

Article - Business Regulation

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§4-405.

(a) Except as otherwise provided in subsection (b) of this section, the Secretary shall issue a license to an individual who:

(1) complies with § 4-404(a) of this subtitle or whose application has been accepted under § 4-404(d) of this subtitle; and

(2) pays to the Secretary a \$1,000 license fee.

(b) (1) Subject to the hearing provisions of § 4-407 of this subtitle, the Secretary may deny a license if the Secretary 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.

(2) In making the determination under paragraph (1) of this subsection, the Secretary may consider whether the applicant has:

(i) been convicted of a crime that, if committed in the State, would be a crime involving moral turpitude or a felony;

(ii) made a materially false, misleading, deceptive, or fraudulent representation in the application or as an athlete agent;

(iii) engaged in conduct that would disqualify the applicant from serving in a fiduciary capacity;

(iv) engaged in conduct prohibited by § 4-413 of this subtitle;

(v) 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;

(vi) 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;

(vii) engaged in conduct that significantly adversely reflects on the applicant's credibility, honesty, or integrity; or

(viii) failed to demonstrate financial stability.

(c) In making a determination under subsection (b) of this section, the Secretary shall consider:

- (1) how recently the conduct occurred;
- (2) the nature of the conduct and the context in which it occurred; and
- (3) any other relevant conduct of the applicant.

(d) (1) An athlete agent may apply to renew a license by:

(i) submitting an application for renewal in a form required by the Secretary; and

(ii) paying to the Secretary a \$1,000 renewal fee.

(2) The application for renewal must be signed by the applicant under penalty of perjury and must contain current information on all matters required in an original application for a license.

(e) (1) 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 required under subsection (d) of this section, may file a copy of the application for renewal and a valid certificate of registration or licensure from the other state.

(2) The Secretary shall accept the application for renewal from the other state as an application for renewal in the State if the application for the other state:

(i) was submitted in the other state within 6 months before the filing in the State and the applicant certifies the information contained in the application for renewal is current;

(ii) contains information substantially similar to or more comprehensive than that required in an application for renewal submitted in the State; and

(iii) was signed by the applicant under penalty of perjury.

(f) A license or a renewal is valid for 2 years.

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