

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 960

Introduced by Jacobson, 42.

Read first time January 04, 2024

Committee:

1 A BILL FOR AN ACT relating to the State Athletic Commissioner; to amend
2 sections 81-8,129, 81-8,130.01, 81-8,132, 81-8,133, 81-8,133.01,
3 81-8,134, 81-8,135, 81-8,138, and 81-8,139, Revised Statutes
4 Cumulative Supplement, 2022; to provide powers and duties to the
5 State Athletic Commissioner relating to the regulation of
6 professional bare-knuckle mixed martial arts, amateur kickboxing,
7 amateur bare-knuckle boxing, amateur bare-knuckle mixed martial
8 arts, and amateur sparring matches and exhibitions; to harmonize
9 provisions; and to repeal the original sections.
10 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 81-8,129, Revised Statutes Cumulative Supplement,
2 2022, is amended to read:

3 81-8,129 The State Athletic Commissioner shall have sole direction,
4 management, control, and jurisdiction over all professional mixed martial
5 arts, professional boxing, professional kickboxing, professional bare-
6 knuckle boxing, professional bare-knuckle mixed martial arts, and
7 professional sparring matches and exhibitions and all amateur mixed
8 martial arts, amateur kickboxing, amateur bare-knuckle boxing, amateur
9 bare-knuckle mixed martial arts, and amateur sparring matches and
10 exhibitions to be held within the state, except such as are conducted by
11 universities, colleges, high schools, the military, and recognized
12 amateur associations for contestants under sixteen years of age. No
13 professional boxers, professional mixed martial arts contestants,
14 professional kickboxers, professional bare-knuckle mixed martial arts
15 contestants, professional bare-knuckle boxers, ~~or~~ amateur mixed martial
16 arts contestants, amateur kickboxers, amateur bare-knuckle boxers, or
17 amateur bare-knuckle mixed martial arts contestants, who have attained
18 the age of sixteen, shall participate in a match or exhibition for a
19 prize or purse, or at which an admission fee is charged, either directly
20 or indirectly, in the form of dues or otherwise, in this state except by
21 a club, association, organization, or person licensed by the
22 commissioner, as provided in section 81-8,130, and in pursuance of a
23 license granted by the commissioner for such match or exhibition under
24 section 81-8,130.01.

25 Sec. 2. Section 81-8,130.01, Revised Statutes Cumulative Supplement,
26 2022, is amended to read:

27 81-8,130.01 Licenses and permits may be issued to professional mixed
28 martial arts, professional boxing, professional kickboxing, ~~or~~
29 professional bare-knuckle boxing, or professional bare-knuckle mixed
30 martial arts promoters, whether persons, clubs, or associations, for the
31 sole purpose of conducting professional matches under such rules and

1 regulations as the State Athletic Commissioner shall adopt. Each
2 application for such license shall be accompanied by a fee set by the
3 commissioner in rule and regulation. Such fee shall be not less than one
4 hundred dollars and not more than three hundred dollars. If the promoter
5 is an individual, the application shall include his or her social
6 security number.

7 Sec. 3. Section 81-8,132, Revised Statutes Cumulative Supplement,
8 2022, is amended to read:

9 81-8,132 No license shall be granted unless the licensee has
10 executed a bond in the sum of not less than one thousand dollars in the
11 case of amateur mixed martial arts, amateur kickboxing, amateur bare-
12 knuckle boxing, or amateur bare-knuckle mixed martial arts, nor less than
13 five thousand dollars in the case of professional mixed martial arts,
14 professional boxing, professional kickboxing, ~~or~~ professional bare-
15 knuckle boxing, or professional bare-knuckle mixed martial arts. The
16 license shall be approved by the State Athletic Commissioner, conditioned
17 on the faithful compliance by the licensee with the provisions of
18 sections 81-8,129 to 81-8,142.01, the rules and regulations of the
19 commissioner, and such other laws of the state as may be applicable to
20 anything done by the licensee in pursuance of the license.

21 Sec. 4. Section 81-8,133, Revised Statutes Cumulative Supplement,
22 2022, is amended to read:

23 81-8,133 The State Athletic Commissioner is authorized to grant
24 licenses to competent referees, upon an application and the payment of a
25 fee set by the commissioner in rule and regulation. Such fee shall be not
26 less than ten dollars and not more than forty dollars per annum. The
27 commissioner may revoke any license so granted for such cause as may be
28 deemed sufficient. At every professional boxing, professional mixed
29 martial arts, professional kickboxing, professional bare-knuckle boxing,
30 professional bare-knuckle mixed martial arts, amateur mixed martial arts,
31 amateur kickboxing, amateur bare-knuckle boxing, amateur bare-knuckle

1 mixed martial arts, amateur sparing, or professional sparring match or
2 exhibition, there shall be in attendance a duly licensed referee, who
3 shall direct and control the match. The referee shall stop the match
4 whenever he or she deems it advisable, (1) because of the physical
5 condition of the contestants or one of them, (2) when one of the
6 contestants is clearly outclassed by his or her opponent, or (3) for any
7 other sufficient reason. The referee shall, at the termination of every
8 professional boxing, professional mixed martial arts, professional
9 kickboxing, professional bare-knuckle boxing, professional bare-knuckle
10 mixed martial arts, amateur mixed martial arts, amateur kickboxing,
11 amateur bare-knuckle boxing, amateur bare-knuckle mixed martial arts,
12 amateur sparing, or professional sparring match or exhibition, indicate a
13 winner. The fees of the referee and other licensed officials may be fixed
14 by the commissioner and shall be paid by the licensed organization.

15 Sec. 5. Section 81-8,133.01, Revised Statutes Cumulative Supplement,
16 2022, is amended to read:

17 81-8,133.01 The State Athletic Commissioner may grant licenses to
18 qualified physicians, managers, matchmakers, and professional mixed
19 martial arts, professional boxing, professional kickboxing, professional
20 bare-knuckle boxing, professional bare-knuckle mixed martial arts, or
21 professional sparring match or exhibition judges upon an application and
22 payment of an annual fee set by the commissioner in rule and regulation.
23 Such fee for matchmakers shall be not less than ten dollars and not more
24 than one hundred dollars. Such fee for physicians, managers, and
25 professional mixed martial arts, professional boxing, professional
26 kickboxing, professional bare-knuckle boxing, professional bare-knuckle
27 mixed martial arts, or professional sparring match or exhibition judges
28 shall be not less than ten dollars and not more than twenty dollars. The
29 commissioner may also grant licenses to qualified timekeepers,
30 contestants, and seconds upon an application and payment of an annual fee
31 set by the commissioner in rule and regulation. Such fee shall be not

1 less than ten dollars and not more than twenty dollars. The application
2 shall include the applicant's social security number. No person shall
3 serve as physician, manager, matchmaker, or judge at any professional
4 mixed martial arts, professional boxing, professional kickboxing,
5 professional bare-knuckle boxing, professional bare-knuckle mixed martial
6 arts, or professional sparring match or exhibition who is not licensed as
7 such. No person shall serve as timekeeper or contestant at any
8 professional mixed martial arts, professional boxing, professional
9 kickboxing, ~~or~~ professional bare-knuckle boxing, or professional bare-
10 knuckle mixed martial arts match who is not licensed as such. The
11 commissioner shall have summary authority to stop any match at which any
12 person is serving in violation of the provisions of this section. Any
13 license granted under the provisions of this section may be revoked for
14 cause.

15 Sec. 6. Section 81-8,134, Revised Statutes Cumulative Supplement,
16 2022, is amended to read:

17 81-8,134 (1) Any professional boxing match, professional mixed
18 martial arts match, professional kickboxing match, professional bare-
19 knuckle boxing match, professional bare-knuckle mixed martial arts match,
20 ~~or~~ amateur mixed martial arts match, amateur kickboxing match, amateur
21 bare-knuckle boxing match, or amateur bare-knuckle mixed martial arts
22 match conducted in this state which is labeled or promoted as a
23 championship match shall have regional or national significance and the
24 approval of a nationally recognized professional boxing, mixed martial
25 arts, kickboxing, or bare-knuckle boxing association.

26 (2) Professional boxing, professional kickboxing, professional bare-
27 knuckle boxing, or professional sparring matches or exhibitions shall not
28 exceed ten rounds in length, except in a championship match, which shall
29 not exceed fifteen rounds. No round shall be longer than three minutes.
30 At least one minute shall intervene between rounds. Except for
31 professional kickboxing or professional bare-knuckle boxing matches, the

1 contestants shall wear during the contest gloves weighing at least eight
2 ounces each.

3 (3) Professional mixed martial arts or professional bare-knuckle
4 mixed martial arts matches or exhibitions shall not exceed three rounds
5 in length, except in a championship match, which shall not exceed five
6 rounds in length. No round shall be longer than five minutes. At least
7 one minute shall intervene between rounds.

8 (4) Amateur kickboxing, amateur bare-knuckle boxing, or amateur
9 bare-knuckle mixed martial arts matches or exhibitions shall not exceed
10 XXX rounds in length and shall comply with any match or exhibition rules
11 and regulations adopted and promulgated by the State Athletic
12 Commissioner.

13 (5) ~~(4)~~ No professional boxing contestant, professional mixed
14 martial arts contestant, professional kickboxing contestant, professional
15 bare-knuckle boxing contestant, professional bare-knuckle mixed martial
16 arts contestant, ~~or~~ amateur mixed martial arts contestant, amateur
17 kickboxing contestant, amateur bare-knuckle boxing contestant, or amateur
18 bare-knuckle mixed martial arts contestant shall be allowed to
19 participate or take part in any contest in this state unless a duly
20 licensed physician shall certify in writing that such contestant has
21 taken a physical examination the day of the contest and is physically fit
22 to engage in the proposed contest.

23 Sec. 7. Section 81-8,135, Revised Statutes Cumulative Supplement,
24 2022, is amended to read:

25 81-8,135 Every licensee conducting or holding any professional mixed
26 martial arts, amateur mixed martial arts, professional boxing,
27 professional kickboxing, amateur kickboxing, professional bare-knuckle
28 mixed martial arts, amateur bare-knuckle mixed martial arts, ~~or~~
29 professional bare-knuckle boxing, or amateur bare-knuckle boxing match
30 shall furnish to the State Athletic Commissioner a written report showing
31 the articles of agreement between the contestants, the number of tickets

1 sold for each contest, the amount of the gross receipts thereof, the
2 gross receipts from sale of any television rights, and such other matters
3 as the commissioner shall prescribe. Within such time the licensee shall
4 pay to the commissioner a tax of five percent of the total gross receipts
5 of any professional mixed martial arts, professional boxing, professional
6 kickboxing, amateur kickboxing, professional bare-knuckle mixed martial
7 arts, amateur bare-knuckle mixed martial arts, ~~or~~ professional bare-
8 knuckle boxing, or amateur bare-knuckle boxing match or exhibition,
9 exclusive of state and federal taxes, except the gross receipts from sale
10 of television rights, and five percent of such rights, and five percent
11 of the total gross receipts of any amateur mixed martial arts match or
12 exhibition, exclusive of state and federal taxes, except that if such
13 match or exhibition is conducted as an incidental feature in any event or
14 entertainment of a different character, such portion of the total
15 receipts shall be paid to the state as the commissioner may determine, or
16 as may be fixed by rule adopted under section 81-8,139.

17 Sec. 8. Section 81-8,138, Revised Statutes Cumulative Supplement,
18 2022, is amended to read:

19 81-8,138 No contestant in any match or exhibition shall be paid for
20 services until the same are rendered, and should it be determined by the
21 State Athletic Commissioner that a contestant did not give an honest
22 exhibition of his or her skill, he or she shall not be paid. Any
23 contestant who shall participate in any sham or fake professional boxing,
24 professional mixed martial arts, professional kickboxing, professional
25 bare-knuckle boxing, professional bare-knuckle mixed martial arts, ~~or~~
26 amateur mixed martial arts, amateur kickboxing, amateur bare-knuckle
27 boxing, or amateur bare-knuckle mixed martial arts match or exhibition
28 shall be disqualified and shall not thereafter be permitted to contend in
29 any match or exhibition in this state, and any contestant who shall
30 participate in any sham or fake professional boxing, professional mixed
31 martial arts, professional kickboxing, professional bare-knuckle boxing,

1 professional bare-knuckle mixed martial arts, or amateur mixed martial
2 arts, amateur kickboxing, amateur bare-knuckle boxing, or amateur bare-
3 knuckle mixed martial arts match or exhibition shall be guilty of a
4 violation of sections 81-8,128 to 81-8,142.01.

5 Sec. 9. Section 81-8,139, Revised Statutes Cumulative Supplement,
6 2022, is amended to read:

7 81-8,139 (1) Except as provided in subsection (2) of this section,
8 the State Athletic Commissioner shall adopt and promulgate such rules and
9 regulations for the administration and enforcement of sections 81-8,128
10 to 81-8,142.01 as he or she may deem necessary. Such rules and
11 regulations shall include, but not be limited to, the establishment of
12 written criteria for the granting and revoking of licenses, the setting
13 of license fees, and the qualification requirements for those to be
14 licensed as referees, physicians, managers, matchmakers, and professional
15 boxing, professional mixed martial arts, professional kickboxing, amateur
16 kickboxing, professional bare-knuckle boxing, amateur bare-knuckle
17 boxing, professional bare-knuckle mixed martial arts, amateur bare-
18 knuckle mixed martial arts, or professional sparring, or amateur sparring
19 match or exhibition judges. He or she shall have the power and may
20 control and limit the number of professional mixed martial arts, amateur
21 mixed martial arts, professional boxing, professional kickboxing, amateur
22 kickboxing, professional bare-knuckle boxing, amateur bare-knuckle
23 boxing, professional bare-knuckle mixed martial arts, amateur bare-
24 knuckle mixed martial arts, or professional sparring, or amateur sparring
25 matches or exhibitions given, or to be held, each year, or within one
26 week, in any city or town, or by any organization. He or she may fine any
27 licensee, except amateur contestants, an amount not to exceed one
28 thousand dollars and may suspend for a period, not to exceed one year,
29 any licensee's right to participate in or conduct any match or exhibition
30 for unsportsmanlike conduct while engaged in or arising directly from any
31 match or exhibition, failure to compete in good faith, engaging in any

1 sham match or exhibition, or the use of threatening and abusive language
2 toward officials, other contestants, or spectators.

3 (2) The State Athletic Commissioner may adopt and promulgate rules
4 and regulations to identify a list of substances banned for use by any
5 amateur or professional contestant and may require any contestant to
6 submit to a test for banned substances as a condition for allowing the
7 contestant's participation in a match or exhibition.

8 (3) The State Athletic Commissioner may suspend an amateur or
9 professional contestant from competition for a period not to exceed one
10 year and may fine a professional contestant an amount not to exceed one
11 thousand five hundred dollars or forty percent of the prize or purse,
12 whichever is greater, for a first offense of failing a test for a banned
13 substance on the list developed pursuant to subsection (2) of this
14 section or for refusing to submit to such a test. He or she may suspend
15 an amateur or professional contestant from competition for a period not
16 to exceed three years and may fine a professional contestant an amount
17 not to exceed three thousand dollars or seventy percent of the prize or
18 purse, whichever is greater, for any second such offense. He or she may
19 suspend an amateur or professional contestant from competition for life
20 and may fine a professional contestant an amount not to exceed five
21 thousand dollars or one hundred percent of the prize or purse, whichever
22 is greater, for any third or subsequent such offense. For purposes of
23 determining if an offense under this subsection is a first, second,
24 third, or subsequent offense, failing a test for banned substances and
25 refusing to submit to such a test shall be considered the same offense.

26 (4) Before levying an administrative fine pursuant to this section,
27 the State Athletic Commissioner shall set the matter for hearing.
28 Proceedings to levy an administrative fine shall be contested cases
29 prosecuted and appealable pursuant to the Administrative Procedure Act.
30 At least ten days before the hearing, the State Athletic Commissioner
31 shall serve notice of the time, date, and place of the hearing upon the

1 licensee or other violator by personal or certified mail service.

2 (5) The State Athletic Commissioner shall remit any administrative
3 fines collected under this section to the State Treasurer for
4 distribution in accordance with Article VII, section 5, of the
5 Constitution of Nebraska.

6 Sec. 10. Original sections 81-8,129, 81-8,130.01, 81-8,132,
7 81-8,133, 81-8,133.01, 81-8,134, 81-8,135, 81-8,138, and 81-8,139,
8 Revised Statutes Cumulative Supplement, 2022, are repealed.