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Colt Gill

Deputy Superintendent of Public Instruction

Senate Bill 1501-A: Student Athletes
Senate Education Committee
Thursday, February 27, 2020

Chair Holvey, Vice-Chair Smith Warner, Vice Chair Drazan, and members of the Committee, I am Jessica Ventura, Government Relations and External Affairs Manager for the Oregon Department of Education (ODE). Thank you for the opportunity to submit information on Senate Bill (SB) 1501- A and provide more context on ODE's connection to athletic agents.

Background:

Athlete agents representing student athletes at post-secondary levels must obtain a certificate of registration ([ORS 702.012](#)). ODE issues those certificates. Currently, college athletes do not have the right to earn compensation during college for coaching and related services. They also do not have the right to earn compensation for the use of their names, images, and likenesses.

Senate Bill 1501:

SB 1501-A will give a student enrolled in "post-secondary institutions of education" (term excludes community colleges) the right to earn compensation for coaching and related services and for the use of the student's name, image, or likeness. It also gives the student the right to contract with and retain professional representation or an athlete agent. The bill becomes law in 2023.

Currently, ODE issues those certificates ([ORS 702.012](#)). Because this may substantially increase the number of athlete agents seeking to register in Oregon, we anticipate that it will increase the number of certificates of registration ODE will need to issue leading to a need for additional staff to process those new registrations. Due to this, we provided information in the Senate for the following to be considered:

- Because the bill makes changes that relate only to student athletes enrolled in post-secondary institutions, advised the bill be amended to make **an entity other than ODE** responsible for issuing certificates of registration to athlete agents that will be

representing college athletes in matters addressed by this bill. All of the agents registered with us represent students in higher education, not students in K-12.

- We advised consideration of amending [ORS 702.005 to 702.065, 702.991, and 702.994](#) (the Uniform Athlete Agents Act) to: (a) transfer the ODE's current responsibility to issue certificates of registration to athlete agents to another entity, making them responsible for issuing certificates of registration to **all** athlete agents working in Oregon, and (b), like [California](#), include a provision in the bill (i) requiring that all athlete agents comply with [the federal Sports Agent Responsibility and Trust Act \(15 USC 7801 et seq.\)](#) and (ii) convening a task force to develop proposals for addressing athlete agents representing community college students.

For example, in other states such as California, the Secretary of State registers athletic agents (Cal Business and Professions code, Division 8, Chapter 2.5, Article 1.5 section 18896). In Texas, the Secretary of State also registers athletic agents. Florida runs their registration through their Department of Business and Professional Regulation. In Colorado, it is the Department of Regulatory Agencies that oversees this program. In Pennsylvania, athletic agents register with the sports commission.

ODE is committed to every student in the P-20 continuum. We welcome the opportunity to be part of collaborative conversation in the interim to identify the agency that should carry this work forward. The Senate President's Office has also committed to lead discussions in the interim with partners from higher education and other agencies to determine the correct state entity to house athletic agent registrations and come back to the legislature with a legislative solution during the 2021 legislative session.

Respectfully,

Jessica Ventura
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Government Relations & External Affairs Team

Oregon Department of Education