

1 **PETE SUAZO UTAH ATHLETIC COMMISSION**

2 **ACT AMENDMENTS**

3 2004 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Ed P. Mayne**

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies provisions of the Pete Suazo Utah Athletic Commission Act.

10 **Highlighted Provisions:**

11 This bill modifies:

- 12 ▶ certain definitions;
- 13 ▶ provisions related to unarmed self-defense; and
- 14 ▶ exemptions to the chapter.

15 **Monies Appropriated in this Bill:**

16 None

17 **Other Special Clauses:**

18 None

19 **Utah Code Sections Affected:**

20 **AMENDS:**

21 **13-33-102**, as last amended by Chapter 9, Laws of Utah 2001, Second Special Session

22 **13-33-401**, as enacted by Chapter 91, Laws of Utah 2001

23 **13-33-506**, as enacted by Chapter 91, Laws of Utah 2001

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

26 Section 1. Section **13-33-102** is amended to read:

27 **13-33-102. Definitions.**



28 As used in this chapter:

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

30 (2) "Commission" means the Pete Suazo Utah Athletic Commission created in this
31 chapter.

32 (3) "Contest" means a live match, performance, or exhibition involving two or more
33 persons engaged in unarmed combat.

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

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

37 (6) "Director" means the director of the Pete Suazo Utah Athletic Commission.

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

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

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

42 (a) rate the performance of contestants;

43 (b) score a contest; and

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

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

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

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

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

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

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

- 59 (a) enforcing the rules relating to the contest;
- 60 (b) stopping the contest in the event the health, safety, and welfare of a contestant or
- 61 any other person in attendance at the contest is in jeopardy; and
- 62 (c) to act as a judge if so designated by the commission.
- 63 (15) "Second" means an individual who attends a contestant at the site of the contest
- 64 before, during, and after the contest in accordance with contest rules.
- 65 (16) "Serious bodily injury" is as defined in Section 76-1-601.
- 66 (17) "Total gross receipts" means the amount of the face value of all tickets sold to a
- 67 particular contest plus any sums received as consideration for holding the contest at a particular
- 68 location.
- 69 (18) "Ultimate fighting match" means a live match in which:
- 70 (a) an admission fee is charged;
- 71 (b) match rules permit contestants to use a combination of boxing, kicking, wrestling,
- 72 hitting, punching, or other combative, contact techniques; and
- 73 (c) match rules do not:
- 74 (i) incorporate a formalized system of combative techniques against which a
- 75 contestant's performance is judged to determine the prevailing contestant;
- 76 (ii) divide a match into two or more equal and specified time periods for a match total
- 77 of no more than 50 minutes; or
- 78 (iii) prohibit contestants from:
- 79 (A) using anything that is not part of the human body, except for boxing gloves, to
- 80 intentionally inflict serious bodily injury upon an opponent through direct contact or the
- 81 expulsion of a projectile;
- 82 (B) striking a person who demonstrates an inability to protect himself from the
- 83 advances of an opponent;
- 84 (C) biting; or
- 85 (D) direct, intentional, and forceful strikes to the eyes, groin area, adam's apple area of
- 86 the neck, and temple area of the head.
- 87 (19) (a) "Unarmed combat" means boxing or any form of competition in which a blow
- 88 is usually struck which may reasonably be expected to inflict bodily injury.
- 89 (b) "Unarmed combat" does not include a competition or exhibition between

90 participants in which the participants engage in simulated combat for entertainment purposes.

91 (20) "Unlawful conduct" means organizing, promoting, or participating in a contest
92 which involves~~[-(a)]~~ contestants that are not licensed under this chapter~~[-or]~~.

93 ~~[(b) persons other than contestants, unless the contest is conducted in accordance with~~
94 ~~the standards and regulations of USA Boxing, Inc.]~~

95 (21) "Unprofessional conduct" means:

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

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

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

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

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

104 or

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

106 Section 2. Section **13-33-401** is amended to read:

107 **13-33-401. Jurisdiction of commission.**

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

112 (2) Any contest involving a form of ~~[Oriental]~~ unarmed self-defense must be conducted
113 pursuant to rules for that form which are approved by the commission before the contest is
114 conducted, held, or given.

115 Section 3. Section **13-33-506** is amended to read:

116 **13-33-506. Exemptions.**

117 The provisions of this chapter do not apply to:

118 (1) any amateur contests or exhibitions of unarmed combat ~~[or any combination~~
119 ~~thereof]~~ conducted by or participated in exclusively by ~~[any]~~;

120 (a) a school[-] accredited by the Utah Board of Education;

121 (b) a college[;] or university [~~or by~~] accredited by the United States Department of
122 Education; or

123 (c) any association or organization of a school, college, or university described in
124 Subsections (1)(a) and (b), when each participant in the contests or exhibitions is a bona fide
125 student in the school, college, or university; or

126 (2) [~~exhibitions of Oriental unarmed self-defense in which no dangerous blow is~~
127 ~~intended to be struck~~] any contest or exhibition of unarmed combat conducted in accordance
128 with the standards and regulations of USA Boxing, Inc.

Legislative Review Note

as of 1-26-04 1:41 PM

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

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number SB0149

Pete Suazo Utah Athletic Commission Act Amendments

30-Jan-04

3:12 PM

State Impact

No fiscal impact.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst