ENGROSSED HOUSE AMENDMENT
TO
ENGROSSED SENATE BILL NO. 774 By: Douglass of the Senate

and

Phillips of the House

An Act relating to the Oklahoma Professional Boxing Licensing Act; amending Section 3, Chapter 210, O.S.L. 1999 (3A O.S. Supp. 2000, Section 604.1), which relates to the Oklahoma Professional Boxing Commission; deleting obsolete language; adding third lay member; specifying initial term; and declaring an emergency.

AMENDMENT NO. 1. Strike the title, enacting clause and entire bill and insert

"An Act relating to the Oklahoma Professional Boxing Licensing Act; amending Section 3, Chapter 210, O.S.L. 1999 and Section 12, Chapter 240, O.S.L. 1994, as amended by Section 11, Chapter 210, O.S.L. 1999 (3A O.S. Supp. 2000, Sections 604.1 and 612), which relate to the Oklahoma Professional Boxing Commission and surety bonds; adding third lay member; specifying initial term; modifying type of security that may be required by the Commission; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 3, Chapter 210, O.S.L. 1999 (3A O.S. Supp. 2000, Section 604.1), is amended to read as follows:

Section 604.1 A. There is hereby created, until July 1, 2005, in accordance with the Oklahoma Sunset Law, the Oklahoma Professional Boxing Commission, which shall be composed of ~~seven (7)~~ eight (8) members appointed by the Governor with the advice and consent of the Senate. Members initially appointed to the Commission ~~shall be appointed by July 1, 1999, and~~ shall serve ~~for~~ a

term of office as follows: two members shall serve a term of one (1) year, ~~two~~ three members shall serve a term of two (2) years, and three members shall serve a term of three (3) years, as designated by the Governor. Thereafter, members appointed to the Commission shall serve for terms of three (3) years. Terms of office shall expire on June 30. All vacancies and unexpired terms shall be filled in the same manner as the original appointment and within sixty (60) days from the date of the vacancy. Members may be removed by the Governor for incompetence, willful neglect of duty, corruption in office, or malfeasance in office.

B. Members appointed to the Commission shall reside in this state and shall have the following qualifications:

1. Two members shall have experience as a professional boxer or in professional boxing promotions;

2. One member shall have experience as a professional wrestler or in professional wrestling promotions;

3. One member shall have experience in sports medicine;

4. One member shall have experience in the cable television business; and

5. ~~Two~~ Three members shall represent the public at large as lay members.

C. No member of the Commission or any person related to a member within the third degree by consanguinity or affinity shall promote, sponsor, or have any financial interest in the promotion or sponsorship of any professional boxing contest or professional exhibition while a member of the Commission.

D. The members of the Commission shall elect from their membership a chair and vice-chair to serve for one (1) year terms. A majority of the members shall constitute a quorum for the purpose of conducting the business of the Commission. The Commission shall meet at least quarterly, and special meetings may be called by the chair.

E. The Commission shall comply with the provisions of the Oklahoma Open Meeting Act, the Oklahoma Open Records Act, and the Administrative Procedures Act.

F. All members of the Commission and such employees as determined by the Commission shall be bonded as required by Sections 85.26 through 85.31 of Title 74 of the Oklahoma Statutes.

G. Members of the Commission shall serve without compensation but shall be reimbursed for expenses incurred in the performance of their duties as provided in the State Travel Reimbursement Act.

SECTION 2. AMENDATORY Section 12, Chapter 240, O.S.L. 1994, as amended by Section 11, Chapter 210, O.S.L. 1999 (3A O.S. Supp. 2000, Section 612), is amended to read as follows:

Section 612. A. Before any sanctioning permit is issued to any promoter to conduct or hold a professional boxing contest or professional exhibition, the applicant shall file with the Oklahoma Professional Boxing Commission a security in the form of a bond, cash, certificate of deposit, or other securities acceptable to the Commission, payable to the State of Oklahoma in an amount determined by the Commission, executed by the applicant and a surety company or companies authorized to do business in this state, and conditioned upon the faithful performance by the promoter, which shall include but not be limited to the cancellation of a professional boxing contest or professional exhibition without good cause as determined by the Commission once the professional boxing contest or professional exhibition has been approved by the Commission.

B. The ~~bond~~ security required under this section shall guarantee the payment of all taxes, fees, fines and other monies due and payable pursuant to the provisions of the Oklahoma Professional Boxing Licensing Act and the rules promulgated by the Commission, including, but not limited to, the payment of purses to the competitors, any contributions for required insurance, pensions, disability and medical examinations, the repayment to ticket holders

of purchased tickets, the payment of fees to ring officials and physicians, and, in the event of the cancellation of a professional boxing contest or professional exhibition approved by the Commission without good cause, an amount determined by the Commission.

C. After issuance of a sanctioning permit to a promoter, the Commission may modify the amount of ~~bond~~ security required to ensure adequate and sufficient coverage for payments of taxes, fees, fines, purses, and other monies due and payable pursuant to the provisions of this section. Failure of any promoter to ~~secure a~~ obtain the modified ~~bond~~ security required pursuant to this subsection within such period of time as the Commission may prescribe, shall be grounds for revocation of the sanctioning permit of such promoter.

D. All ~~bond~~ proceeds of securities collected pursuant to the provisions of this section shall be placed to the credit of the Oklahoma Professional Boxing Licensing Revolving Fund.

SECTION 3. 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 House of Representatives the 17th day of April, 2001.

_____
Presiding Officer of the House of Representatives

Passed the Senate the ____ day of _____, 2001.

_____
Presiding Officer of the Senate