

HOUSE BILL NO. HB0231

Wyoming boxing commissioner.

Sponsored by: Representative(s) Esquibel, F., Buchanan,
Martin, Thompson and Walsh

A BILL

for

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

8

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

10

11 **Section 1.** W.S. 33-8-121 through 33-8-140 are created
12 to read:

13

14 **33-8-121. State boxing commissioner; office created;**
15 **appointment; term, office, rules and regulations;**
16 **definitions.**

1

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

8

9 (b) The commissioner shall maintain an office for the
10 transaction of business in the city of Cheyenne, Wyoming,
11 but he may transact his business under this act at any
12 place within the state of Wyoming when the convenience of
13 the parties so requires.

14

15 (c) The commissioner shall adopt a seal and shall
16 make rules for the administration of his office not
17 inconsistent with this act, and may from time to time amend
18 or repeal rules.

19

20 (d) As used in this act:

21

22 (i) "Commissioner" means the state boxing
23 commissioner appointed pursuant to this section;

24

1 (ii) "Boxing and sparring" means boxing,
2 wrestling or any form of competition in which a blow is
3 usually struck which may reasonably be expected to inflict
4 injury, including but not limited to toughman fighting,
5 roughman fighting, bar brawls, ultimate fighting and
6 extreme fighting competitions;

7
8 (iii) "This act" means W.S. 33-8-121 through
9 33-8-140.

10

11 **33-8-122. State boxing commissioner; powers and**
12 **duties; subpoenas; oaths.**

13

14 The commissioner shall keep a full and accurate record of
15 all his acts and doings and shall preserve at his general
16 office all books, documents and papers. The commissioner
17 shall prepare for service of notices and other papers as
18 may be necessary, and shall issue subpoenas for the
19 attendance of witnesses before him with the same effect as
20 if they were issued in an action in the district court, and
21 shall have power to administer oaths in all matters
22 pertaining to the administration of his affairs as
23 commissioner. Disobedience of subpoenas and falsely
24 swearing before the commissioner shall be attended by the

1 same consequences and be subject to the same penalties as
2 if the disobedience or false swearing occurred in an action
3 in the district court.

4

5 **33-8-123. State boxing commissioner; per diem;**
6 **mileage.**

7

8 The commissioner shall receive as compensation the per diem
9 and mileage allowance as allowed to state employees,
10 payments of the same to be made out of the state boxing
11 commissioner's appropriation. Provided, that if any state
12 officer is appointed to act as commissioner he shall not
13 receive the compensation for his services herein mentioned,
14 but shall be reimbursed for any necessary expenses incurred
15 or paid by him.

16

17 **33-8-124. State boxing commissioner; report to**
18 **legislature.**

19

20 The commissioner shall make a full report to the
21 legislature of all proceedings during the two (2) years
22 preceding the first day of December before the beginning of
23 the general session of the legislature. The report to the
24 legislature shall be completed and shall contain a

1 statement of clubs, organizations or corporations, the
2 number of licenses revoked, suspended or denied, the gross
3 receipts from each club, organization or corporation, and
4 other information and comments in relation to the work of
5 the commissioner as public interest may require.

6
7 **33-8-125. Jurisdiction over boxing matches and**
8 **licenses; power of municipalities.**

9
10 The commissioner shall have, and is hereby vested with the
11 sole direction, management, control of, and jurisdiction
12 over, all boxing and sparring matches and exhibitions to be
13 conducted, held or given within the state and no boxing or
14 sparring exhibitions shall be conducted, held or given
15 within the state except pursuant to authority granted by
16 the commissioner and in accordance with the provisions of
17 this act and the rules and regulations of the commissioner.

18 The commissioner may, at his discretion, issue and for
19 cause revoke, deny or suspend a license to conduct, hold or
20 give boxing or sparring matches and exhibitions to any
21 incorporated club or association formed as provided in this
22 act. The commissioner shall have full power and authority
23 to limit the number of sparring or boxing exhibitions to be
24 held or given by any club, organization or corporation in

1 any city in this state where boxing or sparring contests
2 are conducted in the manner provided in this act. No
3 boxing or sparring exhibitions shall be conducted by any
4 club, organization or corporation in the state except by a
5 license from the state boxing commissioner. Every license
6 shall be subject to such rules as the commissioner may
7 prescribe. It shall be lawful for any incorporated
8 athletic club organized under the laws of the state of
9 Wyoming, and which has been in existence for a period of
10 not less than thirty (30) days, to arrange and provide for
11 sparring and boxing exhibitions or contests in compliance
12 with the provisions of this act. No provision of this act
13 shall prevent any incorporated city or town from
14 prohibiting or regulating by ordinance any sparring or
15 boxing exhibition. Except as provided in W.S. 33-8-129 no
16 sparring or boxing contest shall be held or permitted
17 outside of the limits of an incorporated city or town.
18 Sparring and boxing contests may be held in unincorporated
19 towns of two thousand (2,000) inhabitants or over.

20

21 **33-8-126. Licenses required; application; fee and**
22 **bond.**

23

1 No boxing or sparring exhibition shall be conducted by any
2 club or organization except by license issued to the club
3 or organization by the state boxing commissioner of
4 Wyoming. The application for a license shall be in
5 writing, and shall be addressed to the commissioner, and
6 shall be verified by some officer of the club, organization
7 or corporation on whose behalf the application is made.
8 The application shall be accompanied by a fee of ten
9 dollars (\$10.00) for each boxing or sparring exhibition.
10 The application shall show that the club or organization
11 has been incorporated not less than thirty (30) days and
12 that the club has been organized under the laws of the
13 state of Wyoming. Before any permit or license is issued
14 under this act to any club, organization or corporation,
15 the applicant shall file a bond of two thousand dollars
16 (\$2,000.00) with good and sufficient surety, with the state
17 treasurer, conditioned for the faithful performance of the
18 conditions of this act.

19

20 **33-8-127. Report of club, corporation or association;**
21 **admission tax to be paid.**

22

23 Every club, corporation or association which may hold or
24 exercise any of the privileges conferred by this act shall,

1 within twenty-four (24) hours after the determination of
2 every contest, furnish to the commissioner a written
3 report, duly verified by one (1) of its officers, showing
4 the number of tickets sold for the contest, and the amount
5 of gross proceeds thereof, and other matters as the
6 commissioner may prescribe and shall also within the time
7 prescribed by this section, pay a tax of five percent (5%)
8 of its total gross receipts from the sale of tickets of
9 admission, or admission fees to boxing or sparring matches
10 or exhibitions.

11

12 **33-8-128. Disposition of fees and taxes.**

13

14 (a) All money shall be received and collected as
15 provided by this act and credited by the state treasurer as
16 follows:

17

18 (i) One-half (1/2) of license fees and admission
19 taxes collected to the general fund;

20

21 (ii) One-half (1/2) of license fees to the
22 treasury of the county in which the licensee resides; and

23

1 (iii) One-half (1/2) of the admission tax to the
2 treasury of the county in which the exhibition was held.

3

4 **33-8-129. Matches under rules of amateur athletic**
5 **union.**

6

7 (a) Whenever amateur boxing and sparring matches are
8 held under the rules of the amateur athletic union, by any
9 club or organization, the license fee required under this
10 act or the presence of the commissioner or deputy shall not
11 be required. The matches and exhibitions shall, however,
12 be subject to the provisions of W.S. 33-8-132 and the rules
13 of the commissioner, provided:

14

15 (i) Amateur boxing and sparring matches of not
16 more than six (6) rounds duration shall be permitted
17 outside of incorporated cities and towns;

18

19 (ii) The rounds under paragraph (i) of this
20 subsection shall not be permitted to extend for a period
21 longer than two (2) minutes.

22

23 **33-8-130. County inspectors.**

24

1 The commissioner shall by and with the cooperation of the
2 county commissioners of the several counties appoint
3 official representatives designated as inspectors or
4 deputies for each county, each of whom shall receive from
5 the commissioner a card, authorizing him in person or by
6 deputy to act as an inspector wherever the commissioner may
7 designate him to act. The commissioner may, and at least
8 one (1) inspector or deputy shall, be present at all
9 exhibitions and matches conducted for pecuniary profit and
10 see that the rules are strictly observed. An inspector
11 shall also be present at the counting of the gross receipts
12 and shall immediately mail to the commissioner the official
13 box office statement received by him from the officers of
14 the club.

15

16 **33-8-131. Sunday matches prohibited.**

17

18 No boxing or sparring match or exhibition shall be held on
19 Sunday.

20

21 **33-8-132. Rules for conduct of matches.**

22

23 (a) No boxing or sparring exhibitions shall be of
24 more than fifteen (15) rounds duration, and no one (1)

1 round of such exhibition shall be permitted to extend for a
2 period longer than three (3) minutes.

3

4 (b) There shall be a one (1) minute intermission
5 between rounds.

6

7 (c) No contestant shall in any boxing or sparring
8 exhibition wear, or be permitted to wear, gloves weighing
9 less than five (5) ounces.

10

11 (d) No betting or wagering at any boxing or sparring
12 contest shall be permitted by any person or persons
13 directly associated with the boxing or sparring contest,
14 including the contestants, spectators and members of the
15 club or organization, before, after or during any contest,
16 in or around the premises where the contest is held.
17 Nothing in this subsection shall be construed to prohibit
18 betting or wagering as may be allowed by law away from the
19 premises where the contest is held.

20

21 (e) In all boxing or sparring contests, contestants
22 shall break clean and shall not hold and hit. Butting with
23 the head or shoulder, wrestling or illegal use of elbows
24 shall not be allowed. There shall be no unsportsmanlike

1 conduct on the part of the contestants, including the use
2 of abusive or insulting language.

3

4 **33-8-133. Age limit for spectators.**

5

6 No person under the age of sixteen (16) years shall be
7 admitted to a boxing or sparring exhibition, unless
8 accompanied by his parent, guardian or other adult
9 relative.

10

11 **33-8-134. Examination by physician.**

12

13 Each contestant shall be examined not more than twelve (12)
14 hours prior to entering the ring by a physician who has
15 been licensed to practice in Wyoming and who has been
16 designated by the commissioner. The physician shall
17 certify in writing, over his signature, as to the
18 contestant's physical condition to engage in the contest.

19

20 **33-8-135. Referees.**

21

22 The commissioner is authorized to grant licenses to
23 competent referees upon the application and the payment of
24 an annual fee of ten dollars (\$10.00) and may revoke any

1 license granted to any referee for cause as the
2 commissioner may deem sufficient. The referee shall stop
3 the contest or match when either of the contestants shows a
4 marked superiority or is apparently outclassed or injury is
5 likely to result to either of the contestants.

6

7 **33-8-136. Holding fake matches.**

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9 Any club, corporation or organization which conducts, holds
10 or participates in any sham or fake boxing or sparring
11 match, shall forfeit its license in accordance with the
12 provisions of this section. The commissioner shall cancel
13 and declare the license void and shall deny any future
14 license application under the provisions of this act to the
15 club, corporation, organization or its successor.

16

17 **33-8-137. Penalty for taking part in fake match.**

18

19 (a) Any contestant who shall participate in any sham
20 or fake boxing or sparring match or violate any rule or
21 regulation of the commissioner shall be penalized as
22 follows:

23

1 (i) For the first offense he shall be restrained
2 by order of the commissioner from participating in any
3 boxing or sparring match or exhibition to be held or given
4 by any club or corporation duly licensed to give or hold
5 any boxing or sparring match or exhibition for a period of
6 not less than three (3) months nor more than one (1) year
7 at the discretion of the commissioner;

8

9 (ii) For a second offense he shall be totally
10 disqualified from further admission or participation in any
11 boxing contest, held or given by any club, corporation or
12 association, duly licensed for that purpose in this state.

13

14 **33-8-138. Failure to make reports; unsatisfactory**
15 **reports; examination of records, officers.**

16

17 Whenever any club, corporation or association fails to make
18 a report of any contest at the time prescribed by this act,
19 or whenever the report is unsatisfactory to the
20 commissioner, the commissioner may examine or cause to be
21 examined, the books and records of the club, corporation or
22 association, and subpoena and examine under oath its
23 officers and other person or persons as witnesses for the
24 purpose of determining the total amount of its gross

1 receipts for any contest and the amount of taxes due
2 pursuant to the provisions of this act. The commissioner
3 shall fix and determine the tax based upon the results of
4 the examination. Should the club, corporation or
5 association fail to pay any taxes determined to be due,
6 together with the expenses incurred in making the
7 examination, for a period of twenty (20) days after notice
8 of the amount due by the commissioner, the club,
9 corporation or association shall forfeit its license and
10 shall be disqualified from receiving any new license or any
11 renewal of its license. In addition, the club, corporation
12 or association shall forfeit to the state of Wyoming the
13 bond of two thousand dollars (\$2,000.00) required to be
14 filed by W.S. 33-8-126, which may be recovered by the
15 attorney general in the name of the state of Wyoming in the
16 same manner as other penalties are by law recovered.

17

18 **33-8-139. Weights and classes.**

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20 The weights and classes of boxers and the rules and
21 regulations of boxing shall be the same as the weights and
22 classes and rules and regulations adopted by the Army, Navy
23 and Civilian Board of Boxing and Control, Inc., and the
24 International Sporting Club of New York, Inc., except as

1 otherwise provided in this act. No contest shall be
2 allowed in which the difference in weight of the respective
3 contestants shall exceed eighteen (18) pounds, but this
4 provision shall not apply to boxers in the heavy and light-
5 heavy weight classes.

6

7 **33-8-140. Penalty.**

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9 Any person who violates any of the provisions of this act
10 for which a penalty is not expressly prescribed shall be
11 deemed guilty of a misdemeanor punishable by imprisonment
12 for not more than six (6) months, a fine of not more than
13 seven hundred fifty dollars (\$750.00), or both.

14

15 **Section 2.** This act is effective July 1, 2007.

16

17 (END)