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- 35 **13-33-501**, Utah Code Annotated 1953
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- 38 **13-33-504**, Utah Code Annotated 1953
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- 40 **13-33-506**, Utah Code Annotated 1953

41 REPEALS:

- 42 **58-66-101**, as enacted by Chapter 11, Laws of Utah 1995
- 43 **58-66-102**, as last amended by Chapter 77, Laws of Utah 2000
- 44 **58-66-201**, as enacted by Chapter 11, Laws of Utah 1995
- 45 **58-66-301**, as enacted by Chapter 11, Laws of Utah 1995
- 46 **58-66-302**, as last amended by Chapter 77, Laws of Utah 2000
- 47 **58-66-303**, as enacted by Chapter 11, Laws of Utah 1995
- 48 **58-66-401**, as enacted by Chapter 11, Laws of Utah 1995
- 49 **58-66-501**, as enacted by Chapter 11, Laws of Utah 1995
- 50 **58-66-502**, as enacted by Chapter 11, Laws of Utah 1995
- 51 **58-66-503**, as enacted by Chapter 83, Laws of Utah 1997
- 52 **58-66-601**, as enacted by Chapter 11, Laws of Utah 1995
- 53 **58-66-602**, as enacted by Chapter 11, Laws of Utah 1995
- 54 **58-66-603**, as enacted by Chapter 11, Laws of Utah 1995
- 55 **58-66-604**, as last amended by Chapter 77, Laws of Utah 2000
- 56 **58-66-605**, as enacted by Chapter 11, Laws of Utah 1995
- 57 **58-66-606**, as enacted by Chapter 11, Laws of Utah 1995
- 58 **58-66-607**, as enacted by Chapter 11, Laws of Utah 1995

59 **58-66-608**, as enacted by Chapter 11, Laws of Utah 1995

60 *Be it enacted by the Legislature of the state of Utah:*

61 Section 1. Section **13-33-101** is enacted to read:

62 **CHAPTER 33. UTAH ATHLETIC COMMISSION ACT**

63 **Part 1. General Provisions**

64 **13-33-101. Title.**

65 This chapter is known as the "Utah Athletic Commission Act."

66 Section 2. Section **13-33-102** is enacted to read:

67 **13-33-102. Definitions.**

68 As used in this chapter:

69 (1) "Bodily injury" means as defined in Section 76-1-601.

70 (2) "Commission" means the Utah Athletic Commission created in this chapter.

71 (3) "Contest" means a live match, performance, or exhibition involving persons engaged
72 in unarmed combat.

73 (4) "Contestant" means an individual who participates in a contest for a cash purse in any
74 amount or for a noncash purse with more than nominal value as defined by rule.

75 (5) "Department" means the Department of Commerce.

76 (6) "Director" means the director of the Utah Athletic Commission.

77 (7) "Executive director" means the executive director of the Department of Commerce.

78 (8) "Exhibition" means an engagement in which the participants show or display their
79 skills without necessarily striving to win.

80 (9) "Judge" means an individual qualified by training or experience to:

81 (a) rate the performance of contestants;

82 (b) score a contest; and

83 (c) determine with other judges whether there is a winner of the contest or whether the
84 contestants performed equally resulting in a draw.

85 (10) "Manager" means an individual who represents a contestant for the purposes of
86 obtaining matches, negotiating terms and conditions of the contract under which the contestant will
87 engage in a contest, or arranging for a second for the contestant at a contest.

88 (11) "Promoter" means a person who engages in producing or staging contests and
89 promotions.

90 (12) "Promotion" means a single contest or a combination of contests that occur during
91 the same time at the same location and that is produced or staged by a promoter.

92 (13) (a) "Purse" means any money, prize, remuneration, or any other valuable
93 consideration a contestant receives or may receive for participation in a contest.

94 (b) "Purse" does not mean a trophy, medal, or similar object of nominal value as defined
95 by rule that is received for participation in a contest.

96 (14) "Referee" means an individual qualified by training or experience to act as the official
97 attending a contest at the point of contact between contestants for the purpose of:

98 (a) enforcing the rules relating to the contest;

99 (b) stopping the contest in the event the health, safety, and welfare of a contestant or any
100 other person in attendance at the contest is in jeopardy; and

101 (c) to act as a judge if so designated by the commission.

102 (15) "Second" means an individual who attends a contestant at the site of the contest
103 before, during, and after the contest in accordance with contest rules.

104 (16) "Serious bodily injury" is as defined in Section 76-1-601.

105 (17) "Total gross receipts" means the amount of the face value of all tickets sold to a
106 particular contest plus any sums received as consideration for holding the contest at a particular
107 location.

108 (18) "Ultimate fighting match" means a live match in which:

109 (a) an admission fee is charged;

110 (b) match rules permit contestants to use a combination of boxing, kicking, wrestling,
111 hitting, punching, or other combative, contact techniques; and

112 (c) match rules do not:

113 (i) incorporate a formalized system of combative techniques against which a contestant's
114 performance is judged to determine the prevailing contestant;

115 (ii) divide a match into two or more equal and specified time periods for a match total of
116 no more than 50 minutes; or

117 (iii) prohibit contestants from:

118 (A) using anything that is not part of the human body, except for boxing gloves, to
119 intentionally inflict serious bodily injury upon an opponent through direct contact or the expulsion
120 of a projectile;

121 (B) striking a person who demonstrates an inability to protect himself from the advances
122 of an opponent;

123 (C) biting; or

124 (D) direct, intentional, and forceful strikes to the eyes, groin area, adam's apple area of the
125 neck, and temple area of the head.

126 (19) "Unarmed combat" means boxing, wrestling, or any form of competition in which a
127 blow is usually struck which may reasonably be expected to inflict bodily injury.

128 (20) "Unlawful conduct" means organizing, promoting, or participating in a contest which
129 involves:

130 (a) contestants that are not licensed under this chapter; or

131 (b) persons other than contestants, unless the contest is conducted in accordance with the
132 standards and regulations of USA Boxing, Inc.

133 (21) "Unprofessional conduct" means:

134 (a) entering into a contract for a contest in bad faith;

135 (b) participating in any sham or fake contest;

136 (c) participating in a contest pursuant to a collusive understanding or agreement in which
137 the contestant competes in or terminates the contest in a manner that is not based upon honest
138 competition or the honest exhibition of the skill of the contestant;

139 (d) engaging in an act or conduct that is detrimental to a contest, including any foul or
140 unsportsmanlike conduct in connection with a contest;

141 (e) failing to comply with any limitation, restriction, or condition placed on a license; or

142 (f) as further defined by rule by the commission.

143 Section 3. Section **13-33-201** is enacted to read:

144 **Part 2. Commission**

145 **13-33-201. Commission -- Creation -- Appointments -- Terms -- Expenses -- Quorum.**

146 (1) There is created within the Department of Commerce the Utah Athletic Commission
147 consisting of five members.

148 (2) (a) The commission members shall be appointed by the executive director.

149 (b) The commission members may not be licensees under this chapter.

150 (c) The names of all persons appointed to the commission shall be submitted to the
151 governor for confirmation or rejection.

152 (3) (a) Except as required by Subsection (3)(b), as terms of current members expire, the
153 executive director shall appoint each new member or reappointed member to a four-year term.

154 (b) Notwithstanding the requirements of Subsection (3)(a), the executive director shall,
155 at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of
156 members are staggered so that approximately half of the commission is appointed every two years.

157 (c) A member may not serve more than two consecutive terms, and a member who ceases
158 to serve on the commission may not serve again on the commission until after the expiration of
159 a two-year period beginning from that cessation of service.

160 (d) (i) When a vacancy occurs in the membership for any reason, the replacement shall be
161 appointed for the unexpired term.

162 (ii) After filling that term, the replacement member may be appointed for only one
163 additional full term.

164 (e) If a commission member fails or refuses to fulfill the responsibilities and duties of a
165 commission member, including the attendance at commission meetings, the executive director,
166 with the approval of the commission, may remove the commission member and replace the
167 member in accordance with this section.

168 (4) A majority of the commission members constitutes a quorum. A quorum is sufficient
169 authority for the commission to act.

170 (5) (a) (i) Members who are not government employees shall receive no compensation or
171 benefits for their services, but may receive per diem and expenses incurred in the performance of
172 the member's official duties at the rates established by the Division of Finance under Sections
173 63A-3-106 and 63A-3-107.

174 (ii) Members may decline to receive per diem and expenses for their service.

175 (b) (i) State government officer and employee members who do not receive salary, per
176 diem, or expenses from their agency for their service may receive per diem and expenses incurred
177 in the performance of their official duties at the rates established by the Division of Finance under
178 Sections 63A-3-106 and 63A-3-107.

179 (ii) State government officer and employee members may decline to receive per diem and
180 expenses for their service.

181 (6) The commission shall annually designate one of its members to serve as chair for a
182 one-year period.

183 Section 4. Section **13-33-202** is enacted to read:

184 **13-33-202. Commission duties.**

185 The commission shall:

186 (1) purchase and use a seal;

187 (2) adopt rules for the administration of this chapter in accordance with Title 63, Chapter
188 46a, Administrative Rulemaking Act;

189 (3) prepare all forms of contracts between sponsors, licensees, promoters, and contestants;

190 and

191 (4) hold hearings relating to matters under its jurisdiction, including violations of this
192 chapter or rules promulgated under this chapter.

193 Section 5. Section **13-33-203** is enacted to read:

194 **13-33-203. Director of commission.**

195 (1) The commission shall employ a director to conduct the business of the commission,
196 who must not be a member of the commission.

197 (2) The director serves at the pleasure of the commission.

198 Section 6. Section **13-33-204** is enacted to read:

199 **13-33-204. Inspectors.**

200 (1) The commission may appoint one or more official representatives to be designated as
201 inspectors which shall serve at the pleasure of the commission.

202 (2) Each inspector must receive from the commission a card authorizing that inspector to
203 act as an inspector for the commission.

204 (3) An inspector may not promote or sponsor any contest.

205 (4) Each inspector is entitled to receive a fee approved by the commission for the
206 performance of duties under this chapter.

207 Section 7. Section **13-33-205** is enacted to read:

208 **13-33-205. Affiliation with other commissions.**

209 The commission shall have the authority to affiliate with any other state or national boxing
210 commission or athletic authority.

211 Section 8. Section **13-33-301** is enacted to read:

212 **Part 3. Licensing**

213 **13-33-301. Licensing.**

214 (1) A license is required for a person to act as or to represent that the person is a:

215 (a) promoter;

216 (b) manager;

217 (c) contestant;

218 (d) second;

219 (e) referee; or

220 (f) judge.

221 (2) The commission shall issue to a person who qualifies under this chapter a license in

222 the classifications of:

223 (a) promoter;

224 (b) manager;

225 (c) contestant;

226 (d) second;

227 (e) referee; or

228 (f) judge.

229 (3) Each applicant for licensure as a promoter shall:

230 (a) submit an application in a form prescribed by the commission;

231 (b) pay the fee determined by the department under Section 63-38-3.2;

232 (c) provide to the commission evidence of financial responsibility which shall include

233 financial statements and other information that the commission may reasonably require to

234 determine that the applicant or licensee is able to competently perform as and meet the obligations

235 of a promoter in this state;

236 (d) produce information, documentation, and assurances as may be required to establish

237 by a preponderance of the evidence the applicant's reputation for good character, honesty, integrity,

238 and responsibility, which shall include information, documentation, and assurances that the

239 applicant:

240 (i) has not and at the time of application is not associating or consorting with a person

241 engaging in illegal activity to the extent that the association or consorting represents a threat to the

242 conduct of contests in the public's interest within the state, or a threat to the health, safety, and

243 welfare of the applicant or a licensed contestant;

244 (ii) has not been convicted of a crime in any jurisdiction which the commission determines

245 by the nature of the crime and circumstances surrounding the crime should disqualify the applicant
246 from licensure in the public interest;

247 (iii) is not associating or consorting with a person who has been convicted of a felony in
248 any jurisdiction to the extent that the association or consorting represents a threat to the conduct
249 of contests in the public's interest within the state, or a threat to the health, safety, and welfare of
250 the applicant or a licensed contestant;

251 (iv) is not associating or consorting with a person engaging in illegal gambling or similar
252 pursuits to the extent that the association or consorting represents a threat to the conduct of
253 contests in the public's interest within the state, or a threat to the health, safety, and welfare of the
254 applicant or a licensed contestant;

255 (v) is not engaging in illegal gambling with respect to sporting events or gambling with
256 respect to the promotions the applicant is promoting;

257 (vi) has not been found in an administrative, criminal, or civil proceeding to have engaged
258 in or attempted to engage in any fraud or misrepresentation in connection with a contest or any
259 other sporting event;

260 (vii) has not been found in an administrative, criminal, or civil proceeding to have violated
261 or attempted to violate any law with respect to a contest in any jurisdiction or any law, rule, or
262 order relating to the regulation of contests in this state or any other jurisdiction;

263 (e) acknowledge in writing to the commission receipt, understanding, and intent to comply
264 with this chapter and the rules made under this chapter; and

265 (f) if requested by the commission or the director, meet with the commission or the
266 director to examine the applicant's qualifications for licensure.

267 (4) Each applicant for licensure as a contestant shall:

268 (a) be not less than 18 years of age at the time the application is submitted to the
269 commission;

270 (b) submit an application in a form prescribed by the commission;

271 (c) pay the fee established by the department under Section 63-38-3.2;

272 (d) provide a certificate of physical examination, dated not more than 60 days prior to the
273 date of application for license, in a form provided by the commission, completed by a licensed
274 physician and surgeon certifying that the applicant is free from any physical or mental condition
275 that indicates the applicant should not engage in activity as a contestant;

276 (e) provide the commission with an accurate history of all matches that the applicant has
277 engaged in since becoming a contestant, including information on whether the applicant won or
278 lost each contest, and the matches in which there was a knockout or technical knockout;

279 (f) produce information, documentation, and assurances as may be required to establish
280 by a preponderance of the evidence the applicant's reputation for good character, honesty, integrity,
281 and responsibility, which shall include information, documentation, and assurances that the
282 applicant:

283 (i) has not and at the time of application is not associating or consorting with a person
284 engaging in illegal activity to the extent that the association or consorting represents a threat to the
285 conduct of contests in the public's interest within the state, or a threat to the health, safety, and
286 welfare of the applicant or a licensed contestant;

287 (ii) has not been convicted of a crime in any jurisdiction which the commission determines
288 by the nature of the crime and circumstances surrounding that crime should disqualify the applicant
289 from licensure in the public interest;

290 (iii) is not associating or consorting with any person who has been convicted of a felony
291 in any jurisdiction to the degree that the commission finds that the association or consorting
292 represents a threat to the conduct of contests in the public's interest within the state, or a threat to
293 the health, safety, and welfare of the applicant or a licensed contestant;

294 (iv) is not associating or consorting with a person engaging in illegal gambling or similar
295 pursuits or a person gambling with respect to the promotion for which the applicant is receiving
296 a license to the extent that the association or consorting represents a threat to the conduct of
297 contests in the public's interest within the state, or a threat to the health, safety, and welfare of the
298 applicant or a licensed contestant;

299 (v) is not engaging in illegal gambling with respect to sporting events or gambling with
300 respect to a contest in which the applicant will participate;

301 (vi) has not been found in an administrative, criminal, or civil proceeding to have engaged
302 in or attempted to have engaged in any fraud or misrepresentation in connection with a contest or
303 any other sporting event;

304 (vii) has not been found in an administrative, criminal, or civil proceeding to have violated
305 or attempted to violate any law with respect to contests in any jurisdiction or any law, rule, or order
306 relating to the regulation of contests in this state or any other jurisdiction;

307 (g) acknowledge in writing to the commission receipt, understanding, and intent to comply
308 with this chapter and the rules made under this chapter; and

309 (h) if requested by the commission or the director, meet with the commission or the
310 director to examine the applicant's qualifications for licensure.

311 (5) Each applicant for licensure as a manager or second shall:

312 (a) submit an application in a form prescribed by the commission;

313 (b) pay a fee determined by the department under Section 63-38-3.2;

314 (c) produce information, documentation, and assurances as may be required to establish
315 by a preponderance of the evidence the applicant's reputation for good character, honesty, integrity,
316 and responsibility, which shall include information, documentation, and assurances that the
317 applicant:

318 (i) has not and at the time of application is not associating or consorting with a person
319 engaging in illegal activity to the extent that the association or consorting represents a threat to the
320 conduct of contests in the public's interest within the state, or a threat to the health, safety, and
321 welfare of the applicant or a licensed contestant;

322 (ii) has not been convicted of a crime in any jurisdiction which the commission determines
323 by the nature of the crime and circumstances surrounding that crime should disqualify the applicant
324 from licensure in the public interest;

325 (iii) is not associating or consorting with any person who has been convicted of a felony
326 in any jurisdiction to the degree that the commission finds that the association or consorting
327 represents a threat to the conduct of contests in the public's interest within the state, or a threat to
328 the health, safety, and welfare of the applicant or a licensed contestant;

329 (iv) is not associating or consorting with a person engaging in illegal gambling or similar
330 pursuits or a person gambling with respect to the promotion for which the applicant is receiving
331 a license to the extent that the association or consorting represents a threat to the conduct of
332 contests in the public's interest within the state, or a threat to the health, safety, and welfare of the
333 applicant or a licensed contestant;

334 (v) is not engaging in illegal gambling with respect to sporting events or gambling with
335 respect to a contest in which the applicant is participating;

336 (vi) has not been found in an administrative, criminal, or civil proceeding to have engaged
337 in or attempted to have engaged in any fraud or misrepresentation in connection with a contest or

338 any other sporting event;

339 (vii) has not been found in an administrative, criminal, or civil proceeding to have violated
340 or attempted to violate any law with respect to a contest in any jurisdiction or any law, rule, or
341 order relating to the regulation of contests in this state or any other jurisdiction;

342 (d) acknowledge in writing to the commission receipt, understanding, and intent to comply
343 with this chapter and the rules made under this chapter; and

344 (e) if requested by the commission or director, meet with the commission or the director
345 to examine the applicant's qualifications for licensure.

346 (6) Each applicant for licensure as a referee or judge shall:

347 (a) submit an application in a form prescribed by the commission;

348 (b) pay a fee determined by the department under Section 63-38-3.2;

349 (c) produce information, documentation, and assurances as may be required to establish
350 by a preponderance of the evidence the applicant's reputation for good character, honesty, integrity,
351 and responsibility, which shall include information, documentation, and assurances that the
352 applicant:

353 (i) has not and at the time of application is not associating or consorting with a person
354 engaging in illegal activity to the extent that the association or consorting represents a threat to the
355 conduct of contests in the public's interest within the state, or a threat to the health, safety, and
356 welfare of the applicant or a licensed contestant;

357 (ii) has not been convicted of a crime in any jurisdiction which the commission determines
358 by the nature of the crime and circumstances surrounding the crime should disqualify the applicant
359 from licensure in the public interest;

360 (iii) is not associating or consorting with any person who has been convicted of a felony
361 in any jurisdiction to the extent that the association or consorting represents a threat to the conduct
362 of contests in the public's interest within the state, or a threat to the health, safety, and welfare of
363 the applicant or a licensed contestant;

364 (iv) is not associating or consorting with a person engaging in illegal gambling or similar
365 pursuits or a person gambling with respect to the promotion for which the applicant is receiving
366 a license to the extent that the association or consorting represents a threat to the conduct of
367 contests in the public's interest within the state, or a threat to the health, safety, and welfare of the
368 applicant or a licensed contestant;

369 (v) is not engaging in illegal gambling with respect to sporting events or gambling with
370 respect to a contest in which the applicant is participating;

371 (vi) has not been found in an administrative, criminal, or civil proceeding to have engaged
372 in or attempted to have engaged in any fraud or misrepresentation in connection with a contest or
373 any other sporting event;

374 (vii) has not been found in an administrative, criminal, or civil proceeding to have violated
375 or attempted to violate any law with respect to contests in any jurisdiction or any law, rule, or order
376 relating to the regulation of contests in this state or any other jurisdiction;

377 (d) acknowledge in writing to the commission receipt, understanding, and intent to comply
378 with this chapter and the rules made under this chapter;

379 (e) provide evidence satisfactory to the commission that the applicant is qualified by
380 training and experience to competently act as a referee or judge in a contest; and

381 (f) if requested by the commission or the director, meet with the commission or the
382 director to examine the applicant's qualifications for licensure.

383 Section 9. Section **13-33-302** is enacted to read:

384 **13-33-302. Term of license -- Expiration -- Renewal.**

385 (1) (a) The commission shall issue each license under this chapter in accordance with a
386 two-year renewal cycle established by rule.

387 (b) The commission may by rule extend or shorten a renewal period by as much as one
388 year to stagger the renewal cycles it administers.

389 (2) At the time of renewal, the licensee shall show satisfactory evidence of compliance
390 with renewal requirements established by rule by the commission.

391 (3) Each license automatically expires on the expiration date shown on the license unless
392 the licensee renews it in accordance with the rules established by the commission.

393 Section 10. Section **13-33-303** is enacted to read:

394 **13-33-303. Grounds for denial of license -- Disciplinary proceedings -- Reinstatement.**

395 (1) The commission shall refuse to issue a license to an applicant and shall refuse to renew
396 or shall revoke, suspend, restrict, place on probation, or otherwise act upon the license of a licensee
397 who does not meet the qualifications for licensure under this chapter.

398 (2) The commission may refuse to issue a license to an applicant and may refuse to renew
399 or may revoke, suspend, restrict, place on probation, issue a public or private reprimand to, or

400 otherwise act upon the license of any licensee in any of the following cases:

401 (a) the applicant or licensee has engaged in unlawful or unprofessional conduct, as defined
402 by statute or rule under this chapter;

403 (b) the applicant or licensee has been determined to be mentally incompetent for any
404 reason by a court of competent jurisdiction; or

405 (c) the applicant or licensee is unable to practice the occupation or profession with
406 reasonable skill and safety because of illness, drunkenness, excessive use of drugs, narcotics,
407 chemicals, or any other type of material, or as a result of any other mental or physical condition,
408 when the licensee's condition demonstrates a threat or potential threat to the public health, safety,
409 or welfare.

410 (3) Any licensee whose license under this chapter has been suspended, revoked, or
411 restricted may apply for reinstatement of the license at reasonable intervals and upon compliance
412 with any conditions imposed upon the licensee by statute, rule, or terms of the license suspension,
413 revocation, or restriction.

414 (4) The commission may issue cease and desist orders:

415 (a) to a licensee or applicant who may be disciplined under Subsection (1) or (2); and

416 (b) to any person who otherwise violates this chapter or any rules adopted under this title.

417 (5) (a) The commission may not take disciplinary action against any person for unlawful
418 or unprofessional conduct under this title, unless the commission initiates an adjudicative
419 proceeding regarding the conduct within four years after the conduct is reported to the commission,
420 except under Subsection (5)(b).

421 (b) The commission may not take disciplinary action against any person for unlawful or
422 unprofessional conduct more than ten years after the occurrence of the conduct, unless the
423 proceeding is in response to a civil or criminal judgment or settlement and the proceeding is
424 initiated within one year following the judgment or settlement.

425 (6) Notwithstanding the provisions of Title 63, Chapter 46b, Administrative Procedures
426 Act, the commission shall have the authority to immediately suspend the license of a contestant
427 at such time and for such period that the commission believes is necessary to protect the health,
428 safety, and welfare of the contestant, other contestants, or the public. The commission shall
429 establish by rule appropriate procedures to invoke the suspension and to provide a suspended
430 contestant a right to a hearing before the commission with respect to the suspension within a

431 reasonable time after the suspension.

432 Section 11. Section **13-33-304** is enacted to read:

433 **13-33-304. Additional fees for license of promoter.**

434 (1) In addition to the payment of any other fees and money due under this chapter, every
435 promoter shall pay a license fee of:

436 (a) 4% of the total gross receipts from admission fees to each live contest or exhibition,
437 exclusive of any other state or federal tax or tax imposed by any political subdivision of this state;
438 and

439 (b) 4% of the total gross receipts from the sale, lease, or other exploitation of broadcasting,
440 television, and motion picture rights for each contest or exhibition.

441 (2) The fees due under Subsection (1) shall be calculated without any deductions for
442 commissions, brokerage fees, distribution fees, advertising, contestants' purses, or any other
443 expenses or charges.

444 (3) The commission shall adopt rules:

445 (a) requiring that the number and face value of all complimentary tickets be reported; and

446 (b) governing the treatment of complimentary tickets for the purposes of computing gross
447 receipts from admission fees under Subsection (1)(a).

448 Section 12. Section **13-33-401** is enacted to read:

449 **Part 4. Control of Contests**

450 **13-33-401. Jurisdiction of commission.**

451 (1) The commission has and is vested with the sole direction, management, control, and
452 jurisdiction over all contests or exhibitions of unarmed combat to be conducted, held, or given
453 within this state, and no contest or exhibition may be conducted, held, or given within this state
454 except in accordance with the provisions of this chapter.

455 (2) Any contest involving a form of Oriental unarmed self-defense must be conducted
456 pursuant to rules for that form which are approved by the commission before the contest is
457 conducted, held, or given.

458 Section 13. Section **13-33-402** is enacted to read:

459 **13-33-402. Ultimate fighting prohibited.**

460 (1) Ultimate fighting matches are prohibited.

461 (2) Any person who publicizes, promotes, conducts, or engages in an ultimate fighting

462 match is:

463 (a) guilty of a class A misdemeanor as provided in Section 76-9-705; and

464 (b) subject to license revocation under this chapter.

465 Section 14. Section **13-33-403** is enacted to read:

466 **13-33-403. Permit to hold contest or promotion -- Bond required.**

467 (1) An application to hold a contest or multiple contests as part of a single promotion shall
468 be made by a licensed promoter to the commission on forms provided by the commission.

469 (2) The application shall be accompanied by a contest fee determined by the department
470 under Section 63-38-3.2.

471 (3) Before a permit to hold a contest or promotion is granted, the applicant shall post a
472 surety bond with the commission in an amount and form determined by the commission, providing
473 for forfeiture and subsequent disbursement of the proceeds from the bond if the applicant fails to
474 comply with the requirements of this chapter or rules made under this chapter relating to the
475 promotion or conduct of the contest or promotion.

476 (4) The commission may approve or deny approval to hold a contest or promotion
477 permitted under this chapter. Approval shall be granted upon a determination by the commission
478 that:

479 (a) the promoter of the contest or promotion is properly licensed;

480 (b) a bond meeting the requirements of Subsection (3) has been posted by the promoter
481 of the contest or promotion; and

482 (c) the contest or promotion will be held in accordance with this chapter and rules made
483 under this chapter.

484 Section 15. Section **13-33-404** is enacted to read:

485 **13-33-404. Rules for the conduct of contests.**

486 (1) The commission shall adopt rules in accordance with the provisions of Title 63,
487 Chapter 46a, Utah Administrative Rulemaking Act, for the conduct of contests in the state.

488 (2) The rules shall include authority for stopping contests, impounding purses with respect
489 to contests when there is a question with respect to the contest, contestants, or any other licensee
490 associated with the contest, and reasonable and necessary provisions to ensure that all obligations
491 of a promoter with respect to any promotion or contest are paid in accordance with agreements
492 made by the promoter.

493 Section 16. Section **13-33-405** is enacted to read:

494 **13-33-405. HIV and drug tests.**

495 The commission shall adopt rules in accordance with the provisions of Title 63, Chapter
496 46a, Utah Administrative Rulemaking Act for HIV and drug testing of contestants which include:

497 (1) provisions under which contestants shall produce evidence based upon competent
498 laboratory examination that they are HIV negative as a condition of participating as a contestant
499 in any contest; and

500 (2) provisions under which contestants shall be subject to random drug testing before or
501 after participation in a contest, and sanctions, including barring participation in a contest or
502 withholding a percentage of any purse, that shall be placed against a contestant testing positive for
503 alcohol or any other drug that in the opinion of the commission is inconsistent with the safe and
504 competent participation of that contestant in a contest.

505 Section 17. Section **13-33-501** is enacted to read:

506 **Part 5. Miscellaneous Provisions**

507 **13-33-501. Additional fee for funding of amateur boxing.**

508 (1) In addition to the payment of any other fees or taxes required by this chapter, a
509 promoter shall pay to the commission a fee of \$1.00 for each ticket sold for admission to a live
510 contest or exhibition which is held in this state.

511 (2) The money collected pursuant to Subsection (1) shall be used by the commission to
512 award grants to organizations which promote amateur boxing in this state.

513 (3) The commission shall adopt rules governing the manner in which:

514 (a) the fees required by Subsection (1) must be paid;

515 (b) applications for grants may be submitted to the commission; and

516 (c) the standards to be used to award grants to organizations which promote amateur
517 boxing in this state.

518 Section 18. Section **13-33-502** is enacted to read:

519 **13-33-502. Reports to commission.**

520 (1) Every promoter shall, within 10 days after the completion of any contest or exhibition
521 for which an admission fee is charged, furnish to the commission a verified written report showing:

522 (a) the number of tickets sold or issued for the contest or exhibition;

523 (b) the amount of the:

524 (i) gross receipts from admission fees without any deductions for commissions, brokerage
525 fees, distribution fees, advertising, contestants' purses, or any other expenses or charges; and

526 (ii) gross receipts derived from the sale, lease, or other exploitation of broadcasting,
527 motion picture, and television rights of such contest or exhibition without any deductions for
528 commissions, brokerage fees, distribution fees, advertising, contestants' purses, or any other
529 expenses or charges; and

530 (c) any other matters prescribed by rule.

531 (2) The promoter shall, at the same time as submitting the report required by Subsection
532 (1), pay to the commission the fees required by Sections 13-33-304 and 13-33-501.

533 Section 19. Section **13-33-503** is enacted to read:

534 **13-33-503. Contracts.**

535 Before a contest is held, a copy of the signed contract or agreement between the promoter
536 of the contest and each contestant shall be filed with the commission. Approval of the contract's
537 terms and conditions shall be obtained from the commission as a condition precedent to the
538 contest.

539 Section 20. Section **13-33-504** is enacted to read:

540 **13-33-504. Withholding of purse.**

541 (1) The commission, the director, or any other agent authorized by the commission may
542 order a promoter to withhold any part of a purse or other money belonging or payable to any
543 contestant, manager, or second if, in the judgment of the commission, director or other agent:

544 (a) the contestant is not competing honestly or to the best of his skill and ability or the
545 contestant otherwise violates any rules adopted by the commission or any of the provisions of this
546 chapter; or

547 (b) the manager or second violates any rules adopted by the commission or any of the
548 provisions of this chapter.

549 (2) This section does not apply to any contestant in a wrestling exhibition who appears not
550 to be competing honestly or to the best of his skill and ability.

551 (3) Upon the withholding of any part of a purse or other money pursuant to this section,
552 the commission shall immediately schedule a hearing on the matter, provide adequate notice to all
553 interested parties, and dispose of the matter as promptly as possible.

554 (4) If it is determined that a contestant, manager, or second is not entitled to any part of

555 his share of the purse or other money, the promoter shall pay the money over to the commission.

556 Section 21. Section **13-33-505** is enacted to read:

557 **13-33-505. Penalty for unlawful conduct.**

558 A person who engages in unlawful conduct, as defined in Section 13-33-102, is guilty of
559 a class A misdemeanor.

560 Section 22. Section **13-33-506** is enacted to read:

561 **13-33-506. Exemptions.**

562 The provisions of this chapter do not apply to:

563 (1) any amateur contests or exhibitions of unarmed combat or any combination thereof
564 conducted by or participated in exclusively by any school, college, or university or by any
565 association or organization of a school, college, or university, when each participant in the contests
566 or exhibitions is a bona fide student in the school, college, or university; or

567 (2) exhibitions of Oriental unarmed self-defense in which no dangerous blow is intended
568 to be struck.

569 Section 23. **Repealer.**

570 This act repeals:

571 Section **58-66-101, Title.**

572 Section **58-66-102, Definitions.**

573 Section **58-66-201, Commission.**

574 Section **58-66-301, Licensing.**

575 Section **58-66-302, Term of license -- Expiration -- Renewal.**

576 Section **58-66-303, Exemptions from licensure.**

577 Section **58-66-401, Grounds for denial of license -- Disciplinary proceedings.**

578 Section **58-66-501, Unlawful conduct.**

579 Section **58-66-502, Unprofessional conduct.**

580 Section **58-66-503, Ultimate fighting prohibited.**

581 Section **58-66-601, Authority.**

582 Section **58-66-602, Approval to hold contest.**

583 Section **58-66-603, Contracts.**

584 Section **58-66-604, Rules.**

585 Section **58-66-605, HIV testing -- Testing of body fluids of professional contestants --**

- 586 **Sanctions for tests positive for alcohol or drugs.**
587 Section **58-66-606, Supervision of contests -- Payment of staff.**
588 Section **58-66-607, Disposition of monies withheld from purse of professional**
589 **contestant.**
590 Section **58-66-608, Report of gross receipts -- 5% state event tax on gross receipts.**
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Legislative Review Note
as of 11-28-00 9:41 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel

Committee Note

The Business, Labor, and Economic Development Interim Committee recommended this bill.