

Bill No. CS for SB 1016, 1st Eng.

Amendment No.

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11 Senator King moved the following amendment:

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Senate Amendment (with title amendment)

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On page 83, between lines 13 and 14,

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insert:

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Section 67. Paragraph (o) is added to subsection (1) of section 468.456, Florida Statutes, and subsection (3) of that section is amended to read:

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468.456 Prohibited acts.--

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(1) The following acts shall be grounds for the disciplinary actions provided for in subsection (3):

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(o) Being employed to illegally recruit or solicit student athletes by being utilized by or otherwise collaborating with a person known to have been convicted or found guilty of, or to have entered a plea of nolo contendere to, a violation of s. 468.45615, regardless of adjudication.

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(3) When the department finds any person guilty of any of the prohibited acts set forth in subsection (1), the department may enter an order imposing one or more of the penalties provided for in s. 455.227. In addition to any other

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1 penalties or disciplinary actions provided for in this part,
2 the department shall suspend or revoke the license of any
3 athlete agent licensed under this part who violates paragraph
4 (f) or paragraph (o) or s. 468.45615.

5 Section 68. Section 468.45615, Florida Statutes, is
6 created to read:

7 468.45615 Provision of illegal inducements to athletes
8 prohibited; penalties; license suspension.--

9 (1) Any person who violates s. 468.456(1)(f) is guilty
10 of a felony of the second degree, punishable as provided in s.
11 775.082, s. 775.083, s. 775.084, s. 775.089, or s. 775.091.

12 (2)(a) Regardless of whether adjudication is withheld,
13 any person convicted or found guilty of, or entering a plea of
14 nolo contendere to, the violation described in subsection (1)
15 shall not employ, utilize, or otherwise collaborate with a
16 licensed or unlicensed athlete agent in Florida to illegally
17 recruit or solicit student athletes. Any person who violates
18 the provisions of this subsection is guilty of a felony of the
19 second degree, punishable as provided in s. 775.082, s.
20 775.083, s. 775.084, s. 775.089, or s. 775.091.

21 (b) Regardless of whether adjudication is withheld,
22 any person who knowingly actively assists in the illegal
23 recruitment or solicitation of student athletes for a person
24 who has been convicted or found guilty of, or entered a plea
25 of nolo contendere to, a violation of this section is guilty
26 of a felony of the second degree, punishable as provided in s.
27 775.082, s. 775.083, s. 775.084, s. 775.089, or s. 775.091.

28 (3) In addition to any other penalties provided in
29 this section, the court may suspend the license of the person
30 pending the outcome of any administrative action against the
31 person by the department.

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1 Section 69. Subsections (1) and (3) of section
2 468.4562, Florida Statutes, are amended to read:
3 468.4562 Civil action by institution.--
4 (1) A college or university may sue for damages, as
5 provided by this section, any person who violates this part.
6 A college or university may seek equitable relief to prevent
7 or minimize harm arising from acts or omissions which are or
8 would be a violation of this part.
9 (3) An institution that prevails in a suit brought
10 under this section may recover:
11 (a) Actual damages;
12 (b) Punitive damages;
13 (c) Treble damages;
14 (d)~~(c)~~ Court costs; and
15 (e)~~(d)~~ Reasonable attorney's fees.

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17 (Redesignate subsequent sections.)
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20 ===== T I T L E A M E N D M E N T =====

21 And the title is amended as follows:

22 On page 7, line 17, after the semicolon

23
24 insert:

25 amending s. 468.456, F.S.; providing an
26 additional prohibited act as grounds for
27 disciplinary action; requiring suspension or
28 revocation of license for certain violations;
29 creating s. 468.45615, F.S.; prohibiting the
30 provision of illegal inducements to athletes;
31 providing penalties; amending s. 468.4562,

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1 F.S.; providing for the award of treble damages
2 to colleges or universities that prevail in
3 civil actions with respect to illegal acts by
4 athlete agents;
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