

ENGROSSED SENATE
BILL NO. 556

BY: DOUGLASS of the SENATE

and

BRYANT of the HOUSE

[AMUSEMENTS AND SPORTS - CREATING THE OKLAHOMA
BOXING COMMISSION - PROVIDING FOR MEMBERSHIP -
AUTHORIZING PROMULGATION OF RULES AND REGULATIONS -
NONCODIFICATION -

EMERGENCY]

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 301 of Title 3A, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Oklahoma Boxing Commission Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 302 of Title 3A, unless there is created a duplication in numbering, reads as follows:

There is hereby created the Oklahoma Boxing Commission which shall be authorized to issue rules and regulations according to the Administrative Procedures Act, Section 250 et seq. and Section 30 et seq. of Title 75 of the Oklahoma Statutes, to govern the boxing industry in this state.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 303 of Title 3A, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma Boxing Commission shall be composed of seven (7) members appointed by the Governor with the advice and consent of the Senate. Each member shall be appointed for a term of four (4) years beginning November 1, 1991.

B. The membership shall consist of one person with a background in professional boxing promotions; one person with a background in professional sports medicine; one person with a background in either professional or amateur boxing organizations as an athlete, trainer or coach; and one person with a background in professional or amateur athletics marketing. Each member shall be a qualified elector of this state.

C. The Commission shall meet at least four (4) times annually.

D. It shall be the duty of the Commission to select a state Boxing Commissioner who shall not be a member of the Commission.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 304 of Title 3A, unless there is created a duplication in numbering, reads as follows:

As used in this act:

1. "Commission" means the Oklahoma Boxing Commission;

2. "Commissioner" means the Commissioner of Licensing and Regulation or his designated representative;

3. "Person" includes an individual, association, partnership, or corporation;

4. "Professional boxer" means a person to be licensed by the Commissioner who competes for a money prize, purse, or compensation in a boxing contest, exhibition, or match held within this state;

5. "Exhibition" means a demonstration of boxing or wrestling skills;

6. "Boxing" includes kickboxing, a form of boxing in which blows are delivered with any part of the arm below the shoulder, including the hand, and any part of the leg below the hip, including the foot;

7. "Judge" means a person to be licensed by the Commissioner who is at ringside during a boxing match and who has the responsibility of scoring the performance of the participants in the match;

8. "Referee" means a person to be licensed by the Commissioner who has the general supervision of a boxing match or exhibition and is present inside of the ring during the match or exhibition; and

9. "Boxing promoter" means a person licensed by the Commission who arranges, advertises or conducts a boxing contest, match or exhibition.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 305 of Title 3A, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma Boxing Commission shall have the sole jurisdiction and authority to enforce the provisions of this act, and the Commissioner shall investigate any allegations of activity which may violate the provisions of this act.

B. The Commissioner is authorized to enter at reasonable times and without advance notice any place of business or establishment where said alleged illegal activity may occur.

C. The Commissioner is authorized to promulgate rules and regulations governing professional kickboxing contests or exhibitions, which shall be fought on the basis of the best efforts of the contestants. The Commissioner shall have the power and authority to revoke or suspend the license or permit of any judge, boxer, manager, referee, timekeeper, second, or boxing promoter for violations of any rule or regulation promulgated pursuant to this act or for the violation of any provision of this act, and may deny

an application for a license when the applicant does not possess the requisite qualifications.

D. The Commissioner shall have the power and authority to hold a hearing regarding allegations that any person has violated or failed to comply with the provisions of this act. In addition to the denial, revocation, or suspension of a license, the Commissioner may order the forfeiture of the purse of any boxer or manager in an amount not to exceed One Thousand Dollars (\$1,000.00) for the violation of any rule or regulation promulgated pursuant to the act or for the violation of any provision of this act, and said money shall be deposited in the Oklahoma Boxing Commission Revolving Fund created in Section 8 of this act.

E. In the conduct of any administrative hearing held pursuant to this act, the Commissioner may administer oaths to witnesses, receive evidence, and issue subpoenas and subpoenas duces tecum to compel the attendance of witnesses and the production of papers and documents related to matters under investigation.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 306 of Title 3A, unless there is created a duplication in numbering, reads as follows:

A. The Commissioner is authorized to promulgate rules and regulations setting forth reasonable qualifications for an applicant seeking a license as a boxing promoter, manager, matchmaker, professional boxer, judge, referee, second, or timekeeper.

B. The Commissioner may, after investigation and hearing, deny an application for a license when the applicant has failed to meet the established qualifications or has violated any provision of this act or any rule or regulation issued pursuant to this act.

C. The Commissioner may waive any license requirement for an applicant with a valid license from another state with which this state has a reciprocity agreement.

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 307 of Title 3A, unless there is created a duplication in numbering, reads as follows:

A. Any person who conducts a boxing match, contest, or exhibition wherein an admission fee is charged shall furnish to the Commission within seventy-two (72) hours after the termination of the event a duly verified report on a form furnished by the Commission showing the number of tickets sold, prices charged, and amount of gross receipts obtained from the event. A cashier's check or money order made payable to the Oklahoma Boxing Commission in the amount of three percent (3%) of the total gross receipts of the event shall be attached to the verified report.

B. Any person who charges an admission fee for exhibiting a simultaneous telecast of any live, spontaneous, or current boxing match, contest, or exhibition on a closed circuit telecast must possess a boxing promoter's license issued pursuant to this act and must obtain a permit for each closed circuit telecast shown in this state. The gross receipts tax described in subsection A of this section is applicable to said telecast, and the boxing promoter shall furnish to the Commission within seventy-two (72) hours after the event a duly verified report on a form furnished by the Commission showing the number of tickets sold, prices charged, and amount of gross receipts obtained from the event. A cashier's check or money order made payable to the Oklahoma Boxing Commission in the amount of the tax due shall be attached to the verified report.

C. Revenue obtained from the gross receipts taxes imposed under this section shall be deposited to the credit of the Oklahoma Boxing Commission Revolving Fund created in Section 8 of this act.

SECTION 8. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 308 of Title 3A, unless there is created a duplication in numbering, reads as follows:

There is hereby created in the State Treasury a revolving fund for the Oklahoma Boxing Commission to be designated the "Oklahoma Boxing Commission Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies designated by Section 7 of this act for operations of the Commission. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

SECTION 9. A. There is hereby created a Joint Legislative Task Force on boxing. The Task Force shall be composed of ten (10) members, to be appointed as follows: Five (5) members of the Senate shall be appointed by the President Pro Tempore of the Senate and five (5) members of the House of Representatives shall be appointed by the Speaker of the House of Representatives.

B. The chairman and vice-chairman of the Task Force shall be appointed from the membership of the Task Force by the President Pro Tempore of the Senate and the Speaker of the House of Representatives, respectively.

C. The members, chairman and vice-chairman shall be appointed no later than June 1, 1991.

D. All business conducted by the Task Force shall be conducted in open public meetings.

E. All members of the Task Force shall be reimbursed for necessary travel expenses by the Senate or the House of Representatives in the same manner as provided for by law for attending interim committee meetings.

F. The Task Force shall meet as necessary until November 1, 1991, to develop recommendations for the Oklahoma Boxing Commission. A majority of the membership of the Task Force shall constitute a quorum for the purpose of conducting business.

G. The Task Force shall:

1. Review the laws, rules, regulations and operations of other state boxing commissions;

2. Hold hearings and take testimony from various experts from the sport of boxing; and

3. Perform such other duties as may be necessary to accomplish the task of creating an Oklahoma Boxing Commission.

H. The Legislative Service Bureau, the Senate and the House of Representatives shall provide necessary staff services to the Task Force.

I. The Task Force shall be terminated as of November 1, 1991.

SECTION 10. The provisions of Section 9 of this act shall not be codified in the Oklahoma Statutes.

SECTION 11. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 13th day of March, 1991.

President of the Senate

Passed the House of Representatives the ____ day of _____, 1991.

Speaker of the House of Representatives