

FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2746
Page _____ Section _____ Lines _____
Of the printed Bill
Of the Engrossed Bill

By adding on Page 13 Section 3 Line 7 after the first comma ",", and before the word "corner" the language "amateur mixed martial artists";

By deleting on Page 17 Section 5 Line 5 the existing Section 5 and inserting a new Section 5 in lieu thereof as follows:
"See attached.";

By deleting on Page 1 Section 1 Line 22 Section 1 and inserting in lieu thereof new Sections 1 and 2 to read as follows:

"See attached."; and

By renumbering subsequent sections.

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Dan Kirby

Adopted: _____

Reading Clerk

1 "SECTION 1. NEW LAW A new section of law not to be
2 codified in the Oklahoma Statutes reads as follows:

3 This act shall be known and may be cited as "George Clinkscale's
4 Law".

5 SECTION 2. AMENDATORY 3A O.S. 2011, Section 602, is
6 amended to read as follows:

7 Section 602. A. As used in the Oklahoma State Athletic
8 Commission Act:

9 1. "Administrator" means the administrator of the Oklahoma
10 State Athletic Commission;

11 2. "Amateur combative sports event" means a combative sports
12 event in which the participants have never been licensed as
13 professionals in any combative sport;

14 3. "Amateur ~~boxer~~ combative sports practitioner" means a person
15 who has never received or competed for any purse or other article
16 either for the expenses of training therefor or for participating in
17 any ~~boxing~~ combative sports contest or ~~professional~~ exhibition which
18 exceeds in monies or other things of value a sum to be determined by
19 the Oklahoma State Athletic Commission;

20 ~~3.~~ 4. "Amateur mixed martial artist" means a person eighteen
21 (18) years of age or older who has never received or competed for
22 any purse or other article either for the expenses of training
23 therefor or for participating in any combative sport contest or
24 professional exhibition which exceeds in monies or other things of

1 value a sum to be determined by the Oklahoma State Athletic
2 Commission;

3 ~~4.~~ 5. "Amateur mixed martial arts" means any form of
4 competitive pugilistic contest in which the participants have never
5 been licensed as professionals in any combative sport and blows are
6 delivered with any part of the hands, feet, or knees and multiple
7 combative disciplines are used including grappling. Such contests
8 take place in a rope-enclosed ring or fenced enclosed cage and are
9 fought in timed rounds;

10 ~~5.~~ 6. "Applicant" means any individual, club, association,
11 corporation, partnership or trust which submits to the Oklahoma
12 State Athletic Commission an application for a license or permit
13 pursuant to the Oklahoma State Athletic Commission Act;

14 ~~6.~~ 7. "Booking agent" means independent contractors who act as
15 bookers, agents, agencies and representatives who secure engagements
16 and contracts for combative sports participants;

17 ~~7.~~ 8. "Boxing" means any form of competitive pugilism or
18 unarmed combat in which a blow is usually struck which may
19 reasonably be expected to inflict injury, including, but not limited
20 to, boxing, wrestling, mixed martial arts, and kickboxing, but shall
21 not include the martial arts as defined by the provisions of this
22 section;

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1 ~~8.~~ 9. "Broadcast" means any audio or visual transmission sent
2 by any means of signal within, into, or from this state, whether
3 live or taped or time delayed, and includes any replays thereof;

4 ~~9.~~ 10. "Cable system operator" means any person who makes
5 available or provides customers a closed-circuit telecast which is
6 pay-per-view, including any person who does so as a direct broadcast
7 satellite provider or other multichannel video service provider;

8 ~~10.~~ 11. "Closed-circuit telecast of professional combative
9 sporting events" means telecast rights, including television, cable
10 television, or pay-per-view telecasts, acquired by paying a
11 licensing fee or by paying a contractual price by a business or
12 individual, including, but not limited to, arenas, entertainment or
13 meeting centers, restaurants, bars, taverns, hotels, motels, clubs,
14 and organizations, which offers the viewing of the event to the
15 public or to private residences. Such events shall include local
16 and state professional ~~boxing~~ combative sports contests and
17 professional exhibitions as defined in this section. For purposes
18 of Section 622 of this title, "closed-circuit telecast" means any
19 such telecast of a professional combative sporting event as
20 described herein which is not intended to be available for viewing
21 without the payment of a fee, collected for or based upon each event
22 viewed, for the privilege of viewing the telecast, and includes pay-
23 per-view;

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1 ~~11.~~ 12. "Club" means an incorporated or unincorporated
2 association or body of individuals voluntarily united and acting
3 together for some common or special purpose;

4 ~~12.~~ 13. "Combative sports" means any form of competitive
5 pugilism or unarmed combat in which a blow is usually struck which
6 may reasonably be expected to inflict injury, including but not
7 limited to boxing, wrestling, mixed martial arts, and kickboxing,
8 but shall not include the martial arts (singular) as defined by the
9 provisions of this section;

10 ~~13.~~ 14. "Combative sports practitioner" means a person who
11 competes or spars in a combative sports event and includes boxers,
12 kickboxers, mixed martial artists and wrestlers;

13 15. "Commission" means the Oklahoma State Athletic Commission;

14 ~~14.~~ 16. "Contest" means a combative sports ~~match~~ event in which
15 it is reasonable to anticipate that the participants strive
16 earnestly in good faith to win;

17 ~~15.~~ 17. "Corner person" means, but shall not be limited to, a
18 trainer, a second, or any other individual who attends the
19 participant during a match;

20 ~~16.~~ 18. "Event" means a combative sports contest or exhibition
21 including but not limited to a match, bout, contest, show or
22 tournament;

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1 19. "Exhibition" means a ~~boxing match~~ combative sports event in
2 which the participants show or display their skill by sparring
3 without necessarily striving to win, ~~such as sparring;~~

4 ~~17.~~ 20. "Judge" means an individual other than a referee who
5 shall have a vote in determining the winner of any contest;

6 ~~18.~~ 21. "Kickboxing" means any form of competitive pugilistic
7 professional contest or exhibition in which blows are delivered with
8 the hand and any part of the foot. Such contests or exhibitions
9 take place in a rope-enclosed ring and are fought in timed rounds;

10 ~~19.~~ 22. "License" means a certificate issued by the Commission
11 to participants of sanctioned professional combative sports
12 contests, professional exhibitions, and amateur mixed martial arts
13 contests and is a mandatory requirement for participation in such
14 events;

15 ~~20.~~ 23. "Manager" means an individual who controls or
16 administers the affairs of any professional combative sports
17 participant, including acting as a booking agent. "Manager" shall
18 include the representative of a manager as defined by the
19 Commission;

20 ~~21.~~ 24. "Martial arts" means any form of karate, kung fu, tae
21 kwon-do, or any other form of martial or self-defense art;

22 ~~22.~~ 25. "Matchmaker" means an individual who brings together
23 professional combative sports participants or arranges professional
24 combative sports contests or professional exhibitions;

1 ~~23.~~ 26. "Participant" means an individual who takes part in a
2 ~~professional combative sports contest, an amateur mixed martial arts~~
3 ~~contest, or professional exhibition event;~~

4 ~~24.~~ 27. "Pay-per-view telecasts of professional ~~boxing~~
5 combative sports events" means telecasts offered by cable television
6 companies to subscribers at a cost in addition to the monthly cable
7 television subscription rate. Such events shall include local and
8 state professional ~~boxing~~ combative sports contests and professional
9 exhibitions as defined in this section;

10 ~~25.~~ 28. "Person" means any individual, partnership, limited
11 liability company, club, association, corporation, ~~or~~ trust or other
12 entity;

13 ~~26.~~ 29. "Physician" means an individual licensed under the laws
14 of this state to engage in the general practice of medicine or
15 osteopathic medicine;

16 ~~27.~~ 30. "Professional ~~boxer~~ combative sports practitioner"
17 means an individual eighteen (18) years of age or older who competes
18 for money, prizes, or purses, or who teaches, instructs, or assists
19 in the practice of ~~boxing~~ combative sports or sparring as a means of
20 obtaining pecuniary gain;

21 ~~28.~~ 31. "Professional ~~boxing contest, amateur mixed martial~~
22 ~~arts contest, and professional exhibition" mean a combative sports~~
23 ~~match conducted within this state in which the participants are~~
24 ~~persons who must be licensed pursuant to the provisions of the~~

1 ~~Oklahoma State Athletic Commission Act~~ combative sports event" means
2 a combative sports event in which the participants are paid a purse;

3 ~~29.~~ 32. "Professional mixed martial arts" means any form of
4 competitive pugilistic contest in which the participants are paid a
5 purse and blows are delivered with any part of the hands, feet,
6 elbows, or knees and multiple combative disciplines are used to
7 include grappling. Such contests take place in a rope-enclosed ring
8 or fenced enclosed cage and are fought in timed rounds;

9 ~~30.~~ 33. "Promote" or "promoting" means producing, staging,
10 sponsoring, organizing or otherwise holding a combative sports event
11 whether or not the event is open to the public;

12 34. "Promoter" means any individual, whether a resident or
13 nonresident of Oklahoma, or club or corporation, whether
14 domesticated or not domesticated in Oklahoma, that produces or
15 stages professional contests, amateur mixed martial arts contests,
16 or professional exhibitions conducted within this state and shall
17 include any officer, director, or employees as defined by the
18 Commission;

19 ~~31.~~ 35. "Pugilism" means combative sports or the skill or
20 practice of fighting with the fists;

21 ~~32.~~ 36. "Purse" means the financial guarantee or any other
22 remuneration or thing of value for which a ~~professional boxer~~
23 combative sports practitioner participates in a professional ~~boxing~~
24 ~~contest or professional exhibition~~ combative sports events and shall

1 include the participant's share of any payment received for radio
2 broadcasting, television, including cable television, pay-per-view
3 television, and closed-circuit television, and motion picture
4 rights. "Purse" shall also include gate receipts and any other
5 prizes;

6 ~~33.~~ 37. "Ring official" means any individual who performs an
7 official function during the progress of a ~~professional boxing~~
8 ~~contest,~~ combative sports event or amateur mixed martial arts
9 ~~contest, or professional exhibition event~~ including but not limited
10 to timekeepers, judges, referees, and attending physicians;

11 ~~34.~~ 38. "Sanctioning permit" means a permit issued by the
12 Commission to promoters who make application for official approval
13 of professional ~~boxing contests,~~ combative sports events and amateur
14 mixed martial arts ~~contests and professional exhibitions~~ events;

15 ~~35.~~ 39. "Sparring" means to engage in a form of ~~boxing~~
16 combative sport with jabbing or feinting movements, and the exchange
17 of few heavy blows, such as occurs in a practice or exhibition
18 boxing match;

19 ~~36.~~ 40. "Telecast promoter", for purposes of Section 622 of
20 this title, means any promoter who shows or causes to be shown in
21 this state a closed-circuit telecast of any professional ~~boxing~~
22 combative sports event, whether or not the telecast or event
23 originates in this state. "Telecast promoter" shall not include a
24 cable system operator;

1 ~~37.~~ 41. "Trainer" means an individual who assists, coaches, or
2 instructs any professional ~~boxer~~ combative sports practitioner or
3 amateur mixed martial arts ~~participant~~ artist with respect to
4 physical conditioning, strategy, techniques, or preparation for
5 competition, professional ~~boxing~~ combative sports contests, or
6 professional exhibitions; and

7 ~~38.~~ 42. "Vendor" means any individual, firm, organization,
8 club, or corporation that participates in the conduct of a
9 professional ~~boxing contest,~~ combative sports event or amateur mixed
10 martial arts ~~contest,~~ or ~~professional exhibition~~ event by offering
11 for sale food or merchandise, including, but not limited to, wearing
12 apparel, alcoholic and nonalcoholic beverages, souvenirs, and
13 programs.

14 B. The Commission may define any term which is not defined in
15 the Oklahoma State Athletic Commission Act."

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17 53-2-9614 CJB 02/21/12

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19 "SECTION 5. AMENDATORY 3A O.S. 2011, Section 606, is
20 amended to read as follows:

21 Section 606. A. The Oklahoma State Athletic Commission is
22 hereby vested with jurisdiction to issue sanctioning permits for all
23 professional ~~boxing~~ combative sports contests, and exhibitions and
24 for all amateur mixed martial arts contests, ~~and professional~~

1 exhibitions held or given within this state and to issue licenses
2 for participants of sanctioned contests and exhibitions.

3 B. 1. No person shall promote, nor shall any person
4 participate in, a professional combative sports event or an amateur
5 mixed martial arts event unless the event is sanctioned by the
6 Commission.

7 2. Except as provided in paragraphs 1 and 2 of subsection C of
8 this section, no person shall promote an amateur combative sports
9 event unless the event has been sanctioned by a nationally
10 recognized amateur sanctioning body that has been approved by the
11 Commission.

12 3. Any person violating the provisions of this subsection shall
13 be punishable pursuant to the provisions of Section 615 of this
14 title.

15 C. Specifically exempt from the provisions of the Oklahoma
16 State Athletic Commission Act are the amateur combative sports
17 contests or exhibitions conducted or sponsored by:

18 1. Any school, college, or university where the participants
19 are students regularly enrolled in such institutions and the
20 instructors, coaches, and trainers are employees of such
21 institutions. The term "school, college, or university" shall not
22 include a school or other institution whose principal purpose is to
23 furnish instruction in ~~boxing~~ combative sports or sparring;

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1 2. Any military installation or branch of the Armed Forces
2 where the participants are employed by the military installation or
3 are members of the branch of the Armed Forces sponsoring the contest
4 or exhibition; and

5 3. Amateur ~~boxing matches~~ combative sports events which are
6 sanctioned by a Commission-approved and nationally recognized
7 amateur sanctioning body. ~~To obtain an exemption from the Oklahoma~~
8 ~~State Athletic Commission Act under this paragraph, a~~ The nationally
9 recognized amateur sanctioning body must present itself to the
10 Commission and provide a copy of its rules and bylaws for Commission
11 review and approval. Upon approval, the Commission, or its
12 designated representatives, may visit, attend, investigate and
13 audit, as the Commission deems necessary, any match, event,
14 sanctioning body office or event office for the purpose of
15 determining whether the rules and bylaws of the amateur sanctioning
16 body as submitted to the Commission are being followed. The
17 Commission administrator shall immediately rescind approval of any
18 nationally recognized amateur sanctioning body, pending a hearing,
19 if said sanctioning body is found to be negligent or noncommittal in
20 the enforcement of the rules and bylaws presented to and approved by
21 the Commission.

22 ~~C.~~ D. The following persons are specifically exempt from the
23 provisions of the Oklahoma State Athletic Commission Act:

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- 1 1. Practitioners and instructors of the martial arts as defined
2 in Section 602 of this title; and
- 3 2. Instructors of amateur ~~boxers~~ combative sports practitioners
4 if such instructors are not required to be licensed pursuant to
5 other provisions of the Oklahoma State Athletic Commission Act.”

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7 53-2-9613 CJB 02/21/12

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