

APA-1  
07/04

**TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION**

Control No. \_\_\_\_\_ Department or Agency: Alabama Athlete Agents Commission

Rule No. 142-1-1-.01

Rule Title: Organization of the Alabama Athlete Agents Commission

\_\_\_\_ New X Amend \_\_\_\_ Repeal \_\_\_\_ Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? N/A

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes  
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Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

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Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying office:

J. H. Merrill  
John H. Merrill, Secretary of State

Date: November 17, 2016

(DATE FILED)  
(STAMP)

Alabama Athlete Agents Commission  
Administrative Division

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Athlete Agents Commission

RULE NO. & TITLE: Rule 142-1-1-.01 Organization of the Alabama Athlete Agents Commission

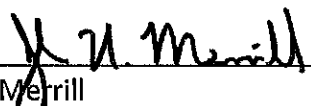
INTENDED ACTION: Amend the rule

SUBSTANCE OF PROPOSED ACTION: The proposed amendment to the rule makes the following changes: The name of the Commission is changed to reflect a statutory change; Chapter 26A of Title 8 is changed to Chapter 26B to reflect the repeal of Chapter 26A; and provisions are added to provide the procedure for instances in which the Secretary of State's Office receives a bad check.

TIME, PLACE, AND MANNER OF PRESENTING VIEWS: Views may be presented orally or in writing and should be addressed to Jean Brown, Office of the Secretary of State, P.O. Box 5616, Montgomery, AL 36103; (334) 242-7202.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: January 4, 2017

CONTACT PERSON FOR AGENCY: Jean Brown, Office of the Secretary of State, P.O. Box 5616, Montgomery, AL 36103; (334) 242-7202.

  
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John H. Merrill  
Secretary of State

**ALABAMA ATHLETE AGENTS REGULATORY COMMISSION  
ADMINISTRATIVE DIVISION**

**CHAPTER 142-1-1**

**ORGANIZATION OF THE ALABAMA ATHLETE AGENTS REGULATORY COMMISSION**

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**142-1-1.**

**142-1-1-.01 Organization**

(1) The Alabama Athlete Agents Regulatory Commission is continued in existence as the Alabama Athlete Agents Commission (hereinafter "the Commission") and is established by Section 8-26AB-30, Code of Ala. 1975, and The Commission performs duties set forth in Title 8, Chapter 26AB, Code of Ala. 1975. Section 8-26AB-30, Code of Ala. 1975, also provides that the Secretary of State provides administrative support for the Alabama Athlete Agents Regulatory Commission, and Section 8-26AB-30(i), Code of Ala. 1975, authorizes the Secretary of State to administer Title 8, Chapter 26AB, Code of Ala. 1975.

(2) Requests for information pertaining to the Revised Alabama Uniform Athlete Agents Act and the ~~Alabama Athlete Regulatory Commission~~ may be submitted through the Office of the Secretary of State via several methods:

(a) Mailing address: ~~Alabama~~ Office of the Secretary of State, P.O. Box 5616, Montgomery, Alabama 36103.

(b) Telephone: (334) 242-7200.

(c) Internet: <http://www.sos.state.al.us>

(3) Organization. The organization of the ~~Alabama Athlete Agents Regulatory Commission~~ is set forth in Section 8-26AB-30, Code of Ala. 1975.

(4) Bad Checks. (1) If the Secretary of State's Office, in performing administrative duties for the Commission, receives a check or negotiable instrument that is dishonored by the institution upon which it is drawn (hereinafter "bad check"), the Secretary of State's Office may charge a bad check fee as provided for in Code of Alabama 1975, section 8-8-15. The fee to be charged shall be the maximum allowed by law.

(2) If the Secretary of State's Office receives a bad check, the Office shall provide notice to the person making, drawing, uttering, or delivering the instrument in accordance with Code of Alabama 1975, section 13A-9-13.2.

(3) If the bad check was tendered for the purposes of registering with the Commission or renewing registration with

the Commission, payment of the full amount of such check or instrument plus a service charge, if imposed by the Secretary of State, must be paid in full prior to the registration or renewal of registration by the person seeking registration or renewal of registration.

**Author:** Charles E. Grainger, Jr.; Jean Brown; Brent Beal

**Statutory Authority:** Code of Ala. 1975, §§41-2-24, 8-26AB-30-, 8-8-15, and 13A-9-13.2

**History: New Rule:** Filed December 5, 2001; effective January 9, 2002. Amended: Filed November 17, 2016.