

Registration of Athlete Agents

Beginning Jan. 1, 2010, Nebraska law requires that athlete agents who want to do business in Nebraska must apply for registration with the secretary of state. The registering of athlete agents is overseen by the secretary of state's Licensing Division.

The 2009 Nebraska Legislature passed LB 292, which adopts the Nebraska Uniform Athlete Agents Act. The act is designed to protect the interests of student-athletes and high school and college athletic departments.

The act provides for the registration of agents seeking to represent student-athletes regarding professional sports contracts or endorsement contracts. A certificate of registration or a renewal is valid for two years.

The act defines athlete agent as "an individual who enters into an agency contract with a student-athlete or, directly or indirectly, recruits or solicits a student-athlete to enter into an agency contract." Under the act, athlete agent does not include "a spouse, parent, sibling, grandparent, or guardian of the student-athlete or an individual acting solely on behalf of a professional sports team or professional sports organization."

The act defines student-athlete as "an individual who engages in, is eligible to engage in, or may be eligible in the future to engage in, any intercollegiate sport."

As part of the application process, agents must supply detailed background information to the secretary of state. This can be done in one of two ways. The applicant can submit an application in a form prescribed by the secretary of state. In lieu of such form, the secretary of state may accept under certain conditions documents relating to an applicant's certificate of registration or licensure as an athlete agent in another state.

Under the Nebraska act, the secretary of state may refuse to issue a certificate of registration or may suspend, revoke or refuse to renew a registration if it is determined that the "applicant has engaged in conduct that has a significant adverse effect on the applicant's fitness to act as an athlete agent."

An athlete agent who violates the act can be found guilty of a Class I misdemeanor. In addition, the secretary of state may assess a civil penalty of up to \$25,000 against an athlete agent for violation of the act.

For questions regarding registration of athlete agents, please contact the Licensing Division at (402) 471-8606.