

Chapter SPS 150

AUTHORITY AND DEFINITIONS

SPS 150.01 Authority.

SPS 150.02 Definitions.

Note: Chapter RL 150 was created as an emergency rule effective 10–5–04. Chapter RL 150 was renumbered chapter SPS 150 under s. 13.92 (4) (b) 1., Stats., Register November 2011 No. 671.

SPS 150.01 Authority. The rules in chs. SPS 150 to 154 are adopted pursuant to ss. 227.11 (2), 440.993, 440.9935 and 440.999, Stats.

History: CR 04–110: cr. Register June 2005 No. 594, eff. 7–1–05; correction made under s. 13.92 (4) (b) 7., Stats., Register November 2011 No. 671.

SPS 150.02 Definitions. As used in chs. SPS 150 to 154:

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

(2) “Athlete agent” means an individual who enters into an agency contract with a student athlete or recruits or solicits a student athlete to enter into an agency contract. “Athlete agent” includes an individual who represents to the public that the individual is an athlete agent. “Athlete agent” does not include a spouse, parent, sibling, grandparent or guardian of the student athlete or an individual acting solely on behalf of a professional sports team or professional sports organization. “Athlete agent” also does not include an individual who provides information to a student athlete, but who does not recruit or solicit the student athlete to enter into an agency contract.

(3) “Athletic director” means an 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) “Contact” means a communication, direct or indirect, between an athlete agent and a student athlete to enter into an agency contract.

(5) “Department” means the department of safety and professional services.

(6) “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 student athlete may have because of publicity, reputation, following, or fame obtained because of athletic ability or performance.

(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 for the promotion or regulation of collegiate athletics.

(8) “Professional–sports–services contract” means an agreement under which an individual is employed, or agrees to render services, as a player on a professional sports team, with a professional sports organization, or as a professional athlete.

(9) “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.

(10) “Registration” means registration as an athlete agent under subch. XIV of ch. 440, Stats.

(11) “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.

(12) “Student athlete” means an individual who engages in, is eligible to engage in, or may be eligible in the future to engage in, any intercollegiate sport. If an individual is permanently ineligible to participate in a particular intercollegiate sport, the individual is not a student athlete for purposes of that sport.

History: CR 04–110: cr. Register June 2005 No. 594, eff. 7–1–05; correction in (10) made under s. 13.93 (2m) (b) 7., Stats., Register November 2007 No. 623; correction in (intro.), (5) made under s. 13.92 (4) (b) 6., 7., Stats., Register November 2011 No. 671; **correction in (10) made under s. 13.92 (4) (b) 7., Stats., Register July 2015 No. 715.**