



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
(803)734-3780 • RFA.SC.GOV/IMPACTS

This fiscal impact statement is produced in compliance with the South Carolina Code of Laws and House and Senate rules. The focus of the analysis is on governmental expenditure and revenue impacts and may not provide a comprehensive summary of the legislation.

Bill Number: H. 3501 Introduced on January 10, 2023
Author: W. Newton
Subject: Uniform Athlete Agents Act
Requestor: House Education and Public Works
RFA Analyst(s): Tipton
Impact Date: April 12, 2023

Fiscal Impact Summary

This bill amends Section 59-102-140, under the Uniform Athlete Agent Act of 2018, to allow a certified athlete agent as defined by the bill to pay eligible expenses incurred before the signing of an agency contract by a student athlete or other authorized person.

This bill will have no expenditure impact on State Institutions of Higher Learning (IHL). The Revenue and Fiscal Affairs Office (RFA) surveyed all public IHLs in the state and based upon responses from the College of Charleston, the University of South Carolina (USC), Francis Marion University (FMU), the Citadel, Clemson University (Clemson), and Coastal Carolina University (CCU), any requirements of student athletes or athletic departments as a result of the bill will be minimal and managed under current budgets.

This bill will have no impact on the Commission on Higher Education (CHE) or the Department of Consumer Affairs (DCA), as the bill does not alter any requirements of the agencies related to student athlete agents.

This bill will have no impact on Judicial, the caseload for General Sessions court, or court fines and fees revenue, as Judicial indicates that there were no charges brought against athlete agents for violations of statutory requirements in CY 2022. This bill expressly allows certified athlete agents to pay authorized expenses and is not expected to result in additional violations.

Explanation of Fiscal Impact

Introduced on January 10, 2023

State Expenditure

This bill amends Section 59-102-140, under the Uniform Athlete Agent Act of 2018, to allow a certified athlete agent to pay eligible expenses incurred before the signing of an agency contract by a student athlete or other authorized person. The bill provides that payments for expenses by certified athlete agents are allowed if the expenses are for the benefit of an authorized athlete, of a type authorized to be paid by a certified agent, and for a purpose authorized by the national association that certified the agent. The bill defines “certified athlete agents” as athlete agents registered under the provisions of the chapter who are certified to be an athlete agent by a

national association that promotes or regulates intercollegiate athletics and establishes eligibility standards for participation by a student athlete in their respective sport.

State Institutions of Higher Learning. This bill amends code related to the regulation of student athlete agents. RFA surveyed all public IHLs in the state, and according to responses from the College of Charleston, USC, FMU, the Citadel, Clemson, and CCU, any requirements of student athletes or athletic departments as a result of the bill will be minimal and managed under current budgets.

Commission on Higher Education. This bill amends code related to the regulation of student athlete agents. This bill does not contain any additional requirements of CHE, and therefore, this bill will have no expenditure impact on the agency.

Department of Consumer Affairs. Under the Uniform Athlete Agent Act of 2018, DCA may perform an inspection of the records required to be maintained by athlete agents. This bill does not alter the record maintenance requirement of the athlete agents or the ability of DCA to perform these inspections. Therefore, this bill will have no expenditure impact on DCA.

Judicial. This bill amends Section 59-102-140, under the Uniform Athlete Agent Act of 2018, to allow a certified athlete agent to pay eligible expenses incurred before the signing of an agency contract by a student athlete or other authorized person. Under the act, an athlete agent in violation of this code section is guilty of a misdemeanor and, upon conviction, may be fined up to \$10,000 or imprisoned for up to three years, or both. According to Judicial, there were no charges brought for violations of this section in CY 2022. This bill expressly allows certified athlete agents to pay authorized expenses and is not expected to result in additional violations. Therefore, this bill will have no impact on the caseload for General Sessions court and will result in no expenditure impact for Judicial.

State Revenue

This bill amends Section 59-102-140, under the Uniform Athlete Agent Act of 2018, to allow a certified athlete agent to pay eligible expenses incurred before the signing of an agency contract by a student athlete or other authorized person. Under the act, an athlete agent in violation of this code section is guilty of a misdemeanor and, upon conviction, may be fined up to \$10,000 or imprisoned for up to three years, or both. According to Judicial, there were no charges brought for violations of this section in CY 2022. This bill expressly allows certified athlete agents to pay authorized expenses and is not expected to result in additional violations. Therefore, this bill will have no impact on court fines and fees revenue.

Local Expenditure

N/A

Local Revenue

N/A



Frank A. Rainwater, Executive Director