

BILL SUMMARY

2nd Session of the 53rd Legislature

Bill No.:	HB 2746
Version:	CCR B
Request Number:	10508
Author:	Rep. Kirby/ Sen. Marlatt
Date:	5/16/2012
Impact:	Dependent upon the Number of Adjudicated Cases, \$46 per incarcerated day

Research Analysis

HB 2746 modifies language in the Oklahoma State Athletic Commission Act by changing the word *boxing* to *combative sports* and requiring all professional combative sports contests and exhibitions to be sanctioned by the Oklahoma State Athletic Commission. The measure outlines provisions for participation in and promotion of amateur combative sports contests and exhibitions. It requires sanctioning permits to conduct, sponsor, hold or participate in professional combative sports events or amateur mixed martial arts events. The commission is authorized to fix a uniform scale of reasonable fees for licenses, sanctioning permits and examinations and deletes the restriction against the fees exceeding actual administration expenses. It exempts from the provisions of the act amateur combative sports events conducted or sponsored by educational institutions, military installations or sanctioned amateur combative sports events.

The measure requires a five percent assessment of the total gross receipts of every telecast promoter to be levied and adds provisions related to the assessment payment process for telecast promoters, cable system operators and the commission.

It deletes language related to the promoter and vendor only being liable for assessments on total gross receipts if the promotion originates in Oklahoma. It also deletes language that total gross receipts of every promoter should include the gross price charged by the promoter for the sale, lease or other use of broadcasting.

The measure authorizes the attorney general or local district attorney, at the commission's request, to bring action against persons who violate the act. It makes a second or subsequent violation of the act a felony. The measure adds definitions for *amateur combative sports event*, *professional combative sports event* and *promote* or *promoting*.

Prepared By: Robin McAlister

Fiscal Analysis

Section 14 creates a felony for certain violations of the act, carrying a punishment of Department of Corrections (DOC) incarceration of up to 2 years and/or a \$5,000 fine. Every person convicted and sentenced to a term of imprisonment would cost DOC approximately \$46 per day for each day of incarceration. The fiscal impact to Corrections would be dependent upon the number of adjudicated cases and the length of the sentence imposed by the court.

The measure also deletes and recreates in a more limited scope the Commission's Gross Receipts Assessment as it pertains to certain telecasts and pay-per-views. Prevailing legal opinion is that these assessments are unenforceable against individuals, entities and events outside the state; therefore, the measure brings current statutes into conformity with the prevailing legal opinion. The Commission expects to lose approximately \$240,000 annually in lost revenue from out of state entities as a result of the assessment no longer being collected; however this fiscal impact is not a result of HB 2746, but a result of the legal determination that the assessment is unenforceable.

Prepared By: John McPhetridge

Other Considerations

None at this time