

Senator Mike Dmitrich proposes the following substitute bill:

UTAH SPORTS AUTHORITY

2007 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Mike Dmitrich

House Sponsor: _____

LONG TITLE

General Description:

This bill creates the Utah Sports Authority and moves the Pete Suazo Utah Athletic Commission to the authority.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ creates the Utah Sports Authority;
- ▶ provides for the appointment of authority members and the conduct of authority business;
- ▶ provides for the authority's powers and duties;
- ▶ moves the Pete Suazo Utah Athletic Commission from the Department of Commerce to the authority and makes some changes concerning fees and licensing of security guards;
- ▶ provides for the transition of licenses issued by the commission from the Department of Commerce to the authority; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None



26 **Other Special Clauses:**

27 This bill takes effect on July 1, 2007.

28 **Utah Code Sections Affected:**

29 ENACTS:

30 **63C-11-101**, Utah Code Annotated 1953

31 **63C-11-102**, Utah Code Annotated 1953

32 **63C-11-201**, Utah Code Annotated 1953

33 **63C-11-202**, Utah Code Annotated 1953

34 RENUMBERS AND AMENDS:

35 **63C-11-301**, (Renumbered from 13-33-101, as last amended by Chapter 9, Laws of
36 Utah 2001, Second Special Session)

37 **63C-11-302**, (Renumbered from 13-33-102, as last amended by Chapter 72, Laws of
38 Utah 2006)

39 **63C-11-303**, (Renumbered from 13-33-201, as last amended by Chapter 72, Laws of
40 Utah 2006)

41 **63C-11-304**, (Renumbered from 13-33-202, as last amended by Chapter 72, Laws of
42 Utah 2006)

43 **63C-11-305**, (Renumbered from 13-33-203, as last amended by Chapter 72, Laws of
44 Utah 2006)

45 **63C-11-306**, (Renumbered from 13-33-204, as enacted by Chapter 91, Laws of Utah
46 2001)

47 **63C-11-307**, (Renumbered from 13-33-205, as enacted by Chapter 91, Laws of Utah
48 2001)

49 **63C-11-308**, (Renumbered from 13-33-301, as last amended by Chapter 72, Laws of
50 Utah 2006)

51 **63C-11-309**, (Renumbered from 13-33-302, as enacted by Chapter 91, Laws of Utah
52 2001)

53 **63C-11-310**, (Renumbered from 13-33-303, as last amended by Chapter 72, Laws of
54 Utah 2006)

55 **63C-11-311**, (Renumbered from 13-33-304, as last amended by Chapter 304, Laws of
56 Utah 2002)

57 **63C-11-312**, (Renumbered from 13-33-305, as enacted by Chapter 91, Laws of Utah
58 2001)

59 **63C-11-313**, (Renumbered from 13-33-401, as last amended by Chapter 72, Laws of
60 Utah 2006)

61 **63C-11-314**, (Renumbered from 13-33-402, as last amended by Chapter 104, Laws of
62 Utah 2005)

63 **63C-11-315**, (Renumbered from 13-33-403, as last amended by Chapter 72, Laws of
64 Utah 2006)

65 **63C-11-316**, (Renumbered from 13-33-404, as last amended by Chapter 72, Laws of
66 Utah 2006)

67 **63C-11-317**, (Renumbered from 13-33-405, as last amended by Chapter 104, Laws of
68 Utah 2005)

69 **63C-11-318**, (Renumbered from 13-33-406, as enacted by Chapter 72, Laws of Utah
70 2006)

71 **63C-11-319**, (Renumbered from 13-33-502, as last amended by Chapter 9, Laws of
72 Utah 2001, Second Special Session)

73 **63C-11-320**, (Renumbered from 13-33-503, as enacted by Chapter 91, Laws of Utah
74 2001)

75 **63C-11-321**, (Renumbered from 13-33-504, as last amended by Chapter 72, Laws of
76 Utah 2006)

77 **63C-11-322**, (Renumbered from 13-33-505, as enacted by Chapter 91, Laws of Utah
78 2001)

79 **63C-11-323**, (Renumbered from 13-33-506, as last amended by Chapter 17, Laws of
80 Utah 2004)

81 **63C-11-324**, (Renumbered from 13-33-507, as enacted by Chapter 104, Laws of Utah
82 2005)

83 **63C-11-325**, (Renumbered from 13-33-508, as last amended by Chapter 72, Laws of
84 Utah 2006)

85

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

87 Section 1. Section **63C-11-101** is enacted to read:

88 CHAPTER 11. UTAH SPORTS AUTHORITY

89 Part 1. General Provisions

90 **63C-11-101. Title.**

91 This chapter is known as the "Utah Sports Authority Act."

92 Section 2. Section **63C-11-102** is enacted to read:

93 **63C-11-102. Definitions.**

94 As used in this chapter:

95 (1) "Authority" means the Utah Sports Authority created by this chapter.

96 (2) "Division of Parks and Recreation" means the Division of Parks and Recreation
97 created in Section 63-11-17.1.

98 Section 3. Section **63C-11-201** is enacted to read:

99 Part 2. Utah Sports Authority

100 **63C-11-201. Utah Sports Authority -- Creation -- Appointments -- Terms --**
101 **Quorum -- Expenses.**

102 (1) (a) There is created the Utah Sports Authority.

103 (b) The authority is considered an agency of the state for the purpose of Title 11,
104 Chapter 13, Interlocal Cooperation Act.

105 (2) The authority consists of the following seven members, who shall have a
106 background and interest in the development of sporting opportunities or facilities:

107 (a) three members appointed by the governor, who may not be legislators;

108 (b) two members appointed by the president of the Senate, who may not be legislators;

109 and

110 (c) two members appointed by the speaker of the House of Representatives, who may
111 not be legislators.

112 (3) The authority shall select a chair from among its members.

113 (4) (a) Members appointed under Subsection (2) shall serve four-year terms.

114 (b) At the time of appointment, the governor shall adjust the term of two of the
115 governor's appointees to ensure that at least one member is appointed by the governor every
116 two years.

117 (c) At the time of appointment, the president and speaker shall each adjust the term of
118 one of their appointees to ensure that one of their appointees is appointed every two years.

119 (d) When a vacancy occurs in the authority during the term of one of the members, the
120 governor, president, or speaker, respectively, shall appoint the replacement for the remainder of
121 the unexpired term.

122 (5) Four members of the authority constitute a quorum.

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

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

128 (b) (i) State or local government officer or employee members who do not receive per
129 diem and expenses from their agency for their service may receive per diem and expenses
130 incurred in the performance of their official duties from the authority at the rates established by
131 the Division of Finance under Sections 63A-3-106 and 63A-3-107.

132 (ii) State or local government officer or employee members may decline to receive per
133 diem and expenses for their service.

134 (7) The authority may meet as necessary to exercise its powers and duties in
135 accordance with Section 63C-11-202.

136 Section 4. Section **63C-11-202** is enacted to read:

137 **63C-11-202. Powers and duties of authority.**

138 (1) The authority shall:

139 (a) hire an executive director, who shall serve as staff to the authority;

140 (b) oversee and make any necessary rules concerning the Pete Suazo Utah Athletic
141 Commission created in Section 63C-11-303;

142 (c) contract with an existing not-for-profit organization for the purpose of sports
143 development throughout the state, including:

144 (i) branding, advertising, and marketing; and

145 (ii) sports tourism promotion, including attracting and developing sporting events; and

146 (d) make rules in accordance with Title 63, Chapter 46a, Utah Administrative
147 Rulemaking Act, necessary for the administration of this chapter.

148 (2) The authority may:

149 (a) hire employees to carry out its duties as budgetary constraints allow;

- 150 (b) coordinate with any other entity the promotion or enhancement of sporting
- 151 opportunities in Utah;
- 152 (c) solicit and accept contributions of moneys, services, and facilities from any other
- 153 sources, public or private, and shall use these funds for coordinating the promotion and
- 154 enhancement of sporting opportunities in Utah;
- 155 (d) partner with existing entities for Olympic-related sports development;
- 156 (e) coordinate with the Division of Parks and Recreation to establish a destination golf
- 157 program to promote golf-related tourism; and
- 158 (f) coordinate with existing entities the recruitment and relocation of the United States
- 159 Olympic Committee National Governing Bodies and other organizations governing sports.
- 160 (3) The authority may not:
- 161 (a) promote sports; or
- 162 (b) manage sports events.
- 163 (4) (a) The not-for-profit organization contracted with in Subsection (1):
- 164 (i) shall have at least five years' experience in the promotion, development, and
- 165 marketing of sports events and sports tourism;
- 166 (ii) shall represent all geographic areas of the state; and
- 167 (iii) may not have a financial or ownership interest in any sports venue.
- 168 (b) Development of sports under the contract entered into under Subsection (1) shall
- 169 include:
- 170 (i) summer and winter sports;
- 171 (ii) amateur and professional sports; and
- 172 (iii) participatory and spectator sports.

173 Section 5. Section **63C-11-301**, which is renumbered from Section 13-33-101 is
174 renumbered and amended to read:

175 **Part 3. Pete Suazo Utah Athletic Commission Act**

176 ~~[13-33-101]~~. **63C-11-301. Title.**

177 This chapter is known as the "Pete Suazo Utah Athletic Commission Act."

178 Section 6. Section **63C-11-302**, which is renumbered from Section 13-33-102 is
179 renumbered and amended to read:

180 ~~[13-33-102]~~. **63C-11-302. Definitions.**

181 As used in this chapter:

182 (1) "Bodily injury" is as defined in Section 76-1-601.

183 (2) "Boxing" means the sport of attack and defense using the fist, which is covered by
184 an approved boxing glove.

185 (3) "Club fighting" means any contest of unarmed combat, whether admission is
186 charged or not, where:

187 (a) the rules of the contest are not approved by the commission;

188 (b) a licensed physician or osteopath is not in attendance;

189 (c) an HIV negative test regarding each contestant not less than 180 days before the
190 contest has not been provided to the commission;

191 (d) the contest is not conducted in accordance with commission rules; or

192 (e) the contestants are not matched by the weight standards described in Section
193 ~~[13-33-507]~~ 63C-11-324.

194 (4) "Commission" means the Pete Suazo Utah Athletic Commission created in this
195 chapter.

196 (5) "Contest" means a live match, performance, or exhibition involving two or more
197 persons engaged in unarmed combat.

198 (6) "Contestant" means an individual who participates in a contest.

199 ~~[(7) "Department" means the Department of Commerce.]~~

200 ~~[(8)]~~ (7) "Designated commission member" means a member of the commission
201 designated to:

202 (a) attend and supervise a particular contest; and

203 (b) act on the behalf of the commission at a contest venue.

204 ~~[(9)]~~ (8) "Elimination boxing contest" means ~~[(a)]~~ a contest where:

205 (a) a number of contestants participate in a tournament;

206 (b) ~~[over a period of time not exceeding]~~ the duration is not more than 48 hours; and

207 (c) the loser of each contest is eliminated from further competition.

208 ~~[(10) "Executive director" means the executive director of the Department of
209 Commerce.]~~

210 ~~[(11)]~~ (9) "Exhibition" means an engagement in which the participants show or display
211 their skills without necessarily striving to win.

212 [~~(12)~~] (10) "Judge" means an individual qualified by training or experience to:
213 (a) rate the performance of contestants;
214 (b) score a contest; and
215 (c) determine with other judges whether there is a winner of the contest or whether the
216 contestants performed equally, resulting in a draw.

217 [~~(13)~~] (11) "Licensee" means an individual licensed by the commission to act as a:
218 (a) contestant;
219 (b) judge;
220 (c) manager;
221 (d) promoter;
222 (e) referee; or
223 (f) second[~~;~~ ~~or~~];
224 [~~(g) security guard.~~]

225 [~~(14)~~] (12) "Manager" means an individual who represents a contestant for the
226 purposes of:
227 (a) obtaining a contest for a contestant;
228 (b) negotiating terms and conditions of the contract under which the contestant will
229 engage in a contest; or
230 (c) arranging for a second for the contestant at a contest.

231 [~~(15)~~] (13) "Promoter" means a person who engages in producing or staging contests
232 and promotions.

233 [~~(16)~~] (14) "Promotion" means a single contest or a combination of contests that:
234 (a) occur during the same time and at the same location; and [~~that~~]
235 (b) is produced or staged by a promoter.

236 [~~(17)~~] (15) "Purse" means any money, prize, remuneration, or any other valuable
237 consideration a contestant receives or may receive for participation in a contest.

238 [~~(18)~~] (16) "Referee" means an individual qualified by training or experience to act as
239 the official attending a contest at the point of contact between contestants for the purpose of:
240 (a) enforcing the rules relating to the contest;
241 (b) stopping the contest in the event the health, safety, and welfare of a contestant or
242 any other person in attendance at the contest is in jeopardy; and

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

244 [~~(19)~~] (17) "Round" means one of a number of individual time periods that, taken
245 together, constitute a contest during which contestants are engaged in a form of unarmed
246 combat.

247 [~~(20)~~] (18) "Second" means an individual who attends a contestant at the site of the
248 contest before, during, and after the contest in accordance with contest rules.

249 [~~(21)~~] (19) "Secretary" means the secretary of the Pete Suazo Utah Athletic
250 Commission.

251 [~~(22)~~] (20) "Serious bodily injury" is as defined in Section 76-1-601.

252 [~~(23)~~] (21) "Total gross receipts" means the amount of the face value of all tickets sold
253 to a particular contest plus any sums received as consideration for holding the contest at a
254 particular location.

255 [~~(24)~~] (22) "Ultimate fighting" means a live contest, whether or not an admission fee is
256 charged, in which:

257 (a) contest rules permit contestants to use a combination of boxing, kicking, wrestling,
258 hitting, punching, or other combative[;] contact techniques;

259 (b) contest rules incorporate a formalized system of combative techniques against
260 which a contestant's performance is judged to determine the prevailing contestant;

261 (c) contest rules divide nonchampionship contests into three equal and specified rounds
262 of no more than five minutes per round with a rest period of one minute between each round;

263 (d) contest rules divide championship contests into five equal and specified rounds of
264 no more than five minutes per round with a rest period of one minute between each round; and

265 (e) contest rules prohibit contestants from:

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

269 (ii) striking a person who demonstrates an inability to protect himself from the
270 advances of an opponent;

271 (iii) biting; or

272 (iv) direct, intentional, and forceful strikes to the eyes, groin area, adam's apple area of
273 the neck, and temple area of the head.

274 [~~(25)~~] (23) (a) "Unarmed combat" means boxing or any other form of competition in
 275 which a blow is usually struck which may reasonably be expected to inflict bodily injury.

276 (b) "Unarmed combat" does not include a competition or exhibition between
 277 participants in which the participants engage in simulated combat for entertainment purposes.

278 [~~(26)~~] (24) "Unlawful conduct" means organizing, promoting, or participating in a
 279 contest which involves contestants that are not licensed under this chapter.

280 [~~(27)~~] (25) "Unprofessional conduct" means:

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

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

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

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

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

289 (f) striking of a downed opponent by a contestant while the contestant remains on the
 290 contestant's feet unless the commission, following a hearing conducted under Subsection
 291 [~~13-33-404~~] 63C-11-316(3) and before the contest, has exempted the contest and each
 292 contestant from this Subsection [~~(27)~~] (25)(f);

293 (g) after entering the ring or contest area, penetrating an area within four feet of an
 294 opponent by a contestant, manager or second before the commencement of the contest; or

295 (h) as further defined by [~~rule~~] rules made by the commission under Title 63, Chapter
 296 46a, Utah Administrative Rulemaking Act.

297 Section 7. Section **63C-11-303**, which is renumbered from Section 13-33-201 is
 298 renumbered and amended to read:

299 [~~13-33-201~~]. **63C-11-303. Commission -- Creation -- Appointments --**

300 **Terms -- Expenses -- Quorum.**

301 (1) There is created within the [~~Department of Commerce~~] Utah Sports Authority the
 302 Pete Suazo Utah Athletic Commission consisting of five members.

303 (2) (a) The commission members shall be appointed by the [~~executive director~~]
 304 authority.

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

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

308 (3) (a) Except as required by Subsection (3)(b), as terms of current members expire, the
309 [~~executive director~~] authority shall appoint each new member or reappointed member to a
310 four-year term.

311 (b) Notwithstanding the requirements of Subsection (3)(a), the [~~executive director~~]
312 authority shall, at the time of appointment or reappointment, adjust the length of terms to
313 ensure that the terms of members are staggered so that approximately half of the commission is
314 appointed every two years.

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

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

320 (e) If a commission member fails or refuses to fulfill the responsibilities and duties of a
321 commission member, including the attendance at commission meetings, the [~~executive~~
322 ~~director~~] authority, with the approval of the commission, may remove the commission member
323 and replace the member in accordance with this section.

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

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

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

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

335 (ii) State government officer and employee members may decline to receive per diem

336 and expenses for their service.

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

339 Section 8. Section **63C-11-304**, which is renumbered from Section 13-33-202 is
340 renumbered and amended to read:

341 ~~[13-33-202].~~ **63C-11-304. Commission powers and duties.**

342 (1) The commission shall:

343 (a) purchase and use a seal;

344 (b) adopt rules for the administration of this chapter in accordance with Title 63,
345 Chapter 46a, Utah Administrative Rulemaking Act;

346 (c) prepare all forms of contracts between sponsors, licensees, promoters, and
347 contestants; and

348 (d) hold hearings relating to matters under its jurisdiction, including violations of this
349 chapter or rules promulgated under this chapter.

350 (2) The commission may subpoena witnesses, take evidence, and require the
351 production of books, papers, documents, records, contracts, recordings, tapes, correspondence,
352 or other information relevant to an investigation if the commission or its designee considers it
353 necessary.

354 (3) (a) The commission shall maintain a list of ringside physicians registered with the
355 commission as approved to act as a ringside physician and meeting the requirements of
356 Subsection (3)(c).

357 (b) The commission shall appoint a registered ringside physician to perform the duties
358 of a ringside physician at each contest held pursuant to this chapter.

359 (c) An applicant for registration as a ringside physician shall:

360 (i) submit an application for registration;

361 ~~[(ii) pay a fee determined by the commission under Section 63-38-3.2;]~~

362 ~~[(iii)]~~ (ii) provide the commission with evidence of the applicant's licensure to practice
363 medicine in the state; and

364 ~~[(iv)]~~ (iii) satisfy minimum qualifications established by the ~~[department]~~ commission
365 by rule as authorized under Subsection (1)(b).

366 Section 9. Section **63C-11-305**, which is renumbered from Section 13-33-203 is

367 renumbered and amended to read:

368 ~~[13-33-203].~~ **63C-11-305. Commission secretary.**

369 (1) The commission shall employ a secretary to conduct the commission's business,
370 and who ~~[must]~~ may not be a member of the commission.

371 (2) The secretary serves at the pleasure of the commission.

372 Section 10. Section **63C-11-306**, which is renumbered from Section 13-33-204 is
373 renumbered and amended to read:

374 ~~[13-33-204].~~ **63C-11-306. Inspectors.**

375 (1) The commission may appoint one or more official representatives to be designated
376 as inspectors ~~[which]~~, who shall serve at the pleasure of the commission.

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

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

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

382 Section 11. Section **63C-11-307**, which is renumbered from Section 13-33-205 is
383 renumbered and amended to read:

384 ~~[13-33-205].~~ **63C-11-307. Affiliation with other commissions.**

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

387 Section 12. Section **63C-11-308**, which is renumbered from Section 13-33-301 is
388 renumbered and amended to read:

389 ~~[13-33-301].~~ **63C-11-308. Licensing.**

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

391 (a) promoter;

392 (b) manager;

393 (c) contestant;

394 (d) second;

395 (e) referee; or

396 (f) judge~~[; or]~~.

397 ~~[(g) security guard.]~~

398 (2) The commission shall issue to a person who qualifies under this chapter a license in
399 the classifications of:

400 (a) promoter;

401 (b) manager;

402 (c) contestant;

403 (d) second;

404 (e) referee; or

405 (f) judge[~~;~~~~or~~].

406 [~~(g) security guard.~~]

407 (3) All moneys collected pursuant to this section and Sections [~~13-33-304, 13-33-403,~~
408 ~~and 13-33-504~~] 63C-11-311, 63C-11-312, 63C-11-315, 63C-11-318, and 63C-11-321, shall be
409 deposited in the [~~Commerce Service Fund~~] General Fund.

410 (4) Each applicant for licensure as a promoter shall:

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

412 (b) pay the fee determined by the [~~department~~] commission under Section 63-38-3.2;

413 (c) provide to the commission evidence of financial responsibility, which shall include
414 financial statements and other information that the commission may reasonably require to
415 determine that the applicant or licensee is able to competently perform as and meet the
416 obligations of a promoter in this state;

417 (d) produce information, documentation, and assurances as may be required to
418 establish by a preponderance of the evidence the applicant's reputation for good character,
419 honesty, integrity, and responsibility, which shall include information, documentation, and
420 assurances that the applicant:

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

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

428 (iii) is not associating or consorting with a person who has been convicted of a felony

429 in any jurisdiction to the extent that the association or consorting represents a threat to the
430 conduct of contests in the public's interest within the state, or a threat to the health, safety, and
431 welfare of the applicant or a licensed contestant;

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

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

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

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

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

446 (f) if requested by the commission or the secretary, meet with the commission or the
447 secretary to examine the applicant's qualifications for licensure.

448 (5) Each applicant for licensure as a contestant shall:

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

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

452 (c) pay the fee established by the ~~[department]~~ commission under Section 63-38-3.2;

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

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

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

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

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

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

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

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

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

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

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

490 (h) if requested by the commission or the secretary, meet with the commission or the

491 secretary to examine the applicant's qualifications for licensure.

492 (6) Each applicant for licensure as a manager or second shall:

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

494 (b) pay a fee determined by the ~~[department]~~ commission under Section 63-38-3.2;

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

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

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

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

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

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

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

520 (vii) has not been found in an administrative, criminal, or civil proceeding to have
521 violated or attempted to violate any law with respect to a contest in any jurisdiction or any law,

522 rule, or order relating to the regulation of contests in this state or any other jurisdiction;

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

525 (e) if requested by the commission or secretary, meet with the commission or the
526 secretary to examine the applicant's qualifications for licensure.

527 (7) Each applicant for licensure as a referee or judge shall:

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

529 (b) pay a fee determined by the ~~[department]~~ commission under Section 63-38-3.2;

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

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

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

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

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

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

552 (vi) has not been found in an administrative, criminal, or civil proceeding to have

553 engaged in or attempted to have engaged in any fraud or misrepresentation in connection with a
554 contest or any other sporting event; and

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

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

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

562 (f) if requested by the commission or the secretary, meet with the commission or the
563 secretary to examine the applicant's qualifications for licensure.

564 [~~(8) Each applicant for licensure as a security guard shall:~~]

565 [~~(a) submit an application in a form prescribed by the commission;~~]

566 [~~(b) pay the fee determined by the department under Section 63-38-3.2; and]~~

567 [~~(c) provide the commission with evidence of the applicant's qualifications as a
568 security guard.~~]

569 ~~(9)~~ (8) (a) A licensee serves at the pleasure, and under the direction, of the
570 commission while participating in any way at a contest.

571 (b) A licensee's license may be suspended, or a fine imposed, if the licensee does not
572 follow the commission's direction at an event or contest.

573 Section 13. Section **63C-11-309**, which is renumbered from Section 13-33-302 is
574 renumbered and amended to read:

575 ~~[13-33-302].~~ **63C-11-309. Term of license -- Expiration -- Renewal.**

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

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

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

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

584 Section 14. Section **63C-11-310**, which is renumbered from Section 13-33-303 is
585 renumbered and amended to read:

586 ~~[13-33-303]~~. **63C-11-310. Grounds for denial of license -- Disciplinary**
587 **proceedings -- Reinstatement.**

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

591 (2) The commission may refuse to issue a license to an applicant and may refuse to
592 renew or may revoke, suspend, restrict, place on probation, issue a public or private reprimand
593 to, or otherwise act upon the license of any licensee ~~[in any of the following cases]~~ if:

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

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

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

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

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

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

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

611 (5) (a) The commission may impose an administrative fine for acts of unprofessional or
612 unlawful conduct under this chapter.

613 (b) An administrative fine under this Subsection (5) may not exceed \$2,500 for each
614 separate act of unprofessional or unlawful conduct.

615 (c) The commission shall comply with Title 63, Chapter 46b, Administrative
616 Procedures Act, in any action to impose an administrative fine under this chapter.

617 (d) The imposition of a fine under this Subsection (5) does not affect any other action
618 the commission or [department] authority may take concerning a license issued under this
619 chapter.

620 (6) (a) The commission may not take disciplinary action against any person for
621 unlawful or unprofessional conduct under this title, unless the commission initiates an
622 adjudicative proceeding regarding the conduct within four years after the conduct is reported to
623 the commission, except under Subsection (6)(b).

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

628 (7) (a) Notwithstanding Title 63, Chapter 46b, Administrative Procedures Act, the
629 following have the authority to immediately suspend the license of a licensee at such time and
630 for such period that the following believes is necessary to protect the health, safety, and welfare
631 of the licensee, another licensee, or the public:

632 (i) the commission;

633 (ii) a designated commission member; or

634 (iii) if a designated commission member is not present, the secretary.

635 (b) The commission shall establish by rule appropriate procedures to invoke the
636 suspension and to provide a suspended licensee a right to a hearing before the commission with
637 respect to the suspension within a reasonable time after the suspension.

638 Section 15. Section **63C-11-311**, which is renumbered from Section 13-33-304 is
639 renumbered and amended to read:

640 ~~[13-33-304].~~ **63C-11-311. Additional fees for license of promoter --**

641 **Dedicated credits -- Promotion of contests -- Annual exemption of showcase event.**

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

644 (a) 3% of the total gross receipts from admission fees to each live contest or exhibition,
645 exclusive of any other state or federal tax or tax imposed by any political subdivision of this

646 state; and

647 (b) 3% of total gross receipts from the sale, lease, or other exploitation of broadcasting,
648 television, and motion picture rights for each contest or exhibition.

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

652 (3) One-half of license fees collected under Subsection (1)(a) from professional boxing
653 contests or exhibitions shall be deposited in the General Fund as a dedicated credit to be used
654 by the commission to award grants to organizations which promote amateur boxing in the state.

655 (4) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the
656 commission shall adopt rules:

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

658 (b) governing the treatment of complimentary tickets for the purposes of computing
659 gross receipts from admission fees under Subsection (1);

660 (c) governing the manner in which applications for grants under Subsection (3) may be
661 submitted to the commission; and

662 (d) establishing standards for awarding grants under Subsection (3) to organizations
663 which promote amateur boxing in the state.

664 (5) For the purpose of creating a greater interest in contests in the state, the commission
665 may exempt from the payment of license fees under this section one contest or exhibition in
666 each calendar year, intended as a showcase event. The commission shall select the contest or
667 exhibition to be exempted based on factors which include:

668 (a) attraction of the optimum number of spectators;

669 (b) costs of promoting and producing the contest or exhibition;

670 (c) ticket pricing;

671 (d) committed promotions and advertising of the contest or exhibition;

672 (e) rankings and quality of the contestants; and

673 (f) committed television and other media coverage of the contest or exhibition.

674 Section 16. Section **63C-11-312**, which is renumbered from Section 13-33-305 is
675 renumbered and amended to read:

676 ~~[13-33-305].~~ **63C-11-312. Transition of licenses.**

677 (1) A license that was issued by the [~~Division of Occupational and Professional~~
 678 ~~Licensing~~] Department of Commerce under Title [58] 13, Chapter [66] 33, [~~Utah Professional~~
 679 ~~Boxing Regulation Act, prior to~~] Pete Suazo Utah Athletic Commission Act, before July 1,
 680 [~~2001~~] 2007, shall:

681 (a) be considered a valid license under this chapter until the expiration date indicated
 682 on the license;

683 (b) be subject to the provisions of this chapter, including provisions relating to
 684 disciplinary action against the license; and

685 (c) not be renewed under Title 58, Occupations and Professions.

686 (2) Upon the expiration of a license described in Subsection (1), a person desiring to
 687 continue licensure in the profession shall meet the same requirements as those required for new
 688 licensure under Section [~~13-33-301~~] 63C-11-308.

689 Section 17. Section **63C-11-313**, which is renumbered from Section 13-33-401 is
 690 renumbered and amended to read:

691 [~~13-33-401~~]. **63C-11-313. Jurisdiction of commission.**

692 (1) (a) The commission has [~~and is vested with~~] the sole authority concerning
 693 direction, management, control, and jurisdiction over all contests or exhibitions of unarmed
 694 combat to be conducted, held, or given within this state.

695 (b) A contest or exhibition may not be conducted, held, or given within this state
 696 except in accordance with this chapter.

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

700 (3) (a) An area not less than six feet from the perimeter of the ring shall be reserved for
 701 the use of:

702 (i) the designated commission member;

703 (ii) other commission members in attendance;

704 (iii) the secretary;

705 (iv) commission employees;

706 (v) officials;

707 (vi) licensees participating or assisting in the contest; and

708 (vii) others granted credentials by the commission.

709 (b) The promoter shall provide security at the direction of the commission or
710 designated commission member to secure the area described in Subsection (3)(a).

711 (4) The area described in Subsection (3), area in the dressing rooms, and other areas
712 considered necessary by the designated commission member for the safety and welfare of a
713 licensee and the public shall be reserved for the use of:

714 (a) the designated commission member;

715 (b) other commission members in attendance;

716 (c) the secretary;

717 (d) commission employees;

718 (e) officials;

719 (f) licensees participating or assisting in the contest; and

720 (g) others granted credentials by the commission.

721 (5) The promoter shall provide security at the direction of the commission or
722 designated commission member to secure the areas described in Subsections (3) and (4).

723 (6) (a) The designated commission member may direct the removal from the contest
724 venue and premises, of any individual whose actions:

725 (i) are disruptive to the safe conduct of the contest; or

726 (ii) pose a danger to the safety and welfare of the licensees, the commission, or the
727 public.

728 (b) The promoter shall provide security at the direction of the commission or
729 designated commission member to effectuate a removal under Subsection (6)(a).

730 Section 18. Section **63C-11-314**, which is renumbered from Section 13-33-402 is
731 renumbered and amended to read:

732 ~~[13-33-402]~~. **63C-11-314. Club fighting prohibited.**

733 (1) Club fighting is prohibited.

734 (2) Any person who publicizes, promotes, conducts, or engages in a club fighting
735 match is:

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

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

738 Section 19. Section **63C-11-315**, which is renumbered from Section 13-33-403 is

739 renumbered and amended to read:

740 ~~[13-33-403]~~. 63C-11-315. Approval to hold contest or promotion -- Bond
741 **required.**

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

744 (2) The application shall be accompanied by a contest fee determined by the
745 ~~[department]~~ commission under Section 63-38-3.2.

746 (3) (a) The commission may approve or deny approval to hold a contest or promotion
747 permitted under this chapter.

748 (b) Provisional approval under Subsection (3)(a) shall be granted upon a determination
749 by the commission that:

750 (i) the promoter of the contest or promotion is properly licensed;

751 (ii) a bond meeting the requirements of Subsection (5) has been posted by the promoter
752 of the contest or promotion; and

753 (iii) the contest or promotion will be held in accordance with this chapter and rules
754 made under this chapter.

755 (4) Final approval to hold a contest or promotion may not be granted unless the
756 promoter provides to the commission not less than seven days before the day of the contest:

757 (a) proof of a negative HIV test performed not more than 180 days before the day of
758 the contest for each contestant;

759 (b) a copy of each contestant's federal identification card;

760 (c) a copy of a signed contract between each contestant and the promoter for the
761 contest;

762 (d) a statement specifying the maximum number of rounds of the contest;

763 (e) a statement specifying the site, date, and time of weigh-in; and

764 (f) the name of the physician selected from among a list of registered and
765 commission-approved ringside physicians who shall act as ringside physician for the contest.

766 (5) An applicant shall post a surety bond or cashier's check with the commission in the
767 greater of \$10,000 or the amount of the purse, providing for forfeiture and disbursement of the
768 proceeds if the applicant fails to comply with:

769 (a) the requirements of this chapter; or

770 (b) rules made under this chapter relating to the promotion or conduct of the contest or
771 promotion.

772 Section 20. Section **63C-11-316**, which is renumbered from Section 13-33-404 is
773 renumbered and amended to read:

774 ~~[13-33-404].~~ **63C-11-316. Rules for the conduct of contests.**

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

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

782 (3) (a) The commission may, in its discretion, exempt a contest and each contestant
783 from the definition of unprofessional conduct found in Subsection ~~[13-33-102(27)(f)]~~
784 **63C-11-302(25)(f)** after:

- 785 (i) a promoter requests the exemption; and
- 786 (ii) the commission considers relevant factors, including:
 - 787 (A) the experience of the contestants;
 - 788 (B) the win and loss records of each contestant;
 - 789 (C) each contestant's level of training; and
 - 790 (D) any other evidence relevant to the contestants' professionalism and the ability to
 - 791 safely conduct the contest.

792 (b) The commission's hearing of a request for an exemption under this Subsection (3)
793 is an informal adjudicative proceeding under Section 63-46b-4.

794 (c) The commission's decision to grant or deny a request for an exemption under this
795 Subsection (3) is not subject to agency review under Section 63-46b-12.

796 Section 21. Section **63C-11-317**, which is renumbered from Section 13-33-405 is
797 renumbered and amended to read:

798 ~~[13-33-405].~~ **63C-11-317. Medical examinations and drug tests.**

799 The commission shall adopt rules in accordance with Title 63, Chapter 46a, Utah
800 Administrative Rulemaking Act, for medical examinations and drug testing of contestants,

801 including provisions under which contestants shall:

802 (1) [~~provisions under which contestants shall~~] produce evidence based upon competent
803 laboratory examination that they are HIV negative as a condition of participating as a
804 contestant in any contest;

805 (2) [~~provisions under which contestants shall~~] be subject to random drug testing before
806 or after participation in a contest, and sanctions, including barring participation in a contest or
807 withholding a percentage of any purse, that shall be placed against a contestant testing positive
808 for alcohol or any other drug that in the opinion of the commission is inconsistent with the safe
809 and competent participation of that contestant in a contest;

810 (3) [~~provisions under which contestants shall~~] be subject to a medical examination by
811 the ringside physician not more than 30 hours before the contest to identify any physical
812 ailment or communicable disease that, in the opinion of the commission or designated
813 commission member, are inconsistent with the safe and competent participation of that
814 contestant in the contest; and

815 (4) [~~provisions under which contestants shall~~] be subject to medical testing for
816 communicable diseases as considered necessary by the commission to protect the health,
817 safety, and welfare of the licensees and the public.

818 Section 22. Section **63C-11-318**, which is renumbered from Section 13-33-406 is
819 renumbered and amended to read:

820 ~~[13-33-406].~~ **63C-11-318. Contests.**

821 (1) Except as provided in Section [~~13-33-508~~] 63C-11-325, a licensee may not
822 participate in:

823 (a) a boxing contest as a contestant if that person has participated in another boxing
824 contest as a contestant within 30 days before the proposed boxing contest; or

825 (b) an ultimate fighting contest as a contestant if that person has participated in another
826 ultimate fighting contest as a contestant within six days before the proposed ultimate fighting
827 contest.

828 (2) Subsection (1) applies regardless of where the previous boxing contest occurred.

829 (3) During the period of time beginning 60 minutes before the beginning of a contest,
830 the promoter shall demonstrate the promoter's compliance with the commission's security
831 requirements to all commission members present at the contest.

832 ~~[(4) A venue at which a contest is to be held that has the capacity to host more than~~
833 ~~5,000 people need not have commission licensed security guards to provide security at a~~
834 ~~contest.]~~

835 ~~[(5)]~~ (4) The commission shall establish fees in accordance with Section 63-38-3.2 to
836 be paid by a promoter for the conduct of each contest or event composed of multiple contests
837 conducted under this chapter.

838 Section 23. Section **63C-11-319**, which is renumbered from Section 13-33-502 is
839 renumbered and amended to read:

840 ~~[13-33-502].~~ **63C-11-319. Reports to commission.**

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

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

845 (b) the amount of the gross receipts from admission fees without any deductions for
846 commissions, brokerage fees, distribution fees, advertising, contestants' purses, or any other
847 expenses or charges; and

848 (c) any other matters prescribed by rule.

849 (2) The promoter shall, at the same time as submitting the report required by
850 Subsection (1), pay to the commission the fee required by Section ~~[13-33-304]~~ **63C-11-311.**

851 Section 24. Section **63C-11-320**, which is renumbered from Section 13-33-503 is
852 renumbered and amended to read:

853 ~~[13-33-503].~~ **63C-11-320. Contracts.**

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

858 Section 25. Section **63C-11-321**, which is renumbered from Section 13-33-504 is
859 renumbered and amended to read:

860 ~~[13-33-504].~~ **63C-11-321. Withholding of purse.**

861 (1) The commission, the secretary, or any other agent authorized by the commission
862 may order a promoter to withhold any part of a purse or other money belonging or payable to

863 any contestant, manager, or second if, in the judgment of the commission, secretary, or other
864 agent:

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

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

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

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

875 (4) If it is determined that a contestant, manager, or second is not entitled to any part of
876 his share of the purse or other money, the promoter shall pay the money over to the
877 commission.

878 Section 26. Section **63C-11-322**, which is renumbered from Section 13-33-505 is
879 renumbered and amended to read:

880 ~~[13-33-505]~~. **63C-11-322. Penalty for unlawful conduct.**

881 A person who engages in any act of unlawful conduct, as defined in Section
882 ~~[13-33-102]~~ 63C-11-302, is guilty of a class A misdemeanor.

883 Section 27. Section **63C-11-323**, which is renumbered from Section 13-33-506 is
884 renumbered and amended to read:

885 ~~[13-33-506]~~. **63C-11-323. Exemptions.**

886 ~~[The provisions of this]~~ This chapter ~~[do]~~ does not apply to:

887 (1) any amateur contests or exhibitions of unarmed combat conducted by or
888 participated in exclusively by:

889 (a) a school accredited by the Utah Board of Education;

890 (b) a college or university accredited by the United States Department of Education; or

891 (c) any association or organization of a school, college, or university described in

892 Subsections (1)(a) and (b), when each participant in the contests or exhibitions is a bona fide
893 student in the school, college, or university; or

894 (2) any contest or exhibition of unarmed combat conducted in accordance with the
895 standards and regulations of USA Boxing, Inc.

896 Section 28. Section **63C-11-324**, which is renumbered from Section 13-33-507 is
897 renumbered and amended to read:

898 ~~[13-33-507]~~. **63C-11-324. Contest weights and classes -- Matching**
899 **contestants.**

900 (1) Boxing contest weights and classes are ~~[established as follows]~~:

- 901 (a) strawweight is up to and including 105 lbs. (47.627 kgs.);
- 902 (b) light-flyweight is over 105 lbs. (47.627 kgs.) to 108 lbs. (48.988 kgs.);
- 903 (c) flyweight is over 108 lbs (48.988 kgs.) to 112 lbs. (50.802 kgs.);
- 904 (d) super flyweight is over 112 lbs. (50.802 kgs.) to 115 lbs. (52.163 kgs.);
- 905 (e) bantamweight is over 115 lbs. (52.163 kgs.) to 118 lbs. (53.524 kgs.);
- 906 (f) super bantamweight is over 118 lbs. (53.524 kgs.) to 122 lbs. (55.338 kgs.);
- 907 (g) featherweight is over 122 lbs. (55.338 kgs.) to 126 lbs. (57.153 kgs.);
- 908 (h) super featherweight is over 126 lbs. (57.153 kgs.) to 130 lbs. (58.967 kgs.);
- 909 (i) lightweight is over 130 lbs. (58.967 kgs.) to 135 lbs. (61.235 kgs.);
- 910 (j) super lightweight is over 135 lbs. (61.235 kgs.) to 140 lbs. (63.503 kgs.);
- 911 (k) welterweight is over 140 lbs. (63.503 kgs.) to 147 lbs. (66.678 kgs.);
- 912 (l) super welterweight is over 147 lbs. (66.678 kgs.) to 154 lbs. (69.853 kgs.);
- 913 (m) middleweight is over 154 lbs. (69.853 kgs.) to 160 lbs. (72.574 kgs.);
- 914 (n) super middleweight is over 160 lbs. (72.574 kgs.) to 168 lbs. (76.204 kgs.);
- 915 (o) light-heavyweight is over 168 lbs. (76.204 kgs.) to 175 lbs. (79.378 kgs.);
- 916 (p) cruiserweight is over 175 lbs. (79.378 kgs.) to 200 lbs. (90.720 kgs.); and
- 917 (q) heavyweight is over 200 lbs. (90.720 kgs.).

918 (2) Contest weights and classes for unarmed combat that is not boxing are ~~[established~~
919 ~~as follows]~~:

- 920 (a) flyweight is up to and including 125 lbs. (56.82 kgs.);
- 921 (b) bantamweight is over 125 lbs. (56.82 kgs.) to 135 lbs. (61.36 kgs.);
- 922 (c) featherweight is over 135 lbs (61.36 kgs.) to 145 lbs. (65.91 kgs.);
- 923 (d) lightweight is over 145 lbs. (65.91 kgs.) to 155 lbs. (70.45 kgs.);
- 924 (e) welterweight is over 155 lbs. (70.45 kgs.) to 170 lbs. (77.27 kgs.);

- 925 (f) middleweight is over 170 lbs. (77.27 kgs.) to 185 lbs. (84.09 kgs.);
- 926 (g) light-heavyweight is over 185 lbs. (84.09 kgs.) to 205 lbs. (93.18 kgs.);
- 927 (h) heavyweight is over 205 lbs. (93.18 kgs.) to 265 lbs. (120.45 kgs.); and
- 928 (i) super heavyweight is over 265 lbs. (120.45 kgs.).

929 (3) As to any unarmed combat contest, a contestant may not fight another contestant
930 who is outside of the contestant's weight classification.

931 (4) As to any unarmed combat contest:

932 (a) a contestant who has contracted to participate in a given weight class may not be
933 permitted to compete if the contestant is not within that weight class at the weigh-in; and

934 (b) a contestant may have two hours to attempt to gain or lose not more than three
935 pounds in order to be reweighed.

936 (5) (a) As to any unarmed combat contest, the commission may not allow a contest in
937 which the contestants are not fairly matched.

938 (b) Factors in determining if contestants are fairly matched include:

939 (i) the win-loss record of the contestants;

940 (ii) the weight differential between the contestants;

941 (iii) the caliber of opponents for each contestant;

942 (iv) each contestant's number of fights; and

943 (v) previous suspensions or disciplinary actions of the contestants.

944 Section 29. Section **63C-11-325**, which is renumbered from Section 13-33-508 is
945 renumbered and amended to read:

946 **[13-33-508]. 63C-11-325. Elimination boxing contests -- Conduct of**
947 **contests -- Applicability of provisions -- Limitations on license -- Duration of contests --**
948 **Equipment -- Limitations on contests.**

949 (1) An elimination boxing contest shall be conducted under the supervision and
950 authority of the commission.

951 (2) Except as otherwise provided in this section and except as otherwise provided by
952 specific statute, the provisions of this chapter pertaining to boxing apply to an elimination
953 boxing contest.

954 (3) (a) All contests in an elimination boxing contest shall be no more than three rounds
955 in duration.

956 (b) A round of unarmed combat in an elimination boxing contest shall be no more than
957 one minute in duration.

958 (c) A period of rest following a round shall be no more than one minute in duration.

959 (4) A contestant:

960 (a) shall wear gloves that weigh 16 ounces; and

961 (b) shall wear headgear approved by the commission, the designated commission
962 member, or the secretary if a designated commission member is not present.

963 (5) A contestant may participate in more than one contest, but may not box more than a
964 total of seven rounds in the entire tournament.

965 Section 30. **Effective date.**

966 This bill takes effect on July 1, 2007.

S.B. 167 1st Sub. (Green) - Utah Sports Authority

Fiscal Note

2007 General Session

State of Utah

State Impact

Enactment of this bill would transfer funding and oversight responsibility related to the Pete Suazo Athletic Commission from the Department of Commerce to an independent agency created in bill, the Utah Sports Authority. Currently the Commission is funded through Commerce Service Fund revenue. In order to enact the transfer, Commerce Service Fund appropriations would have to lapse to the General Fund creating a General Fund revenue source to appropriate from. The amount of the transfer proposed is \$170,000 in FY 2008 and FY 2009. In addition, the Utah Sports Authority will need a one-time appropriation of \$17,500 (General Funds) for costs related to the move from the Department of Commerce.

	<u>FY 2007</u> <u>Approp.</u>	<u>FY 2008</u> <u>Approp.</u>	<u>FY 2009</u> <u>Approp.</u>	<u>FY 2007</u> <u>Revenue</u>	<u>FY 2008</u> <u>Revenue</u>	<u>FY 2009</u> <u>Revenue</u>
General Fund	\$0	\$170,000	\$170,000	\$0	\$170,000	\$170,000
General Fund, One-Time	\$0	\$17,500	\$0	\$0	\$0	\$0
Commerce Service Fund	\$0	(\$170,000)	(\$170,000)	\$0	\$0	\$0
Total	\$0	\$17,500	\$0	\$0	\$170,000	\$170,000

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.