

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE BILL 1542

By: Hamilton

AS INTRODUCED

An Act relating to the Oklahoma State Athletic Commission; amending 3A O.S. 2021, Sections 602, 604.1, and 604.2, which relate to the Oklahoma State Athletic Commission; defining term; modifying definitions; modifying membership of the Commission; clarifying authority over certain performance; updating statutory language; updating statutory reference; and providing an effective date.

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

SECTION 1. AMENDATORY 3A O.S. 2021, Section 602, is amended to read as follows:

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

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

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

3. "Amateur combative sports practitioner" means a person who has never received or competed for any purse or other article either

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

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

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

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

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

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"~~ Broadcast
9 shall not include any audio or visual transmission sent by any means
10 of signal of any professional boxing event conducted outside this
11 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 events" means telecast rights, including television, cable
18 television, or pay-per-view telecasts, acquired by paying a
19 licensing fee or by paying a contractual price by a business or
20 individual, including, but not limited to, arenas, entertainment or
21 meeting centers, restaurants, bars, taverns, hotels, motels, clubs,
22 and organizations, which offers the viewing of the event to the
23 public or to private residences. Such events shall include local
24 and state professional combative sports contests and professional

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

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

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

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

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

20 16. "Contest" means a combative sports event, the outcome of
21 which has not been predetermined, in which it is reasonable to
22 anticipate that the participants strive earnestly in good faith to
23 win;

1 17. "Corner person" means, but shall not be limited to, a
2 trainer, a second, or any other individual who attends to the
3 participant during a match;

4 18. "Entertainment wrestling" means any competition or
5 performance of wrestling skills and techniques by two or more
6 individuals who deliver blows to an opponent's body, execute throws
7 to an opponent's body, or apply holds to an opponent's body.

8 Participating wrestlers may perform without being required to use
9 their best efforts in order to win, and the outcome of an
10 entertainment wrestling contest may have been predetermined.

11 Participating wrestlers may or may not receive a purse or other
12 compensation for their participation in an entertainment wrestling
13 contest;

14 19. "Event" means a combative sports contest or exhibition, the
15 outcome of which has not been predetermined, including but not
16 limited to a match, bout, contest, show or tournament;

17 ~~19.~~ 20. "Exhibition" means a combative sports event, the
18 outcome of which has not been predetermined, in which the
19 participants show or display their skill by sparring without
20 necessarily striving to win;

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

23 ~~21.~~ 22. "Kickboxing" means any form of competitive pugilistic
24 professional contest or exhibition in which blows are delivered with

1 the hand and any part of the foot. Such contests or exhibitions
2 take place in a rope-enclosed ring and are fought in timed rounds;

3 ~~22.~~ 23. "License" means a certificate issued by the Commission
4 to participants of sanctioned professional combative sports
5 contests, professional exhibitions, and amateur mixed martial arts
6 contests and is a mandatory requirement for participation in such
7 events;

8 ~~23.~~ 24. "Manager" means an individual who controls or
9 administers the affairs of any professional combative sports
10 participant, including acting as a booking agent. ~~"Manager"~~ Manager
11 shall include the representative of a manager as defined by the
12 Commission;

13 ~~24.~~ 25. "Martial arts" means any form of karate, kung fu, ~~tae~~
14 ~~kwon-do~~ tae kwon do, or any other form of martial or self-defense
15 art;

16 ~~25.~~ 26. "Matchmaker" means an individual who brings together
17 professional combative sports participants or arranges professional
18 combative sports contests or professional exhibitions;

19 ~~26.~~ 27. "Participant" means an individual who takes part in a
20 combative sports event;

21 ~~27.~~ 28. "Pay-per-view telecasts of professional combative
22 sports events" means telecasts offered by cable television companies
23 to subscribers at a cost in addition to the monthly cable television
24 subscription rate. Such events shall include local and state
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1 professional combative sports contests and professional exhibitions
2 as defined in this section;

3 ~~28.~~ 29. "Person" means any individual, partnership, limited
4 liability company, club, association, corporation, trust or other
5 entity;

6 ~~29.~~ 30. "Physician" means an individual licensed under the laws
7 of this state to engage in the general practice of medicine or
8 osteopathic medicine;

9 ~~30.~~ 31. "Professional combative sports practitioner" means an
10 individual eighteen (18) years of age or older who competes for
11 money, prizes, or purses, or who teaches, instructs, or assists in
12 the practice of combative sports or sparring as a means of obtaining
13 pecuniary gain;

14 ~~31.~~ 32. "Professional combative sports event" means a combative
15 sports event, the outcome of which has not been predetermined, in
16 which the participants are paid a purse;

17 ~~32.~~ 33. "Professional mixed martial arts" means any form of
18 competitive pugilistic contest in which the participants are paid a
19 purse and blows are delivered with any part of the hands, feet,
20 elbows, or knees and multiple combative disciplines are used ~~to~~
21 ~~include~~ including grappling. Such contests take place in a rope-
22 enclosed ring or fenced enclosed cage and are fought in timed
23 rounds;

1 ~~33.~~ 34. "Promote" or "promoting" means producing, staging,
2 sponsoring, organizing or otherwise holding a combative sports event
3 whether or not the event is open to the public;

4 ~~34.~~ 35. "Promoter" means any individual, whether a resident or
5 nonresident of Oklahoma, or club or corporation, whether
6 domesticated or not domesticated in Oklahoma, that produces or
7 stages professional contests, amateur mixed martial arts contests,
8 or professional exhibitions conducted within this state and shall
9 include any officer, director, or employees as defined by the
10 Commission;

11 ~~35.~~ 36. "Pugilism" means combative sports or the skill or
12 practice of fighting with the fists;

13 ~~36.~~ 37. "Purse" means the financial guarantee or any other
14 remuneration or thing of value for which a combative sports
15 practitioner participates in a professional combative sports event
16 and shall include the participant's share of any payment received
17 for radio broadcasting, television, including cable television, pay-
18 per-view television, and closed-circuit television, and motion
19 picture rights. ~~"Purse"~~ Purse shall also include gate receipts and
20 any other prizes;

21 ~~37.~~ 38. "Ring official" means any individual who performs an
22 official function during the progress of a combative sports event or
23 amateur mixed martial arts event including but not limited to
24 timekeepers, judges, referees, and attending physicians;

1 ~~38.~~ 39. "Sanctioning permit" means a permit issued by the
2 Commission to promoters who make application for official approval
3 of professional combative sports events and amateur mixed martial
4 arts events;

5 ~~39.~~ 40. "Sparring" means to engage in a form of combative sport
6 with jabbing or feinting movements, and the exchange of few heavy
7 blows, such as occurs in a practice or exhibition boxing match;

8 ~~40.~~ 41. "Telecast promoter" means any promoter who shows or
9 causes to be shown in this state a closed-circuit telecast of any
10 professional combative sports event conducted in this state.

11 ~~"Telecast promoter"~~ Telecast promoter shall not include a cable
12 system operator;

13 ~~41.~~ 42. "Trainer" means an individual who assists, coaches, or
14 instructs any professional combative sports practitioner or amateur
15 mixed martial artist with respect to physical conditioning,
16 strategy, techniques, or preparation for competition, professional
17 combative sports contests, or professional exhibitions; and

18 ~~42.~~ 43. "Vendor" means any individual, firm, organization,
19 club, or corporation that participates in the conduct of a
20 professional combative sports event or amateur mixed martial arts
21 event conducted in this state by offering for sale food or
22 merchandise, including, but not limited to, wearing apparel,
23 alcoholic and nonalcoholic beverages, souvenirs, and programs.

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

3 SECTION 2. AMENDATORY 3A O.S. 2021, Section 604.1, is
4 amended to read as follows:

5 Section 604.1. A. There is hereby re-created, until July 1,
6 2024, in accordance with the Oklahoma Sunset Law, the Oklahoma State
7 Athletic Commission, which shall be composed of ~~nine (9)~~ eight (8)
8 members appointed by the Governor with the advice and consent of the
9 Senate. The member of the Commission initially appointed pursuant
10 to ~~this act~~ Section 601 et seq. of this title shall serve a term of
11 three (3) years that shall expire on June 30, 2006. Members
12 appointed to the Commission shall serve for terms of three (3)
13 years. Terms of office shall expire on June 30. All vacancies and
14 unexpired terms shall be filled in the same manner as the original
15 appointment and within sixty (60) days from the date of the vacancy.
16 Members may be removed by the Governor for incompetence, willful
17 neglect of duty, corruption in office, or malfeasance in office.

18 B. Members appointed to the Commission shall reside in this
19 state and shall have the following qualifications:

20 1. Two members shall have experience as a professional
21 combative sports practitioner, ~~other than as a professional wrestler~~
22 or in professional combative sports promotions;

23 2. ~~One member shall have experience as a professional wrestler~~
24 ~~or in professional wrestling promotions;~~

1 ~~3.~~ One member shall have experience in sports medicine;

2 ~~4.~~ 3. One member shall have experience in the cable television
3 business; and

4 ~~5.~~ 4. Four members shall represent the public at large as lay
5 members.

6 C. No member of the Commission or any person related to a
7 member within the third degree by consanguinity or affinity shall
8 promote, sponsor, or have any financial interest in the promotion or
9 sponsorship of any professional combative sports event or amateur
10 mixed martial arts event while a member of the Commission.

11 D. The members of the Commission shall elect from their
12 membership a chair and ~~vice-chair~~ vice chair to serve for one-year
13 terms. A majority of the members shall constitute a quorum for the
14 purpose of conducting the business of the Commission. The
15 Commission shall meet at least quarterly, and special meetings may
16 be called by the chair.

17 E. The Commission shall comply with the provisions of the
18 Oklahoma Open Meeting Act, the Oklahoma Open Records Act, and the
19 Administrative Procedures Act.

20 F. All members of the Commission and such employees as
21 determined by the Commission shall be bonded as required by Sections
22 85.58Q through 85.58V of Title 74 of the Oklahoma Statutes.
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1 G. Members of the Commission shall serve without compensation
2 but shall be reimbursed for expenses incurred in the performance of
3 their duties as provided in the State Travel Reimbursement Act.

4 SECTION 3. AMENDATORY 3A O.S. 2021, Section 604.2, is
5 amended to read as follows:

6 Section 604.2. A. The mission of the Oklahoma State Athletic
7 Commission shall be to preserve and protect the health, safety and
8 welfare of combative sports event participants and the general
9 public through the effective regulation of combative sports in ~~the~~
10 ~~State of Oklahoma~~ this state, while fostering an environment that
11 expands existing combative sports events and brings new events into
12 the state.

13 B. The Commission shall have the power to:

14 1. Promulgate rules and issue orders necessary to carry out the
15 purposes of the Oklahoma State Athletic Commission Act, and enforce
16 the provisions of ~~said~~ such act and the rules promulgated pursuant
17 thereto;

18 2. Assume jurisdiction over all matters relating to the
19 licensing of professional combative sports practitioners, amateur
20 mixed martial artists, amateur kickboxers, corner persons, booking
21 agents, matchmakers, promoters, referees, judges, timekeepers,
22 vendors, physicians, announcers, clubs, and corporations associated
23 with a professional combative sports event, amateur kickboxing event
24 or amateur mixed martial arts event related thereto;

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

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

5 5. Conduct investigations and proceedings for alleged
6 violations of the Oklahoma State Athletic Commission Act and order
7 or subpoena the attendance of witnesses, the inspection of records
8 and premises, and the production of relevant books and papers
9 necessary to such investigations and proceedings;

10 6. Develop and administer examinations for applicants for
11 licenses and permits; and

12 7. Make such expenditures as may be necessary in the
13 performance of its duties.

14 C. The provisions of the Oklahoma State Athletic Commission Act
15 shall not be construed as applying to the regulation of
16 entertainment wrestling.

17 D. Any rule promulgated, order made, or action taken prior to
18 July 1, 1999, by the Commissioner of Labor or the Department of
19 Labor pursuant to the provisions of, or rules issued pursuant to,
20 the Oklahoma State Athletic Commission Act shall be considered valid
21 and in effect unless amended, repealed, or rescinded by the
22 Commission.

23 ~~D.~~ E. Any valid license, permit, certificate, or registration
24 issued prior to July 1, 1999, by the Commissioner of Labor pursuant

1 to the Oklahoma State Athletic Commission Act, or rules promulgated
2 pursuant thereto, shall remain valid and in effect until it expires
3 pursuant to law or unless suspended or revoked by the Commission.
4 Any application for a license, permit, certificate, or registration
5 which is pending on June 30, 1999, is hereby transferred to the
6 Commission.

7 ~~E.~~ F. All personnel, powers, duties, responsibilities, fund
8 balances, encumbrances, obligations, and property, which shall
9 include records, furniture, and equipment of the Department of Labor
10 relating to the regulation of combative sports, are hereby
11 transferred to the Oklahoma State Athletic Commission.

12 SECTION 4. This act shall become effective November 1, 2024.
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