

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1879

Session of
1987

INTRODUCED BY COLAFELLA, COWELL, TELEK, MARKOSEK, KUKOVICH,
COLE, BATTISTO, VAN HORNE, COY, LESCOVITZ, MAYERNIK, SEMMEL,
PISTELLA, STEIGHNER, MELIO, SALOOM, DALEY, JADLOWIEC, OLASZ,
KOSINSKI, VEON, TRELLO, SEVENTY AND BELARDI, OCTOBER 26, 1987

REFERRED TO COMMITTEE ON EDUCATION, OCTOBER 26, 1987

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, prohibiting certain activities by
3 athlete agents.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Title 18 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 7107. Unlawful actions by athlete agents.

9 (a) Offense defined.--An athlete agent shall not do any of
10 the following:

11 (1) Enter into an oral or written agent contract or
12 professional sport services contract with a student athlete
13 before the student athlete's eligibility for collegiate
14 athletics expires.

15 (2) Give, offer or promise anything of value to a
16 student athlete or his parent or guardian, before the student
17 athlete's eligibility for collegiate athletics expires.

1 (3) Enter into an oral or written agreement whereby the
2 athlete agent gives, offers or promises anything of value to
3 an employee of an institution of higher education in return
4 for the referral of a student athlete by that employee.

5 (b) Penalty.--An athlete agent who violates subsection (a)
6 commits a misdemeanor of the first degree and shall, upon
7 conviction, be sentenced to pay a fine of not more than \$10,000
8 or an amount equal to three times the amount given, offered or
9 promised as an inducement as described in subsection (a)(2) or
10 three times the value of the agreement entered into as described
11 in subsection (a)(3), whichever is greater, or imprisonment for
12 not more than one year, or both.

13 (c) Definitions.--As used in this section, the following
14 words and phrases shall have the meanings given to them in this
15 subsection:

16 "Agent contract." Any contract or agreement pursuant to
17 which a person authorizes or empowers an athlete agent to
18 negotiate or solicit on behalf of the person with one or more
19 professional sport teams for the employment of the person by a
20 professional sport team or to negotiate or solicit on behalf of
21 the person for the employment of the person as a professional
22 athlete.

23 "Athlete agent." A person who, directly or indirectly,
24 recruits or solicits a person to enter into an agent contract or
25 professional sport services contract, or who procures, offers,
26 promises or attempts to obtain employment for a person with a
27 professional sport team or as a professional athlete.

28 "Institution of higher education." A public or private
29 college or university.

30 "Person." An individual, sole proprietorship, partnership,

1 association, corporation or other legal entity.

2 "Professional sport services contract." A contract or
3 agreement pursuant to which a person is employed or agrees to
4 render services as a player on a professional sport team or as a
5 professional athlete.

6 "Student athlete." An individual who engages in, is eligible
7 to engage in or may be eligible to engage in any intercollegiate
8 sporting event, contest, exhibition or program.

9 Section 2. This act shall take effect in 60 days.