

164.6911 Office may refuse to issue certificate -- Renewal of registration.

- (1) Except as otherwise provided in subsection (2) of this section, the department shall issue a certificate of registration to an individual who complies with KRS 164.6909(1).
- (2) The department may refuse to issue a certificate of registration if the department determines that the applicant has engaged in conduct that significantly adversely reflects on the applicant's fitness to act as an athlete agent. In making the determination, the department may consider whether the applicant has:
 - (a) Pleaded guilty or no contest to, been convicted of, or has charges pending for a crime that involves sexual misconduct, has dishonesty as a necessary element, or is a felony if committed in this state;
 - (b) Made a materially false, misleading, deceptive, or fraudulent representation in the application or as an athlete agent;
 - (c) Engaged in conduct that would disqualify the applicant from serving in a fiduciary capacity;
 - (d) Engaged in conduct prohibited by KRS 164.6925;
 - (e) Had a registration as an athlete agent suspended, revoked, or denied in any state;
 - (f) Been refused renewal of registration or licensure as an athlete agent in any state;
 - (g) Engaged in conduct resulting in the imposition of a sanction, suspension, or declaration of ineligibility to participate in an interscholastic, intercollegiate, or professional athletic event on a student-athlete or a sanction on an educational institution; or
 - (h) Engaged in conduct that significantly adversely reflects on the applicant's credibility, honesty, or integrity.
- (3) In making a determination under subsection (2) of this section, the department shall consider:
 - (a) How recently the conduct occurred;
 - (b) The nature of the conduct and the context in which it occurred; and
 - (c) Any other relevant conduct of the applicant.
- (4) An athlete agent registered under subsection (1) of this section may apply to renew a registration by submitting an application for renewal in a form prescribed by the department. An application filed under this section is a public record. The applicant shall sign the application for renewal under penalty of perjury and include current information on all matters required in an original registration.
- (5) An athlete agent registered under KRS 164.6909(3) may renew the registration by proceeding under subsection (4) of this section or, if the registration in the other state has been renewed, by submitting to the department copies of the application for renewal in the other state and the renewed registration from the other state. The department shall renew the registration if the department determines:

- (a) The registration requirements of the other state are substantially similar to or more restrictive than the Commonwealth's; and
 - (b) The renewed registration has not been suspended or revoked and no action involving the individual's conduct as an athlete agent is pending against the individual or the individual's registration in any state.
- (6) A certificate of registration or a renewal of registration is valid for two (2) years.

Effective: July 14, 2018

History: Amended 2018 Ky. Acts ch. 205, sec. 5, effective July 14, 2018. -- Amended 2017 Ky. Acts ch. 158, sec. 34, effective June 29, 2017; and ch. 178, sec. 12, effective April 11, 2017. -- Amended 2010 Ky. Acts ch. 24, sec. 217, effective July 15, 2010. -- Created 2003 Ky. Acts ch. 172, sec. 6, effective June 24, 2003.