

Honolulu, Hawaii

MAR 03 2017

RE: S.B. No. 430
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 430, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ATHLETE AGENTS,"

begs leave to report as follows:

The purpose and intent of this measure is to update the State's law that regulates athlete agents.

Specifically, the measure repeals the Uniform Athlete Agents Act and replaces it with the Revised Uniform Athlete Agents Act, which:

- (1) Expands the definition of "athlete agent" to include financial advisors under certain circumstances;
- (2) Requires reciprocity for athlete agents registered in more than one state;
- (3) Strengthens requirements for athlete agent contracts; and
- (4) Strengthens requirements for athlete agents to provide notifications to the educational institutions in which the student athlete is enrolled.



Your Committee received written comments in support of this measure from the Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs, the University of Hawaii, and the Commission to Promote Uniform Legislation.

Your Committee received written comments on this measure from the Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs.

Your Committee finds that recruitment of student athletes in an improper manner can cause substantial eligibility problems for both the student athlete and the educational institution, which in turn can lead to severe economic sanctions and loss of scholarships for the institution. Since the adoption of the Uniform Athlete Agents Act, however, a variation of the sports agent problem has been developing in the form of "financial advisors" who are not regulated under that act. This measure is therefore needed to close the current double standard between financial advisors and athlete agents.

Your Committee has amended this measure by clarifying that a violation that shall constitute an unfair or deceptive act or practice under the measure is an act committed by the athlete agent.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 430, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 430, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,

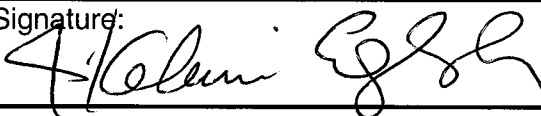


JILL N. TOKUDA, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 430, SDI	CPH/SDL, WAM	23 Feb 2017		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TOKUDA, Jill N. (C)	/			
DELA CRUZ, Donovan M. (VC)				/
ENGLISH, J. Kalani	/			
GALUTERIA, Brickwood	/			
HARIMOTO, Breene	/			
INOUYE, Lorraine R.				/
KAHELE, Kaiali'i				/
RIVIERE, Gil	/			
SHIMABUKURO, Maile S.L.				/
TANIGUCHI, Brian T.	/			
WAKAI, Glenn	/			
TOTAL	7			4
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes