

SENATE FILE NO. SF0142

Boxing commissioner.

Sponsored by: Senator(s) Esquibel, F. and
 Representative(s) Zwonitzer, Dn.

A BILL

for

1 AN ACT relating to the state boxing commissioner; creating
 2 an office of state boxing commissioner; providing
 3 definitions; providing for the appointment of a state
 4 boxing commissioner, inspectors and deputies; specifying
 5 duties; providing procedures for licensure; providing for
 6 distribution of revenues; providing penalties; granting
 7 rulemaking authority; providing an appropriation; and
 8 providing for an effective date.

9

10 *Be It Enacted by the Legislature of the State of Wyoming:*

11

12 **Section 1.** W.S. 33-8-121 through 33-8-137 are
 13 created to read:

14

15

ARTICLE 1

16

BOXING REGULATION

1

2 **33-8-121. State boxing commissioner; office created;**
3 **appointment; term; rules and regulations; definitions.**

4

5 (a) There is hereby created an office known as "state
6 boxing commissioner of Wyoming." The governor shall
7 appoint a person to fill the office. Any resident of the
8 state of Wyoming shall be eligible to fill the office of
9 the state boxing commissioner. The term of office shall be
10 two (2) years subject to reappointment.

11

12 (b) The commissioner shall adopt a seal and shall
13 make rules for the administration of his office not
14 inconsistent with this article.

15

16 (c) As used in this article:

17

18 (i) "Amateur boxing match" means any match,
19 exhibition, contest or tournament where no prize or purse
20 is offered to the contestants, other than a small token
21 such as a medal, trophy or item of clothing;

22

23 (ii) "Boxing" means boxing, sparring or any form
24 of competition in which a blow is usually struck which may

1 reasonably be expected to inflict injury, including but not
2 limited to toughman fighting, roughman fighting, bar
3 brawls, ultimate fighting and extreme fighting
4 competitions;

5

6 (iii) "Boxing match" includes amateur and
7 professional boxing matches;

8

9 (iv) "Commissioner" means the state boxing
10 commissioner;

11

12 (v) "Professional boxing match" means any match,
13 exhibition, contest or tournament where the contestants
14 receive or compete for any form of purse, whether as a
15 prize for winning the match at hand or held out as the
16 potential prize for winning a later match.

17

18 **33-8-122. State boxing commissioner; powers and**
19 **duties; subpoenas; oaths.**

20

21 The commissioner shall keep a full and accurate record of
22 all acts and doings of the office of commissioner. The
23 commissioner shall prepare for service of notices and other
24 papers as may be necessary and shall have the power to

1 administer oaths and issue subpoenas in all matters
2 pertaining to the administration of the commissioner's
3 duties. Falsely swearing before the commissioner shall be
4 attended by the same consequences and be subject to the
5 same penalties as if the disobedience or false swearing
6 occurred in an action in the district court.

7

8 **33-8-123. State boxing commissioner; per diem;**
9 **mileage.**

10

11 The commissioner shall receive as compensation the salary,
12 per diem and mileage allowance as allowed to state
13 legislators for each day or portion thereof in which the
14 commissioner is engaged in the performance of his duties,
15 payments of the same to be made out of the state boxing
16 commissioner's appropriation. Provided, that if any state
17 officer is appointed to act as commissioner, compensation
18 for the services as commissioner shall not be reimbursed
19 except for any necessary expenses incurred or paid subject
20 to the submission of appropriate receipts.

21

22 **33-8-124. State boxing commissioner; report to**
23 **legislature.**

24

1 The commissioner shall make a full report to the joint
2 travel, recreation, wildlife and cultural resources interim
3 committee of all proceedings during the two (2) years
4 preceding the first day of December before the beginning of
5 the general session of the legislature. The report shall
6 contain a statement of persons, clubs, organizations or
7 corporations issued licenses, the number of licenses
8 revoked, suspended or denied, the gross receipts from each
9 person, club, organization or corporation, and other
10 information and comments in relation to the work of the
11 commissioner as public interest may require.

12

13 **33-8-125. Jurisdiction over boxing matches and**
14 **licenses; power of municipalities.**

15

16 The commissioner shall have sole direction, management,
17 control of, and jurisdiction over, all boxing matches to be
18 conducted, held or given within the state. No boxing match
19 shall be conducted, held or given within the state except
20 pursuant to a license granted by the commissioner and in
21 accordance with the provisions of this article and the
22 rules and regulations of the commissioner. Every license
23 shall be subject to such rules as the commissioner may
24 prescribe. The commissioner may, at his discretion, issue

1 and for cause revoke, deny or suspend a license to conduct,
2 hold or give a boxing match. The commissioner shall have
3 full power and authority to limit the number of boxing
4 matches to be held or given by any person, club,
5 organization or corporation in any city in this state where
6 boxing matches are conducted in the manner provided in this
7 article. No provision of this article shall prevent any
8 incorporated city or town from prohibiting or regulating by
9 ordinance any boxing match.

10

11 **33-8-126. License application; fee and bond.**

12

13 Application for a license to conduct boxing matches shall
14 be in writing, shall be addressed to the commissioner, and
15 shall be verified by the individual promoter or by an
16 officer of the club, organization or corporation on whose
17 behalf the application is made. The application shall be
18 accompanied by a fee as established by the commissioner in
19 accordance with W.S. 33-1-201. The application shall show
20 that the club, organization or corporation has been in
21 existence not less than thirty (30) days. Before any
22 license is issued under this article to any person, club,
23 organization or corporation, the applicant shall file with
24 the state treasurer a bond in an amount established by the

1 commissioner, not to exceed ten thousand dollars
2 (\$10,000.00), with good and sufficient surety, conditioned
3 for the faithful performance of the conditions of this
4 article.

5

6 **33-8-127. Report of person, club, organization or**
7 **corporation; admission fee to be paid.**

8

9 (a) Every person, club, organization or corporation
10 which exercises any of the privileges conferred by this
11 article shall within seventy-two (72) hours after the
12 determination of every match:

13

14 (i) Furnish to the commissioner, or his
15 inspector or deputy, a written report, verified by the
16 individual promoter or an officer of the club, organization
17 or corporation. The report shall show the number of
18 tickets sold for the match, the amount of gross proceeds
19 from the match, and other matters as the commissioner may
20 prescribe; and

21

22 (ii) Pay to the commissioner a fee of five
23 percent (5%) of its total gross receipts from the sale of

1 tickets of admission and admission fees to any boxing
2 match.

3

4 **33-8-128. Disposition of fees.**

5

6 (a) Money received by the commissioner under this
7 article shall be deposited with the state treasurer and
8 credited as follows:

9

10 (i) All of the license and referee certificate
11 fees and fifty percent (50%) of the admission fees shall be
12 deposited in accordance with W.S. 33-1-202;

13

14 (ii) Fifty percent (50%) of the admission fees
15 shall be distributed to the treasurer of the county in
16 which the match was held. If the match is held in a city
17 or town, seventy-five percent (75%) of these fees shall be
18 distributed by the county to the treasurer of the city or
19 town in which the match is held.

20

21 **33-8-129. Matches under rules of amateur athletic**
22 **union.**

23

1 Whenever an amateur boxing match is held under the rules of
2 the amateur athletic union, by any person, club,
3 organization or corporation, and the match is not for
4 pecuniary profit, the license fee and bond provisions of
5 W.S. 33-8-126, the reporting and fee provisions of W.S.
6 33-8-127, the presence of the commissioner, deputy or
7 inspector provisions of W.S. 33-8-130, and the physician
8 examination provisions of W.S. 33-8-132, shall not apply.
9 The match shall, however, be subject to all other
10 provisions of this article and the rules and regulations of
11 the commissioner.

12

13 **33-8-130. County inspectors.**

14

15 The commissioner shall, with the cooperation of the county
16 commissioners of the several counties, appoint official
17 representatives designated as inspectors and deputy
18 inspectors for each county. Each inspector and deputy
19 shall receive from the commissioner a card authorizing him
20 to act as an inspector wherever the commissioner may
21 designate him to act. The commissioner may, and at least
22 one (1) inspector or deputy shall, be present at all
23 matches conducted for pecuniary profit and see that the
24 rules and regulations of the commissioner are strictly

1 observed. An inspector or deputy shall also be present at
2 the counting of the gross receipts and shall immediately
3 mail to the commissioner the written report received by the
4 inspector or deputy from the individual promoter or officer
5 of the club, organization or corporation showing the number
6 of tickets sold, the gross amount of proceeds and other
7 matters as the commissioner may prescribe. The
8 commissioner may establish compensation for, and pay, any
9 inspectors or deputies appointed under this section from
10 fees deposited in accordance with W.S. 33-1-202 pursuant to
11 this article.

12

13 **33-8-131. Rules for conduct of matches.**

14

15 (a) The commissioner shall promulgate rules and
16 regulations regarding the conduct of matches not
17 inconsistent with this article or the appropriate amateur
18 and professional boxing rules of the association of boxing
19 commissions and the U.S.A. amateur boxing association.

20

21 (b) No betting or wagering at any boxing match shall
22 be permitted by any person directly associated with the
23 boxing match, including the contestants, spectators and
24 members of the club or organization, before, after or

1 during any match, in or around the premises where the match
2 is held. Nothing in this subsection shall be construed to
3 prohibit betting or wagering as may be allowed by law away
4 from the premises where the match is held, or to authorize
5 betting or wagering otherwise prohibited by law.

6

7 **33-8-132. Examination by physician.**

8

9 Each contestant shall be examined not more than twelve (12)
10 hours prior to a boxing match by a physician who has been
11 licensed to practice in Wyoming and who has been designated
12 by the commissioner. The physician shall certify in
13 writing, over his signature, as to the contestant's
14 physical condition to engage in the match. The physician's
15 compensation shall be provided by the individual promoter
16 or entity unless otherwise agreed.

17

18 **33-8-133. Referees.**

19

20 No person shall act as a referee to a boxing match without
21 a certificate granted by the commissioner. The
22 commissioner is authorized to grant certificates to
23 competent referees upon the application and the payment of
24 an annual fee as established by the commissioner in

1 accordance with W.S. 33-1-201 and the commissioner may
2 revoke any certificate granted to any referee for cause as
3 the commissioner may deem sufficient.

4

5 **33-8-134. Penalty for contestants violating rules of**
6 **commissioner.**

7

8 (a) In addition to any penalty imposed under W.S.
9 33-8-137, any contestant who shall be found to be in
10 violation of any rule or regulation of the commissioner
11 shall be penalized as follows:

12

13 (i) For the first offense he shall be restrained
14 by order of the commissioner from participating in any
15 boxing match to be held or given by any person, club,
16 organization or corporation licensed to give or hold any
17 boxing match for a period of not less than three (3) months
18 nor more than one (1) year at the discretion of the
19 commissioner;

20

21 (ii) For a second offense he shall be
22 disqualified from further admission or participation in any
23 boxing match, held or given by any person, club,
24 organization or corporation licensed under this article.

1

2 **33-8-135. Failure to make reports; unsatisfactory**
3 **reports; examination of records, officers.**

4

5 Whenever any person, club, organization or corporation
6 fails to make a report of any match at the time prescribed
7 by this article, or whenever the report is unsatisfactory
8 to the commissioner, the commissioner may examine or cause
9 to be examined, the books and records of the person, club,
10 organization or corporation, and examine under oath its
11 officers and other persons as witnesses for the purpose of
12 determining the total amount of its gross receipts for any
13 match and the amount of monies due pursuant to the
14 provisions of this article. The commissioner shall
15 determine the amount due based upon the results of the
16 examination. Should the person, club, organization or
17 corporation fail to pay any monies determined to be due,
18 together with the expenses incurred in making the
19 examination, for a period of twenty (20) days after notice
20 of the amount due by the commissioner, the person, club,
21 organization or corporation shall forfeit its license and
22 shall be disqualified from receiving any new license or any
23 renewal of its license. In addition, the person, club,
24 organization or corporation shall forfeit to the state of

1 Wyoming the bond required to be filed by W.S. 33-8-126,
2 which may be recovered by the attorney general in the name
3 of the state of Wyoming. Appeals of a disqualification
4 under this section may be made as provided in the Wyoming
5 Administrative Procedure Act.

6

7 **33-8-136. Weights and classes.**

8

9 The weights and classes of boxers and the rules and
10 regulations of boxing shall be the same as the weights and
11 classes and rules and regulations adopted by the
12 association of boxing commissions and the U.S.A. amateur
13 boxing association, except as otherwise provided in this
14 article.

15

16 **33-8-137. Penalty.**

17

18 Any person who violates any of the provisions of this
19 article shall be deemed guilty of a misdemeanor punishable
20 by imprisonment for not more than six (6) months, a fine of
21 not more than seven hundred fifty dollars (\$750.00), or
22 both.

23

1 **Section 2.** There is appropriated eighty-two thousand
2 dollars (\$82,000.00) from the general fund to the office of
3 the boxing commissioner created by this act for the fiscal
4 period beginning July 1, 2011 and ending June 30, 2012 for
5 purposes of this act. Notwithstanding any other provision
6 of law, this appropriation shall not be transferred or
7 expended for any other purpose and any unexpended,
8 unobligated funds remaining from this appropriation shall
9 revert as provided by law on June 30, 2012. This
10 appropriation shall not be included in the boxing
11 commissioner's 2013-2014 standard biennial budget request.

12

13 **Section 3.** This act is effective July 1, 2011.

14

15

(END)