

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 SENATE BILL 1060

By: Fry

4
5
6 AS INTRODUCED

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

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

10 Section 601. ~~This act~~ Sections 601 et seq. of this title shall
11 be known and may be cited as the "Oklahoma State Athletic Commission
12 Act".

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

16 Section 602. A. As used in the Oklahoma State Athletic
17 Commission Act:

18 1. "Administrator" means the administrator of the Oklahoma
19 State Athletic Commission;

20 2. "Amateur combative sports event" means a combative sports
21 event in which ~~the participants have never~~ no participant has ever
22 been licensed as professionals in any combative sport;

23 3. "Amateur combative sports practitioner" means a person who
24 has never received or competed for any purse or other article either
for the expenses of training therefor or for participating in any

1 combative sports contest or exhibition which exceeds in monies or
2 other things of value a sum to be determined by the Oklahoma State
3 Athletic Commission;

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

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

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

21 7. "Booking agent" means independent contractors who act as
22 bookers, agents, agencies and representatives who secure engagements
23 and contracts for combative sports participants and entertainment
24 wrestlers;

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

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

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

16 11. "Closed-circuit telecast of professional combative sporting
17 and entertainment wrestling events" means telecast rights, including
18 television, cable television, or pay-per-view telecasts, acquired by
19 paying a licensing fee or by paying a contractual price by a
20 business or individual, including, but not limited to, arenas,
21 entertainment or meeting centers, restaurants, bars, taverns,
22 hotels, motels, clubs, and organizations, which offers the viewing
23 of the event to the public or to private residences. Such events
24 shall include local and state professional combative sports contests

1 ~~and~~, professional exhibitions ~~as defined in this section~~ and
2 entertainment wrestling events. "Closed-circuit telecast" means any
3 such telecast of a professional combative sporting event as
4 described herein which is not intended to be available for viewing
5 without the payment of a fee, collected for or based upon each event
6 viewed, for the privilege of viewing the telecast, and includes pay-
7 per-view;

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

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

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

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

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

23

24

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

4 ~~17.~~ 18. "Corner person" means, but shall not be limited to, a
5 trainer, a second, or any other individual who attends the
6 participant during a match;

7 ~~18.~~ 19. "Entertainment wrestling", "Championship wrestling",
8 "Professional wrestling", "Pro wrestling" or "Wrestling" means any
9 competition, exhibition or performance of wrestling skills and
10 techniques by two or more individuals who deliver blows to an
11 opponent's body, execute throws to an opponent's body or apply holds
12 to the opponent's body. Participating wrestlers may perform without
13 being required to use their best efforts in order to win and the
14 winner may have been selected before the performance commences.
15 Participating wrestlers may or may not receive a purse or other
16 compensation for their participation in an event;

17 ~~19.~~ 20. "Event" means ~~a combative sports contest or exhibition~~
18 ~~including but not limited to a match, bout, contest, show or~~
19 ~~tournament~~ the presentation or holding of a contest, exhibition
20 match, bout, tournament, performance, show or other occurrence where
21 participants engage in combative sports or entertainment wrestling;

22 ~~20.~~ 21. "Exhibition" means a combative sports event in which
23 the participants show or display their skill by sparring without
24 necessarily striving to win;

1 ~~21.~~ 22. "Judge" means an individual other than a referee who
2 shall have a vote in determining the winner of any contest;

3 ~~22.~~ 23. "Kickboxing" means any form of competitive pugilistic
4 ~~professional~~ contest or exhibition in which blows are delivered with
5 the hand and any part of the foot. ~~Such contests or exhibitions~~
6 ~~take place in a rope-enclosed ring and are fought in timed rounds;~~

7 ~~23.~~ 24. "License" means a certificate issued by the Commission
8 to participants of sanctioned professional combative sports
9 contests, professional exhibitions, entertainment wrestling events,
10 and amateur mixed martial arts contests and is a mandatory
11 requirement for participation in such events;

12 ~~24.~~ 25. "Manager" means an individual who controls or
13 administers the affairs of any professional combative sports
14 participant or entertainment wrestler, including acting as a booking
15 agent. "Manager" shall include the representative of a manager as
16 defined by the Commission;

17 ~~25.~~ 26. "Martial arts" means any form of karate, kung fu, tae
18 kwon-do, or any other form of martial or self-defense art;

19 ~~26.~~ 27. "Matchmaker" means an individual who brings together
20 professional combative sports participants or arranges professional
21 combative sports contests or professional exhibitions;

22 28. "Mixed martial arts" means any form of competitive pugilism
23 or unarmed combat in which blows are delivered with any part of the
24 hands, feet or knees and multiple combative disciplines are used,

1 including grappling. Pankration is a form of multiple combative
2 disciplines and constitutes mixed martial arts;

3 ~~26.~~ 29. "Participant" means an individual who takes part in a
4 combative sports event or entertainment wrestling event;

5 ~~27.~~ 30. "Pay-per-view telecasts of professional combative
6 sports events and entertainment wrestling events" means telecasts
7 offered by cable television companies to subscribers at a cost in
8 addition to the monthly cable television subscription rate. Such
9 events shall include local and state professional combative sports
10 contests ~~and,~~ professional exhibitions ~~as defined in this section~~
11 and entertainment wrestling events;

12 ~~28.~~ 31. "Person" means any individual, partnership, limited
13 liability company, club, association, corporation, trust or other
14 entity;

15 ~~29.~~ 32. "Physician" means an individual licensed under the laws
16 of this state to engage in the general practice of medicine or
17 osteopathic medicine;

18 ~~30.~~ 33. "Professional combative sports practitioner" means an
19 individual eighteen (18) years of age or older who ~~competes~~
20 participates in combative sports event for money, prizes, or purses,
21 or who teaches, instructs, or assists in the practice of combative
22 sports or sparring as a means of obtaining pecuniary gain;

23 ~~31.~~ 34. "Professional combative sports event" means a combative
24 sports event in which the participants are paid a purse;

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

7 ~~33.~~ 35. "Promote" or "promoting" means producing, staging,
8 sponsoring, organizing or otherwise holding a combative sports event
9 whether or not the event is open to the public;

10 ~~34.~~ 36. "Promoter" means any ~~individual, whether a resident or~~
11 ~~nonresident of Oklahoma, or club or corporation, whether~~
12 ~~domesticated or not domesticated in Oklahoma,~~ person that produces
13 or stages ~~professional contests, amateur mixed martial arts~~
14 ~~contests, or professional exhibitions conducted within this state~~
15 ~~and shall include any officer, director, or employees as defined by~~
16 ~~the Commission~~ combative sports events or entertainment wrestling
17 events;

18 ~~35.~~ 37. "Pugilism" means combative sports or the skill or
19 practice of fighting with the fists;

20 ~~36.~~ 38. "Purse" means the financial guarantee or any other
21 remuneration or thing of value for which a combative sports
22 practitioner participates in a professional combative sports event
23 and shall include the participant's share of any payment received
24 for radio broadcasting, television, including cable television, pay-

1 per-view television, and closed-circuit television, and motion
2 picture rights. "Purse" shall also include gate receipts and any
3 other prizes;

4 ~~37.~~ 39. "Ring official" means any individual who performs an
5 official function during the progress of a combative sports event or
6 amateur mixed martial arts event including but not limited to
7 timekeepers, judges, referees, and attending physicians;

8 ~~38.~~ 40. "Sanctioning permit" means a permit issued by the
9 Commission to promoters who make application for official approval
10 of professional combative sports events and amateur mixed martial
11 arts events;

12 ~~39.~~ 41. "Sparring" means to engage in a form of combative sport
13 with jabbing or feinting movements, and the exchange of few heavy
14 blows, such as occurs in a practice or exhibition boxing match;

15 ~~40.~~ 42. "Telecast promoter" means any promoter who shows or
16 causes to be shown in this state a closed-circuit telecast of any
17 professional combative sports event or entertainment wrestling event
18 conducted in this state. "Telecast promoter" shall not include a
19 cable system operator;

20 ~~41.~~ 43. "Trainer" means an individual who assists, coaches, or
21 instructs any professional combative sports practitioner or amateur
22 mixed martial artist with respect to physical conditioning,
23 strategy, techniques, or preparation for competition, professional
24 combative sports contests, or professional exhibitions; ~~and~~

1 44. "Unarmed combat" means any contest, exhibition or other
2 form of competition in which one or more blows are struck, body
3 throws or grappling holds are executed or other fighting techniques
4 are applied which may reasonably be expected to inflict injury; and

5 ~~42.~~ 45. "Vendor" means any individual, firm, organization,
6 club, or corporation that participates in the conduct of a
7 professional combative sports event, entertainment wrestling events
8 or amateur mixed martial arts event conducted in this state by
9 offering for sale food or merchandise, including, but not limited
10 to, wearing apparel, alcoholic and nonalcoholic beverages,
11 souvenirs, and programs.

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

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

16 Section 603. ~~A.~~ The Oklahoma State Athletic Commission shall
17 have the power and duty to promulgate, prescribe, amend, and repeal
18 rules necessary to implement the provisions of the Oklahoma State
19 Athletic Commission Act, according to the Administrative Procedures
20 Act, including, but not limited to, defining qualifications,
21 categories, limitations, and fees for licenses, permits, and
22 examinations, and establishing bonding, contract, and insurance
23 requirements.

1 ~~B. In addition to rules promulgated by the Commission, rules~~
2 ~~promulgated by the Commissioner of Labor prior to July 1, 1999,~~
3 ~~shall be the rules of the Commission and shall continue in effect~~
4 ~~until such rules are amended or repealed by rules promulgated by the~~
5 ~~Commission.~~

6 SECTION 4. AMENDATORY 3A O.S. 2011, Section 604.1, as
7 last amended by Section 1, Chapter 231, O.S.L. 2015 (3A O.S. Supp.
8 2017, Section 604.1), is amended to read as follows:

9 Section 604.1. A. There is hereby re-created, until July 1,
10 2019, in accordance with the Oklahoma Sunset Law, the Oklahoma State
11 Athletic Commission, which shall be composed of nine (9) members
12 appointed by the Governor with the advice and consent of the Senate.
13 The member of the Commission initially appointed pursuant to this
14 act shall serve a term of three (3) years that shall expire on June
15 30, 2006. Members appointed to the Commission shall serve for terms
16 of three (3) years. Terms of office shall expire on June 30. All
17 vacancies and unexpired terms shall be filled in the same manner as
18 the original appointment and within sixty (60) days from the date of
19 the vacancy. Members may be removed by the Governor for
20 incompetence, willful neglect of duty, corruption in office, or
21 malfeasance in office.

22 B. Members appointed to the Commission shall reside in this
23 state and shall have the following qualifications:
24

1 1. Two members shall have experience as a professional
2 combative sports practitioner, other than as a ~~professional~~ an
3 entertainment wrestler or in professional combative sports
4 promotions;

5 2. One member shall have experience as a ~~professional~~ an
6 entertainment wrestler or in ~~professional~~ entertainment wrestling
7 promotions;

8 3. One member shall have experience in sports medicine;

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

11 5. Four members shall represent the public at large as lay
12 members.

13 C. No member of the Commission or any person related to a
14 member within the third degree by consanguinity or affinity shall
15 promote, sponsor, or have any financial interest in the promotion or
16 sponsorship of any professional combative sports event,
17 entertainment wrestling event or amateur mixed martial arts event
18 while a member of the Commission.

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

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

4 F. All members of the Commission and such employees as
5 determined by the Commission shall be bonded as required by Sections
6 85.26 through 85.31 of Title 74 of the Oklahoma Statutes.

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

10 SECTION 5. AMENDATORY 3A O.S. 2011, Section 604.2, as
11 last amended by Section 2, Chapter 290, O.S.L. 2013 (3A O.S. Supp.
12 2017, Section 604.2), is amended to read as follows:

13 Section 604.2. A. The mission of the Oklahoma State Athletic
14 Commission shall be to preserve and protect the health, safety and
15 welfare of combative sports event participants, entertainment
16 wrestling event participants and the general public through the
17 effective regulation of combative sports and entertainment wrestling
18 in the State of Oklahoma, while fostering an environment that
19 expands existing combative sports and entertainment wrestling events
20 and brings new events into the 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, wrestlers, corner persons, booking agents,
6 matchmakers, promoters, referees, judges, timekeepers, vendors,
7 physicians, announcers, clubs, and corporations associated with a
8 professional combative sports event, entertainment wrestling event
9 or amateur mixed martial arts event related 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 6. 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 Athletic Commission Act; and

14 2. The second violates any rules or regulations adopted by the
15 Commission or any provisions of the Oklahoma Athletic Commission
16 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 7. AMENDATORY 3A O.S. 2011, Section 605, as
5 amended by Section 5, Chapter 359, O.S.L. 2012 (3A O.S. Supp. 2017,
6 Section 605), is amended to read as follows:

7 Section 605. A. The Oklahoma State Athletic Commission may
8 employ an administrator to oversee the organization and activities
9 of the Commission and to ensure compliance with rules promulgated by
10 the Commission. The administrator shall perform such other duties
11 as the Commission may prescribe. The salary of the administrator
12 shall be set by the Commission. The position of administrator shall
13 be an unclassified position.

14 B. The Commission may employ an assistant to keep records of
15 all proceedings relating to professional combative sports and
16 amateur mixed martial arts and to preserve all books, documents, and
17 papers belonging to the Commission. The assistant shall perform
18 such other duties as the Commission may prescribe. The Commission
19 may employ such other personnel as necessary, subject to statutory
20 full-time-equivalent (FTE) limits applicable to the State Department
21 of Health.

22 C. The State Department of Health shall provide administrative
23 support for the Commission, including, but not limited to, office
24 space, equipment, and furnishings, payroll and employee benefit

1 administration and processing, and travel and expense reimbursement,
2 and shall manage the Commission's funds at the direction of the
3 Commission. The State Department of Health shall be entitled to
4 reimbursement for the actual cost of providing said administrative
5 support to the Commission from the Oklahoma State Athletic
6 Commission Revolving Fund; provided that said reimbursement shall
7 not exceed in any year ten percent (10%) of the total revenue
8 deposited in the fund in the preceding fiscal year received from
9 fees, administrative fines, reimbursements, bond proceeds and sale
10 of materials, but not including cash bonds held in trust by the
11 Commission. Upon a written directive of expenditure from Commission
12 funds signed by a majority of the Commission members or the
13 Commission administrator, the State Department of Health shall
14 process and make payment for said expenditure from Commission funds
15 within fifteen (15) business days of receipt of the written
16 directive from the State Department of Health. All other
17 Commission-directed expenditures shall be processed according to
18 State Department of Health policy.

19 D. Employees of the Commission shall be considered unclassified
20 employees of the State Department of Health only for the purpose of
21 administrative support provided by the State Department of Health as
22 prescribed in subsection C of this section. Persons employed by the
23 Commission shall serve at the direction and pleasure of the
24

1 Commission and shall answer directly to the Commission administrator
2 and the Commission.

3 E. The administrator, the assistant, and any other employees of
4 the Commission or any persons related to said employees within the
5 third degree by either consanguinity or affinity shall be prohibited
6 from promoting, sponsoring, or having any pecuniary interest in any
7 professional combative sports event, entertainment wrestling event
8 or amateur mixed martial arts event regulated by the Commission with
9 the exception of medical personnel.

10 SECTION 8. AMENDATORY 3A O.S. 2011, Section 606, as
11 amended by Section 6, Chapter 359, O.S.L. 2012 (3A O.S. Supp. 2017,
12 Section 606), is amended to read as follows:

13 Section 606. A. The Oklahoma State Athletic Commission is
14 hereby vested with jurisdiction to issue sanctioning permits for all
15 professional combative sports contests and exhibitions and for all
16 amateur mixed martial arts contests and exhibitions held or given
17 within this state and to issue licenses for participants of
18 sanctioned contests and exhibitions.

19 B. 1. No person shall promote, nor shall any person
20 participate in, a professional combative sports event, entertainment
21 wrestling event or an amateur mixed martial arts event unless the
22 event is sanctioned by the Commission.

23 2. Except as provided in paragraphs 1 and 2 of subsection C of
24 this section, no person shall promote, nor shall any person

1 participate in, an amateur combative sports event unless the event
2 has been sanctioned by a nationally recognized amateur sanctioning
3 body that has been approved by the Commission.

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

7 4. Any person violating the provisions of this subsection shall
8 be punishable pursuant to the provisions of Section 615 of this
9 title.

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

13 1. Any school, college, or university where the participants
14 are students regularly enrolled in such institutions and the
15 instructors, coaches, and trainers are employees of such
16 institutions. The term "school, college, or university" shall not
17 include a school or other institution whose principal purpose is to
18 furnish instruction in combative sports or sparring;

19 2. Any military installation or branch of the Armed Forces
20 where the participants are employed by the military installation or
21 are members of the branch of the Armed Forces sponsoring the contest
22 or exhibition; and

23 3. Amateur combative sports events which are sanctioned by a
24 Commission-approved and nationally recognized amateur sanctioning

1 body. The nationally recognized amateur sanctioning body must
2 present itself to the Commission and provide a copy of its rules and
3 bylaws for Commission review and approval. Upon approval, the
4 Commission, or its designated representatives, may visit, attend,
5 investigate and audit, as the Commission deems necessary, any match,
6 event, sanctioning body office or event office for the purpose of
7 determining whether the rules and bylaws of the amateur sanctioning
8 body as submitted to the Commission are being followed. The
9 Commission administrator shall immediately rescind approval of any
10 nationally recognized amateur sanctioning body, pending a hearing,
11 if said sanctioning body is found to be negligent or noncommittal in
12 the enforcement of the rules and bylaws presented to and approved by
13 the Commission. The Commission shall not approve an amateur
14 sanctioning organization that permits submission holds for
15 participants who are under the age of eighteen (18) years.

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

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

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

23 E. No person under the age of eighteen (18) years shall
24 participate in an event where submission holds are permitted. No

1 person shall promote an event where submission holds are permitted
2 for persons under the age of eighteen (18) years.

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

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

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

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

16 SECTION 9. AMENDATORY 3A O.S. 2011, Section 607, as
17 amended by Section 7, Chapter 359, O.S.L. 2012 (3A O.S. Supp. 2017,
18 Section 607), is amended to read as follows:

19 Section 607. A. The Oklahoma State Athletic Commission shall
20 promulgate rules necessary to implement processes for issuing
21 sanctioning permits for professional combative sports events,
22 entertainment wrestling events and amateur mixed martial arts events
23 held or given in this state and for issuing licenses for
24 participants of sanctioned contests and exhibitions, except those

1 events and persons specifically exempt by the provisions of the
2 Oklahoma State Athletic Commission Act.

3 B. All persons or entities who participate in any professional
4 combative sports event, entertainment wrestling event or amateur
5 mixed martial arts event sanctioned by the Commission, including,
6 but not limited to, professional combative sports practitioners,
7 wrestlers, corner persons, booking agents, matchmakers, promoters,
8 referees, judges, timekeepers, vendors, physicians, announcers,
9 clubs, and corporations associated with a professional combative
10 sports event, entertainment wrestling event or amateur mixed martial
11 arts event sanctioned by the Commission, shall be required to make
12 application to the Commission for a license to participate in this
13 state in any professional combative sports event, entertainment
14 wrestling event or amateur mixed martial arts event sanctioned by
15 the Commission.

16 C. An application for a sanctioning permit or a license shall
17 be on such form and require such information as shall be prescribed
18 by the Commission.

19 D. The Commission shall determine reasonable costs and fees
20 associated with issuing sanctioning permits and licenses. All costs
21 and fees for sanctioning an event shall be payable by the promoter
22 making application for a sanctioning permit. Costs and fees for a
23 license may be paid by the participant making application or by the
24 promoter of an event sanctioned by the Commission.

1 E. A sanctioning permit shall be in effect upon the date issued
2 by the Commission and shall expire upon the conclusion of the event,
3 unless the sanctioning permit is suspended or revoked for just cause
4 by the Commission. Licenses shall be in effect upon the date issued
5 by the Commission, and all licenses shall expire June 30 unless the
6 license is suspended or revoked for just cause by the Commission.

7 F. Only promoters whose professional combative sports events,
8 entertainment wrestling events or amateur mixed martial arts events
9 have been sanctioned by the Commission are authorized to place a
10 notice of sanction on printed and promotional materials associated
11 with the sanctioned event, which shall include but not be limited to
12 advertising, tickets, programs, posters, souvenirs, wearing apparel,
13 billboards, marquees and promotional signs inside and outside the
14 venue where the event is to be held, and broadcasting, including,
15 but not limited to, radio, television, including cable television,
16 pay-per-view television, and closed-circuit television and motion
17 pictures of the event. The notice of sanction shall substantially
18 state the following:

19 "Pursuant to the provisions of Section 601 et seq. of Title
20 3A of the Oklahoma Statutes and the rules of the Oklahoma
21 State Athletic Commission, THIS EVENT IS SANCTIONED BY THE
22 OKLAHOMA STATE ATHLETIC COMMISSION. Sanctioning Permit No.
23 _____."

24

1 G. All fees and other monies resulting from sanctioning
2 professional combative sports events, entertainment wrestling events
3 and amateur mixed martial arts events and licenses shall be placed
4 to the credit of the Oklahoma State Athletic Commission Revolving
5 Fund.

6 SECTION 10. AMENDATORY 3A O.S. 2011, Section 609, as
7 amended by Section 8, Chapter 359, O.S.L. 2012 (3A O.S. Supp. 2017,
8 Section 609), is amended to read as follows:

9 Section 609. A. A sanctioning permit issued by the Oklahoma
10 State Athletic Commission shall be required in order to conduct,
11 sponsor, hold, or participate in professional combative sports
12 events, entertainment wrestling events or amateur mixed martial arts
13 events.

14 B. No sanctioning permit shall be issued for conducting or
15 holding any professional combative sports event, entertainment
16 wrestling event or amateur mixed martial arts event within any
17 political subdivision of this state where a local ordinance or
18 resolution prohibits such contests or exhibitions within the limits
19 of the political subdivision.

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

23 Section 610. A. The Oklahoma State Athletic Commission may
24 issue, withhold, suspend, or revoke any and all licenses and

1 sanctioning permits required by the provisions of the Oklahoma State
2 Athletic Commission Act or the rules promulgated by the Commission.
3 The Commission may also censure or reprimand any licensee or
4 sanctioning permit holder.

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

7 SECTION 12. AMENDATORY 3A O.S. 2011, Section 611, as
8 last amended by Section 3, Chapter 290, O.S.L. 2013 (3A O.S. Supp.
9 2017, Section 611), is amended to read as follows:

10 Section 611. Before issuing any license or sanctioning permit,
11 or taking any disciplinary action against a licensee, the Oklahoma
12 State Athletic Commission shall consider the following in order of
13 importance:

14 1. The preservation of the safety and health of the
15 participants;

16 2. The best interest and welfare of the public; and

17 3. The best interest of combative sports and entertainment
18 wrestling in general.

19 SECTION 13. AMENDATORY 3A O.S. 2011, Section 612, as
20 amended by Section 11, Chapter 359, O.S.L. 2012 (3A O.S. Supp. 2017,
21 Section 612), is amended to read as follows:

22 Section 612. A. Before any sanctioning permit is issued to any
23 promoter to conduct or hold a professional combative sports event,
24 entertainment wrestling event or amateur mixed martial arts event,

1 the applicant shall file with the Oklahoma State Athletic Commission
2 a security in the form of a bond, cash, certificate of deposit, or
3 other securities acceptable to the Commission, payable to the State
4 of Oklahoma in an amount determined by the Commission, executed by
5 the applicant and a surety company or companies authorized to do
6 business in this state, and conditioned upon the faithful
7 performance by the promoter, which shall include but not be limited
8 to the cancellation of a professional combative sports event,
9 entertainment wrestling event or amateur mixed martial arts event
10 without good cause as determined by the Commission once the event
11 has been approved by the Commission.

12 B. The security required under this section shall guarantee the
13 payment of all taxes, fees, fines and other monies due and payable
14 pursuant to the provisions of the Oklahoma State Athletic Commission
15 Act and the rules promulgated by the Commission, including, but not
16 limited to, the payment of purses to the competitors, any
17 contributions for required insurance, pensions, disability and
18 medical examinations, the repayment to ticket holders of purchased
19 tickets, the payment of fees to ring officials and physicians, and,
20 in the event of the cancellation of a professional combative sports
21 event, entertainment wrestling event or amateur mixed martial arts
22 event approved by the Commission without good cause, an amount
23 determined by the Commission.

24

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

9 D. All proceeds of securities collected pursuant to the
10 provisions of this section shall be placed to the credit of the
11 Oklahoma State Athletic Commission Revolving Fund.

12 SECTION 14. AMENDATORY 3A O.S. 2011, Section 613, as
13 amended by Section 12, Chapter 359, O.S.L. 2012 (3A O.S. Supp. 2017,
14 Section 613), is amended to read as follows:

15 Section 613. The Oklahoma State Athletic Commission may:

- 16 1. Subpoena witnesses and compel the production of any and all
17 books, memoranda, documents, papers, and records showing the
18 receipts and disbursements of any individual, club, or corporation
19 licensed under the provisions of the Oklahoma State Athletic
20 Commission Act;
- 21 2. Administer oaths or affirmations to witnesses;
- 22 3. Require, at any time, the suspension for just cause from
23 involvement in any activity associated with professional combative
24 sports, entertainment wrestling or amateur mixed martial arts of any

1 employee or official employed by any licensee or permittee pursuant
2 to the Oklahoma State Athletic Commission Act;

3 4. Prescribe the manner that books and financial or other
4 statements of any licensee or permittee relating to professional
5 combative sports, entertainment wrestling or amateur mixed martial
6 arts shall be kept; and

7 5. Visit, investigate, audit, and place accountants and such
8 other persons as the Commission may deem necessary in the offices or
9 places of business related to professional combative sports,
10 entertainment wrestling or amateur mixed martial arts of any
11 licensee or permittee for the purpose of ensuring that the rules of
12 the Commission are complied with.

13 SECTION 15. AMENDATORY 3A O.S. 2011, Section 614, as
14 last amended by Section 4, Chapter 290, O.S.L. 2013 (3A O.S. Supp.
15 2017, Section 614), is amended to read as follows:

16 Section 614. A. If upon inspection or investigation, or
17 whenever the Oklahoma State Athletic Commission determines that a
18 ~~licensee~~ person has violated the Oklahoma State Athletic Commission
19 Act or ~~of~~ any order, standard, or rule promulgated pursuant to the
20 provisions of the Oklahoma State Athletic Commission Act ~~has~~
21 ~~occurred~~, the Commission shall give written notice to the alleged
22 violator specifying the cause of the determination. Such notice
23 shall require that the violations be corrected and specify the terms
24 of such correction or require that the alleged violator appear

1 before the Commission at a time and place specified in the notice
2 and answer the charges.

3 B. The Commission shall afford the alleged violator an
4 opportunity for a hearing conducted in conformity with, and records
5 made thereof as provided by the provisions of, the Administrative
6 Procedures Act. On the basis of the evidence produced at the
7 hearing, the Commission shall make findings of fact and conclusions
8 of law and enter an order thereon. The Commission shall provide
9 written notice of such order to the alleged violator and to such
10 other persons as shall have appeared at the hearing and made written
11 request for notice of the order.

12 C. Upon the request of the Commission, the Attorney General
13 shall bring an action against any person violating any of the
14 provisions of the Oklahoma State Athletic Commission Act or
15 violating any order or determination of the Commission.

16 SECTION 16. AMENDATORY 3A O.S. 2011, Section 615, as
17 amended by Section 14, Chapter 359, O.S.L. 2012 (3A O.S. Supp. 2017,
18 Section 615), is amended to read as follows:

19 Section 615. A. Any person who violates the provisions of the
20 Oklahoma State Athletic Commission Act, upon first conviction, shall
21 be guilty of a misdemeanor and shall be punished by the imposition
22 of a fine of not more than One Thousand Dollars (\$1,000.00) or by
23 incarceration in the county jail for not more than thirty (30) days
24 or by both such fine and incarceration. Any person convicted of a

1 second or subsequent violation shall be guilty of a felony
2 punishable by a fine of not more than Five Thousand Dollars
3 (\$5,000.00) or by incarceration in the county jail for a term of not
4 more than one (1) year or by incarceration in the custody of the
5 Department of Corrections for a period of not more than two (2)
6 years or by both such fine and incarceration. The Oklahoma State
7 Athletic Commission shall suspend or revoke the license of any
8 person convicted of violating the provisions of the Oklahoma State
9 Athletic Commission Act.

10 B. In addition to other penalties provided by law, if after a
11 hearing in accordance with the provisions of Section 601 et seq. of
12 this title, the Commission shall find any person ~~licensed by the~~
13 ~~Commission~~ to be in violation of any of the provisions of the
14 Oklahoma State Athletic Commission Act, such person may be subject
15 to an administrative fine of not more than Five Hundred Dollars
16 (\$500.00) for each violation or not more than one percent (1%) of
17 gross revenues received for each violation. Each day a person is in
18 violation of the provisions of Section 601 et seq. of this title ~~may~~
19 or rules of the Commission shall constitute a separate violation.

20 All administrative fines collected pursuant to the provisions of
21 this subsection shall be placed to the credit of the Oklahoma State
22 Athletic Commission Revolving Fund created pursuant to the
23 provisions of Section 601 et seq. of this title. Administrative
24

1 fines imposed pursuant to this subsection shall be enforceable in
2 the district courts of this state.

3 C. Upon the request of the Commission, the Attorney General or
4 the district attorney of the appropriate district court may make
5 application to the appropriate court for an order enjoining the acts
6 or practices prohibited by the provisions of Section 601 et seq. of
7 this title, and upon a showing that the person has engaged in any of
8 the prohibited acts or practices, an injunction, restraining order,
9 or other order as may be appropriate shall be granted by the court.

10 SECTION 17. AMENDATORY 3A O.S. 2011, Section 616, as
11 amended by Section 26, Chapter 304, O.S.L. 2012 (3A O.S. Supp. 2017,
12 Section 616), is amended to read as follows:

13 Section 616. ~~A.~~ There is hereby created in the State Treasury
14 a revolving fund for the Oklahoma State Athletic Commission to be
15 designated the "Oklahoma State Athletic Commission Revolving Fund".
16 The fund shall be a continuing fund, not subject to fiscal year
17 limitations, and shall consist of all monies received from fees,
18 administrative fines, reimbursements, bond proceeds, and sale of
19 materials, and shall include grants and gifts, pursuant to the
20 Oklahoma State Athletic Commission Act. All monies accruing to the
21 credit of ~~said~~ the fund are hereby appropriated and may be budgeted
22 and expended by the ~~State Department of Health as directed by the~~
23 Commission for the purpose of implementing the provisions of the
24 Oklahoma State Athletic Commission Act. Expenditures from ~~said~~ the

1 fund shall be made upon warrants issued by the State Treasurer
2 against claims filed as prescribed by law with the Director of the
3 Office of Management and Enterprise Services for approval and
4 payment.

5 ~~B. The "Professional Boxing Licensing Revolving Fund" created~~
6 ~~for the Department of Health is hereby abolished. On July 1, 2008,~~
7 ~~any unencumbered funds remaining in the Professional Boxing~~
8 ~~Licensing Revolving Fund shall be transferred to the credit of the~~
9 ~~Oklahoma State Athletic Commission Revolving Fund. Any unexpended~~
10 ~~funds remaining in the Professional Boxing Licensing Revolving Fund~~
11 ~~after November 1, 2008, shall be transferred to the credit of the~~
12 ~~Oklahoma State Athletic Commission Revolving Fund.~~

13 SECTION 18. AMENDATORY 3A O.S. 2011, Section 617, as
14 last amended by Section 5, Chapter 290, O.S.L. 2013 (3A O.S. Supp.
15 2017, Section 617), is amended to read as follows:

16 Section 617. A. Except as otherwise provided in the Oklahoma
17 State Athletic Commission Act, in addition to the payment of any
18 other fees and monies due pursuant to the Oklahoma State Athletic
19 Commission Act and the rules promulgated by the Oklahoma State
20 Athletic Commission, an assessment equal to five percent (5%) of the
21 total gross receipts of any professional combative sports event,
22 entertainment wrestling event or amateur mixed martial arts event
23 conducted in this state, exclusive of any federal tax or tax imposed
24 by any political subdivision of this state, shall be hereby levied

1 and shall be remitted by every promoter and vendor to the Oklahoma
2 State Athletic Commission.

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

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

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

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

16 1. The face value of all tickets sold; and

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

21 F. For professional combative sports events, entertainment
22 wrestling events or amateur mixed martial arts events at which
23 admission tickets are not sold, the promoter shall remit an
24

1 assessment equal to five percent (5%) of the revenues received by
2 the promoter for the event.

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

8 H. Payment of the assessment on gross receipts, unless
9 otherwise specified, shall be due within five (5) business days
10 after the holding of the professional combative sports event,
11 entertainment wrestling event or amateur mixed martial arts event
12 and shall be accompanied by a report in such form as shall be
13 prescribed by the Oklahoma State Athletic Commission.

14 I. A promoter shall not issue complimentary tickets for more
15 than ten percent (10%) of the seats for any event. The promoter
16 shall be responsible to pay the five-percent assessment levied
17 pursuant to subsection A of this section on total receipts as
18 prescribed in this section for any complimentary tickets in excess
19 of ten percent (10%). All complimentary tickets must clearly
20 indicate on the ticket that it is a complimentary ticket and state
21 the value of the complimentary ticket. The face value of a
22 complimentary ticket shall be equal to like tickets sold in that
23 particular section of the venue. The complimentary tickets that are
24 exempt from the five-percent assessment levied pursuant to

1 subsection A of this section shall be those tickets with the lowest
2 face value.

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

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

14 L. Except as otherwise provided in the Oklahoma State Athletic
15 Commission Act, in addition to the payment of any other fees and
16 monies due pursuant to the Oklahoma State Athletic Commission Act
17 and the rules promulgated by the Oklahoma State Athletic Commission,
18 an assessment in an amount of five percent (5%) of the total gross
19 receipts of every telecast promoter shall be levied. Total gross
20 receipts shall include the gross price charged for the sale, lease,
21 or other use of broadcasting, including, but not limited to, radio,
22 television, including cable television, pay-per-view television, and
23 closed-circuit television, or motion picture rights of combative
24 sports, entertainment wrestling or amateur mixed martial arts

1 contests, events, or exhibitions conducted within this state,
2 without any deductions for commissions, brokerage fees, distribution
3 fees, advertising, or other expenses or charges.

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

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

15 3. The Commission may require the owner or operator of the
16 facility where the telecast is being shown to file a report
17 containing information regarding the amount paid to the telecast
18 promoter for the right to broadcast the telecast, the quality of the
19 audio and video signal, and any other information the Commission
20 deems appropriate.

21 N. 1. In the case of a cable system operator's pay-per-view
22 facilities at or through which a closed-circuit telecast was shown
23 within the state, the telecast promoter shall, within thirty (30)
24 days following receipt of the notice of the assessment from the

1 Commission, cause to be filed with the Commission the assessment
2 required pursuant to subsection L of this section, excluding any
3 federal, state, or local taxes.

4 2. The cable system operator shall withhold from the proceeds
5 due to the telecast promoter the assessment payment required
6 pursuant to subsection L of this section and remit the assessment to
7 the Commission on behalf of the telecast promoter. The cable system
8 operator shall not be liable for the remittance of the assessment
9 fee required pursuant to subsection L of this section from any
10 proceeds due to the cable system operator from its pay-per-view
11 events.

12 3. The Commission shall require the cable system operator to
13 file reports containing information regarding the number of orders
14 sold and the price charged for orders and any other information the
15 Commission deems appropriate.

16 4. Cable system operators shall not be liable to the Commission
17 for the assessment payment required under subsection L of this
18 section. Nothing in this section shall be deemed to prevent a cable
19 system operator from billing its customer for the assessment
20 payment.

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

24

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

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

6 1. The name of the promoter;

7 2. The professional combative sports event, entertainment
8 wrestling event or amateur mixed martial arts event sanctioning
9 permit number;

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

12 4. Gross receipts as specified by this section, during the
13 period specified by this section; and

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

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

21 R. All levies pursuant to this section shall be collected by
22 the Commission and shall be placed to the credit of the Oklahoma
23 State Athletic Commission Revolving Fund.

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

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

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

21 SECTION 19. AMENDATORY 3A O.S. 2011, Section 619, as
22 amended by Section 16, Chapter 359, O.S.L. 2012 (3A O.S. Supp. 2017,
23 Section 619), is amended to read as follows:

24

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

11 SECTION 20. AMENDATORY 3A O.S. 2011, Section 622, as
12 amended by Section 1, Chapter 363, O.S.L. 2012 (3A O.S. Supp. 2017,
13 Section 622), is amended to read as follows:

14 Section 622. A. Where the Oklahoma distribution rights for a
15 closed-circuit telecast to be viewed in this state are in whole
16 owned by, sold to, acquired by or held by any person who intends to
17 or subsequently sells or, in some other manner, extends such rights
18 in part to another, then such person is deemed to be a telecast
19 promoter. The Oklahoma State Athletic Commission may provide, by
20 rule, for additional licensed telecast promoters to participate in
21 the distribution rights and share in the liability for assessments
22 to be paid to the Commission. Closed-circuit telecasts of a
23 combative sports, entertainment wrestling or amateur mixed martial
24 arts event conducted in this state shall not be telecast within this

1 state except under the auspices of a telecast promoter licensed in
2 this state. The telecast promoter shall be responsible for filing
3 the appropriate reports with and paying assessments to the
4 Commission.

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

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

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

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

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

12 F. No cable system operator shall be:

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

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

21 G. The Oklahoma State Athletic Commission Act shall not apply
22 in any manner to any basic or premium channel programming broadcast
23 on cable television systems within this state, but shall apply only
24 to "pay-per-view" broadcasts of combative sports, entertainment

1 wrestling or amateur mixed martial arts events conducted in this
2 state for which a separate one-time fee is charged the cable
3 subscriber.

4 SECTION 21. 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 22. 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 23. This act shall become effective November 1, 2018.

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