

RÉSUMÉ DIGEST

ACT 895 (SB 389)

2026 Regular Session

Connick

Existing law provides for the licensing and regulation of agents representing professional and prospective professional athletes.

New law retains existing law with respect to licensing and regulation of agents representing professional and prospective professional athletes and adds those agents representing student athletes in college and high school.

Existing law defines an "athlete agent" as any person who recruits or solicits an athlete to enter into an agent contract or professional sport services contract with any person, or who offers anything of value to any person to induce an athlete to enter into an agreement by which any person will represent the athlete, or who for anything of value procures, offers, promises, or attempts to obtain employment for an athlete with a professional sports team.

New law amends existing law to define an "athlete agent" as an individual who does any of the following:

- (1) Enters into an agent contract with an athlete or, directly or indirectly, recruits or solicits an athlete to enter into an agent contract for compensation or in anticipation of compensation.
- (2) Represents or advises an athlete in connection with an endorsement contract, or endorsement activities, including name, image, and likeness matters for compensation or in anticipation of compensation.

New law defines "endorsement activities" as any activity or activities related to advertising or sponsorship in which an athlete, for consideration or other value, uses or permits the use or association of the athlete's name, image, likeness, publicity, reputation, following, fame, or other personal or commercial attributes, whether or not related to the athlete's athletic ability or performance.

New law defines an "endorsement contract" as an agreement under which an athlete is employed or receives anything of value to permit the use, promotion, or association of the athlete's name, image, and likeness, publicity, reputation, following, fame, or other personal or commercial attributes, whether or not related to the athlete's athletic ability or performance.

Existing law requires an athlete agent to register with the Dept. of Justice public protection division.

New law retains existing law and further requires that an individual who is not previously registered may act as an athlete agent for purposes other than entering into an agent contract or endorsement contract if both of the following occur:

- (1) The athlete or third person acting on behalf of the athlete initiates communication with the individual.
- (2) Not later than seven days after the initial act that requires registration in accordance with new law, the individual submits a completed application for registration to the division.

New law provides that the registration or renewal of registration be valid for two years.

New law requires a nonresident individual acting as an athlete agent in this state to appoint a registered agent with the La. secretary of state's office to serve as the agent for service of process in any civil or administrative action arising from conduct under new law.

New law requires a nonresident athlete agent to appoint the secretary of state as his agent for service of process in any civil or administrative action arising from conduct under new law.

New law requires the attorney general to prescribe training for all applicants for registration as an athlete agent.

New law requires each applicant to consent to and submit to a background check conducted by or on behalf of the division.

New law authorizes the division to refuse to issue or renew a certificate of registration to an applicant for registration if the division determines that the applicant fails to comply with any requirement of new law, or the rules the division adopts.

New law authorizes the division to refuse to issue or renew or to suspend or revoke a certificate of registration if the division determines the applicant has engaged in conduct that has a significantly adverse effect on the applicant's fitness to act as an athlete agent.

New law requires the division to refuse to issue, renew, suspend, or revoke a certificate of registration if the division determines the applicant has ever plead guilty or no contest to, or has been convicted of fraud, embezzlement, a felonious theft, any crime involving moral turpitude, or any other crime involving a misappropriation of funds, which could render him unfit in a fiduciary capacity.

New law governs the relationship between an athlete and an athlete agent in connection with endorsement contracts and activities, including name, image, and likeness (NIL) matters. Further requires the athlete agent to execute a written endorsement representation disclosure, signed by both the agent and athlete, to govern the relationship for endorsement representation.

New law requires the endorsement representation disclosure to include a statement of the athlete agent's registration status and a list of other states where the agent is registered. Requires disclosure of the amount and method of calculating fees or consideration to be paid to the athlete agent, including any compensation received or to be received from any source. Requires disclosure of the name of any third party receiving compensation in connection with an endorsement contract or activity and a description of such compensation.

New law requires the athlete agent and athlete to retain an endorsement representation disclosure and produce it upon request by the division or subpoena. Provides that failure of an athlete agent to execute an endorsement representation disclosure will result in forfeiture of compensation.

New law requires an endorsement contract for compensation for the use of the athlete's NIL be disclosed to the educational institution before or upon execution and to comply with existing law.

New law requires an athlete agent to ensure that endorsement contracts are disclosed to the athlete's educational institution, prohibits representation in endorsement activities that would jeopardize the athlete's eligibility, and requires compliance with all applicable laws and rules governing NIL activities.

New law requires that endorsement representation disclosure or endorsement activities related to an athlete's NIL matters, the athlete agent, and the athlete comply with all applicable requirements of existing law and any rules adopted by the division.

New law provides that upon a finding that an athlete agent has violated a provision of existing law and new law, as determined from admissions of the athlete agent freely and voluntarily made or as the result of an adjudicatory hearing, the administrative law judge may assess a fine against an athlete agent not to exceed \$100,000 for that violation.

New law requires that all monies received from the payment of the fines imposed and collected pursuant to the provisions of new law be deposited into the Dept. of Justice Legal Support Fund and used, to the extent possible, to fund the provisions of existing law and new law.

New law provides that a determination by the attorney general that an agent or agency fee is unreasonable may be subject to judicial review by the 19th JDC based on the record only and based on an abuse of discretion standard.

New law authorizes the division to maintain a record or database of registered athlete agents.

New law provides that an athlete may bring a civil action against an athlete agent for damages if the athlete is adversely affected by an act or omission of the athlete agent in violation of new law.

New law authorizes the court to award actual damages, court costs, and reasonable attorney fees. New law provides that if an athlete agent is found liable, he is required to forfeit any right to compensation and refund any consideration paid to him.

New law provides that a violation of new law constitutes an unfair or deceptive act or practice in trade or commerce for purposes of the La. Unfair Trade Practices and Consumer Protection Law.

New law requires athlete agents operating prior to June 9, 2026, to register by Aug. 1, 2026, and prohibits unregistered agents from continuing operations until registration is complete.

Prior law provided relative to on-campus agent interviews and La. state licensed attorneys.

New law repeals prior law that provided relative to on-campus agent interviews and La. state licensed attorneys.

Effective June 9, 2026.

(Amends R.S. 4:420, 421(A), 422, 422.1, 423(G)(4), 424(A)(6) through (9), (B), (C), (D), and (E), 426, 431, 432(A), and 433(A) and (B); adds R.S. 4:423.1, 424(A)(10) and (F), 427(A)(8), 432.1, 434, and 435; repeals R.S. 4:425 and 430)