

1 **TESTIMONY OF DAVID HOGUE IN SUPPORT OF SB 2047**
2 **HOUSE INDUSTRY, BUSINESS, AND LABOR COMMITTEE**
3 **MARCH 8, 2021**

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5 Good Morning Chairman Lefor, Vice-Chairman Keiser, and members of the House
6 Industry, Business, and Labor Committee. My name is David Hogue. I am a North
7 Dakota state senator representing District 38, which includes northwest Minot and the
8 city of Burlington. I appear before your committee to seek support for Senate Bill 2047.

9 SB 2047 is a proposed amendment to the Revised Uniform Athlete Agent Act of
10 2015. The amendments relate to highly elite student athletes who are considering a
11 professional career in the NBA, NHL, or some other professional sports league before
12 they attend or enroll in college.

13 In making this decision, athletes necessarily need agent representation to
14 explore this possibility. But what the NCAA found is a major disconnect between
15 athletes' perception of their own abilities, and their actual prospects to leapfrog college
16 and have a successful professional career. If they enter a professional draft and go
17 undrafted they may jeopardize their eligibility to participate in college athletics. The
18 amendments would permit the athlete agents to accept reimbursement for travel
19 expenses and not jeopardize their eligibility to participate in college athletics. The
20 permissive acceptance of reimbursement of expenses is not obvious from the language

1 of the amendments because the NCAA rules governing eligibility determines whether
2 the athlete remains eligible.

3 Lines 23-24 of the bill and the first five lines of page 2 of the bill tracks the two
4 steps necessary to preserve eligibility: (1) notify the athletic director of the educational
5 institution of the giving of value within 72 hours of giving the item of value to the
6 athlete or family member and (2) notifies the athlete or guardian that the
7 reimbursement may result in a loss of eligibility to participate in collegiate athletes.

8 I am attaching to my testimony a copy of a US map depicting that states that have
9 adopted the 2015 Revised Uniform Athlete Act and various amendments to the Act.

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11 Chairman Lefor and members of the Committee, I'm happy to stand for your questions.