

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) or whose application has been accepted under KRS 164.6909(2).
- (2) 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:
 - (a) Been convicted of a crime as defined in KRS 335B.010 that directly relates to being an athlete agent;
 - (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 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; or
 - (g) 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;
 - (c) The provisions of KRS Chapter 335B, if applicable; and
 - (d) Any other relevant conduct of the applicant.
- (4) An athlete agent 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 application for renewal shall be signed by the applicant under penalty of perjury and shall contain current information on all matters required in an original registration.
- (5) An individual who has submitted an application for renewal of registration or licensure in another state, in lieu of submitting an application for renewal in the form prescribed pursuant to subsection (4) of this section, may file a copy of the application for renewal and a valid certificate of registration or licensure from the other state. The department shall accept the application for renewal from the other state as an application for renewal in this state if the application to the other state:
 - (a) Was submitted in the other state within six (6) months next preceding the

filing in this state and the applicant certifies the information contained in the application for renewal is current;

- (b) Contains information substantially similar to or more comprehensive than that required in an application for renewal submitted in this state; and
 - (c) Was signed by the applicant under penalty of perjury.
- (6) A certificate of registration or a renewal of registration is valid for one (1) year.

Effective: June 29, 2017

History: 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.

Legislative Research Commission Note (6/29/2017). This statute was amended by 2017 Ky. Acts chs. 158 and 178, which do not appear to be in conflict and have been codified together.