



Sunset Report
**Alabama Athlete
Agents Commission**
Montgomery, Alabama

October 1, 2021 through September 30, 2025

ALABAMA DEPARTMENT OF
EXAMINERS of Public Accounts

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August 12, 2026

Representative Margie Wilcox
Chairman, Sunset Committee
Alabama State House
Montgomery, Alabama 36130

Dear Representative Wilcox:

This report was prepared to provide information for use by the Sunset Committee in conducting its review and evaluation of the operations of the Alabama Athlete Agents Commission in accordance with the *Code of Alabama 1975*, Section 41-20-9.

The report contains unaudited information obtained from the management, staff, and records of the Alabama Athlete Agents Commission in addition to information obtained from other sources.

Please contact me if you have any questions concerning this report.

Sincerely,

Rachel Laurie Riddle
Chief Examiner

Examiner
Robin Hutcheson

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PROFILE

Purpose/Authority

The Alabama Athlete Agents Commission (the “Commission”) was originally established by Act Number 1987-628, Acts of Alabama. Act Number 1994-828, Acts of Alabama, added the Secretary of State as a member of the Commission and provided for administrative duties of the Commission to be performed by the Secretary of State.

Act Number 2001-701, Acts of Alabama, repealed the Athlete Agents regulatory law in its entirety and created a new regulatory law establishing that the primary responsibility for administering the law transferred from the Commission to the Secretary of State. Subsequently, Act Number 2016-415, Acts of Alabama, repealed the Athlete Agents regulatory law and created the new Revised Uniform Athlete Agents Act. The Commission promulgates rules and standards of conduct for athlete agents considered appropriate for the protection of the residents of the state. The Secretary of State assists the Athlete Agents Commission in the registration of athlete agents. The current statutory authority for the Commission is found in the *Code of Alabama 1975*, Sections 8-26B-1 through 8-26B-19 and Sections 8-26B-30 through 8-26B-31.

The following Acts passed since the last sunset review have been codified in the current statutory authority.

Act Number 2022-2, Acts of Alabama, relating to student athletes, repealed Act Number 2021-227 of the 2021 Regular Session, now appearing as Article 3 of Chapter 26B of Title 8, commencing with Section 8-26B-50 and Section 8-26B-32, *Code of Alabama 1975*, relating to student athletes and compensation for use of a student athlete’s name, image, or likeness.

Act Number 2025-288, Acts of Alabama, relating to the Alabama Athlete Agents Commission amended Section 8-26B-30, *Code of Alabama 1975*, to authorize the Secretary of State to designate an individual to serve in his or her place on the commission; and to make nonsubstantive, technical revisions to update the existing code language to current style.

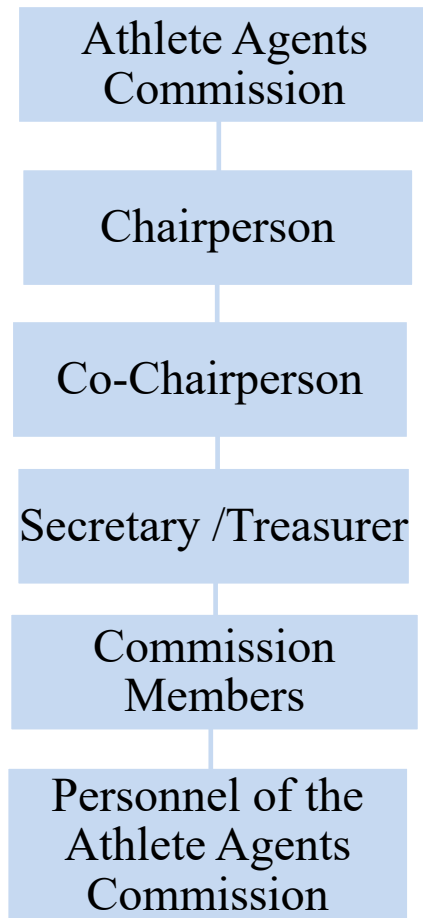
<u>Characteristics</u>	
Members and Selection	The Commission consists of the Secretary of State, or an individual designated by the Secretary of State, and 18 members as follows: • One member appointed by the Governor. • One member appointed by the Lieutenant Governor. • One member appointed by the Speaker of the House of Representatives. • The athletic director or an individual appointed by the athletic director at each of the following institutions of higher education: ○ Auburn University ○ University of Alabama, Tuscaloosa ○ University of South Alabama ○ Alabama State University ○ Alabama A&M University ○ Tuskegee University ○ Troy University ○ Jacksonville State University ○ University of North Alabama ○ University of West Alabama ○ Miles College ○ University of Montevallo ○ University of Alabama, Huntsville ○ University of Alabama, Birmingham • One member appointed by the Alabama High School Athletic Association. Currently, the Governor appointee and the Alabama State University Athletic Director seats are vacant. <i>Code of Alabama 1975</i>, Section 8-26B-30(a)
Term	Members serve three-year terms. Members are eligible for reappointment. There are no term limits. <i>Code of Alabama 1975</i>, Section 8-26B-30(b)
Qualifications	Members must be citizens of the United States and residents of Alabama. <i>Code of Alabama 1975</i>, Section 8-26B-30(b)
Consumer Representation	No specific statutory requirement.

Racial Representation	No specific statutory requirement. Four minority members currently serving.
Geographical Representation	No specific statutory requirement.
Other Representation	The appointing authority should select those individuals whose appointments, to the extent possible, ensure that the membership of the Commission is inclusive and reflect the racial, gender, urban, rural, and economic diversity of the state. <i>Code of Alabama 1975</i> , Section 8-26B-30(b)
Compensation	Except for the Secretary of State, each member of the Commission, who is not otherwise reimbursed by public funds, receives \$50.00 for each day the member is actively engaged in the discharge of official duties and is entitled to reimbursement for actual necessary expenses. <i>Code of Alabama 1975</i> , Section 8-26B-30(k)
Attended Board Member Training	Four Commission members One staff member
<u>Operations</u>	
Administrator	Honorable Wesley Allen, Secretary of State Elected Official Annual salary as an elected official \$95,006.64. <i>Code of Alabama 1975</i> , Section 8-26B-30
Location	State Capitol Building – Suite S-105 11 South Union Street, Room 226 Montgomery, AL 36130 Office Hours: M – F 8:00 a.m. – 5:00 p.m.
Real Property Ownership	The Commission does not own any real property.
Employees	No employees. Five employees from the Secretary of State’s Office perform administrative functions for the Commission on an as-needed basis.

Legal Counsel	Meridith Blackburn, Deputy Attorney General, an employee of the Secretary of State's Office, serves as the Commission's legal counsel.
Subpoena Power	The Commission does not have subpoena power except as provided by the Administrative Procedures Act, the <i>Code of Alabama 1975</i> , Section 41-22-12, for hearings and contested cases.
Internet Presence	www.sos.alabama.gov/administrative-services/athlete-agents The website contains the current statutes, rules, minutes of the Commission's meetings, a listing of registered athlete agents, online applications, and records disposition authority.
<u>Financial</u>	
Source of Funds	Registration fees, renewal fees, and administrative penalties.
State Treasury	Yes. Special Revenue Fund 0781. <i>Code of Alabama 1975</i>, Section 8-26B-31(b)
Required Distributions	No statutory requirements.
Unused Funds	The Commission retains unused funds at fiscal year-end.
<u>Licensure</u>	
Licensees	As of February 10, 2026: 264 Active Athlete Agents. <i>Source:</i> Office Staff
Licensure Qualifications	Potential athlete agents must complete an application for registration with a description of: • Formal training as an athlete agent. • Practical experience as an athlete agent. • Educational background relating to the applicant's activities as an athlete agent. <i>Code of Alabama 1975</i>, Section 8-26B-5(a)(5)
Examinations	Examinations are not required for registration.

Reciprocity	An individual registered as an athlete agent in another state may apply for registration as an athlete agent in this state by submitting to the Secretary of State: • A copy of the application for registration in the other state. • A statement that identifies any material change in the information on the application or verifies there is no material change in the information, signed under penalty of perjury. • A copy of the certificate of registration from the other state. <i>Code of Alabama 1975</i>, Section 8-26B-5(b) The Secretary of State shall issue a certificate of registration to an individual who applies for registration under subsection (b) if the Secretary of State determines: • The application and registration requirements of the other state are substantially similar to or more restrictive than Alabama requirements. • The registration has not been revoked or suspended 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. <i>Code of Alabama 1975</i>, Section 8-26B-5(c)
Renewals	Biennially – Certificates of registration expire two years from the date of issue. Renewals need to be submitted two weeks prior to the meeting before the license expires. If a licensee does not get their renewal information during the quarter the license expires, they will need to reapply as a new agent in a subsequent quarter. 100% of renewals are completed online <i>Code of Alabama 1975</i>, Section 8-26B-6(f) <i>Source:</i> Office Staff
Licensee Demographics	Data is not collected by the Commission. <i>Source:</i> Office staff
Continuing Education	No statutory requirement.

ORGANIZATION



PERSONNEL

The Commission does not have employees. Five employees from the Secretary of State's Office perform administrative functions for the Commission on an as needed basis.

Legal Counsel

Meridith Blackburn, Deputy Attorney General with the Secretary of State's Office serves as the Commission's legal counsel.

PERFORMANCE CHARACTERISTICS

Number of Licensees for the Past Four Fiscal Years

Athlete Agents	Fiscal Year			
	2022	2023	2024	2025
New Licenses	137	85	76	105
Renewals	42	20	36	36
Total Licenses	179	105	112	141

Operating Disbursements per Licensee (FY 2025) – \$85.16

Fines/Penalties as a Percentage of Operating Receipts

There were no fines or penalties assessed during the Sunset period.

Notification of Commission Decisions to Amend Administrative Rules

The Commission complied with notification procedures prescribed in the Administrative Procedure Act, which includes publication of proposed rules in the Administrative Monthly, and public hearings on proposed rules. Licensees are not specifically notified of proposed changes. The Commission also posts proposed rules on its website.

COMPLAINT HANDLING

The Commission's *Administrative Rule* 142-1-2 provides the procedures for documentation, receipt, and investigation of complaints against licensees. According to the Secretary of State's Chief of Staff, no complaints have been filed with the Commission for the past four years.

Initial Contact/Documentation	Anyone, including Commission members, are allowed to bring complaints to the attention of the Commission. No specific form is required. Complaints may be either informal or formal. Informal complaints can be made in any manner which states specifically the cause of the complaint. Formal complaints must be in writing and contain the names of all parties, complainants and defendant, in full and the address of each. All formal complaints must be signed by the party or an attorney representing the party.
Anonymous Complaints Accepted	Yes
Investigative Process / Probable Cause Determination	Upon receipt of the complaint, prior to consideration by the Commission, the Secretary of State will conduct a fact-finding process to provide the registered athlete agent with a meaningful opportunity to respond to the noticed allegations. Upon conclusion of the fact-finding process the staff attorney for the Secretary of State will provide a written report to the Commission. The report will determine whether sufficient evidence was received to support the allegations.
Negotiated Settlements	Yes
Notification of Resolution to the Complainant	The Commission has not yet had any complaints and could not say whether the complainant would be contacted, but stated they would consider it if the situation arises.

Complaint Data

There were no complaints received during this sunset review.

REGULATION IN CONJUNCTION WITH OTHER ENTITIES

There is no direct overlap or regulation with other state or federal agencies.

FINANCIAL INFORMATION

Source of Funds

Registration fees, renewal fees, and administrative penalties are deposited into the Athlete Agents Commission's Special Revenue Fund maintained in the State Treasury.

Schedule of Fees

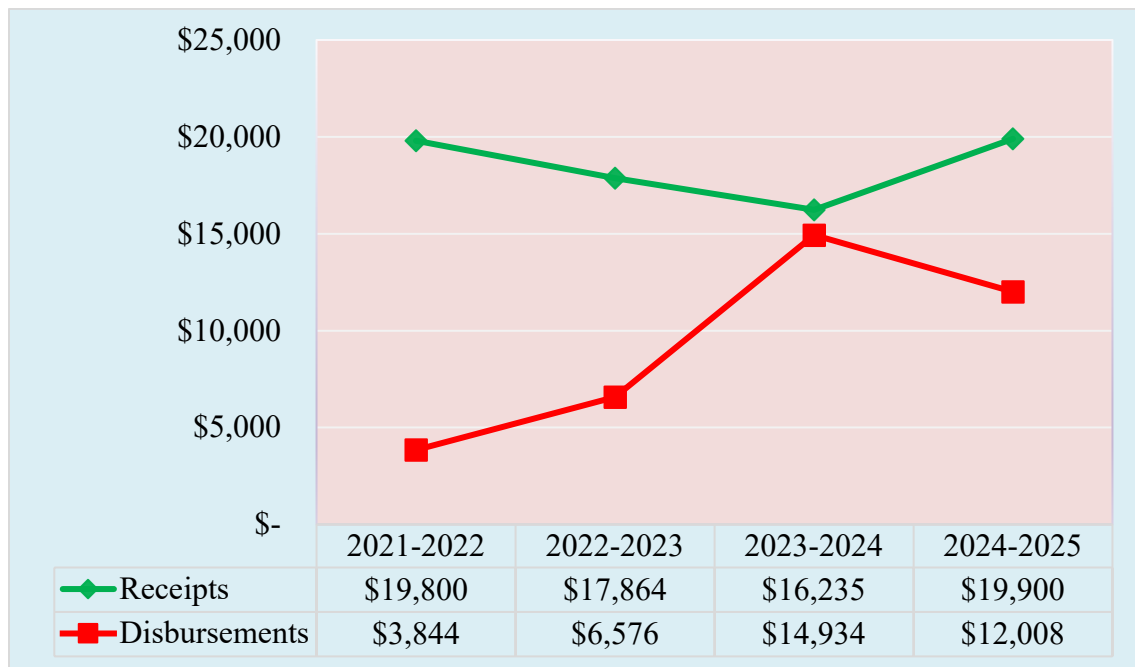
Fee Type/Purpose	Statutory Authority	Amount Authorized	Amount Collected
Initial Application for Registration	8-26B-9(1)	\$200.00	\$200.00
Registration Based on Certificate of Registration Issued by Another State	8-26B-9(2)	\$100.00	\$100.00
Registration Renewal	8-26B-9(3)	\$100.00	\$100.00
Registration Renewal Based on Certificate of Registration Issued by Another State	8-26B-9(4)	\$100.00	\$100.00
Public Records Requests	36-14-3(1)	\$1.00 per page	\$1.00 per page
Reprint of Athlete Agent Certificate	36-14-3(2)	\$5.00	\$5.00

Schedule of Receipts, Disbursements and Balances

October 1, 2021 through September 30, 2025

	<u>2021-2022</u>	<u>2022-2023</u>	<u>2023-2024</u>	<u>2024-2025</u>
<u>Receipts</u>				
License Fees	\$ 19,800.00	\$ 17,863.60	\$ 16,000.00	\$ 19,900.00
Duplicate License Fees			5.00	
Bad Check Penalties			230.00	
Total	<u>19,800.00</u>	<u>17,863.60</u>	<u>16,235.00</u>	<u>19,900.00</u>
<u>Disbursements</u>				
Travel, In-State	2,967.32	5,467.68	4,651.63	5,910.19
Professional Services	877.00	934.00	1,532.00	1,065.00
Supplies, Materials, & Operating Expenses		174.15	8,750.00	5,032.32
Total	<u>3,844.32</u>	<u>6,575.83</u>	<u>14,933.63</u>	<u>12,007.51</u>
Excess of Receipts over Disbursements	15,955.68	11,287.77	1,301.37	7,892.49
Cash Balance at Beginning of Year	48,094.45	64,050.13	75,337.90	76,639.27
Cash Balance at End of Year	<u>64,050.13</u>	<u>75,337.90</u>	<u>76,639.27</u>	<u>84,531.76</u>
Reserved for Year-End Obligations	<u>(1,500.00)</u>	<u>(1,600.00)</u>	<u>(7,950.00)</u>	<u>(2,160.00)</u>
Unobligated Cash Balance at End of Year	<u>\$ 62,550.13</u>	<u>\$ 73,737.90</u>	<u>\$ 68,689.27</u>	<u>\$ 82,371.76</u>

Operating Receipts vs. Operating Disbursements

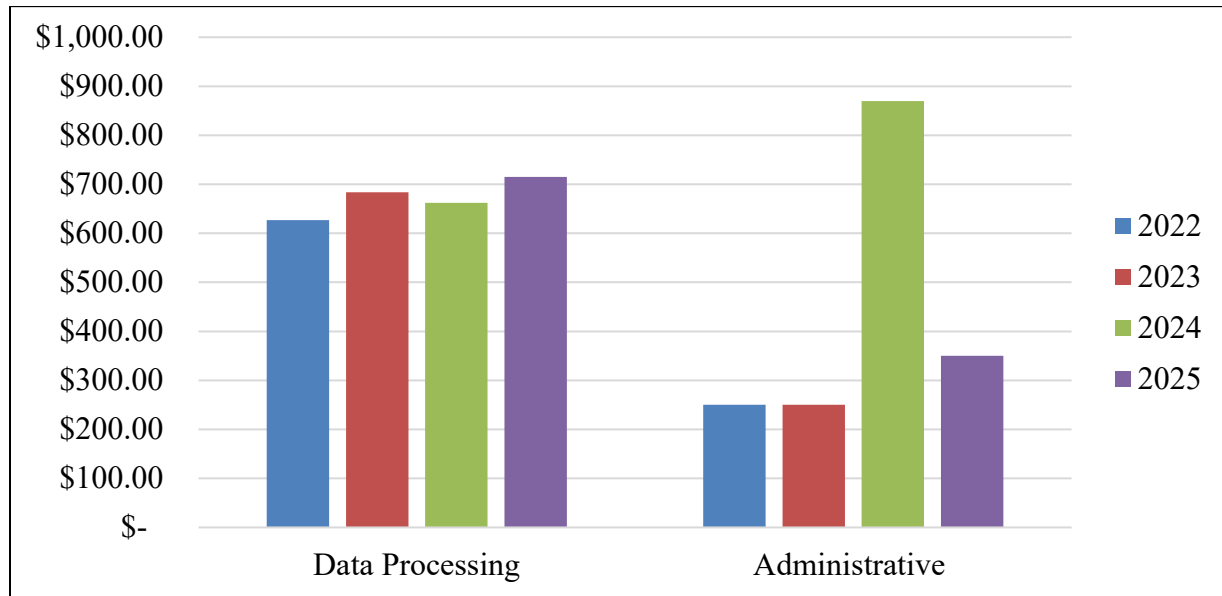


Summary Schedule of Professional Service Disbursements*

As of September 30 th				
Type of Service	FY 2022	FY 2023	FY 2024	FY 2025
Data Processing	\$627.00	\$684.00	\$662.00	\$715.00
Administrative	250.00	250.00	870.00	350.00
Total	\$877.00	\$934.00	\$1,532.00	\$1,065.00

*Detailed information presented in Appendix II of this report.

Professional Service Disbursement



SIGNIFICANT ISSUES

No new significant issues.

STATUS OF PRIOR FINDINGS/SIGNIFICANT ISSUES

There were no unresolved prior findings/significant issues.

MATTERS OF CONCERN FROM QUESTIONNAIRES

Matter of Concern 2026-001: Thirteen licensees responded to our survey and the following concerns were noted:

- Five of the thirteen licensees (38%) responding to our survey mentioned Name, Image, and Likeness (NIL) as the most significant issue facing their profession.
- Three of the thirteen licensees (23%) responding to our survey stated non-registered, unqualified agents as the most significant issue facing their profession.
- Three of the thirteen licensees (23%) believe some of the laws, rules, or policies are an unnecessary restriction on the practice of their profession.
- Three of the thirteen licensees (23%) do not think they are adequately informed by the Commission of changes to and interpretations of the Commission's positions, policies, rules and laws.

PRIOR MATTERS OF CONCERN FROM QUESTIONNAIRES

Prior Matter of Concern 2022-001: Five of the six Commissioners responding to the survey stated that Name, Image, and Likeness laws are the most significant issues currently facing the Commission and how the new laws will affect Athlete Agents. Act 2021-227, Acts of Alabama, allowed student athletes to earn compensation for the use of their name, image, or likeness; prevented post-secondary education institutions from unreasonably restricting athletes from receiving compensation for the use of their name, image, or likeness; and established the Alabama Collegiate Athletics Commission to provide rules and recommendation on matters related to the names, images, and likeness of athletes. Act 2021-227 was repealed in the 2022 legislative session.

Current Status: Unresolved. Four of the five Commission members (80%) responding to our survey still believe Name, Image, and Likeness (NIL) is the most significant issue currently facing the Commission.

QUESTIONNAIRES

Commission Member Questionnaire

A letter was sent to all seventeen members of the Athlete Agents Commission requesting participation in our survey. Five participated in our survey. The percentages are based on the number who responded to the question.

1. What do you consider the most significant issue(s) currently facing the Athlete Agents Commission and how is the Commission addressing these issues?

Commission Member #1 – “The landscape of college sports and the use of agents throughout the different NCAA divisions.”

Commission Member #2 – “How to best monitor individuals operating as agents in the NIL space. We need legislative support to help control and assist the student-athletes,”

Commission Member #3 – “How do we regulate people who are representing student-athletes in revenue share or NIL negotiations since they do not meet the definition of an agent in the state.”

Commission Member #4 – “High School student-athletes are being paid for NIL in other states, and it is going to be challenged here in Alabama. This will go beyond college athletics. Also, DII NILs are growing. Maybe not by the dollar amount but the number of deals.”

Commission Member #5 – “No state legislation in regard to Name, Image, and Likeness.”

2. What, if any, changes to the Commission’s laws are needed?

Commission Member #1 – “Virtual meetings would be more efficient for representatives that travel longer distances.”

Commission Member #2 – “Is there a way to work with legislators to help regulate NIL agents.”

Commission Member #3 – “Expand the scope of the agent definition to encompass people who are representing students for NIL or revenue share opportunities.”

Commission Member #4 – “I do not know how we get ahead of anything without the NCAA legal staff taking the lead and winning some cases.”

Commission Member #5 – “N/A”

3. Do you think the Commission is adequately funded?

Yes	5	100%
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4. Do you think the Commission is adequately staffed?

Yes	4	80%
Unknown	1	20%

5. Does the Commission receive regular reports on its operations from the Administrator?

Yes	4	80%
Unknown	1	20%

6. Has the Commission experienced any significant change to its operations?

No	3	60%
Unknown	2	40%

7. Does the Commission plan to make any significant changes to its operations?

No	1	20%
Unknown	2	40%
No Opinion	2	40%

8. Do you have any additional comments you would like to make?

Commission Member #1 – “No.”

Commission Member #2 – “None at this time”

Commission Member #3 – “no”

Commission Member #4 – “<https://frontofficesports.com/college-sports-commission-enforce-nil-rules-without-legal-backing/> I read this and I also feel that it is unclear whether our enforcement decisions would survive legal challenges. It is becoming more and more like the wild west.”

Commission Member #5 – “N/A”

Licensee Questionnaire

A letter was sent to one hundred licensees requesting participation in our survey. Thirteen participated in the survey. The percentages are based on the number who responded to the question.

1. What do you consider the most significant issue(s) facing your profession in Alabama?

Respondent #1 – “I don’t think there is an Alabama specific issue but a broader NCAA issue. There needs to be a uniformed agent exam but that can’t happen until college athletes unionize. There are too many bad agents.”

Respondent #2 – “NIL for college athletes effectively makes the need to police amateurism issues unnecessary anymore.”

Respondent #3 – “Making sure I renew on time.”

Respondent #4 – “Non registered agents practicing within the state”

Respondent #5 – “Non professional or non certified agents.”

Respondent #6 – “No issues.”

Respondent #7 – “Evolving of name, image, and likeness (NIL) rights and state regulations.”

Respondent #8 – “Need clarity in realizing that the athlete agent laws that were set in 2016, do not encompass Collegiate Name, Image and Likeness ("NIL") and thus the required warning that is suppose to go in every agency contract, is misleading and wrong, but still required. It would be helpful if Agents were consulted when rules were changed and what might be best for the regulation of the athlete agent community, not only in Alabama but across the nation.”

Respondent #9 – “Travel time to get there”

Respondent #10 – “Establishing criteria to ensure that only qualified people are representing student athletes”

Respondent #10 – “Making sure everyone is in compliance with the law.”

Respondent #12 – “I have been an agent licensed by the NFLPA for almost 30 years, as well as in numerous states. There has been a flood of new "NIL agents", with no experience, who are not licensed by the NFLPA, etc., acting on behalf of student athletes.”

Respondent #13 – “NIL.”

2. Do you think regulation of your profession by the Athlete Agents Commission is necessary to protect the public welfare?

Yes	11	85%
No	2	15%

3. Do you think any of the Commission’s laws, rules, or policies are an unnecessary restriction on the practice of your profession?

Yes	3	23%
No	8	62%
Unknown	2	15%

4. Are you adequately informed by the Commission of changes to and interpretations of the Commission's positions, policies, rules, and laws?

Yes	7	54%
No	3	23%
Unknown	3	23%

5. Does the Commission respond to your inquiries in a timely manner?

Yes	9	69%
Unknown	4	31%

6. Has the Commission performed your licensing and renewal in a timely manner?

Yes	13	100%
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7. Do you have any additional comments you would like to make?

Respondent #1 – “I am an attorney in Texas and NFLA certified. I’m a man of faith as well and generally try to do what’s best for my clients. I don’t think state registration should be a thing. I think there should be an annual fee paid to a players association similar to the NFL. My preference would be to eliminate all state laws.”

Respondent #2 – “Many states have gone to online renewals. It is much more efficient for all. The Commission has to approve renewals every couple months at a meeting. I understand review of initial agent applicants at a meeting, but renewals should be able to be done by those in the office without formal infrequent meetings or hearings.”

Respondent #3 – “n/a”

Respondent #4 – “None”

Respondent #5 – “There are good agents who abide by the rules and care deeply about their clients. But the profession has been diluted with very inexperienced agents that don't know what they are doing and hurting athletes.”

Respondent #6 – “No, I don’t.”

Respondent #7 – “None”

Respondent #8 – “Make the Warning to Student-Athlete's different for student-athletes hiring someone to help them with NIL. for instance. A requirement that NIL agency contracts require the following instead of what is currently required under Alabama Athlete Agent Regulations.

NOTICE TO STUDENT ATHLETE SIGNING A NAME, IMAGE AND LIKENESS AGREEMENT WHILE STILL HAVING ELIGABILITY REMAINING:

IF YOU SIGN THIS CONTRACT:

(1) IF YOU HAVE AN ATHLETIC DIRECTOR, WITHIN 72 HOURS AFTER SIGNING THIS CONTRACT OR BEFORE THE NEXT SCHEDULED ATHLETIC EVENT IN WHICH YOU PARTICIPATE, WHICHEVER OCCURS FIRST, BOTH YOU AND YOUR ATHLETE AGENT MUST NOTIFY YOUR ATHLETIC DIRECTOR THAT YOU HAVE ENTERED INTO THIS CONTRACT AND PROVIDE THE NAME AND CONTACT INFORMATION OF THE ATHLETE AGENT; AND (2) YOU MAY CANCEL THIS CONTRACT WITHIN 14 DAYS AFTER SIGNING IT REGARDLESS OF WHAT THE CONTRACT SAYS.”

Respondent #9 – “no”

Respondent #10 – “no”

Respondent #11 – “No”

Respondent #12 – “I think that Alabama should look more closely at individuals applying to be agents, with agents already licensed by one of the major players associations (NFLPA, MLBPA, etc.) given a more streamlined process to register in Alabama, as the players associations do yearly background checks, require insurance, etc.”

Respondent #13 – “No. Please send notification of renewal.”

APPENDICES

Appendix I: Applicable Statutes

Section 8-26B-1 Short title.

This chapter may be cited as the Revised Uniform Athlete Agents Act (2016).

(Act 2016-415, §1.)

Section 8-26B-2 Definitions.

In this chapter:

(1) "Agency contract" means an agreement in which a student athlete authorizes a person to negotiate or solicit on behalf of the athlete a professional-sports-services contract or endorsement contract.

(2) "Athlete agent":

(A) means an individual, whether or not registered under this chapter, who:

(i) directly or indirectly recruits or solicits a student athlete to enter into an agency contract or, for compensation, procures employment or offers, promises, attempts, or negotiates to obtain employment for a student athlete as a professional athlete or member of a professional sports team or organization;

(ii) for compensation or in anticipation of compensation related to a student athlete's participation in athletics:

(I) serves the athlete in an advisory capacity on a matter related to finances, business pursuits, or career management decisions, unless the individual is an employee of an educational institution acting exclusively as an employee of the institution for the benefit of the institution; or

(II) manages the business affairs of the athlete by providing assistance with bills, payments, contracts, or taxes; or

(iii) in anticipation of representing a student athlete for a purpose related to the athlete's participation in athletics:

(I) gives consideration to the student athlete or another person;

(II) serves the athlete in an advisory capacity on a matter related to finances, business pursuits, or career management decisions; or

(III) manages the business affairs of the athlete by providing assistance with bills, payments, contracts, or taxes; but

(B) does not include an individual who:

(i) acts solely on behalf of a professional sports team or organization; or

(ii) is a licensed, registered, or certified professional and offers or provides services to a student athlete customarily provided by members of the profession, unless the individual:

(I) also recruits or solicits the athlete to enter into an agency contract;

(II) also, for compensation, procures employment or offers, promises, attempts, or negotiates to obtain employment for the athlete as a professional athlete or member of a professional sports team or organization; or

(III) receives consideration for providing the services calculated using a different method than for an individual who is not a student athlete.

(3) "Athletic director" means the individual responsible for administering the overall athletic program of an educational institution or, if an educational institution has separately administered athletic programs for male students and female students, the athletic program for males or the athletic program for females, as appropriate.

- (4) "Educational institution" includes a public or private elementary school, secondary school, technical or vocational school, community college, college, and university.
- (5) "Endorsement contract" means an agreement under which a student athlete is employed or receives consideration to use on behalf of the other party any value that the athlete may have because of publicity, reputation, following, or fame obtained because of athletic ability or performance.
- (6) "Enrolled" means registered for courses and attending athletic practice or class. "Enrolls" has a corresponding meaning.
- (7) "Intercollegiate sport" means a sport played at the collegiate level for which eligibility requirements for participation by a student athlete are established by a national association that promotes or regulates collegiate athletics.
- (8) "Interscholastic sport" means a sport played between educational institutions that are not community colleges, colleges, or universities.
- (9) "Licensed, registered, or certified professional" means an individual licensed, registered, or certified as an attorney, dealer in securities, financial planner, insurance agent, real estate broker or sales agent, tax consultant, accountant, or member of a profession, other than that of athlete agent, who is licensed, registered, or certified by the state or a nationally recognized organization that licenses, registers, or certifies members of the profession on the basis of experience, education, or testing.
- (10) "Person" means an individual, estate, business or nonprofit entity, public corporation, government or governmental subdivision, agency, or instrumentality, or other legal entity.
- (11) "Professional-sports-services contract" means an agreement under which an individual is employed as a professional athlete or agrees to render services as a player on a professional sports team or with a professional sports organization.
- (12) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.
- (13) "Recruit or solicit" means attempt to influence the choice of an athlete agent by a student athlete or, if the athlete is a minor, a parent or guardian of the athlete. The term does not include giving advice on the selection of a particular agent in a family, coaching, or social situation unless the individual giving the advice does so because of the receipt or anticipated receipt of an economic benefit, directly or indirectly, from the agent.
- (14) "Registration" means registration as an athlete agent under this chapter.
- (15) "Sign" means, with present intent to authenticate or adopt a record:
- (A) to execute or adopt a tangible symbol; or
 - (B) to attach to or logically associate with the record an electronic symbol, sound, or process.
- (16) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.
- (17) "Student athlete" means an individual who is eligible to attend an educational institution and engages in, is eligible to engage in, or may be eligible in the future to engage in, any interscholastic or intercollegiate sport. The term does not include an individual permanently ineligible to participate in a particular interscholastic or intercollegiate sport for that sport.
- (Act 2016-415, §1.)*

Section 8-26B-3 Secretary of State; authority; procedure.

(a) The Alabama Administrative Procedure Act applies to this chapter. The Secretary of State may adopt rules under the act to implement this chapter.

(b) By acting as an athlete agent in this state, a nonresident individual appoints the Secretary of State as the individual's agent for service of process in any civil action in this state related to the individual acting as an athlete agent in this state.

(Act 2016-415, §1.)

Section 8-26B-4 Athlete agent; registration required; void contract.

(a) Except as otherwise provided in subsection (b), an individual may not act as an athlete agent in this state without holding a certificate of registration under this chapter.

(b) Before being issued a certificate of registration under this chapter, an individual may act as an athlete agent in this state for all purposes except signing an agency contract, if:

(1) a student athlete or another person acting on behalf of the athlete initiates communication with the individual; and

(2) not later than seven days after an initial act that requires the individual to register as an athlete agent, the individual submits an application for registration as an athlete agent in this state.

(c) An agency contract resulting from conduct in violation of this section is void, and the athlete agent shall return any consideration received under the contract.

(Act 2016-415, §1.)

Section 8-26B-5 Registration as athlete agent; application; requirements; reciprocal registration.

(a) An applicant for registration as an athlete agent shall submit an application for registration to the Secretary of State in a form prescribed by the Secretary of State. The applicant must be an individual, and the application must be signed by the applicant under penalty of perjury. The application must contain at least the following:

(1) the name and date and place of birth of the applicant and the following contact information for the applicant:

(A) the address of the applicant's principal place of business;

(B) work and mobile telephone numbers; and

(C) any means of communicating electronically, including a facsimile number, electronic-mail address, and personal and business or employer websites;

(2) the name of the applicant's business or employer, if applicable, including for each business or employer, its mailing address, telephone number, organization form, and the nature of the business;

(3) each social-media account with which the applicant or the applicant's business or employer is affiliated;

(4) each business or occupation in which the applicant engaged within five years before the date of the application, including self-employment and employment by others, and any professional or occupational license, registration, or certification held by the applicant during that time;

(5) a description of the applicant's:

(A) formal training as an athlete agent;

(B) practical experience as an athlete agent; and

(C) educational background relating to the applicant's activities as an athlete agent;

(6) the name of each student athlete for whom the applicant acted as an athlete agent within five years before the date of the application or, if the individual is a minor, the name of the parent or guardian of the minor, together with the athlete's sport and last-known team;

(7) the name and address of each person that:

(A) is a partner, member, officer, manager, associate, or profit sharer or directly or indirectly holds an equity interest of five percent or greater of the athlete agent's business if it is not a corporation; and

(B) is an officer or director of a corporation employing the athlete agent or a shareholder having an interest of five percent or greater in the corporation;

(8) a description of the status of any application by the applicant, or any person named under paragraph (7), for a state or federal business, professional, or occupational license, other than as an athlete agent, from a state or federal agency, including any denial, refusal to renew, suspension, withdrawal, or termination of the license and any reprimand or censure related to the license;

(9) whether the applicant, or any person named under paragraph (7), has pleaded guilty or no contest to, has been convicted of, or has charges pending for, a crime that would involve moral turpitude or be a felony if committed in this state and, if so, identification of:

(A) the crime;

(B) the law-enforcement agency involved; and

(C) if applicable, the date of the conviction and the fine or penalty imposed;

(10) whether, within 15 years before the date of application, the applicant, or any person named under paragraph (7), has been a defendant or respondent in a civil proceeding, including a proceeding seeking an adjudication of legal incompetence and, if so, the date and a full explanation of each proceeding;

(11) whether the applicant, or any person named under paragraph (7), has an unsatisfied judgment or a judgment of continuing effect, including alimony or a domestic order in the nature of child support, which is not current at the date of the application;

(12) whether, within 10 years before the date of application, the applicant, or any person named under paragraph (7), was adjudicated bankrupt or was an owner of a business that was adjudicated bankrupt;

(13) whether there has been any administrative or judicial determination that the applicant, or any person named under paragraph (7), made a false, misleading, deceptive, or fraudulent representation;

(14) each instance in which conduct of the applicant, or any person named under paragraph (7), resulted 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;

(15) each sanction, suspension, or disciplinary action taken against the applicant, or any person named under paragraph (7), arising out of occupational or professional conduct;

(16) whether there has been a denial of an application for, suspension or revocation of, refusal to renew, or abandonment of, the registration of the applicant, or any person named under paragraph (7), as an athlete agent in any state;

(17) each state in which the applicant currently is registered as an athlete agent or has applied to be registered as an athlete agent;

(18) if the applicant is certified or registered by a professional league or players association:

(A) the name of the league or association;

(B) the date of certification or registration, and the date of expiration of the certification or registration, if any; and

(C) if applicable, the date of any denial of an application for, suspension or revocation of, refusal to renew, withdrawal of, or termination of, the certification or registration or any reprimand or censure related to the certification or registration; and

- (19) any additional information required by the Secretary of State.
 - (b) Instead of proceeding under subsection (a), an individual registered as an athlete agent in another state may apply for registration as an athlete agent in this state by submitting to the Secretary of State:
 - (1) a copy of the application for registration in the other state;
 - (2) a statement that identifies any material change in the information on the application or verifies there is no material change in the information, signed under penalty of perjury; and
 - (3) a copy of the certificate of registration from the other state.
 - (c) The Secretary of State shall issue a certificate of registration to an individual who applies for registration under subsection (b) if the Secretary of State determines:
 - (1) the application and registration requirements of the other state are substantially similar to or more restrictive than this chapter; and
 - (2) the registration has not been revoked or suspended 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.
 - (d) For purposes of implementing subsection (c), the Secretary of State shall:
 - (1) cooperate with national organizations concerned with athlete agent issues and agencies in other states which register athlete agents to develop a common registration form and determine which states have laws that are substantially similar to or more restrictive than this chapter; and
 - (2) exchange information, including information related to actions taken against registered athlete agents or their registrations, with those organizations and agencies.
- (Act 2016-415, §1.)*

Section 8-26B-6 Certificate of registration; issuance or denial; renewal.

- (a) Except as otherwise provided in subsection (b), the Secretary of State shall issue a certificate of registration to an applicant for registration who complies with Section 8-26B-5(a).
- (b) The Secretary of State may refuse to issue a certificate of registration to an applicant for registration under Section 8-26B-5(a) if the Secretary of State 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 Secretary of State may consider whether the applicant has:
 - (1) pleaded guilty or no contest to, has been convicted of, or has charges pending for, a crime that would involve moral turpitude or be a felony if committed in this state;
 - (2) made a materially false, misleading, deceptive, or fraudulent representation in the application or as an athlete agent;
 - (3) engaged in conduct that would disqualify the applicant from serving in a fiduciary capacity;
 - (4) engaged in conduct prohibited by Section 8-26B-14;
 - (5) had a registration as an athlete agent suspended, revoked, or denied in any state;
 - (6) been refused renewal of registration as an athlete agent in any state;
 - (7) engaged in conduct resulting in 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
 - (8) engaged in conduct that adversely reflects on the applicant's credibility, honesty, or integrity.
- (c) In making a determination under subsection (b), the Secretary of State shall consider:
 - (1) how recently the conduct occurred;
 - (2) the nature of the conduct and the context in which it occurred; and
 - (3) other relevant conduct of the applicant.

(d) An athlete agent registered under subsection (a) may apply to renew the registration by submitting an application for renewal in a form prescribed by the Secretary of State. The applicant shall sign the application for renewal under penalty of perjury and include current information on all matters required in an original application for registration.

(e) An athlete agent registered under Section 8-26B-5(c) may renew the registration by proceeding under subsection (d) or, if the registration in the other state has been renewed, by submitting to the Secretary of State copies of the application for renewal in the other state and the renewed registration from the other state. The Secretary of State shall renew the registration if the Secretary of State determines:

(1) the registration requirements of the other state are substantially similar to or more restrictive than this chapter; and

(2) 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.

(f) A certificate of registration or renewal of registration under this chapter is valid for two years.

(Act 2016-415, §1.)

Section 8-26B-7 Suspension, revocation, or refusal to renew registration.

(a) The Secretary of State may limit, suspend, revoke, or refuse to renew a registration of an individual registered under Section 8-26B-6(a) for conduct that would have justified refusal to issue a certificate of registration under Section 8-26B-6(b).

(b) The Secretary of State may suspend or revoke the registration of an individual registered under Section 8-26B-5(c) or renewed under Section 8-26B-6(e) for any reason for which the Secretary of State could have refused to grant or renew registration or for conduct that would justify refusal to issue a certificate of registration under Section 8-26B-6(b).

(Act 2016-415, §1.)

Section 8-26B-8 Temporary registration.

The Secretary of State may issue a temporary certificate of registration as an athlete agent while an application for registration or renewal of registration is pending.

(Act 2016-415, §1.)

Section 8-26B-9 Registration and renewal fees.

An application for registration or renewal of registration as an athlete agent must be accompanied by a fee in the following amount:

(1) Two hundred dollars (\$200) for an initial application for registration;

(2) One hundred dollars (\$100) for registration based on a certificate of registration issued by another state;

(3) One hundred dollars (\$100) for an application for renewal of registration; or

(4) One hundred dollars (\$100) for renewal of registration based on a renewal of registration in another state.

(Act 2016-415, §1.)

Section 8-26B-10 Required form of agency contract.

(a) An agency contract must be in a record signed by the parties.

(b) An agency contract must contain:

(1) a statement that the athlete agent is registered as an athlete agent in this state and a list of any other states in which the agent is registered as an athlete agent;

(2) the amount and method of calculating the consideration to be paid by the student athlete for services to be provided by the agent under the contract and any other consideration the agent has received or will receive from any other source for entering into the contract or providing the services;

(3) the name of any person not listed in the agent's application for registration or renewal of registration which will be compensated because the athlete signed the contract;

(4) a description of any expenses the athlete agrees to reimburse;

(5) a description of the services to be provided to the athlete;

(6) the duration of the contract; and

(7) the date of execution.

(c) Subject to subsection (g), an agency contract must contain a conspicuous notice in boldface type and in substantially the following form:

WARNING TO STUDENT ATHLETE

IF YOU SIGN THIS CONTRACT:

(1) YOU MAY LOSE YOUR ELIGIBILITY TO COMPETE AS A STUDENT ATHLETE IN YOUR SPORT;

(2) IF YOU HAVE AN ATHLETIC DIRECTOR, WITHIN 72 HOURS AFTER SIGNING THIS CONTRACT OR BEFORE THE NEXT SCHEDULED ATHLETIC EVENT IN WHICH YOU PARTICIPATE, WHICHEVER OCCURS FIRST, BOTH YOU AND YOUR ATHLETE AGENT MUST NOTIFY YOUR ATHLETIC DIRECTOR THAT YOU HAVE ENTERED INTO THIS CONTRACT AND PROVIDE THE NAME AND CONTACT INFORMATION OF THE ATHLETE AGENT; AND

(3) YOU MAY CANCEL THIS CONTRACT WITHIN 14 DAYS AFTER SIGNING IT. CANCELLATION OF THIS CONTRACT MAY NOT REINSTATE YOUR ELIGIBILITY AS A STUDENT ATHLETE IN YOUR SPORT.

(d) An agency contract must be accompanied by a separate record signed by the student athlete or, if the athlete is a minor, the parent or guardian of the athlete acknowledging that signing the contract may result in the loss of the athlete's eligibility to participate in the athlete's sport.

(e) A student athlete or, if the athlete is a minor, the parent or guardian of the athlete may void an agency contract that does not conform to this section. If the contract is voided, any consideration received from the athlete agent under the contract to induce entering into the contract is not required to be returned.

(f) At the time an agency contract is executed, the athlete agent shall give the student athlete or, if the athlete is a minor, the parent or guardian of the athlete a copy in a record of the contract and the separate acknowledgement required by subsection (d).

(g) If a student athlete is a minor, an agency contract must be signed by the parent or guardian of the minor and the notice required by subsection (c) must be revised accordingly.

(Act 2016-415, §1.)

Section 8-26B-11 Notice to educational institution.

(a) In this section, "communicating or attempting to communicate" means contacting or attempting to contact by an in-person meeting, a record, or any other method that conveys or attempts to convey a message.

(b) Not later than 72 hours after entering into an agency contract or before the next scheduled athletic event in which the student athlete may participate, whichever occurs first, the athlete agent shall give notice in a record of the existence of the contract to the athletic director of the educational institution at which the athlete is enrolled or at which the agent has reasonable grounds to believe the athlete intends to enroll.

(c) Not later than 72 hours after entering into an agency contract or before the next scheduled athletic event in which the student athlete may participate, whichever occurs first, the athlete shall inform the athletic director of the educational institution at which the athlete is enrolled that the athlete has entered into an agency contract and the name and contact information of the athlete agent.

(d) If an athlete agent enters into an agency contract with a student athlete and the athlete subsequently enrolls at an educational institution, the agent shall notify the athletic director of the institution of the existence of the contract not later than 72 hours after the agent knew or should have known the athlete enrolled.

(e) If an athlete agent has a relationship with a student athlete before the athlete enrolls in an educational institution and receives an athletic scholarship from the institution, the agent shall notify the institution of the relationship not later than 10 days after the enrollment if the agent knows or should have known of the enrollment and:

(1) the relationship was motivated in whole or part by the intention of the agent to recruit or solicit the athlete to enter an agency contract in the future; or

(2) the agent directly or indirectly recruited or solicited the athlete to enter an agency contract before the enrollment.

(f) An athlete agent shall give notice in a record to the athletic director of any educational institution at which a student athlete is enrolled before the agent communicates or attempts to communicate with:

(1) the athlete or, if the athlete is a minor, a parent or guardian of the athlete, to influence the athlete or parent or guardian to enter into an agency contract; or

(2) another individual to have that individual influence the athlete or, if the athlete is a minor, the parent or guardian of the athlete to enter into an agency contract.

(g) If a communication or attempt to communicate with an athlete agent is initiated by a student athlete or another individual on behalf of the athlete, the agent shall notify in a record the athletic director of any educational institution at which the athlete is enrolled. The notification must be made not later than 10 days after the communication or attempt.

(h) An educational institution that becomes aware of a violation of this chapter by an athlete agent shall notify the Secretary of State and any professional league or players association with which the institution is aware the agent is licensed or registered of the violation.

(Act 2016-415, §1.)

Section 8-26B-12 Student athlete's right to cancel.

(a) A student athlete or, if the athlete is a minor, the parent or guardian of the athlete may cancel an agency contract by giving notice in a record of cancellation to the athlete agent not later than 14 days after the contract is signed.

(b) A student athlete or, if the athlete is a minor, the parent or guardian of the athlete may not waive the right to cancel an agency contract.

(c) If a student athlete, parent, or guardian cancels an agency contract, the athlete, parent, or guardian is not required to pay any consideration under the contract or return any consideration received from the athlete agent to influence the athlete to enter into the contract.

(Act 2016-415, §1.)

Section 8-26B-13 Required records.

(a) An athlete agent shall create and retain for five years records of the following:

(1) the name and address of each individual represented by the agent;

(2) each agency contract entered into by the agent; and

(3) the direct costs incurred by the agent in the recruitment or solicitation of each student athlete to enter into an agency contract.

(b) Records described in subsection (a) are open to inspection by the Secretary of State during normal business hours.

(Act 2016-415, §1.)

Section 8-26B-14 Prohibited conduct; payment of expenses under certain circumstances.

(a) Except as otherwise provided in subsection (c), an athlete agent, with the intent to influence a student athlete or, if the athlete is a minor, a parent or guardian of the athlete, to enter into an agency contract, may not take any of the following actions or encourage any other individual to take or assist any other individual in taking any of the following actions on behalf of the agent:

(1) give materially false or misleading information or make a materially false promise or representation;

(2) furnish anything of value to the athlete before the athlete enters into the contract; or

(3) furnish anything of value to an individual other than the athlete or another registered athlete agent.

(b) An athlete agent may not intentionally do any of the following or encourage any other individual to do any of the following on behalf of the agent:

(1) initiate contact, directly or indirectly, with a student athlete or, if the athlete is a minor, a parent or guardian of the athlete, to recruit or solicit the athlete, parent, or guardian to enter an agency contract unless registered under this chapter;

(2) fail to create or retain or to permit inspection of the records required by Section 8-26B-13;

(3) fail to register when required by Section 8-26B-4;

(4) provide materially false or misleading information in an application for registration or renewal of registration;

(5) predate or postdate an agency contract; or

(6) fail to notify a student athlete or, if the athlete is a minor, a parent or guardian of the athlete, before the athlete, parent, or guardian signs an agency contract for a particular sport that the signing may make the athlete ineligible to participate as a student athlete in that sport.

(c) An athlete agent registered under this chapter who is certified as an athlete agent in a particular sport by a national association that promotes or regulates intercollegiate athletics and establishes eligibility standards for participation by a student athlete in the sport may pay expenses incurred before the signing of an agency contract by a student athlete, a family member of the student athlete, and an individual who is a member of a class of individuals authorized to receive payment for the expenses by the national association that certified the agent, if the expenses are:

- (1) for the benefit of an athlete who is a member of a class of athletes authorized to receive the benefit by the national association;
- (2) of a type authorized to be paid by a certified agent by the national association;
- (3) for a purpose authorized by the national association; and
- (4) with respect to an athlete who is a secondary school student, allowed by the interscholastic association that determines eligibility for the athlete.

(Act 2016-415, p. 1160, §1; Act 2019-504, §1.)

Section 8-26B-15 Criminal penalties.

(a) The commission of any conduct prohibited in subsection (a) of Section 8-26B-14 by an individual required by this chapter to register as an athlete agent who has intentionally not registered under this chapter is a Class B felony.

(b) Except for subdivision (1) of subsection (b) of Section 8-26B-14, the commission of any conduct prohibited in Section 8-26B-14 by an athlete agent who has registered under this chapter is a Class C felony.

(c) The commission of any conduct prohibited in subdivision (1) of subsection (b) of Section 8-26B-14 by an athlete agent who has registered under this chapter is a Class A misdemeanor.

(Act 2016-415, §1.)

Section 8-26B-16 Civil remedy.

(a) An educational institution or student athlete may bring an action for damages against an athlete agent if the institution or athlete is adversely affected by an act or omission of the agent in violation of this chapter. An educational institution or student athlete is adversely affected by an act or omission of the agent only if, because of the act or omission, the institution or an individual who was a student athlete at the time of the act or omission and enrolled in the institution:

(1) is suspended or disqualified from participation in an interscholastic or intercollegiate sports event by or under the rules of a state or national federation or association that promotes or regulates interscholastic or intercollegiate sports; or

(2) suffers financial damage.

(b) A plaintiff that prevails in an action under this section may recover actual damages, costs, and reasonable attorney's fees. An athlete agent found liable under this section forfeits any right of payment for anything of benefit or value provided to the student athlete and shall refund any consideration paid to the agent by or on behalf of the athlete.

(Act 2016-415, §1.)

Section 8-26B-17 Civil penalty.

The Secretary of State may assess a civil penalty against an athlete agent not to exceed fifty thousand dollars (\$50,000) for a violation of this chapter.

(Act 2016-415, §1.)

Section 8-26B-18 Uniformity of application and construction.

In applying and construing this uniform act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

(Act 2016-415, §1.)

Section 8-26B-19 Relation to Electronic Signatures in Global and National Commerce Act.

This chapter modifies, limits, or supersedes the Electronic Signatures in Global and National Commerce Act, 15 U.S.C. Section 7001 et seq., but does not modify, limit, or supersede Section 101(c) of that act, 15 U.S.C. Section 7001(c), or authorize electronic delivery of any of the notices described in Section 103 (b) of that act, 15 U.S.C. Section 7003(b).

(Act 2016-415, §1.)

Article 2 Commission and Disposition of Funds

Section 8-26B-30 Alabama Athlete Agents Commission.

(a) The Alabama Athlete Agents Commission is continued in existence. The commission shall consist of the Secretary of State or an individual designated by the Secretary of State and 18 members to be appointed as follows:

- (1) One member appointed by the Governor.
- (2) One member appointed by the Lieutenant Governor.
- (3) One member appointed by the Speaker of the House of Representatives.
- (4) The athletic director or an individual appointed by the athletic director at each of the following institutions of higher education:
 - a. Auburn University.
 - b. University of Alabama, Tuscaloosa.
 - c. University of South Alabama.
 - d. Alabama State University.
 - e. Alabama A & M University.
 - f. Tuskegee University.
 - g. Troy University.
 - h. Jacksonville State University.
 - i. University of North Alabama.
 - j. University of West Alabama.
 - k. Miles College.
 - l. University of Montevallo.
 - m. University of Alabama, Huntsville.
 - n. University of Alabama, Birmingham.

(5) One member appointed by the Alabama High School Athletic Association.

(b) In appointing members to the board, the appointing power shall select those individuals whose appointments, to the extent possible, assure that the membership of the board is inclusive and reflects the racial, gender, urban, rural, and economic diversity of the state. All appointed members of the commission shall be citizens of the United States and residents of Alabama. The term of each appointed commission member shall be three years and members are eligible for reappointment. If a vacancy occurs, the appointing power for the vacant position shall appoint a successor who shall take office immediately and serve the remainder of the unexpired term. Members of the Alabama Athlete Agents Commission serving on October 1, 2016, shall continue to serve on the Alabama Athlete Agents Commission until their term expires.

- (c) Within 15 days after their appointment, the members of the commission shall take an oath before any individual lawfully authorized to administer oaths in this state to faithfully and impartially perform their duties as members of the commission, and the same shall be filed with the Secretary of State.
- (d) The Governor may remove from the commission any appointed member for neglect of duty or other just cause.
- (e) The commission shall elect annually a chair, a vice chair, and a secretary-treasurer from its members.
- (f) A majority of the commission shall constitute a quorum for the transaction of business.
- (g) The Secretary of State shall keep records of the proceedings of the commission. In any proceeding in court, civil or criminal, arising out of or founded upon any provision of this chapter, copies of those records certified as correct by the Secretary of State shall be admissible in evidence as tending to prove the content of the records.
- (h) The Secretary of State shall have printed and published for distribution an annual register which shall contain the names, arranged alphabetically, of all persons registered under this chapter. The Secretary of State shall also provide a quarterly report to the commission of all agents registered during the quarter, any suspension or revocation of registered agents during the quarter, and other disciplinary action taken against an agent.
- (i) The Secretary of State may employ personnel and arrange for assistance, service, and supplies as the Secretary of State may require for the performance of the duties of the commission.
- (j) The commission may adopt and, from time to time, amend rules and standards of conduct for athlete agents appropriate for the protection of the residents of the state. At least 35 days prior to the completion of notice of any rule or amendment, the Secretary of State shall mail copies of the proposed rule or amendment to all persons registered under this chapter, with a notice advising them of the completion of notice of the rule or amendment and requesting that they submit advisory comments thereon at least 15 days prior to the completion of notice. Failure to receive by mail a rule, amendment, or notice by all persons registered under this chapter shall not affect the validity of the rule or amendment.
- (k) Except for the Secretary of State, each member of the commission who is not otherwise reimbursed by public funds for services provided to this commission shall be paid fifty dollars (\$50) for each day the member is actively engaged in the discharge of official duties as a member of the commission and shall also be entitled to, and shall receive, reimbursement for actual necessary expenses incurred in the discharge of official duties on behalf of the commission.
- (l) The Alabama Athlete Agents Commission shall be subject to the Alabama Sunset Law, Chapter 20, Title 41, as an enumerated agency as provided in Section 41-20-3, and shall have a termination date of October 1, 2019, and every four years thereafter, unless continued pursuant to the Alabama Sunset Law.
- (Act 2016-415, p. 1160, §1; Act 2025-288, §1.)*

Section 8-26B-31 Disposition of funds; Alabama Athlete Agents Fund.

(a) All moneys collected for registrations and all fines collected for violations of this chapter shall be paid to the Secretary of State, who shall deposit them in a special fund in the State Treasury for the use of the commission.

(b) There is hereby created in the State Treasury a fund to be known and designated as the Alabama Athlete Agents Fund. All funds, fees, charges, costs, and collections accruing to or collected under the provisions of this chapter shall be deposited into the State Treasury to the credit of the Alabama Athlete Agents Fund.

(c) Funds now or hereafter deposited in the State Treasury to the credit of the Alabama Athlete Agents Fund may not be expended for any purpose whatsoever unless the same shall have been allotted and budgeted in accordance with Article 4 of Chapter 4 of Title 41, and only in the amounts and for the purposes provided by the Legislature in the general appropriation bill or other appropriation bills.

(Act 2016-415, §1.)

Appendix II: Professional Services by Vendor

	FY 2022	FY 2023	FY 2024	FY 2025
Data Processing				
<i>Comptroller Services</i>				
Department of Finance	\$ 627.00	\$ 684.00	\$ 662.00	\$ 715.00
Total Data Processing	627.00	684.00	662.00	715.00
 Administrative Services				
<i>Advertising</i>				
Legislative Services Agency			470.00	
<i>Board Member Compensation</i>				
Barbara Palmer	150.00	200.00	200.00	150.00
Nicholas Zack Brown	100.00	50.00	200.00	200.00
Total Administrative Services	250.00	250.00	870.00	350.00
 Total Professional Services	\$ 877.00	\$ 934.00	\$ 1,532.00	\$ 1,065.00

Appendix III: Commission Members

ALABAMA STATE HOUSE
11 SOUTH UNION STREET
ROOM 226
MONTGOMERY, AL 36130



(334) 242-7224
FAX (334) 353-4418
SPORT.CODE@SOS.ALABAMA.GOV

ALABAMA ATHLETE AGENTS COMMISSION

February 23, 2026

Gerald Dedon
Department of Examiners of Public Accounts
401 Adams Avenue, Suite 280
Montgomery, AL 36104

VIA ELECTRONIC EMAIL SUBMISSION

Dear Mr. Dedon:

As requested in response to item 2, please find a list of the name, expiration of term, and city of residence for each current Commission member.

Secretary of State appointee
Michael Jones, Jr.
Andalusia
Expires 8-24-2028

Lt. Governor appointee
Gerald Allen
Tuscaloosa
Expires 1-28-2028

Speaker of the House appointee
James Lomax
Huntsville
Expires 7-30-2028

Auburn University appointee
Matt Ball
Auburn
Expires 8-19-2028

University of Alabama appointee
Riley Edwards
Tuscaloosa
Expires 9-2-2028

Alabama A&M University appointee
Jakeem Perry
Normal
Expires 3-27-2027

Tuskegee University appointee
Nicholas Brown
Tuskegee
Expires 5-6-2028

Troy University appointee
Hollis Jackson
Troy
Expires 1-14-2028

Jacksonville State University appointee
Thomas Neely
Jacksonville
Expires 3-7-2026

University of North Alabama appointee
Todd Vardaman
Florence
Expires 1-15-2028

University of West Alabama appointee
Mike Jones
Demopolis
Expires 1-12-2028

Miles College appointee
Barbara Palmer
Birmingham
Expires 4-28-2027

University of Montevallo appointee
Katie O'Brien-Chapman
Calera
Expires 1-12-2029

University of Alabama in Birmingham appointee
Chandler DeRieux
Irondale
Expires 12-3-2026

Alabama High School Athletic Association appointee
Brian McRae
Montgomery
Expires 10-3-2027

University of South Alabama appointee
Ty Singletary
Spanish Fort
Expires 12-7-2028

University of Alabama Huntsville appointee
Jennifer Cole
Gurley
Expires 8-18-2027

Should you need further information, please contact Chief of Staff for the Alabama Secretary of State, Clay Helms, at Clay.Helms@sos.alabama.gov or (334) 242-7207.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael L. Jones, Jr.", with a stylized flourish at the end.

Michael L. Jones, Jr.
General Counsel
Alabama Secretary of State

Appendix IV: Commission's Response

ALABAMA STATE CAPITOL
600 DEXTER AVENUE
SUITE S-105
MONTGOMERY, AL 36130



(334) 242-7200
WWW.SOS.ALABAMA.GOV
WES.ALLEN@SOS.ALABAMA.GOV

WES ALLEN
SECRETARY OF STATE

July 8, 2026

VIA ELECTRONIC EMAIL TRANSMISSION

Dixie B. Thomas, Director of Operational Audits
Department of Examiners of Public Accounts
P.O. Box 302251
Montgomery, Alabama 36130-2251

Re: Response to Matter of Concern 2026-001 – Alabama Athlete Agents Commission

Dear Ms. Thomas:

On behalf of the Alabama Athlete Agents Commission (“Commission”), thank you for the opportunity to respond to the Matters of Concern identified in connection with the Commission’s Sunset review. The Alabama Secretary of State, which provides administrative support to the Commission, notes that the report identifies no new significant issues and no unresolved prior findings. The Matter of Concern (2026-001) summarizes responses received from a limited number of licensed athlete agents regarding issues affecting the profession. The Commission appreciates the feedback and respectfully offers the following response:

The Commission recognizes that the rapidly evolving legal landscape surrounding Name, Image, and Likeness (“NIL”) opportunities continues to present challenges for athlete agents nationwide. Since the repeal of Alabama’s 2021 NIL legislation and the continued evolution of NCAA policies, conference rules, federal litigation, and potential federal legislation, the legal and regulatory environment remains unsettled. The Commission further recognizes that much of this uncertainty stems from developments occurring outside its statutory authority. Accordingly, many of the issues identified by licensees cannot be resolved through Commission rulemaking, oversight, or enforcement. Nevertheless, the Commission remains committed to monitoring legal developments and administering the Revised Uniform Athlete Agents Act (2016-415), *see* Ala. Code §§ 8-26B-1 through 8-26B-31, hereinafter “the Act,” in a manner that protects student-athletes while carrying out its statutory responsibilities.

With respect to concerns regarding non-registered or unqualified athlete agents, the Commission recognizes the importance of ensuring compliance with Alabama’s registration requirements. The Commission’s enforcement authority is entirely administrative in nature and is carried out pursuant to the Act and the Commission’s rules found in Chapter 142 of the Alabama Administrative Code. Alabama Code Sections 8-26B-4 through 8-26B-7 establish Alabama’s athlete agent registration requirements and the grounds upon which registration may be denied, suspended, revoked, or otherwise disciplined. The Code expressly prohibits conduct as follows:

An athlete agent may not intentionally do any of the following or encourage any other individual to do any of the following on behalf of the agent: (1) initiate contact, directly or indirectly, with a student athlete or, if the athlete is a minor, a parent or guardian of the athlete, to recruit or solicit the athlete, parent, or guardian to enter an agency contract *unless registered under this chapter*; . . . (3) *fail to register when required by Section 8-26B-4 [which states, "an individual may not act as an athlete agent in this state without holding a certificate of registration under this chapter."]; . . .*

Ala. Code § 8-26B-14(b) (emphasis added). The Secretary of State, on behalf of the Commission, reviews applications for compliance with these statutory requirements and may administratively investigate complaints received pursuant to the Commission's rules. *See* Ala. Admin. R. 142-1-2-.01. However, neither the Commission nor the Secretary of State possesses general law enforcement or subpoena authority to independently identify or investigate individuals who may be engaging in athlete-agent activities without registration. Accordingly, the Commission's ability to address such concerns depends largely upon complaints or other information received, the cooperation of the individuals involved during the administrative process, and the remedies authorized by law. The Commission nevertheless remains committed to reviewing complaints received and exercising its existing authority to the fullest extent permitted.

Regarding comments that certain laws, rules, or policies may unnecessarily restrict the practice of the profession, the Commission remains committed to administering the Act as passed by the Alabama Legislature. The Commission welcomes constructive feedback from registered agents and other stakeholders regarding potential statutory or regulatory improvements and will consider such input as appropriate. The Commission's rules are limited in scope and largely implement the requirements established by the Act. While the Commission may modify its rules in accordance with the Administrative Procedure Act, the Legislature holds authority to modify the law, not the Commission or the Secretary of State.

Finally, the Commission appreciates the comments indicating that some registered athlete agents would like additional communication regarding changes in Commission policies, rules, and legal developments. The Commission will evaluate opportunities to enhance relevant communication through the Secretary of State's website and other appropriate means such as electronic correspondence.

The Commission appreciates the Department's review and the opportunity to address these important matters. It remains committed to carrying out its statutory responsibilities fairly, transparently, and in the best interests of Alabama's student-athletes, educational institutions, and licensed athlete agents.

Sincerely,



Meridith H. Blackburn
Deputy General Counsel