



Ann W. Richards  
Governor

# Texas Department of Licensing and Regulation

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ID# 13207  
mjs

RQ-146

August 6, 1991

RECEIVED

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Opinion Committee

The Honorable Dan Morales  
Attorney General of Texas  
Supreme Court Building  
Austin, Texas 78701

Re: Request for Attorney General's Opinion

Dear Mr. Morales:

The Texas Department of Licensing and Regulation received the enclosed correspondence from members of the talent agency industry. Upon careful review, there appears to be a more troubling question that those posed by the representatives of the industry.

Question: If a talent agency, franchised by the Screen Actors Guild (SAG), follows strict adherence to the regulations contained in Rule 16(g) and its proposed memorandum of amendment, is that agency in violation of Sections 2(b) and (c), and Section 10(b) of the Texas Talent Agency Act (Article 5221a-9, V.T.C.S.)?

In both the franchising agreement [Rule 16(g)] and the amendment, SAG considers all talent represented by a franchised agent to be SAG members, regardless of actual membership and that the agents should be restricted in the representation of their non-union talent to only producers who sign contracts with SAG.

Furthermore, the SAG franchised talent agency, if it represents non-union talent to producers who are also non-union, must forfeit all fees and commission to the union; such forfeiture being a splitting of fees with a person not registered under the Texas Talent Agency Act.

ACCOMPANIED BY ENCLOSURES —  
FILED SEPARATELY

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Copies of the subject correspondence and statutes are attached for your convenience.  
Thank you for your consideration of this matter.

Sincerely,



Larry E. Kosta  
Executive Director

LEK:sb

Enclosures

cc: AFTRA-SAG (Houston, Texas)  
AFTRA-SAG (Dallas, Texas)  
Mr. Rick Levy, Texas AFL-CIO Staff Counsel  
Mr. Jackie W. St. Clair, Texas AFL-CIO  
Mr. Bruce Hennie