

1 ENGROSSED HOUSE AMENDMENT

TO

2 ENGROSSED SENATE BILL NO. 1060

By: Fry of the Senate

3 and

4 Ford (Roger) of the House

5

6

7 An Act relating to Oklahoma State Athletic Commission
8 Act; amending 3A O.S. 2011, Sections 601, 602, as
9 amended by Section 2, Chapter 359, O.S.L. 2012, 603,
10 604.1, as last amended by Section 1, Chapter 231,
11 O.S.L. 2015, 604.2, as last amended by Section 2,
12 Chapter 290, O.S.L. 2013, Section 1, Chapter 290,
13 O.S.L. 2013, 605, as amended by Section 5, Chapter
14 359, O.S.L. 2012, 606, as amended by Section 6,
15 Chapter 359, O.S.L. 2012, 607, as amended by Section
16 7, Chapter 359, O.S.L. 2012, 609, as amended by
17 Section 1, Chapter 290, O.S.L. 2013, 610, as amended
18 by Section 9, Chapter 359, O.S.L. 2012, 611, as last
19 amended by Section 3, Chapter 290, O.S.L. 2013, 612,
20 as amended by Section 11, Chapter 359, O.S.L. 2012,
21 613, as amended by Section 12, Chapter 359, O.S.L.
22 2012, 614, as last amended by Section 4, Chapter 290,
23 O.S.L. 2013, 615, as amended by Section 14, Chapter
24 359, O.S.L. 2012, 616, as amended by Section 26,
Chapter 304, O.S.L. 2012, 617, as last amended by
Section 5, Chapter 290, O.S.L. 2013, 619, as amended
by Section 16, Chapter 359, O.S.L. 2012, 622, as
amended by Section 1, Chapter 363, O.S.L. 2012, 623,
and 624 (3A O.S. Supp. 2017, Section 602, 604.1,
604.2, 604.3, 605, 606, 607, 609, 610, 611, 612, 613,
614, 615, 616, 617, 619, and 622), which relate to
short title, definitions, powers of Commission,
Commission members, validity of prior licenses,
withholding purse, administrator, sanctioning
permits, notice of sanction, prohibition by local
ordinance, fees, considerations before license,
security, audits, hearings, penalties, revolving
fund, records, report, telecast promoters, liability
for damages, and test results; modifying language;
adding definitions; deleting language; changing
qualifications of members; making certain medical

1 information confidential; removing obsolete
2 provisions; prohibiting approval of certain amateur
3 sanctioning organization; prohibiting submission
4 holds for certain age persons; defining terms;
5 modifying references; regulating entertainment
6 wrestling events; and providing an effective date.

7 AUTHOR: Add the following Senate Coauthor: Pittman

8 AMENDMENT NO. 1. Replace the title, enacting clause and entire bill
9 and insert

10 "An Act relating to Oklahoma State Athletic
11 Commission Act; amending 3A O.S. 2011, Sections 601,
12 602, as amended by Section 2, Chapter 359, O.S.L.
13 2012, 603, 604.2, as last amended by Section 2,
14 Chapter 290, O.S.L. 2013, Section 1, Chapter 290,
15 O.S.L. 2013, 606, as amended by Section 6, Chapter
16 359, O.S.L. 2012, 610, as amended by Section 9,
17 Chapter 359, O.S.L. 2012, 614, as last amended by
18 Section 4, Chapter 290, O.S.L. 2013, 615, as amended
19 by Section 14, Chapter 359, O.S.L. 2012, 616, as
20 amended by Section 26, Chapter 304, O.S.L. 2012,
21 617, as last amended by Section 5, Chapter 290,
22 O.S.L. 2013, 619, as amended by Section 16, Chapter
23 359, O.S.L. 2012, 622, as amended by Section 1,
24 Chapter 363, O.S.L. 2012, 623 and 624 (3A O.S. Supp.
2017, Sections 602, 604.2, 604.3, 606, 610, 614,
615, 616, 617, 619 and 622), which relate to short
title, definitions, powers of Commission, validity
of prior licenses, withholding purse, sanctioning
permits, fees, revolving fund, records, report,
telecast promoters, liability for damages, and test
results; modifying language; adding definitions;
deleting language; changing qualifications of
members; making certain medical information
confidential; removing obsolete provisions;
prohibiting approval of certain amateur sanctioning
organization; prohibiting submission holds for
certain age persons; defining terms; modifying
references; and providing an effective date.

1
2 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

3 SECTION 1. AMENDATORY 3A O.S. 2011, Section 601, is
4 amended to read as follows:

5 Section 601. ~~This act~~ Section 601 et seq. of this title shall
6 be known and may be cited as the "Oklahoma State Athletic Commission
7 Act".

8 SECTION 2. AMENDATORY 3A O.S. 2011, Section 602, as
9 amended by Section 2, Chapter 359, O.S.L. 2012 (3A O.S. Supp. 2017,
10 Section 602), is amended to read as follows:

11 Section 602. A. As used in the Oklahoma State Athletic
12 Commission Act:

13 1. "Administrator" means the administrator of the Oklahoma
14 State Athletic Commission;

15 2. "Amateur combative sports event" means a combative sports
16 event in which ~~the participants have never~~ no participant has ever
17 been licensed as ~~professionals~~ a professional in any combative
18 sport;

19 3. "Amateur combative sports practitioner" means a person who
20 has never received or competed for any purse or other article either
21 for the expenses of training therefor or for participating in any
22 combative sports contest or exhibition which exceeds in monies or
23 other things of value a sum to be determined by the Oklahoma State
24 Athletic Commission;

1 4. "Amateur mixed martial artist" means a person eighteen (18)
2 years of age or older who has never received or competed for any
3 purse or other article either for the expenses of training therefor
4 or for participating in any combative sport contest or professional
5 exhibition which exceeds in monies or other things of value a sum to
6 be determined by the Oklahoma State Athletic Commission;

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

14 6. "Applicant" means any individual, club, association,
15 corporation, partnership or trust which submits to the Oklahoma
16 State Athletic Commission an application for a license or permit
17 pursuant to the Oklahoma State Athletic Commission Act;

18 7. "Booking agent" means independent contractors who act as
19 bookers, agents, agencies and representatives who secure engagements
20 and contracts for combative sports participants;

21 8. "Boxing" means any form of competitive pugilism ~~or unarmed~~
22 ~~combat in which a blow is usually struck which may reasonably be~~
23 ~~expected to inflict injury, including, but not limited to, boxing,~~
24

1 ~~wrestling, mixed martial arts, and kickboxing, but shall not include~~
2 ~~the martial arts as defined by the provisions of this section;~~

3 9. "Broadcast" means any audio or visual transmission sent by
4 any means of signal within this state, whether live or taped or time
5 delayed, and includes any replays thereof. "Broadcast" shall not
6 include any audio or visual transmission sent by any means of signal
7 of any ~~professional boxing~~ combative sports event conducted outside
8 this state;

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

13 11. "Closed-circuit telecast of professional combative sporting
14 events" means telecast rights, including television, cable
15 television, or pay-per-view telecasts, acquired by paying a
16 licensing fee or by paying a contractual price by a business or
17 individual, including, but not limited to, arenas, entertainment or
18 meeting centers, restaurants, bars, taverns, hotels, motels, clubs,
19 and organizations, which offers the viewing of the event to the
20 public or to private residences. Such events shall include local
21 and state professional combative sports contests and professional
22 exhibitions ~~as defined in this section~~. "Closed-circuit telecast"
23 means any such telecast of a professional combative sporting event
24 as described herein which is not intended to be available for

1 viewing without the payment of a fee, collected for or based upon
2 each event viewed, for the privilege of viewing the telecast, and
3 includes pay-per-view;

4 12. "Club" means an incorporated or unincorporated association
5 or body of individuals voluntarily united and acting together for
6 some common or special purpose;

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

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

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

17 16. "Compete", "competitive" or "competition" means to engage
18 an opponent whether or not a winner is officially declared;

19 17. "Contest" means ~~a combative sports~~ an event in which it is
20 reasonable to anticipate that the participants strive earnestly in
21 good faith to win;

22 ~~17.~~ 18. "Corner person" means, but shall not be limited to, a
23 trainer, a second, or any other individual who attends the
24 participant during a match;

1 ~~18.~~ 19. "Event" means ~~a combative sports contest or exhibition~~
2 ~~including but not limited to a match, bout, contest, show or~~
3 ~~tournament~~ the presentation or holding of a contest, exhibition
4 match, bout, tournament, performance, show or other occurrence where
5 participants engage in combative sports;

6 ~~19.~~ 20. "Exhibition" means a combative sports event in which
7 the participants show or display their skill by sparring without
8 necessarily striving to win;

9 ~~20.~~ 21. "Judge" means an individual other than a referee who
10 shall have a vote in determining the winner of any contest;

11 ~~21.~~ 22. "Kickboxing" means any form of competitive pugilistic
12 ~~professional~~ contest or exhibition in which blows are delivered with
13 the hand and any part of the foot. ~~Such contests or exhibitions~~
14 ~~take place in a rope-enclosed ring and are fought in timed rounds;~~

15 ~~22.~~ 23. "License" means a certificate issued by the Commission
16 to participants of sanctioned professional combative sports
17 contests, professional exhibitions, and amateur mixed martial arts
18 contests and is a mandatory requirement for participation in such
19 events;

20 ~~23.~~ 24. "Manager" means an individual who controls or
21 administers the affairs of any professional combative sports
22 participant, including acting as a booking agent. "Manager" shall
23 include the representative of a manager as defined by the
24 Commission;

1 ~~24.~~ 25. "Martial arts" means any form of karate, kung fu, tae
2 kwon-do, or any other form of martial or self-defense art;

3 ~~25.~~ 26. "Matchmaker" means an individual who brings together
4 professional combative sports participants or arranges professional
5 combative sports contests or professional exhibitions;

6 ~~26.~~ 27. "Mixed martial arts" means any form of competitive
7 pugilism or unarmed combat in which blows are delivered with any
8 part of the hands, feet or knees and multiple combative disciplines
9 are used, including grappling. Pankration is a form of multiple
10 combative disciplines and constitutes mixed martial arts;

11 28. "Participant" means an individual who takes part in a
12 combative sports event;

13 ~~27.~~ 29. "Pay-per-view telecasts of professional combative
14 sports events" means telecasts offered by cable television companies
15 to subscribers at a cost in addition to the monthly cable television
16 subscription rate. Such events shall include local and state
17 professional combative sports contests and professional exhibitions
18 ~~as defined in this section;~~

19 ~~28.~~ 30. "Person" means any individual, partnership, limited
20 liability company, club, association, corporation, trust or other
21 entity;

22 ~~29.~~ 31. "Physician" means an individual licensed under the laws
23 of this state to engage in the general practice of medicine or
24 osteopathic medicine;

1 ~~30.~~ 32. "Professional combative sports practitioner" means an
2 individual eighteen (18) years of age or older who ~~competes~~
3 participates in combative sports events for money, prizes, or
4 purses, or who teaches, instructs, or assists in the practice of
5 combative sports or sparring as a means of obtaining pecuniary gain;

6 ~~31.~~ 33. "Professional combative sports event" means a combative
7 sports event in which the participants are paid a purse;

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

14 ~~33.~~ 34. "Promote" or "promoting" means producing, staging,
15 sponsoring, organizing or otherwise holding a combative sports event
16 whether or not the event is open to the public;

17 ~~34.~~ 35. "Promoter" means any ~~individual, whether a resident or~~
18 ~~nonresident of Oklahoma, or club or corporation, whether~~
19 ~~domesticated or not domesticated in Oklahoma,~~ person that produces
20 or stages ~~professional contests, amateur mixed martial arts~~
21 ~~contests, or professional exhibitions conducted within this state~~
22 ~~and shall include any officer, director, or employees as defined by~~
23 ~~the Commission~~ combative sports events;

1 ~~35.~~ 36. "Pugilism" means combative sports or the skill or
2 practice of fighting with the fists;

3 ~~36.~~ 37. "Purse" means the financial guarantee or any other
4 remuneration or thing of value for which a combative sports
5 practitioner participates in a professional combative sports event
6 and shall include the participant's share of any payment received
7 for radio broadcasting, television, including cable television, pay-
8 per-view television, and closed-circuit television, and motion
9 picture rights. "Purse" shall also include gate receipts and any
10 other prizes;

11 ~~37.~~ 38. "Ring official" means any individual who performs an
12 official function during the progress of a combative sports event or
13 amateur mixed martial arts event including but not limited to
14 timekeepers, judges, referees, and attending physicians;

15 ~~38.~~ 39. "Sanctioning permit" means a permit issued by the
16 Commission to promoters who make application for official approval
17 of professional combative sports events and amateur mixed martial
18 arts events;

19 ~~39.~~ 40. "Sparring" means to engage in a form of combative sport
20 with jabbing or feinting movements, and the exchange of few heavy
21 blows, such as occurs in a practice or exhibition boxing match;

22 ~~40.~~ 41. "Telecast promoter" means any promoter who shows or
23 causes to be shown in this state a closed-circuit telecast of any
24

1 professional combative sports event conducted in this state.

2 "Telecast promoter" shall not include a cable system operator;

3 ~~41.~~ 42. "Trainer" means an individual who assists, coaches, or
4 instructs any professional combative sports practitioner or amateur
5 mixed martial artist with respect to physical conditioning,
6 strategy, techniques, or preparation for competition, professional
7 combative sports contests, or professional exhibitions; ~~and~~

8 ~~42.~~ 43. "Unarmed combat" means any contest, exhibition or other
9 form of competition in which one or more blows are struck, body
10 throws or grappling holds are executed or other fighting techniques
11 are applied which may reasonably be expected to inflict injury; and

12 44. "Vendor" means any individual, firm, organization, club, or
13 corporation that participates in the conduct of a professional
14 combative sports event or amateur mixed martial arts event conducted
15 in this state by offering for sale food or merchandise, including,
16 but not limited to, wearing apparel, alcoholic and nonalcoholic
17 beverages, souvenirs, and programs.

18 B. The Commission may define any term which is not defined in
19 the Oklahoma State Athletic Commission Act.

20 SECTION 3. AMENDATORY 3A O.S. 2011, Section 603, is
21 amended to read as follows:

22 Section 603. ~~A.~~ The Oklahoma State Athletic Commission shall
23 have the power and duty to promulgate, prescribe, amend, and repeal
24 rules necessary to implement the provisions of the Oklahoma State

1 Athletic Commission Act, according to the Administrative Procedures
2 Act, including, but not limited to, defining qualifications,
3 categories, limitations, and fees for licenses, permits, and
4 examinations, and establishing bonding, contract, and insurance
5 requirements.

6 ~~B. In addition to rules promulgated by the Commission, rules~~
7 ~~promulgated by the Commissioner of Labor prior to July 1, 1999,~~
8 ~~shall be the rules of the Commission and shall continue in effect~~
9 ~~until such rules are amended or repealed by rules promulgated by the~~
10 ~~Commission.~~

11 SECTION 4. AMENDATORY 3A O.S. 2011, Section 604.2, as
12 last amended by Section 2, Chapter 290, O.S.L. 2013 (3A O.S. Supp.
13 2017, Section 604.2), is amended to read as follows:

14 Section 604.2 A. The mission of the Oklahoma State Athletic
15 Commission shall be to preserve and protect the health, safety and
16 welfare of combative sports event participants and the general
17 public through the effective regulation of combative sports in the
18 State of Oklahoma, while fostering an environment that expands
19 existing combative sports events and brings new events into the
20 state.

21 B. The Commission shall have the power to:

22 1. Promulgate rules and issue orders necessary to carry out the
23 purposes of the Oklahoma State Athletic Commission Act, and enforce
24

1 the provisions of said act and the rules promulgated pursuant
2 thereto;

3 2. Assume jurisdiction over all matters relating to the
4 licensing of professional combative sports practitioners, amateur
5 mixed martial artists, corner persons, booking agents, matchmakers,
6 promoters, referees, judges, timekeepers, vendors, physicians,
7 announcers, clubs, and corporations associated with a professional
8 combative sports event or amateur mixed martial arts event related
9 thereto;

10 3. Set license and permit fees pursuant to the requirements of
11 the Oklahoma State Athletic Commission Act;

12 4. Conduct investigations into the qualifications of applicants
13 for licensure and registration;

14 5. Conduct investigations and proceedings for alleged
15 violations of the Oklahoma State Athletic Commission Act and order
16 or subpoena the attendance of witnesses, the inspection of records
17 and premises, and the production of relevant books and papers
18 necessary to such investigations and proceedings;

19 6. Develop and administer examinations for applicants for
20 licenses and permits; and

21 7. Make such expenditures as may be necessary in the
22 performance of its duties.

23 C. ~~Any rule promulgated, order made, or action taken prior to~~
24 ~~July 1, 1999, by the Commissioner of Labor or the Department of~~

1 ~~Labor pursuant to the provisions of, or rules issued pursuant to,~~
2 ~~the Oklahoma State Athletic Commission Act shall be considered valid~~
3 ~~and in effect unless amended, repealed, or rescinded by the~~
4 ~~Commission.~~

5 ~~D. Any valid license, permit, certificate, or registration~~
6 ~~issued prior to July 1, 1999, by the Commissioner of Labor pursuant~~
7 ~~to the Oklahoma State Athletic Commission Act, or rules promulgated~~
8 ~~pursuant thereto, shall remain valid and in effect until it expires~~
9 ~~pursuant to law or unless suspended or revoked by the Commission.~~
10 ~~Any application for a license, permit, certificate, or registration~~
11 ~~which is pending on June 30, 1999, is hereby transferred to the~~
12 ~~Commission.~~

13 ~~E. All personnel, powers, duties, responsibilities, fund~~
14 ~~balances, encumbrances, obligations, and property, which shall~~
15 ~~include records, furniture, and equipment of the Department of Labor~~
16 ~~relating to the regulation of combative sports, are hereby~~
17 ~~transferred to the Oklahoma State Athletic Commission All medical~~
18 ~~records and health information submitted to or obtained by the~~
19 ~~Commission relating to an applicant or license shall be~~
20 ~~confidential. Such records and information shall only be disclosed~~
21 ~~upon written consent of the applicant or licensee, by order of a~~
22 ~~court of competent jurisdiction, or by the Commission when~~
23 ~~discharging its duties under the Oklahoma State Athletic Commission~~
24 ~~Act.~~

1 SECTION 5. AMENDATORY Section 1, Chapter 290, O.S.L.
2 2013 (3A O.S. Supp. 2017, Section 604.3), is amended to read as
3 follows:

4 Section 604.3 A. The Oklahoma State Athletic Commission, its
5 administrator or any other employee authorized by the Commission,
6 may order the promoter to withhold any part of a purse or other
7 money belonging or payable to any combative sports practitioner or
8 second if, in the judgment of the Commission, administrator or
9 employee:

10 1. The practitioner is not competing honestly or to the best of
11 the practitioner's skill and ability, or the practitioner otherwise
12 violates any rules or regulations adopted by the Commission or any
13 provisions of the Oklahoma State Athletic Commission Act; and

14 2. The second violates any rules or regulations adopted by the
15 Commission or any provisions of the Oklahoma State Athletic
16 Commission Act.

17 B. Money ordered withheld pursuant to this section shall be
18 deposited in the Oklahoma State Athletic Commission Revolving Fund
19 Security Account. The Commission shall hold a hearing at its next
20 regularly scheduled meeting to dispose of the matter. If it is
21 determined that the practitioner or second is entitled to his or her
22 share of the purse or other money, the funds shall be moved to the
23 Oklahoma State Athletic Commission Revolving Fund and disbursed to
24 the practitioner or second. If it is determined that the

1 practitioner or second is not entitled to his or her share of the
2 purse or other money, the funds shall be moved to the Oklahoma State
3 Athletic Commission Revolving Fund and disbursed to the promoter.

4 SECTION 6. AMENDATORY 3A O.S. 2011, Section 606, as
5 amended by Section 6, Chapter 359, O.S.L. 2012 (3A O.S. Supp. 2017,
6 Section 606), is amended to read as follows:

7 Section 606. A. The Oklahoma State Athletic Commission is
8 hereby vested with jurisdiction to issue sanctioning permits for all
9 professional combative sports contests and exhibitions and for all
10 amateur mixed martial arts contests and exhibitions held or given
11 within this state and to issue licenses for participants of
12 sanctioned contests and exhibitions.

13 B. 1. No person shall promote, nor shall any person
14 participate in, a professional combative sports event or an amateur
15 mixed martial arts event unless the event is sanctioned by the
16 Commission.

17 2. Except as provided in paragraphs 1 and 2 of subsection C of
18 this section, no person shall promote, nor shall any person
19 participate in, an amateur combative sports event unless the event
20 has been sanctioned by a nationally recognized amateur sanctioning
21 body that has been approved by the Commission.

22 3. No person shall promote, nor shall any person participate
23 in, unarmed combat as defined in the Oklahoma State Athletic
24 Commission Act, except as specifically provided in such act.

1 4. Any person violating the provisions of this subsection shall
2 be punishable pursuant to the provisions of Section 615 of this
3 title.

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

7 1. Any school, college, or university where the participants
8 are students regularly enrolled in such institutions and the
9 instructors, coaches, and trainers are employees of such
10 institutions. The term "school, college, or university" shall not
11 include a school or other institution whose principal purpose is to
12 furnish instruction in combative sports or sparring;

13 2. Any military installation or branch of the Armed Forces
14 where the participants are employed by the military installation or
15 are members of the branch of the Armed Forces sponsoring the contest
16 or exhibition; and

17 3. Amateur combative sports events which are sanctioned by a
18 Commission-approved and nationally recognized amateur sanctioning
19 body. The nationally recognized amateur sanctioning body must
20 present itself to the Commission and provide a copy of its rules and
21 bylaws for Commission review and approval. Upon approval, the
22 Commission, or its designated representatives, may visit, attend,
23 investigate and audit, as the Commission deems necessary, any match,
24 event, sanctioning body office or event office for the purpose of

1 determining whether the rules and bylaws of the amateur sanctioning
2 body as submitted to the Commission are being followed. The
3 Commission administrator shall immediately rescind approval of any
4 nationally recognized amateur sanctioning body, pending a hearing,
5 if said sanctioning body is found to be negligent or noncommittal in
6 the enforcement of the rules and bylaws presented to and approved by
7 the Commission. The Commission shall not approve an amateur
8 sanctioning organization that permits submission holds for
9 participants who are under the age of eighteen (18) years.

10 D. The following persons are specifically exempt from the
11 provisions of the Oklahoma State Athletic Commission Act:

12 1. Practitioners and instructors of the martial arts as defined
13 in Section 602 of this title; and

14 2. Instructors of amateur combative sports practitioners if
15 such instructors are not required to be licensed pursuant to other
16 provisions of the Oklahoma State Athletic Commission Act.

17 E. No person under the age of eighteen (18) years shall
18 participate in an event where submission holds are permitted. No
19 person shall promote an event where submission holds are permitted
20 for persons under the age of eighteen (18) years.

21 F. As used in this section, "submission hold" means all locks,
22 bars, and holds that cause enough pain to cause an opponent to
23 submit. Submission holds shall include, but not be limited to, the
24 following techniques defined as:

1 1. "Choke holds" means any hold that impairs the flow of blood
2 or oxygen to the brain. Choke holds include, but are not limited
3 to, the rear naked choke, the guillotine, and the triangle choke;

4 2. "Joint-lock" means all locks, bars, and holds that cause
5 enough pain to cause an opponent to submit. Joint locks include,
6 but are not limited to, arm bars, ankle locks, knee bars and neck
7 cranks; and

8 3. "Neck crank" means any hold that impairs the flow of blood
9 or oxygen to the brain.

10 SECTION 7. AMENDATORY 3A O.S. 2011, Section 610, as
11 amended by Section 9, Chapter 359, O.S.L. 2012 (3A O.S. Supp. 2017,
12 Section 610), is amended to read as follows:

13 Section 610. A. The Oklahoma State Athletic Commission may
14 issue, withhold, suspend, or revoke any and all licenses and
15 sanctioning permits required by the provisions of the Oklahoma State
16 Athletic Commission Act or the rules promulgated by the Commission.
17 The Commission may also censure or reprimand any licensee or
18 sanctioning permit holder.

19 B. The Commission shall fix a uniform scale of reasonable fees
20 for all licenses, sanctioning permits, and examinations.

21 SECTION 8. AMENDATORY 3A O.S. 2011, Section 614, as last
22 amended by Section 4, Chapter 290, O.S.L. 2013 (3A O.S. Supp. 2017,
23 Section 614), is amended to read as follows:

24

1 Section 614. A. If upon inspection or investigation, or
2 whenever the Oklahoma State Athletic Commission determines that a
3 ~~licensee~~ person has violated the Oklahoma State Athletic Commission
4 Act or ~~of~~ any order, standard, or rule promulgated pursuant to the
5 provisions of the Oklahoma State Athletic Commission Act ~~has~~
6 ~~occurred~~, the Commission shall give written notice to the alleged
7 violator specifying the cause of the determination. Such notice
8 shall require that the violations be corrected and specify the terms
9 of such correction or require that the alleged violator appear
10 before the Commission at a time and place specified in the notice
11 and answer the charges.

12 B. The Commission shall afford the alleged violator an
13 opportunity for a hearing conducted in conformity with, and records
14 made thereof as provided by the provisions of, the Administrative
15 Procedures Act. On the basis of the evidence produced at the
16 hearing, the Commission shall make findings of fact and conclusions
17 of law and enter an order thereon. The Commission shall provide
18 written notice of such order to the alleged violator and to such
19 other persons as shall have appeared at the hearing and made written
20 request for notice of the order.

21 C. Upon the request of the Commission, the Attorney General
22 shall bring an action against any person violating any of the
23 provisions of the Oklahoma State Athletic Commission Act or
24 violating any order or determination of the Commission.

1 SECTION 9. AMENDATORY 3A O.S. 2011, Section 615, as
2 amended by Section 14, Chapter 359, O.S.L. 2012 (3A O.S. Supp. 2017,
3 Section 615), is amended to read as follows:

4 Section 615. A. Any person who violates the provisions of the
5 Oklahoma State Athletic Commission Act, upon first conviction, shall
6 be guilty of a misdemeanor and shall be punished by the imposition
7 of a fine of not more than One Thousand Dollars (\$1,000.00) or by
8 incarceration in the county jail for not more than thirty (30) days
9 or by both such fine and incarceration. Any person convicted of a
10 second or subsequent violation shall be guilty of a felony
11 punishable by a fine of not more than Five Thousand Dollars
12 (\$5,000.00) or by incarceration in the county jail for a term of not
13 more than one (1) year or by incarceration in the custody of the
14 Department of Corrections for a period of not more than two (2)
15 years or by both such fine and incarceration. The Oklahoma State
16 Athletic Commission shall suspend or revoke the license of any
17 person convicted of violating the provisions of the Oklahoma State
18 Athletic Commission Act.

19 B. In addition to other penalties provided by law, if after a
20 hearing in accordance with the provisions of Section 601 et seq. of
21 this title, the Commission shall find any person ~~licensed by the~~
22 ~~Commission~~ to be in violation of any of the provisions of the
23 Oklahoma State Athletic Commission Act, such person may be subject
24 to an administrative fine of not more than Five Hundred Dollars

1 (\$500.00) for each violation or not more than one percent (1%) of
2 gross revenues received for each violation. Each day a person is in
3 violation of the provisions of Section 601 et seq. of this title ~~may~~
4 or rules of the Commission shall constitute a separate violation.
5 All administrative fines collected pursuant to the provisions of
6 this subsection shall be placed to the credit of the Oklahoma State
7 Athletic Commission Revolving Fund created pursuant to the
8 provisions of Section 601 et seq. of this title. Administrative
9 fines imposed pursuant to this subsection shall be enforceable in
10 the district courts of this state.

11 C. Upon the request of the Commission, the Attorney General or
12 the district attorney of the appropriate district court may make
13 application to the appropriate court for an order enjoining the acts
14 or practices prohibited by the provisions of Section 601 et seq. of
15 this title, and upon a showing that the person has engaged in any of
16 the prohibited acts or practices, an injunction, restraining order,
17 or other order as may be appropriate shall be granted by the court.

18 SECTION 10. AMENDATORY 3A O.S. 2011, Section 616, as
19 amended by Section 26, Chapter 304, O.S.L. 2012 (3A O.S. Supp. 2017,
20 Section 616), is amended to read as follows:

21 Section 616. ~~A.~~ There is hereby created in the State Treasury
22 a revolving fund for the Oklahoma State Athletic Commission to be
23 designated the "Oklahoma State Athletic Commission Revolving Fund".
24 The fund shall be a continuing fund, not subject to fiscal year

1 limitations, and shall consist of all monies received from fees,
2 administrative fines, reimbursements, bond proceeds, and sale of
3 materials, and shall include grants and gifts, pursuant to the
4 Oklahoma State Athletic Commission Act. All monies accruing to the
5 credit of ~~said~~ the fund are hereby appropriated and may be budgeted
6 and expended by the ~~State Department of Health as directed by the~~
7 Commission for the purpose of implementing the provisions of the
8 Oklahoma State Athletic Commission Act. Expenditures from ~~said~~ the
9 fund shall be made upon warrants issued by the State Treasurer
10 against claims filed as prescribed by law with the Director of the
11 Office of Management and Enterprise Services for approval and
12 payment.

13 ~~B. The "Professional Boxing Licensing Revolving Fund" created~~
14 ~~for the Department of Health is hereby abolished. On July 1, 2008,~~
15 ~~any unencumbered funds remaining in the Professional Boxing~~
16 ~~Licensing Revolving Fund shall be transferred to the credit of the~~
17 ~~Oklahoma State Athletic Commission Revolving Fund. Any unexpended~~
18 ~~funds remaining in the Professional Boxing Licensing Revolving Fund~~
19 ~~after November 1, 2008, shall be transferred to the credit of the~~
20 ~~Oklahoma State Athletic Commission Revolving Fund.~~

21 SECTION 11. AMENDATORY 3A O.S. 2011, Section 617, as
22 last amended by Section 5, Chapter 290, O.S.L. 2013 (3A O.S. Supp.
23 2017, Section 617), is amended to read as follows:

24

1 Section 617. A. Except as otherwise provided in the Oklahoma
2 State Athletic Commission Act, in addition to the payment of any
3 other fees and monies due pursuant to the Oklahoma State Athletic
4 Commission Act and the rules promulgated by the Oklahoma State
5 Athletic Commission, an assessment equal to five percent (5%) of the
6 total gross receipts of any professional combative sports event or
7 amateur mixed martial arts event conducted in this state, exclusive
8 of any federal tax or tax imposed by any political subdivision of
9 this state, shall be hereby levied and shall be remitted by every
10 promoter and vendor to the Oklahoma State Athletic Commission.

11 B. The assessment established in subsection A of this section
12 shall not exceed Thirty-five Thousand Dollars (\$35,000.00).

13 C. Promoters of professional ~~boxing, professional mixed martial~~
14 ~~arts~~ combative sports and amateur mixed martial arts events shall
15 pay the greater of the five-percent assessment levied pursuant to
16 subsection A of this section or Four Hundred Fifty Dollars (\$450.00)
17 to the Commission.

18 D. Promoters of ~~professional~~ wrestling events shall pay the
19 greater of the five-percent assessment levied pursuant to subsection
20 A of this section or Eighty Dollars (\$80.00) to the Commission.

21 E. For the purpose of this section, total gross receipts of
22 every promoter shall include:

23 1. The face value of all tickets sold; and
24

1 2. Proceeds from a vendor, or the promoter's gross price
2 charged for the sale of food, alcoholic and nonalcoholic beverages,
3 or merchandise, including, but not limited to, wearing apparel,
4 souvenirs and programs.

5 F. For professional combative sports events or amateur mixed
6 martial arts events at which admission tickets are not sold, the
7 promoter shall remit an assessment equal to five percent (5%) of the
8 revenues received by the promoter for the event.

9 G. For the purpose of this section, total gross receipts of
10 every vendor shall include the gross price charged for the sale of
11 food, alcoholic and nonalcoholic beverages, and merchandise
12 including, but not limited to, wearing apparel, souvenirs, and
13 programs, excluding that portion paid to any promoter.

14 H. Payment of the assessment on gross receipts, unless
15 otherwise specified, shall be due within five (5) business days
16 after the holding of the professional combative sports event or
17 amateur mixed martial arts event and shall be accompanied by a
18 report in such form as shall be prescribed by the Oklahoma State
19 Athletic Commission.

20 I. A promoter shall not issue complimentary tickets for more
21 than ten percent (10%) of the seats for any event. The promoter
22 shall be responsible to pay the five-percent assessment levied
23 pursuant to subsection A of this section on total receipts as
24 prescribed in this section for any complimentary tickets in excess

1 of ten percent (10%). All complimentary tickets must clearly
2 indicate on the ticket that it is a complimentary ticket and state
3 the value of the complimentary ticket. The face value of a
4 complimentary ticket shall be equal to like tickets sold in that
5 particular section of the venue. The complimentary tickets that are
6 exempt from the five-percent assessment levied pursuant to
7 subsection A of this section shall be those tickets with the lowest
8 face value.

9 J. Complimentary tickets shall not be given to a sponsor,
10 elected official, person or any entity that gives the promoter of
11 any event anything of value, including but not limited to money, in-
12 kind goods or services, or advertising.

13 K. The first payment of the assessment on gross income received
14 from the sale of motion picture rights shall be due at the end of
15 the month after the date of the sale of the motion picture rights,
16 and further payments shall be due every thirty (30) days thereafter,
17 during the presentation of the picture, and shall be accompanied by
18 a gross receipts report in such form as shall be prescribed by the
19 Oklahoma State Athletic Commission.

20 L. Except as otherwise provided in the Oklahoma State Athletic
21 Commission Act, in addition to the payment of any other fees and
22 monies due pursuant to the Oklahoma State Athletic Commission Act
23 and the rules promulgated by the Oklahoma State Athletic Commission,
24 an assessment in an amount of five percent (5%) of the total gross

1 receipts of every telecast promoter shall be levied. Total gross
2 receipts shall include the gross price charged for the sale, lease,
3 or other use of broadcasting, including, but not limited to, radio,
4 television, including cable television, pay-per-view television, and
5 closed-circuit television, or motion picture rights of combative
6 sports or amateur mixed martial arts contests, events, or
7 exhibitions conducted within this state, without any deductions for
8 commissions, brokerage fees, distribution fees, advertising, or
9 other expenses or charges.

10 M. 1. In the case of facilities at or through which the
11 closed-circuit telecast is shown other than a cable system
12 operator's pay-per-view facilities, the telecast promoter shall,
13 within eight (8) days after the telecast, inclusive of mailing time,
14 file with the Commission a written report detailing the name,
15 address, telephone number, contact person's name, and the details of
16 the payment arrangement for the right to receive the telecast for
17 each facility to which the broadcast was transmitted.

18 2. The report shall be accompanied by the assessment payment
19 required under subsection L of this section, excluding any federal,
20 state or local taxes.

21 3. The Commission may require the owner or operator of the
22 facility where the telecast is being shown to file a report
23 containing information regarding the amount paid to the telecast
24 promoter for the right to broadcast the telecast, the quality of the

1 audio and video signal, and any other information the Commission
2 deems appropriate.

3 N. 1. In the case of a cable system operator's pay-per-view
4 facilities at or through which a closed-circuit telecast was shown
5 within the state, the telecast promoter shall, within thirty (30)
6 days following receipt of the notice of the assessment from the
7 Commission, cause to be filed with the Commission the assessment
8 required pursuant to subsection L of this section, excluding any
9 federal, state, or local taxes.

10 2. The cable system operator shall withhold from the proceeds
11 due to the telecast promoter the assessment payment required
12 pursuant to subsection L of this section and remit the assessment to
13 the Commission on behalf of the telecast promoter. The cable system
14 operator shall not be liable for the remittance of the assessment
15 fee required pursuant to subsection L of this section from any
16 proceeds due to the cable system operator from its pay-per-view
17 events.

18 3. The Commission shall require the cable system operator to
19 file reports containing information regarding the number of orders
20 sold and the price charged for orders and any other information the
21 Commission deems appropriate.

22 4. Cable system operators shall not be liable to the Commission
23 for the assessment payment required under subsection L of this
24 section. Nothing in this section shall be deemed to prevent a cable

1 system operator from billing its customer for the assessment
2 payment.

3 5. The Commission shall, upon request, provide the telecast
4 promoter with a report detailing the number of orders and the
5 assessment payment due.

6 O. Any promoter who willfully makes a false and fraudulent
7 report under this section is guilty of perjury and, upon conviction,
8 is subject to punishment as provided by law. This penalty shall be
9 in addition to any other penalties imposed in this section.

10 P. Gross receipts reports signed under oath shall also include:

11 1. The name of the promoter;

12 2. The professional combative sports event or amateur mixed
13 martial arts event sanctioning permit number;

14 3. The promoter's business address and any license or permit
15 number required of such promoter by law;

16 4. Gross receipts as specified by this section, during the
17 period specified by this section; and

18 5. Such further information as the Oklahoma State Athletic
19 Commission may require to enable it to compute correctly and collect
20 the assessment levied pursuant to this section.

21 Q. In addition to the information required on reports, the
22 Oklahoma State Athletic Commission may request, and the promoter
23 shall furnish, any information deemed necessary for a correct
24 computation of the assessment levied pursuant to this section.

1 R. All levies pursuant to this section shall be collected by
2 the Commission and shall be placed to the credit of the Oklahoma
3 State Athletic Commission Revolving Fund.

4 S. The monies collected from the assessment levied pursuant to
5 the provisions of this section shall be in addition to all other
6 revenues and funds received by the Oklahoma State Athletic
7 Commission.

8 T. The promoter shall compute and pay to the Oklahoma State
9 Athletic Commission the required assessment due. If the payment of
10 the assessment is not postmarked or delivered to the Oklahoma State
11 Athletic Commission as specified in subsections H through L of this
12 section, whichever is appropriate, the assessment shall be
13 delinquent from such date.

14 U. It shall be the duty of every promoter required to make a
15 gross receipts report and pay any assessment pursuant to the
16 provisions of this section to keep and preserve suitable records and
17 documents which may be necessary to determine the amount of
18 assessment due as will substantiate and prove the accuracy of such
19 reports. All such records shall be preserved for a period of three
20 (3) years, unless the Oklahoma State Athletic Commission, in
21 writing, has authorized their destruction or disposal at an earlier
22 date, and shall be open to examination at any time by the Oklahoma
23 State Athletic Commission or by any of its authorized employees.

24

1 SECTION 12. AMENDATORY 3A O.S. 2011, Section 619, as
2 amended by Section 16, Chapter 359, O.S.L. 2012 (3A O.S. Supp. 2017,
3 Section 619), is amended to read as follows:

4 Section 619. ~~Beginning February 1, 2000, the~~ The Oklahoma State
5 Athletic Commission shall file an annual report of combative sports
6 activities in Oklahoma with the Governor, the President Pro Tempore
7 of the Senate, and the Speaker of the House of Representatives.
8 ~~Said~~ The report shall include but not be limited to the amount of
9 revenue collected, the number of permits and licenses issued and
10 revoked, the number of violations of the Oklahoma State Athletic
11 Commission Act, and the number of professional combative sports
12 events and amateur mixed martial arts events conducted.

13 SECTION 13. AMENDATORY 3A O.S. 2011, Section 622, as
14 amended by Section 1, Chapter 363, O.S.L. 2012 (3A O.S. Supp. 2017,
15 Section 622), is amended to read as follows:

16 Section 622. A. Where the Oklahoma distribution rights for a
17 closed-circuit telecast to be viewed in this state are in whole
18 owned by, sold to, acquired by or held by any person who intends to
19 or subsequently sells or, in some other manner, extends such rights
20 in part to another, then such person is deemed to be a telecast
21 promoter. The Oklahoma State Athletic Commission may provide, by
22 rule, for additional licensed telecast promoters to participate in
23 the distribution rights and share in the liability for assessments
24 to be paid to the Commission. Closed-circuit telecasts of a

1 combative sports or amateur mixed martial arts event conducted in
2 this state shall not be telecast within this state except under the
3 auspices of a telecast promoter licensed in this state. The
4 telecast promoter shall be responsible for filing the appropriate
5 reports with and paying assessments to the Commission.

6 B. In the case of closed-circuit telecasts other than pay-per-
7 view, the telecast promoter shall notify the Commission of the names
8 and addresses of all facilities to or through which the closed-
9 circuit telecast will be shown fourteen (14) days prior to the date
10 of the closed-circuit event and shall provide daily updates to the
11 Commission of any additions and deletions of facilities.

12 C. Any person or facility owner or operator intending to show
13 the closed-circuit telecast, whether or not an admission fee will be
14 charged, must receive authorization to show the telecast from the
15 telecast promoter prior to the telecast. The showing of a closed-
16 circuit telecast, whether or not an admission fee is charged,
17 without the authorization of the licensed telecast promoter is
18 prohibited. Delayed showing of a closed-circuit telecast also
19 requires the authorization of the telecast promoter. Information
20 received by the Commission of the names of persons showing a closed-
21 circuit telecast in violation of this section shall be furnished to
22 the appropriate district attorney's office for prosecution.

23 D. Any telecast promoter who willfully fails, neglects, or
24 refuses to make a report or cause to be paid the assessment as

1 prescribed, or who refuses to allow the Commission to examine the
2 books, papers, and records of any promotion is guilty of a
3 misdemeanor, punishable as provided by law. Any remitter who
4 willfully fails, neglects, or refuses to remit the assessment as
5 prescribed, is guilty of a misdemeanor, punishable as provided by
6 law.

7 E. By rule, the Commission shall establish administrative
8 penalties as specified in the Oklahoma State Athletic Commission Act
9 for the late payment of assessments, noncompliance with the Oklahoma
10 State Athletic Commission Act, and the late filing of reports and
11 shall prescribe conditions, if any, under which a fine may be
12 waived.

13 F. No cable system operator shall be:

14 1. Prohibited from broadcasting any boxing event, whether or
15 not the promoter or distributor is in compliance with the provisions
16 of the Oklahoma State Athletic Commission Act, for which it has a
17 contract or other legal obligation to broadcast; and

18 2. Required, as a result of any noncompliance with the
19 provisions of this act by any promoter or distributor, to modify,
20 delete, or cancel any programming which it has a contractual or
21 legal obligation to air.

22 G. The Oklahoma State Athletic Commission Act shall not apply
23 in any manner to any basic or premium channel programming broadcast
24 on cable television systems within this state, but shall apply only

1 to "pay-per-view" broadcasts of combative sports or amateur mixed
2 martial arts events conducted in this state for which a separate
3 one-time fee is charged the cable subscriber.

4 SECTION 14. AMENDATORY 3A O.S. 2011, Section 623, is
5 amended to read as follows:

6 Section 623. Any physician providing medical services at an
7 amateur or professional athletic event sanctioned pursuant to the
8 Oklahoma State Athletic Commission Act, who is a ring official at
9 the event and renders or attempts to render emergency care to an
10 injured participant who is in need of immediate medical aid, shall
11 not be liable for damages as a result of any acts or omissions
12 except for committing gross negligence or willful or wanton
13 negligence in rendering the emergency care.

14 SECTION 15. AMENDATORY 3A O.S. 2011, Section 624, is
15 amended to read as follows:

16 Section 624. A. Except as otherwise provided in this section,
17 prior to being issued a license pursuant to ~~this act~~ the Oklahoma
18 State Athletic Commission Act, every participant applicant shall
19 submit a certified copy of results from testing performed by a
20 laboratory certified pursuant to 42 C.F.R. Part 493 verifying that
21 the applicant is not infected with the human immunodeficiency virus
22 (HIV), the hepatitis B virus or the hepatitis C virus. The testing
23 shall be performed no more than three hundred sixty-five (365) days
24 before the application is submitted. A statement from a doctor of

1 osteopathy or medical doctor indicating that the applicant has
2 successfully completed a full course of vaccinations for hepatitis B
3 may be submitted in lieu of the results of testing for hepatitis B.
4 Except as otherwise provided in this section, an applicant who
5 receives positive results from any of the tests required by this
6 section shall be denied a license for the particular contest.

7 B. If a participant must be replaced within twenty-four (24)
8 hours of an event, a promoter may replace the participant that has
9 been pulled with a new participant that has complied with the
10 testing requirements found in subsection A of this section.

11 C. Notwithstanding the requirement for testing stated in
12 subsection A of this section, the participant and opponent, ring
13 official, and ringside physician may agree, in writing, to waive the
14 denial of licensure for failure to timely submit the required
15 certified test results, and by such signed written agreement, the
16 participant and opponent shall be granted a license to participate
17 in their particular contest.

18 SECTION 16. This act shall become effective November 1, 2018."
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