

Chapter SPS 151

ATHLETE AGENT REGISTRATION

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Note: Chapter RL 151 was created as an emergency rule effective 10–5–04. Chapter RL 151 was renumbered chapter SPS 151 under s. 13.92 (4) (b) 1., Stats., Register November 2011 No. 671.

SPS 151.01 Applications. An applicant for a certificate of registration shall file an application and pay the fee specified in s. SPS 151.03. The application shall be in the name of an individual. Except as provided in s. SPS 151.05, the department shall issue a certificate of registration to an applicant who complies with s. SPS 151.02 or whose application has been accepted under s. SPS 151.04 and if the applicant has paid the fee specified in s. SPS 151.03.

History: CR 04–110: cr. Register June 2005 No. 594, eff. 7–1–05; correction made under s. 13.92 (4) (b) 7., Stats., Register November 2011 No. 671.

SPS 151.02 Application contents. An application for a certificate of registration shall include all of the following:

- (1) The name of the applicant and the address of the applicant's principal place of business.
- (2) The name of the applicant's business or employer, if applicable.
- (3) Any business or occupation engaged in by the applicant for the 5 years preceding the date of submission of the application.
- (4) A description of all of the following:
 - (a) The applicant's formal training as an athlete agent.
 - (b) The applicant's practical experience as an athlete agent.
 - (c) The applicant's educational background relating to his or her activities as an athlete agent.
- (5) The name, sport, and last-known team for each individual for whom the applicant acted as an athlete agent during the 5 years preceding the date of submission of the application.
- (6) If the applicant's business is not a corporation, the names and addresses of the partners, members, officers, managers, associates, or profit sharers of the business.
- (7) If the applicant is employed by a corporation, the names and addresses of the officers and directors of the corporation and any shareholder of the corporation having an interest of 5 percent or more.
- (8) Whether the applicant or any person named pursuant to sub. (6) or (7) has been convicted of a crime in this or another state or has a criminal charge pending in this or another state and a description of each conviction or criminal charge.
- (9) Whether there has been any administrative or judicial determination that the applicant or any person named pursuant to sub. (6) or (7) has made a false, misleading, deceptive or fraudulent representation.
- (10) Any instance in which the conduct of the applicant or any person named pursuant to sub. (6) or (7), resulted in the imposition of a sanction, suspension, or declaration of ineligibility to participate in an interscholastic or intercollegiate athletic event on a student athlete or educational institution.
- (11) Any sanction, suspension, or disciplinary action taken against the applicant or person named pursuant to sub. (6) or (7), arising out of occupational or professional conduct.
- (12) Whether there has been any denial of an application for, suspension or revocation of, or refusal to renew, the registration

or licensure of the applicant or any person named pursuant to sub. (6) or (7), as an athlete agent in any state.

(13) The signature or other authentication by the applicant under penalty of perjury.

History: CR 04–110: cr. Register June 2005 No. 594, eff. 7–1–05.

SPS 151.03 Initial credential fee. The initial credential fee is \$312.

History: CR 04–110: cr. Register June 2005 No. 594, eff. 7–1–05.

SPS 151.04 Waiver of application requirements. An individual who has submitted an application for, and holds a certificate of, registration or licensure as an athlete agent in another state may submit a copy of the application and certificate in lieu of submitting an application in the form prescribed pursuant to s. SPS 151.02. The department shall accept the application and the certificate from the other state as an application for registration in this state if all of the following are satisfied:

- (1) The application to the other state was submitted in the other state within the 6 months preceding the submission of the application in this state and the applicant certifies that the information contained in the application to the other state is current.
- (2) The application to the other state contains information substantially similar to or more comprehensive than that required in an application submitted in this state. As used in this chapter, "substantially similar" means the application to the other state contains the information required by s. SPS 151.02 necessary for a decision to grant or deny a credential in this state pursuant to s. SPS 151.05.
- (3) The application to the other state was signed by the applicant under penalty of perjury.

History: CR 04–110: cr. Register June 2005 No. 594, eff. 7–1–05; correction in (intro.), (2) made under s. 13.92 (4) (b) 7., Stats., Register November 2011 No. 671.

SPS 151.05 Denial of issuance of certificate of registration. (1) The department may refuse to issue a certificate of registration if the department determines that the applicant has engaged in conduct that has a significant adverse effect on the applicant's fitness to act as an athlete agent. In making the determination, the department may consider whether the applicant has done any of the following:

- (a) Subject to ss. 111.321, 111.322 and 111.335, Stats., been convicted of a felony in this state or a crime in another state that if committed in this state, would be a felony.
- (b) Made a materially false, misleading, deceptive, or fraudulent representation in the application or as an athlete agent.
- (c) Engaged in unprofessional conduct or conduct that would disqualify the applicant from serving in a fiduciary capacity.
- (d) Engaged in conduct in violation of ch. SPS 153 or 154.
- (e) Had a registration or licensure as an athlete agent suspended, revoked, or denied or been refused renewal of registration or licensure as an athlete agent in any state.
- (f) Engaged in conduct the consequence of which was that a sanction, suspension, or declaration of ineligibility to participate in an interscholastic or intercollegiate athletic event was imposed on a student athlete or educational institution.

(g) Engaged in conduct that significantly adversely reflects on the applicant's credibility, honesty, or integrity.

(2) In making a determination under sub. (1), the department shall consider each of the following:

(a) How recently the conduct occurred.

(b) The nature of the conduct and the context in which it occurred.

(c) Any other relevant conduct of the applicant.

History: CR 04-110: cr. Register June 2005 No. 594, eff. 7-1-05; **correction in (1) (d) made under s. 13.92 (4) (b) 7., Stats., Register November 2011 No. 671.**