

JAN 28 2026

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# A BILL FOR AN ACT

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RELATING TO ATHLETE AGENTS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. Section 481Z-2, Hawaii Revised Statutes, is  
2 amended as follows:

3       1. By adding a new definition to be appropriately inserted  
4 and to read:

5       "Professional representation" means providing advisory,  
6 negotiation, or procurement assistance to or on behalf of a  
7 person relating to endorsements; promotional or marketing  
8 services; appearances; autographs; social media branding;  
9 content creation or distribution; licensing of publicity rights;  
10 brand development, sponsorship, or promotional arrangements; or  
11 agreements related to the name, image, or likeness of the  
12 person."

13       2. By amending the definitions of "agency contract" and  
14 "athlete agent" to read:

15       "Agency contract" means an agreement in which a student  
16 athlete authorizes a person to negotiate or solicit on behalf of  
17 the athlete a professional-sports-services contract or



endorsement contract[-], including providing professional representation to the athlete."

"Athlete agent":

(1) Means an individual, whether or not registered under this chapter, who:

(A) 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;

(B) 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



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- 1 as an employee of the institution for the
- 2 benefit of the institution; or
- 3 (ii) Manages the business affairs of the athlete
- 4 by providing assistance with bills,
- 5 payments, contracts, or taxes; ~~[or]~~
- 6 (C) For compensation or in anticipation of
- 7 compensation, provides professional
- 8 representation to a student athlete; or
- 9 ~~[(C)]~~ (D) In anticipation of representing a student
- 10 athlete for a purpose related to the athlete's
- 11 participation in athletics:
- 12 (i) Gives consideration to the student athlete
- 13 or another person;
- 14 (ii) Serves the athlete in an advisory capacity
- 15 on a matter related to finances, business
- 16 pursuits, or career management decisions; or
- 17 (iii) Manages the business affairs of the athlete
- 18 by providing assistance with bills,
- 19 payments, contracts, or taxes; and
- 20 (2) Does not include an individual who:



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- 1 (A) Acts solely on behalf of a professional sports  
2 team or organization; or
- 3 (B) Is a licensed, registered, or certified  
4 professional and offers or provides services to a  
5 student athlete customarily provided by members  
6 of the profession, unless the individual:
- 7 (i) Also recruits or solicits the athlete to  
8 enter into an agency contract;
- 9 (ii) Also, for compensation, procures employment  
10 or offers, promises, attempts, or negotiates  
11 to obtain employment for the athlete as a  
12 professional athlete or member of a  
13 professional sports team or organization; or
- 14 (iii) Receives consideration for providing the  
15 services calculated using a different method  
16 than for an individual who is not a student  
17 athlete."

18 3. By amending the definition of "endorsement contract" to  
19 read:

20 ""Endorsement contract" means an agreement under which a  
21 student athlete is employed or receives consideration to use on



1 behalf of the other party of any value that the student athlete  
2 may have because of publicity, reputation, following, or fame  
3 obtained because of athletic ability or performance. For the  
4 purposes of this definition, "value" includes the student  
5 athlete's name, image, and likeness."

6 SECTION 2. Section 481Z-4, Hawaii Revised Statutes, is  
7 amended by amending subsection (a) to read as follows:

8 "(a) Except as otherwise provided in subsection (b), an  
9 individual may not act as an athlete agent in this State,  
10 including through the provision of professional representation  
11 to a student athlete, without holding a certificate of  
12 registration under this chapter."

13 SECTION 3. Section 481Z-10, Hawaii Revised Statutes, is  
14 amended to read as follows:

15 "[~~§~~§481Z-10~~§~~] **Required form of agency contract.** (a) An  
16 agency contract shall be in a record signed by the parties.

17 (b) An agency contract shall contain:

18 (1) A statement that the athlete agent is registered as an  
19 athlete agent in this State and a list of any other  
20 states in which the agent is registered as an athlete  
21 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 that 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 shall 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 SEVENTY-TWO  
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 FOURTEEN DAYS  
AFTER SIGNING IT. CANCELLATION OF THIS CONTRACT MAY  
NOT REINSTATE YOUR ELIGIBILITY AS A STUDENT ATHLETE IN  
YOUR SPORT."

(d) An agency contract shall 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



1 voided, any consideration received from the athlete agent under  
2 the contract to induce entering into the contract is not  
3 required to be returned.

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

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

12 (h) Notwithstanding any law to the contrary, no person  
13 shall provide professional representation to a student athlete  
14 unless the person is registered as an athlete agent in this  
15 State and has a valid agency contract executed in compliance  
16 with this section."

17 SECTION 4. Statutory material to be repealed is bracketed  
18 and stricken. New statutory material is underscored.

19 SECTION 5. This Act shall take effect upon its approval.

20  
INTRODUCED BY:





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**Report Title:**

Student Athletes; Athlete Agents; Professional Representation; Registration; Agent Contract; Endorsement; Name, Image, and Likeness

**Description:**

Prohibits any person from providing advisory, negotiation, or procurement assistance to or on behalf of a student athlete relating to endorsements; promotional or marketing services; appearances; autographs; social media branding; content creation or distribution; licensing of publicity rights; brand development, sponsorship, or promotional arrangements; or agreements related to the name, image, or likeness of the student athlete, without being a registered athlete agent in the State and having a valid agency contract executed in compliance with applicable law.

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