 2, p. 568.]

54-4811. NOTICE TO EDUCATIONAL INSTITUTION. (1) As used in this section, "communicating or attempting to communicate" means contacting or attempting to contact by an in-person meeting, a record or any other method that conveys or attempts to convey a message.

(2) Not later than seventy-two (72) hours after entering into an agency contract or before the next scheduled athletic event in which the student athlete may participate, whichever occurs first, the athlete agent shall give notice in a record of the existence of the contract to 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.

(3) Not later than seventy-two (72) hours after entering into an agency contract or before the next scheduled athletic event in which the student athlete may participate, whichever occurs first, the athlete shall inform the athletic director of the educational institution at which the athlete is enrolled that the athlete has entered into an agency contract and the name and contact information of the athlete agent.

(4) If an athlete agent enters into an agency contract with a student athlete and the athlete subsequently enrolls at an educational institution, the agent shall notify the athletic director of the institution of the existence of the contract not later than seventy-two (72) hours after the agent knew or should have known that the athlete enrolled.

(5) If an athlete agent has a relationship with a student athlete before the athlete enrolls in an educational institution and receives an athletic scholarship from the institution, the agent shall notify the institution of the relationship not later than ten (10) days after the enrollment if the agent knows or should have known of the enrollment and:

(a) The relationship was motivated in whole or in part by the intention of the agent to recruit or solicit the athlete to enter an agency contract in the future; or

(b) The agent directly or indirectly recruited or solicited the athlete to enter an agency contract before the enrollment.

(6) An athlete agent shall give notice in a record to the athletic director of any educational institution at which a student athlete is enrolled before the agent communicates or attempts to communicate with:

(a) The athlete or, if the athlete is a minor, a parent or guardian of the athlete, to influence the athlete or parent or guardian to enter into an agency contract; or

(b) Another individual to have that individual influence the athlete or, if the athlete is a minor, the parent or guardian of the athlete to enter into an agency contract.
(7) If a communication or attempt to communicate with an athlete agent is initiated by a student athlete or another individual on behalf of the athlete, the agent shall notify in a record the athletic director of any educational institution at which the athlete is enrolled. The notification must be made not later than ten (10) days after the communication or attempt.

(8) An educational institution that becomes aware of a violation of this chapter by an athlete agent shall notify the bureau and any professional league or players association with which the institution is aware the agent is licensed or registered of the violation.

[54-4811, added 2016, ch. 201, sec. 2, p. 569.]

54-4812. STUDENT ATHLETE'S RIGHT TO CANCEL. (1) A student athlete or, if the athlete is a minor, the parent or guardian of the athlete may cancel an agency contract by giving notice in a record of cancellation to the athlete agent not later than fourteen (14) days after the contract is signed.

(2) A student athlete or, if the athlete is a minor, the parent or guardian of the athlete may not waive the right to cancel an agency contract.

(3) If a student athlete, parent or guardian cancels an agency contract, the athlete, parent or guardian is not required to pay any consideration under the contract or return any consideration received from the athlete agent to influence the athlete to enter into the contract.

[54-4812, added 2016, ch. 201, sec. 2, p. 570.]

54-4813. REQUIRED RECORDS. (1) An athlete agent shall create and retain for five (5) years records of the following:

(a) The name and address of each individual represented by the agent;
(b) Each agency contract entered into by the agent; and
(c) The direct costs incurred by the agent in the recruitment or solicitation of each student athlete to enter into an agency contract.

(2) Records described in subsection (1) of this section are open to inspection by the bureau during normal business hours.

[54-4813, added 2016, ch. 201, sec. 2, p. 570.]

54-4814. 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 into 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:

(a) Give materially false or misleading information or make a materially false promise or representation;
(b) 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) 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, parent or guardian to enter an agency contract unless registered under this chapter;
(b) Fail to create or retain or to permit inspection of the records required by section 54-4813, Idaho Code;
(c) Fail to register when required by section 54-4804, Idaho Code;
(d) Provide materially false or misleading information in an application for registration or renewal of registration;
(e) Predate or postdate an agency contract; or
(f) Fail to notify a student athlete or, if the athlete is a minor, a parent or guardian of the athlete, before the athlete, parent or guardian signs an agency contract for a particular sport that the signing may make the athlete ineligible to participate as a student athlete in that sport.

[54-4814, added 2016, ch. 201, sec. 2, p. 570.]

54-4815. CRIMINAL PENALTY. An athlete agent who violates section 54-4814, Idaho Code, shall be guilty of a misdemeanor.

[54-4815, added 2016, ch. 201, sec. 2, p. 571.]

54-4816. CIVIL REMEDY. (1) An educational institution or student athlete may bring an action for damages against an athlete agent if the institution or athlete is adversely affected by an act or omission of the agent in violation of this chapter. An educational institution or student athlete is adversely affected by an act or omission of the agent only if, because of the act or omission, the institution or an individual who was a student athlete at the time of the act or omission and enrolled in the institution:
(a) Is suspended or disqualified from participation in an interscholastic or intercollegiate sports event by or under the rules of a state or national federation or association that promotes or regulates interscholastic or intercollegiate sports; or
(b) Suffers financial damage.
(2) A plaintiff that prevails in an action under this section may recover costs and reasonable attorney's fees. An athlete agent found liable under this section forfeits any right of payment for anything of benefit or value provided to the student athlete and shall refund any consideration paid to the agent by or on behalf of the athlete.

[54-4816, added 2016, ch. 201, sec. 2, p. 571.]

54-4817. CIVIL PENALTY. The bureau may assess a civil penalty against an athlete agent not to exceed twenty-five thousand dollars ($25,000) for a violation of this chapter.

[54-4817, added 2016, ch. 201, sec. 2, p. 571.]

54-4818. UNIFORMITY OF APPLICATION AND CONSTRUCTION. In applying and construing this uniform act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

[54-4818, added 2016, ch. 201, sec. 2, p. 571.]
54-4819. RELATION TO ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT. This chapter modifies, limits or supersedes the electronic signatures in global and national commerce act, 15 U.S.C. section 7001 et seq., but does not modify, limit or supersede section 101(c) of that act, 15 U.S.C. section 7001(c), or authorize electronic delivery of any of the notices described in section 103 (b) of that act, 15 U.S.C. section 7003(b).

[54-4819, added 2016, ch. 201, sec. 2, p. 571.]

54-4820. SEVERABILITY. If any provision of this chapter or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this chapter that can be given effect without the invalid provision or application, and to this end the provisions of this chapter are severable.

[54-4820, added 2016, ch. 201, sec. 2, p. 571.]