



OFFICE OF THE SECRETARY OF STATE  
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CORPORATIONS DIVISION  
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## Important Information For Student Athletes And Athlete Agents Regarding Changes in Missouri Law

Pursuant to Senate Bill 526, which became effective on August 28, 1996, Missouri law requires that certain **athlete agents** register with the Secretary of State's office. The law also requires that **student athletes** inform their university or college upon entering into a contract with an athlete agent. See Sections 436.200 to 436.212, RSMo 2000.

### **Who should be concerned about this law?**

1. Student Athletes who are subject to the rules and regulations of the National Collegiate Athletic Association, the National Association for Intercollegiate Athletics, or the National Junior College Athletic Association; and
2. Athletic directors and coaches at universities and colleges;
3. Presidents of universities and colleges;
4. Professional players associations; and
5. Athlete agents.

### **Student Athletes**

#### **Who is a student athlete?**

Under the law, a student athlete includes any athlete who practices or participates in intercollegiate athletics at any university or college in the State of Missouri.

#### **What must the student athlete do after entering into an athletic contract?**

The student athlete must notify the athletic director or president of his or her university or college in writing either before practicing with or participating in an athletic event on behalf of the university or college or within 72 hours of entering into a contract, whichever occurs first.

## **What happens if a student athlete engages in an athletic contract without notifying his university or college?**

The student athlete may be **liable** to the university or college in which the student athlete is enrolled for damages that result from the student athlete's subsequent ineligibility to play inter-collegiate sports.

## **Athlete Agents**

### **How will I know if Missouri's Athlete law applies to the type of service that I render?**

Generally, the athlete agent law applies to any person who gets paid for soliciting or recruiting a student athlete to enter into a financial services or professional sports services contract.

### **If I work for a corporation that acts as an athlete agent, do I need to register?**

Yes, both the corporation and any individual who gets paid for soliciting or recruiting a Missouri student athlete to enter into a financial services or professional sports services contract must register and pay the appropriate fee.

### **When will I be required to register?**

An athlete agent must register before they conduct business with a Missouri student athlete.

### **What are the registration requirements?**

Each Athletic Agent must submit to the Missouri Secretary of State - Corporations Division:

1. A registration form ( a copy of this form is enclosed); and
2. A check in the amount of \$500, made payable to the "Director of Revenue."

Please note that if an athlete agent is a corporation, partnership, limited liability company, limited liability partnership, each individual who operates as an athlete agent in Missouri, must also register.

### **Will I receive a notification that I am registered?**

**Yes**, all athlete agents will be issued a registration certificate entitling the holder to operate as an athlete agent for a period of **two years**.

## **What if I fail to register as an agent?**

Failure to comply with the law is a class B misdemeanor, which is punishable by a fine of up to five hundred dollars, and /or a term of imprisonment not to exceed six months. If a gain was derived from the violation, a fine in lieu of that stated above may be imposed which does not exceed double the amount of the gain. An individual offender may be fined not more than twenty thousand dollars under this provision.

## **How do I remove or amend my Missouri registration?**

### Renewal

In addition to the initial registration form, an athlete agent will be required to file a renewal form every two years. The \$500 renewal fee must accompany this renewal form. The renewal form should be submitted 30 days before the expiration date on the initial registration. It is the responsibility of the agent to remember when renewal is due.

### Amendment

The athlete agent operating in this state should notify the Secretary of State within 30 days of a change of the athlete agent's address.

### Note

The Secretary of State may suspend or revoke the registration of any athlete agent for failing to comply with any provisions in Section 436, RSMo 2000.

## **Does the law require any changes in any of the contracts I use?**

**Yes.** a contract with a student athlete must state that by signing the contract, the student athlete may lose eligibility to compete in intercollegiate athletics. In addition, the contract must advise the student that the student must notify the student's college or university within 72 hours of entering into a contract.

## **Where should I direct my questions concerning athlete agent registration?**

If you have any further questions, or would like to obtain a copy of the law, contact the Corporations Division at:

Office of the Missouri Secretary of State  
Corporations Division  
Athlete Agent Registration  
600 West Main Street  
Jefferson City, MO 65101  
(573) 751-3200