

PETE SUAZO UTAH ATHLETIC COMMISSION

AMENDMENTS

2009 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Curtis Oda

Senate Sponsor: _____

LONG TITLE

General Description:

This bill makes changes to the Pete Suazo Utah Athletic Commission and eliminates the Utah Sports Authority.

Highlighted Provisions:

This bill:

- ▶ eliminates the Utah Sports Authority;
- ▶ eliminates the position of secretary of the commission and creates the position of director;
- ▶ allows the commission to affiliate with a tribal boxing commission or athletic authority;
- ▶ allows the commission to establish classifications of officials by rule;
- ▶ makes certain monies nonlapsing;
- ▶ allows the commission to establish license renewal intervals by rule;
- ▶ removes a provision for the transition of license from the Department of Commerce;
- ▶ allows the commission to establish weight classes by rule;
- ▶ allows the commission to permit a contestant to fight another contestant from a different weight class;
- ▶ addresses elimination unarmed combat contests; and
- ▶ makes technical changes.



28 **Monies Appropriated in this Bill:**

29 None

30 **Other Special Clauses:**

31 This bill provides an immediate effective date.

32 **Utah Code Sections Affected:**

33 **AMENDS:**

34 **67-22-2**, as last amended by Laws of Utah 2008, Chapter 86

35 **ENACTS:**

36 **63C-11-203**, Utah Code Annotated 1953

37 **63C-11-204**, Utah Code Annotated 1953

38 **63C-11-205**, Utah Code Annotated 1953

39 **REPEALS AND REENACTS:**

40 **63C-11-101**, as enacted by Laws of Utah 2007, Chapter 361

41 **63C-11-102**, as enacted by Laws of Utah 2007, Chapter 361

42 **63C-11-201**, as enacted by Laws of Utah 2007, Chapter 361

43 **63C-11-202**, as last amended by Laws of Utah 2008, Chapter 382

44 **63C-11-301**, as renumbered and amended by Laws of Utah 2007, Chapter 361

45 **63C-11-302**, as last amended by Laws of Utah 2008, Chapter 382

46 **63C-11-303**, as renumbered and amended by Laws of Utah 2007, Chapter 361

47 **63C-11-304**, as last amended by Laws of Utah 2008, Chapter 382

48 **63C-11-305**, as renumbered and amended by Laws of Utah 2007, Chapter 361

49 **63C-11-306**, as renumbered and amended by Laws of Utah 2007, Chapter 361

50 **63C-11-307**, as renumbered and amended by Laws of Utah 2007, Chapter 361

51 **63C-11-308**, as last amended by Laws of Utah 2008, Chapter 382

52 **63C-11-309**, as renumbered and amended by Laws of Utah 2007, Chapter 361

53 **63C-11-310**, as last amended by Laws of Utah 2008, Chapter 382

54 **63C-11-311**, as last amended by Laws of Utah 2008, Chapter 382

55 **63C-11-312**, as renumbered and amended by Laws of Utah 2007, Chapter 361

56 **63C-11-313**, as renumbered and amended by Laws of Utah 2007, Chapter 361

57 **63C-11-314**, as renumbered and amended by Laws of Utah 2007, Chapter 361

58 **63C-11-315**, as last amended by Laws of Utah 2008, Chapter 382

59 63C-11-316, as last amended by Laws of Utah 2008, Chapter 382

60 63C-11-317, as last amended by Laws of Utah 2008, Chapter 382

61 63C-11-318, as last amended by Laws of Utah 2008, Chapter 382

62 REPEALS:

63 63C-11-319, as enacted by Laws of Utah 2007, Chapter 361

64 63C-11-320, as renumbered and amended by Laws of Utah 2007, Chapter 361

65 63C-11-321, as renumbered and amended by Laws of Utah 2007, Chapter 361

66 63C-11-322, as renumbered and amended by Laws of Utah 2007, Chapter 361

67 63C-11-323, as renumbered and amended by Laws of Utah 2007, Chapter 361

68 63C-11-324, as renumbered and amended by Laws of Utah 2007, Chapter 361

69 63C-11-325, as renumbered and amended by Laws of Utah 2007, Chapter 361

70 63C-11-326, as enacted by Laws of Utah 2007, Chapter 361



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

73 Section 1. Section 63C-11-101 is repealed and reenacted to read:

74 **CHAPTER 11. PETE SUAZO UTAH ATHLETIC COMMISSION ACT**

75 **Part 1. General Provisions**

76 **63C-11-101. Title.**

77 This title is known as the "Pete Suazo Utah Athletic Commission Act."

78 Section 2. Section 63C-11-102 is repealed and reenacted to read:

79 **63C-11-102. Definitions.**

80 As used in this chapter:

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

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

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

86 (i) the rules of the contest are not approved by the commission;

87 (ii) a licensed physician or osteopath approved by the commission is not in attendance;

88 (iii) an HIV negative test regarding each contestant not less than 180 days before the
89 contest has not been provided to the commission;

- 90 (iv) the contest is not conducted in accordance with commission rules; or
- 91 (v) the contestants are not matched by the weight standards established in accordance
- 92 with Section 63C-11-316.
- 93 (b) "Club fighting" does not include sparring if:
- 94 (i) it is conducted for training purposes;
- 95 (ii) no tickets are sold to spectators;
- 96 (iii) no concessions are available for spectators;
- 97 (iv) protective clothing, including protective headgear, a mouthguard, and a protective
- 98 cup, is worn; and
- 99 (v) for boxing, 16 ounce boxing gloves are worn.
- 100 (4) "Commission" means the Pete Suazo Utah Athletic Commission created by this
- 101 chapter.
- 102 (5) "Contest" means a live match, performance, or exhibition involving two or more
- 103 persons engaged in unarmed combat.
- 104 (6) "Contestant" means an individual who participates in a contest.
- 105 (7) "Designated commission member" means a member of the commission designated
- 106 to:
- 107 (a) attend and supervise a particular contest; and
- 108 (b) act on the behalf of the commission at a contest venue.
- 109 (8) "Director" means the director appointed by the commission.
- 110 (9) "Elimination unarmed combat contest" means a contest where:
- 111 (a) a number of contestants participate in a tournament;
- 112 (b) the duration is not more than 48 hours; and
- 113 (c) the loser of each contest is eliminated from further competition.
- 114 (10) "Exhibition" means an engagement in which the participants show or display their
- 115 skills without necessarily striving to win.
- 116 (11) "Judge" means an individual qualified by training or experience to:
- 117 (a) rate the performance of contestants;
- 118 (b) score a contest; and
- 119 (c) determine with other judges whether there is a winner of the contest or whether the
- 120 contestants performed equally, resulting in a draw.

- 121 (12) "Licensee" means an individual licensed by the commission to act as a:
- 122 (a) contestant;
- 123 (b) judge;
- 124 (c) manager;
- 125 (d) promoter;
- 126 (e) referee;
- 127 (f) second; or
- 128 (g) other official established by the commission by rule.
- 129 (13) "Manager" means an individual who represents a contestant for the purpose of:
- 130 (a) obtaining a contest for a contestant;
- 131 (b) negotiating terms and conditions of the contract under which the contestant will
- 132 engage in a contest; or
- 133 (c) arranging for a second for the contestant at a contest.
- 134 (14) "Promoter" means a person who engages in producing or staging contests and
- 135 promotions.
- 136 (15) "Promotion" means a single contest or a combination of contests that:
- 137 (a) occur during the same time and at the same location; and
- 138 (b) is produced or staged by a promoter.
- 139 (16) "Purse" means any money, prize, remuneration, or any other valuable
- 140 consideration a contestant receives or may receive for participation in a contest.
- 141 (17) "Referee" means an individual qualified by training or experience to act as the
- 142 official attending a contest at the point of contact between contestants for the purpose of:
- 143 (a) enforcing the rules relating to the contest;
- 144 (b) stopping the contest in the event the health, safety, and welfare of a contestant or
- 145 any other person in attendance at the contest is in jeopardy; and
- 146 (c) acting as a judge if so designated by the commission.
- 147 (18) "Round" means one of a number of individual time periods that, taken together,
- 148 constitute a contest during which contestants are engaged in a form of unarmed combat.
- 149 (19) "Second" means an individual who attends a contestant at the site of the contest
- 150 before, during, and after the contest in accordance with contest rules.
- 151 (20) "Serious bodily injury" is as defined in Section 76-1-601.

152 (21) "Total gross receipts" means the amount of the face value of all tickets sold to a
153 particular contest plus any sums received as consideration for holding the contest at a particular
154 location.

155 (22) "Ultimate fighting" means a live contest, whether or not an admission fee is
156 charged, in which:

157 (a) contest rules permit contestants to use a combination of boxing, kicking, wrestling,
158 hitting, punching, or other combative contact techniques;

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

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

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

165 (e) contest rules prohibit contestants from:

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

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

171 (iii) biting; or

172 (iv) direct, intentional, and forceful strikes to the eyes, groin area, Adam's apple area of
173 the neck, and temple area of the head.

174 (23) (a) "Unarmed combat" means boxing or any other form of competition in which a
175 blow is usually struck which may reasonably be expected to inflict bodily injury.

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

178 (24) "Unlawful conduct" means organizing, promoting, or participating in a contest
179 which involves contestants that are not licensed under this chapter.

180 (25) "Unprofessional conduct" means:

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

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

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

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

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

189 (f) striking of a downed opponent by a contestant while the contestant remains on the
190 contestant's feet unless the commission, following a hearing conducted under Subsection
191 63C-11-308(3) and before the contest, has exempted the contest and each contestant from this
192 Subsection (25)(f);

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

195 (h) as further defined by rules made by the commission under Title 63G, Chapter 3,
196 Utah Administrative Rulemaking Act.

197 (26) "White-collar contest" means a contest conducted at a training facility where no
198 alcohol is served in which;

199 (a) for boxing:

200 (i) neither contestant is or has been a licensed contestant in any state or an amateur
201 registered with USA Boxing, Inc.;

202 (ii) no cash prize, or other prize valued at greater than \$35, is awarded;

203 (iii) protective clothing, including protective headgear, a mouthguard, a protective cup,
204 and for a female contestant a chestguard, is worn;

205 (iv) 16 ounce boxing gloves are worn;

206 (v) the contest is no longer than three rounds of no longer than three minutes each;

207 (vi) no winner or loser is declared or recorded; and

208 (vii) the contestants do not compete in a cage; and

209 (b) for ultimate fighting:

210 (i) neither contestant is or has been a licensed contestant in any state or an amateur
211 registered with USA Boxing, Inc.;

212 (ii) no cash prize, or other prize valued at greater than \$35, is awarded;

213 (iii) protective clothing, including a protective mouthguard and a protective cup, is

214 worn;

215 (iv) downward elbow strikes are not allowed;

216 (v) a contestant is not allowed to stand and strike a downed opponent;

217 (vi) a closed-hand blow to the head is not allowed while either contestant is on the

218 ground;

219 (vii) the contest is no longer than three rounds of no longer than three minutes each;

220 and

221 (viii) no winner or loser is declared or recorded.

222 Section 3. Section **63C-11-201** is repealed and reenacted to read:

223 **Part 2. Commission**

224 **63C-11-201. Commission -- Creation -- Appointments -- Terms -- Expenses --**

225 **Quorum.**

226 (1) There is created within the Governor's Office of Economic Development the Pete
227 Suazo Utah Athletic Commission consisting of five members.

228 (2) (a) The governor shall appoint three commission members.

229 (b) The president of the Senate and the speaker of the House of Representatives shall
230 each appoint one commission member.

231 (c) The commission members may not be licensees under this chapter.

232 (d) A member of the commission serving on May 11, 2009, shall continue as a member
233 of the commission until the expiration of the member's term then existing, or until the
234 expiration of any subsequent term to which the member is appointed.

235 (3) (a) Except as required by Subsection (3)(b), as terms of current members expire, the
236 governor, president, or speaker, respectively, shall appoint each new member or reappointed
237 member to a four-year term.

238 (b) The governor shall, at the time of appointment or reappointment, adjust the length
239 of the governor's appointees' terms to ensure that the terms of members are staggered so that
240 approximately half of the commission is appointed every two years.

241 (c) When a vacancy occurs in the membership for any reason, the replacement shall be
242 appointed for the unexpired term.

243 (d) If a commission member fails or refuses to fulfill the responsibilities and duties of a
244 commission member, including the attendance at commission meetings, the governor,

245 president, or speaker, respectively, with the approval of the commission, may remove the
246 commission member and replace the member in accordance with this section.

247 (4) (a) A majority of the commission members constitutes a quorum.

248 (b) A majority of a quorum is sufficient authority for the commission to act.

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

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

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

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

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

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

265 Section 4. Section **63C-11-202** is repealed and reenacted to read:

266 **63C-11-202. Commission powers and duties.**

267 (1) The commission shall:

268 (a) purchase and use a seal;

269 (b) adopt rules for the administration of this chapter in accordance with Title 63G,
270 Chapter 3, Utah Administrative Rulemaking Act;

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

273 (d) hold hearings relating to matters under its jurisdiction, including violations of this
274 chapter or rules made under this chapter.

275 (2) The commission may subpoena witnesses, take evidence, and require the

276 production of books, papers, documents, records, contracts, recordings, tapes, correspondence,
277 or other information relevant to an investigation if the commission or its designee considers it
278 necessary.

279 Section 5. Section **63C-11-203** is enacted to read:

280 **63C-11-203. Commission director.**

281 (1) The commission shall employ a director, who may not be a member of the
282 commission, to conduct the commission's business.

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

284 Section 6. Section **63C-11-204** is enacted to read:

285 **63C-11-204. Inspectors.**

286 (1) The commission may appoint one or more official representatives to be designated
287 as inspectors, who shall serve at the pleasure of the commission.

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

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

291 (4) Each inspector may receive a fee approved by the commission for the performance
292 of duties under this chapter.

293 Section 7. Section **63C-11-205** is enacted to read:

294 **63C-11-205. Affiliation with other commissions.**

295 The commission may affiliate with any other state, tribal, or national boxing
296 commission or athletic authority.

297 Section 8. Section **63C-11-301** is repealed and reenacted to read:

298 **Part 3. Contests**

299 **63C-11-301. Licensing.**

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

301 (a) a promoter;

302 (b) a manager;

303 (c) a contestant;

304 (d) a second;

305 (e) a referee;

306 (f) a judge; or

307 (g) another official established by the commission by rule.

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

310 (a) promoter;

311 (b) manager;

312 (c) contestant;

313 (d) second;

314 (e) referee;

315 (f) judge; or

316 (g) another official who meets the requirements established by rule under Subsection
317 (1)(g).

318 (3) (a) All monies collected pursuant to this section and Sections 63C-11-307,
319 63C-11-310, and 63C-11-313 shall be retained as dedicated credits to pay for commission
320 expenses.

321 (b) All monies available to the commission under Subsection (3)(a) to pay for
322 commission expenses are nonlapsing.

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

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

325 (b) pay the fee determined by the commission under Section 63J-1-303;

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

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

334 (i) has not been convicted of a crime in any jurisdiction which the commission
335 determines by the nature of the crime and circumstances surrounding the crime should
336 disqualify the applicant from licensure in the public interest;

337 (ii) is not engaging in illegal gambling with respect to sporting events or gambling with

338 respect to the promotions the applicant is promoting;

339 (iii) has not been found in a criminal or civil proceeding to have engaged in or
340 attempted to engage in any fraud or misrepresentation in connection with a contest or any other
341 sporting event; and

342 (iv) has not been found in a criminal or civil proceeding to have violated or attempted
343 to violate any law with respect to a contest in any jurisdiction or any law, rule, or order relating
344 to the regulation of contests in this state or any other jurisdiction;

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

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

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

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

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

353 (c) pay the fee established by the commission under Section 63J-1-303;

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

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

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

365 (i) has not been convicted of a crime in any jurisdiction which the commission
366 determines by the nature of the crime and circumstances surrounding that crime should
367 disqualify the applicant from licensure in the public interest;

368 (ii) is not engaging in illegal gambling with respect to sporting events or gambling with

369 respect to a contest in which the applicant will participate;

370 (iii) has not been found in a criminal or civil proceeding to have engaged in or
371 attempted to have engaged in any fraud or misrepresentation in connection with a contest or
372 any other sporting event; and

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

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

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

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

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

382 (b) pay a fee determined by the commission under Section 63J-1-303;

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

387 (i) has not been convicted of a crime in any jurisdiction which the commission
388 determines by the nature of the crime and circumstances surrounding that crime should
389 disqualify the applicant from licensure in the public interest;

390 (ii) is not engaging in illegal gambling with respect to sporting events or gambling with
391 respect to a contest in which the applicant is participating;

392 (iii) has not been found in a criminal or civil proceeding to have engaged in or
393 attempted to have engaged in any fraud or misrepresentation in connection with a contest or
394 any other sporting event; and

395 (iv) has not been found in a criminal or civil proceeding to have violated or attempted
396 to violate any law with respect to a contest in any jurisdiction or any law, rule, or order relating
397 to the regulation of contests in this state or any other jurisdiction;

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

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

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

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

404 (b) pay a fee determined by the commission under Section 63J-1-303;

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

409 (i) has not been convicted of a crime in any jurisdiction which the commission
410 determines by the nature of the crime and circumstances surrounding the crime should
411 disqualify the applicant from licensure in the public interest;

412 (ii) is not engaging in illegal gambling with respect to sporting events or gambling with
413 respect to a contest in which the applicant is participating;

414 (iii) has not been found in a criminal or civil proceeding to have engaged in or
415 attempted to have engaged in any fraud or misrepresentation in connection with a contest or
416 any other sporting event; and

417 (iv) has not been found in a criminal or civil proceeding to have violated or attempted
418 to violate any law with respect to contests in any jurisdiction or any law, rule, or order relating
419 to the regulation of contests in this state or any other jurisdiction;

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

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

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

426 (8) (a) A licensee serves at the pleasure, and under the direction, of the commission
427 while participating in any way at a contest.

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

430 Section 9. Section **63C-11-302** is repealed and reenacted to read:

431 **63C-11-302. Term of license -- Expiration -- Renewal.**432 (1) The commission shall issue each license under this chapter in accordance with a
433 renewal cycle established by rule.434 (2) At the time of renewal, the licensee shall show satisfactory evidence of compliance
435 with renewal requirements established by rule by the commission.436 (3) Each license automatically expires on the expiration date shown on the license
437 unless the licensee renews it in accordance with the rules established by the commission.438 Section 10. Section **63C-11-303** is repealed and reenacted to read:439 **63C-11-303. Grounds for denial of license -- Disciplinary proceedings --**
440 **Reinstatement.**441 (1) The commission shall refuse to issue a license to an applicant and shall refuse to
442 renew or shall revoke, suspend, restrict, place on probation, or otherwise act upon the license of
443 a licensee who does not meet the qualifications for licensure under this chapter.444 (2) The commission may refuse to issue a license to an applicant and may refuse to
445 renew or may revoke, suspend, restrict, place on probation, issue a public or private reprimand
446 to, or otherwise act upon the license of any licensee if:447 (a) the applicant or licensee has engaged in unlawful or unprofessional conduct, as
448 defined by statute or rule under this chapter;449 (b) the applicant or licensee has been determined to be mentally incompetent for any
450 reason by a court of competent jurisdiction; or451 (c) the applicant or licensee is unable to practice the occupation or profession with
452 reasonable skill and safety because of illness, drunkenness, excessive use of drugs, narcotics,
453 chemicals, or any other type of material, or as a result of any other mental or physical
454 condition, when the licensee's condition demonstrates a threat or potential threat to the public
455 health, safety, or welfare.456 (3) Any licensee whose license under this chapter has been suspended, revoked, or
457 restricted may apply for reinstatement of the license at reasonable intervals and upon
458 compliance with any conditions imposed upon the licensee by statute, rule, or terms of the
459 license suspension, revocation, or restriction.460 (4) The commission may issue cease and desist orders:461 (a) to a licensee or applicant who may be disciplined under Subsection (1) or (2); and

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

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

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

468 (c) The commission shall comply with Title 63G, Chapter 4, Administrative
469 Procedures Act, in any action to impose an administrative fine under this chapter.

470 (d) The imposition of a fine under this Subsection (5) does not affect any other action
471 the commission or department may take concerning a license issued under this chapter.

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

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

480 (7) (a) Notwithstanding Title 63G, Chapter 4, Administrative Procedures Act, the
481 following may immediately suspend the license of a licensee at such time and for such period
482 that the following believes is necessary to protect the health, safety, and welfare of the licensee,
483 another licensee, or the public:

484 (i) the commission;

485 (ii) a designated commission member; or

486 (iii) if a designated commission member is not present, the director.

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

490 Section 11. Section **63C-11-304** is repealed and reenacted to read:

491 **63C-11-304. Additional fees for license of promoter -- Dedicated credits --**

492 **Promotion of contests -- Annual exemption of showcase event.**

493 (1) In addition to the payment of any other fees and money due under this chapter,
494 every promoter shall pay a license fee determined by the commission, which may be:
495 (a) (i) \$100 for a contest or event occurring in a venue of fewer than 200 seats;
496 (ii) \$200 for a contest or event occurring in a venue of at least 200 but fewer than 500
497 seats;
498 (iii) \$300 for a contest or event occurring in a venue of at least 500 seats but fewer than
499 1,000 seats;
500 (iv) \$400 for a contest or event occurring in a venue of at least 1,000 seats but fewer
501 than 3,000 seats; or
502 (v) \$600 for a contest or event occurring in a venue of at least 3,000 seats; and
503 (b) 3% of total gross receipts from the sale, lease, or other exploitation of broadcasting,
504 television, and motion picture rights for each contest or exhibition.
505 (2) (a) One-half of license fees collected under Subsection (1)(a) from professional
506 boxing contests or exhibitions shall be deposited in the General Fund.
507 (b) One-half of license fees collected under Subsection (1)(a) from professional boxing
508 contests or exhibitions shall be retained by the commission as a dedicated credit to be used by
509 the commission to award grants to organizations that promote amateur boxing in the state and
510 cover commission expenses.
511 (c) Monies available to the commission for awarding grants to organizations that
512 promote amateur boxing in the state and covering commission expenses are nonlapsing.
513 (3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
514 commission shall adopt rules:
515 (a) governing the manner in which applications for grants under Subsection (2) may be
516 submitted to the commission; and
517 (b) establishing standards for awarding grants under Subsection (2) to organizations
518 which promote amateur boxing in the state.
519 (4) (a) For the purpose of creating a greater interest in contests in the state, the
520 commission may exempt from the payment of license fees under this section one contest or
521 exhibition in each calendar year, intended as a showcase event.
522 (b) The commission shall select the contest or exhibition to be exempted based on
523 factors which include:

- 524 (i) attraction of the optimum number of spectators;
- 525 (ii) costs of promoting and producing the contest or exhibition;
- 526 (iii) ticket pricing;
- 527 (iv) committed promotions and advertising of the contest or exhibition;
- 528 (v) rankings and quality of the contestants; and
- 529 (vi) committed television and other media coverage of the contest or exhibition.

530 Section 12. Section **63C-11-305** is repealed and reenacted to read:

531 **63C-11-305. Jurisdiction of commission.**

532 (1) (a) The commission has the sole authority concerning direction, management,
533 control, and jurisdiction over all contests or exhibitions of unarmed combat to be conducted,
534 held, or given within this state.

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

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

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

- 542 (i) the designated commission member;
- 543 (ii) other commission members in attendance;
- 544 (iii) the director;
- 545 (iv) commission employees;
- 546 (v) officials;
- 547 (vi) licensees participating or assisting in the contest; and
- 548 (vii) others granted credentials by the commission.

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

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

- 554 (a) the designated commission member;

555 (b) other commission members in attendance;

556 (c) the director;

557 (d) commission employees;

558 (e) officials;

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

560 (g) others granted credentials by the commission.

561 (5) The promoter shall provide security at the direction of the commission or

562 designated commission member to secure the areas described in Subsections (3) and (4).

563 (6) (a) The designated commission member may direct the removal from the contest

564 venue and premises, of any individual whose actions:

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

566 (ii) pose a danger to the safety and welfare of the licensees, the commission, or the

567 public.

568 (b) The promoter shall provide security at the direction of the commission or

569 designated commission member to effectuate a removal under Subsection (6)(a).

570 Section 13. Section **63C-11-306** is repealed and reenacted to read:

571 **63C-11-306. Club fighting prohibited.**

572 (1) Club fighting is prohibited.

573 (2) Any person who publicizes, promotes, conducts, or engages in a club fighting

574 match is:

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

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

577 Section 14. Section **63C-11-307** is repealed and reenacted to read:

578 **63C-11-307. Approval to hold contest or promotion -- Bond required.**

579 (1) An application to hold a contest or multiple contests as part of a single promotion

580 shall be made by a licensed promoter to the commission on forms provided by the commission.

581 (2) The application shall be accompanied by a contest fee determined by the

582 commission under Section 63J-1-303.

583 (3) (a) The commission may approve or deny approval to hold a contest or promotion

584 permitted under this chapter.

585 (b) Provisional approval under Subsection (3)(a) shall be granted upon a determination

586 by the commission that:

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

588 (ii) a bond meeting the requirements of Subsection (6) has been posted by the promoter
589 of the contest or promotion; and

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

592 (4) (a) Final approval to hold a contest or promotion may not be granted unless the
593 commission receives, not less than seven days before the day of the contest with ten or more
594 rounds:

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

597 (ii) a copy of each contestant's federal identification card;

598 (iii) a copy of a signed contract between each contestant and the promoter for the
599 contest;

600 (iv) a statement specifying the maximum number of rounds of the contest;

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

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

604 (b) Notwithstanding Subsection (4)(a), the commission may approve a contest or
605 promotion if the requirements under Subsection (4)(a) are not met because of unforeseen
606 circumstances beyond the promoter's control.

607 (5) Final approval for a contest under ten rounds in duration may be granted as
608 determined by the commission after receiving the materials identified in Subsection (4) at a
609 time determined by the commission.

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

613 (a) the requirements of this chapter; or

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

616 Section 15. Section **63C-11-308** is repealed and reenacted to read:

617 **63C-11-308. Rules for the conduct of contests.**

618 (1) The commission shall adopt rules in accordance with Title 63G, Chapter 3, Utah
619 Administrative Rulemaking Act, for the conduct of contests in the state.

620 (2) The rules shall include:

621 (a) authority for:

622 (i) stopping contests; and

623 (ii) impounding purses with respect to contests when there is a question with respect to
624 the contest, contestants, or any other licensee associated with the contest; and

625 (b) reasonable and necessary provisions to ensure that all obligations of a promoter
626 with respect to any promotion or contest are paid in accordance with agreements made by the
627 promoter.

628 (3) (a) The commission may, in its discretion, exempt a contest and each contestant
629 from the definition of unprofessional conduct found in Subsection 63C-11-102(25)(f) after:

630 (i) a promoter requests the exemption; and

631 (ii) the commission considers relevant factors, including:

632 (A) the experience of the contestants;

633 (B) the win and loss records of each contestant;

634 (C) each contestant's level of training; and

635 (D) any other evidence relevant to the contestants' professionalism and the ability to
636 safely conduct the contest.

637 (b) The commission's hearing of a request for an exemption under this Subsection (3)
638 is an informal adjudicative proceeding under Section 63G-4-202.

639 (c) The commission's decision to grant or deny a request for an exemption under this
640 Subsection (3) is not subject to agency review under Section 63G-4-301.

641 Section 16. Section **63C-11-309** is repealed and reenacted to read:

642 **63C-11-309. Medical examinations and drug tests.**

643 (1) The commission shall adopt rules in accordance with Title 63G, Chapter 3, Utah
644 Administrative Rulemaking Act, for medical examinations and drug testing of contestants,
645 including provisions under which contestants shall:

646 (a) produce evidence based upon competent laboratory examination that they are HIV
647 negative as a condition of participating as a contestant in any contest;

648 (b) be subject to random drug testing before or after participation in a contest, and
649 sanctions, including barring participation in a contest or withholding a percentage of any purse,
650 that shall be placed against a contestant testing positive for alcohol or any other drug that in the
651 opinion of the commission is inconsistent with the safe and competent participation of that
652 contestant in a contest;

653 (c) be subject to a medical examination by the ringside physician not more than 30
654 hours before the contest to identify any physical ailment or communicable disease that, in the
655 opinion of the commission or designated commission member, are inconsistent with the safe
656 and competent participation of that contestant in the contest; and

657 (d) be subject to medical testing for communicable diseases as considered necessary by
658 the commission to protect the health, safety, and welfare of the licensees and the public.

659 (2) (a) Medical information concerning a contestant shall be provided by the contestant
660 or medical professional or laboratory.

661 (b) A promoter or manager may not provide to or receive from the commission medical
662 information concerning a contestant.

663 Section 17. Section **63C-11-310** is repealed and reenacted to read:

664 **63C-11-310. Contests.**

665 (1) Except as provided in Section 63C-11-317, a licensee may not participate in:

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

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

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

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

675 (4) The commission shall establish fees in accordance with Section 63J-1-303 to be
676 paid by a promoter for the conduct of each contest or event composed of multiple contests
677 conducted under this chapter.

678 Section 18. Section **63C-11-311** is repealed and reenacted to read:

679 **63C-11-311. Ringside physician.**

680 (1) The commission shall maintain a list of ringside physicians who hold a Doctor of
681 Medicine (MD) degree and are registered with the commission as approved to act as a ringside
682 physician and meet the requirements of Subsection (2).

683 (2) (a) The commission shall appoint a registered ringside physician to perform the
684 duties of a ringside physician at each contest held pursuant to this chapter.

685 (b) The promoter of a contest shall pay a fee determined by the commission by rule to
686 the commission for a ringside physician.

687 (3) An applicant for registration as a ringside physician shall:

688 (a) submit an application for registration;

689 (b) provide the commission with evidence of the applicant's licensure to practice
690 medicine in the state; and

691 (c) satisfy minimum qualifications established by the department by rule.

692 (4) A ringside physician at attendance at a contest:

693 (a) may stop the contest at any point if the ringside physician determines that a
694 contestant's physical condition renders the contestant unable to safely continue the contest; and

695 (b) works under the direction of the commission.

696 Section 19. Section **63C-11-312** is repealed and reenacted to read:

697 **63C-11-312. Contracts.**

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

702 Section 20. Section **63C-11-313** is repealed and reenacted to read:

703 **63C-11-313. Withholding of purse.**

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

708 (a) the contestant is not competing honestly or to the best of the contestant's skill and
709 ability or the contestant otherwise violates any rules adopted by the commission or any of the

710 provisions of this chapter; or

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

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

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

718 (4) If it is determined that a contestant, manager, or second is not entitled to any part of
719 that person's share of the purse or other money, the promoter shall pay the money over to the
720 commission.

721 Section 21. Section **63C-11-314** is repealed and reenacted to read:

722 **63C-11-314. Penalty for unlawful conduct.**

723 A person who engages in any act of unlawful conduct, as defined in Section
724 63C-11-102, is guilty of a class A misdemeanor.

725 Section 22. Section **63C-11-315** is repealed and reenacted to read:

726 **63C-11-315. Exemptions.**

727 This chapter does not apply to:

728 (1) any amateur contest or exhibition of unarmed combat conducted by or participated
729 in exclusively by:

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

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

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

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

735 (2) any contest or exhibition of unarmed combat conducted in accordance with the
736 standards and regulations of USA Boxing, Inc; or

737 (3) a white-collar contest.

738 Section 23. Section **63C-11-316** is repealed and reenacted to read:

739 **63C-11-316. Contest weights and classes -- Matching contestants.**

740 (1) The commission shall make rules in accordance with Title 63G, Chapter 3, Utah

741 Administrative Rulemaking Act, establishing boxing contest weights and classes consistent
742 with those adopted by the Association of Boxing Commissions.

743 (2) The commission shall make rules in accordance with Title 63G, Chapter 3, Utah
744 Administrative Rulemaking Act, establishing contest weights and classes for unarmed combat
745 that is not boxing.

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

748 (b) Notwithstanding Subsection (3)(a), the commission may permit a contestant to
749 fight another contestant who is outside of the contestant's weight classification.

750 (4) Except as provided in Subsection (3)(b), as to any unarmed combat contest:

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

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

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

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

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

759 (ii) the weight differential between the contestants;

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

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

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

763 Section 24. Section **63C-11-317** is repealed and reenacted to read:

764 **63C-11-317. Elimination contests -- Conduct of contests -- Applicability of**
765 **provisions -- Limitations on license -- Duration of contests -- Equipment -- Limitations on**
766 **contests.**

767 (1) An elimination unarmed combat contest shall be conducted under the supervision
768 and authority of the commission.

769 (2) Except as otherwise provided in this section and except as otherwise provided by
770 specific statute, the provisions of this chapter pertaining to boxing apply to an elimination
771 unarmed combat contest.

772 (3) (a) All contests in an elimination unarmed combat contest shall be no more than
773 three rounds in duration.

774 (b) A round of unarmed combat in an elimination unarmed combat contest shall:

775 (i) be no more than one minute in duration; or

776 (ii) be up to three minutes in duration if there is only a single round.

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

778 (4) A contestant:

779 (a) shall wear gloves approved by the commission; and

780 (b) shall wear headgear approved by the commission, the designated commission
781 member, or the director if a designated commission member is not present.

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

784 Section 25. Section **63C-11-318** is repealed and reenacted to read:

785 **63C-11-318. Commission rulemaking.**

786 The commission may make rules governing the conduct of a contest held under this
787 chapter to protect the health and safety of licensees and members of the public.

788 Section 26. Section **67-22-2** is amended to read:

789 **67-22-2. Compensation -- Other state officers.**

790 (1) As used in this section:

791 (a) "Appointed executive" means the:

792 (i) Commissioner of the Department of Agriculture and Food;

793 (ii) Commissioner of the Insurance Department;

794 (iii) Commissioner of the Labor Commission;

795 (iv) Director, Alcoholic Beverage Control Commission;

796 (v) Commissioner of the Department of Financial Institutions;

797 (vi) Executive Director, Department of Commerce;

798 (vii) Executive Director, Commission on Criminal and Juvenile Justice;

799 (viii) Adjutant General;

800 (ix) Executive Director, Department of Community and Culture;

801 (x) Executive Director, Department of Corrections;

802 (xi) Commissioner, Department of Public Safety;

- 803 (xii) Executive Director, Department of Natural Resources;
- 804 (xiii) Director, Governor's Office of Planning and Budget;
- 805 (xiv) Executive Director, Department of Administrative Services;
- 806 (xv) Executive Director, Department of Human Resource Management;
- 807 (xvi) Executive Director, Department of Environmental Quality;
- 808 (xvii) Director, Governor's Office of Economic Development;
- 809 (xviii) Executive Director, Utah Science Technology and Research Governing

810 Authority;

- 811 (xix) Executive Director, Department of Workforce Services;
- 812 (xx) Executive Director, Department of Health, Nonphysician;
- 813 (xxi) Executive Director, Department of Human Services;
- 814 (xxii) Executive Director, Department of Transportation;
- 815 (xxiii) Executive Director, Department of Technology Services; and
- 816 (xxiv) Executive Director, Department of Veterans Affairs[; ~~and~~].
- 817 [~~(xxv) Executive Director, Utah Sports Authority.~~]

818 (b) "Board or commission executive" means:

- 819 (i) Members, Board of Pardons and Parole;
- 820 (ii) Chair, State Tax Commission;
- 821 (iii) Commissioners, State Tax Commission;
- 822 (iv) Executive Director, State Tax Commission;
- 823 (v) Chair, Public Service Commission; and
- 824 (vi) Commissioners, Public Service Commission.

825 (c) "Deputy" means the person who acts as the appointed executive's second in
826 command as determined by the Department of Human Resource Management.

827 (2) (a) The executive director of the Department of Human Resource Management
828 shall:

- 829 (i) before October 31 of each year, recommend to the governor a compensation plan for
830 the appointed executives and the board or commission executives; and
- 831 (ii) base those recommendations on market salary studies conducted by the Department
832 of Human Resource Management.

833 (b) (i) The Department of Human Resource Management shall determine the salary

834 range for the appointed executives by:

835 (A) identifying the salary range assigned to the appointed executive's deputy;

836 (B) designating the lowest minimum salary from those deputies' salary ranges as the
837 minimum salary for the appointed executives' salary range; and

838 (C) designating 105% of the highest maximum salary range from those deputies' salary
839 ranges as the maximum salary for the appointed executives' salary range.

840 (ii) If the deputy is a medical doctor, the Department of Human Resource Management
841 may not consider that deputy's salary range in designating the salary range for appointed
842 executives.

843 (c) In establishing the salary ranges for board or commission executives, the
844 Department of Human Resource Management shall set the maximum salary in the salary range
845 for each of those positions at 90% of the salary for district judges as established in the annual
846 appropriation act under Section 67-8-2.

847 (3) (a) (i) Except as provided in Subsection (3)(a)(ii), the governor shall establish a
848 specific salary for each appointed executive within the range established under Subsection
849 (2)(b).

850 (ii) If the executive director of the Department of Health is a physician, the governor
851 shall establish a salary within the highest physician salary range established by the Department
852 of Human Resource Management.

853 (iii) The governor may provide salary increases for appointed executives within the
854 range established by Subsection (2)(b) and identified in Subsection (3)(a)(ii).

855 (b) The governor shall apply the same overtime regulations applicable to other FLSA
856 exempt positions.

857 (c) The governor may develop standards and criteria for reviewing the appointed
858 executives.

859 (4) Salaries for other Schedule A employees, as defined in Section 67-19-15, that are
860 not provided for in this chapter, or in Title 67, Chapter 8, Utah [~~Executive~~] Elected Official and
861 Judicial Salary Act, shall be established as provided in Section 67-19-15.

862 (5) (a) The Legislature fixes benefits for the appointed executives and the board or
863 commission executives as follows:

864 (i) the option of participating in a state retirement system established by Title 49, Utah

865 State Retirement and Insurance Benefit Act, or in a deferred compensation plan administered
866 by the State Retirement Office in accordance with the Internal Revenue Code and its
867 accompanying rules and regulations;

- 868 (ii) health insurance;
- 869 (iii) dental insurance;
- 870 (iv) basic life insurance;
- 871 (v) unemployment compensation;
- 872 (vi) workers' compensation;
- 873 (vii) required employer contribution to Social Security;
- 874 (viii) long-term disability income insurance;
- 875 (ix) the same additional state-paid life insurance available to other noncareer service
876 employees;
- 877 (x) the same severance pay available to other noncareer service employees;
- 878 (xi) the same leave, holidays, and allowances granted to Schedule B state employees as
879 follows:

- 880 (A) sick leave;
- 881 (B) converted sick leave if accrued prior to January 1, 2014;
- 882 (C) educational allowances;
- 883 (D) holidays; and
- 884 (E) annual leave except that annual leave shall be accrued at the maximum rate
885 provided to Schedule B state employees;
- 886 (xii) the option to convert accumulated sick leave to cash or insurance benefits as
887 provided by law or rule upon resignation or retirement according to the same criteria and
888 procedures applied to Schedule B state employees;
- 889 (xiii) the option to purchase additional life insurance at group insurance rates according
890 to the same criteria and procedures applied to Schedule B state employees; and
- 891 (xiv) professional memberships if being a member of the professional organization is a
892 requirement of the position.

- 893 (b) Each department shall pay the cost of additional state-paid life insurance for its
894 executive director from its existing budget.
- 895 (6) The Legislature fixes the following additional benefits:

896 (a) for the executive director of the State Tax Commission a vehicle for official and
897 personal use;

898 (b) for the executive director of the Department of Transportation a vehicle for official
899 and personal use;

900 (c) for the executive director of the Department of Natural Resources a vehicle for
901 commute and official use;

902 (d) for the Commissioner of Public Safety:

903 (i) an accidental death insurance policy if POST certified; and

904 (ii) a public safety vehicle for official and personal use;

905 (e) for the executive director of the Department of Corrections:

906 (i) an accidental death insurance policy if POST certified; and

907 (ii) a public safety vehicle for official and personal use;

908 (f) for the Adjutant General a vehicle for official and personal use; and

909 (g) for each member of the Board of Pardons and Parole a vehicle for commute and
910 official use.

911 **Section 27. Repealer.**

912 This bill repeals:

913 **Section 63C-11-319, Ringside physician.**

914 **Section 63C-11-320, Contracts.**

915 **Section 63C-11-321, Withholding of purse.**

916 **Section 63C-11-322, Penalty for unlawful conduct.**

917 **Section 63C-11-323, Exemptions.**

918 **Section 63C-11-324, Contest weights and classes -- Matching contestants.**

919 **Section 63C-11-325, Elimination boxing contests -- Conduct of contests --**

920 **Applicability of provisions -- Limitations on license -- Duration of contests -- Equipment**

921 **-- Limitations on contests.**

922 **Section 63C-11-326, Commission rulemaking.**

923 **Section 28. Effective date.**

924 If approved by two-thirds of all the members elected to each house, this bill takes effect

925 upon approval by the governor, or the day following the constitutional time limit of Utah

926 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto,

927 the date of veto override.

Legislative Review Note
as of 2-12-09 12:29 PM

Office of Legislative Research and General Counsel

H.B. 400 - Pete Suazo Utah Athletic Commission Amendments

Fiscal Note

2009 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

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.
