

HOUSE BILL NO. HB0102

Wyoming combat sports commission.

Sponsored by: Representative(s) Olsen, Lindholm and Walters
and Senator(s) Nethercott

A BILL

for

1 AN ACT relating to professions and occupations; renaming
2 the board of mixed martial arts as the Wyoming combat
3 sports commission; specifying duties of the commission
4 related to the governance of boxing; providing an
5 exemption; defining terms; renaming an account; making
6 conforming amendments; requiring rulemaking; specifying the
7 transfer of funds; 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. 33-48-101(a) through (g), (h)(ii) and
12 by creating new paragraphs (iv) and (v), 33-48-102(a), (b),
13 (c)(intro), (i) and (iii), 33-48-103 through 33-48-106,
14 33-48-107(a)(i) and (ii) and 33-48-108 through 33-48-116
15 are amended to read:

1

2

CHAPTER 48

3

WYOMING COMBAT SPORTS COMMISSION

4

5 **33-48-101. Wyoming combat sports commission created;**
6 **appointment; term; rules and regulations; definitions.**

7

8 (a) The ~~state board of mixed martial arts~~ Wyoming
9 combat sports commission is created to implement and
10 administer this chapter.

11

12 (b) The ~~board~~ commission shall consist of three (3)
13 members.

14

15 (c) Terms of initial ~~board~~ commission members shall
16 be staggered with one (1) member serving for one (1) year,
17 one (1) serving for two (2) years and one (1) serving for
18 three (3) years.

19

20 (d) The governor shall appoint the members of the
21 ~~board~~ commission. Except for initial ~~board~~ commission
22 members as provided under subsection (c) of this section,
23 the term of each member shall be three (3) years. Upon

1 expiration of their terms, members of the ~~board~~commission
2 shall continue to hold office until the appointment of
3 their successors. ~~No person shall serve as a member of the~~
4 ~~board for more than two (2) consecutive terms.~~

5

6 (e) A vacancy that occurs for any reason in the
7 membership of the ~~board~~commission shall be filled within
8 thirty (30) days by the governor. A person appointed to
9 fill a vacancy shall serve for the unexpired portion of the
10 term.

11

12 (f) The governor may remove any member of the ~~board~~
13 commission as provided in W.S. 9-1-202 or upon a
14 recommendation of a majority of the ~~board~~commission for
15 any reason.

16

17 (g) The ~~board~~commission shall adopt a seal and shall
18 make rules for the administration of this chapter.

19

20 (h) As used in this chapter:

21

22 (ii) "Mixed martial arts" means unarmed combat
23 involving the use, subject to any limitations set forth in

1 this chapter or by rule of the ~~board~~commission, of a
2 combination of techniques from different disciplines of the
3 martial arts including, without limitation, grappling,
4 submission holds, kicking and striking;

5

6 (iv) "Boxing" means boxing, sparring or any form
7 of competition in which a blow is usually struck that may
8 reasonably be expected to inflict injury and where the only
9 authorized strikes are punches using padded gloves over the
10 hands;

11

12 (v) "Commission" means the Wyoming combat sports
13 commission.

14

15 **33-48-102. Wyoming combat sports commission; powers**
16 **and duties; subpoenas; oaths.**

17

18 (a) The ~~board~~commission shall keep a full and
19 accurate record of all acts and doings of the ~~board~~
20 commission. The ~~board~~commission shall prepare for service
21 of notices and other papers as may be necessary and shall
22 have the power to administer oaths and issue subpoenas in
23 all matters pertaining to the administration of the ~~board's~~

1 commission's duties. Falsely swearing before the board
2 commission shall be attended by the same consequences and
3 be subject to the same penalties as if the disobedience or
4 false swearing occurred in an action in the district court.

5
6 (b) A majority of the board~~commission~~ constitutes a
7 quorum for meetings and the transaction of business. The
8 act of the majority of members of the board~~commission~~
9 shall be the act of the board~~commission~~. The board
10 commission shall meet as often as needed, but not less than
11 four (4) times a year. The meetings shall be held in
12 accordance with W.S. 16-4-401 through 16-4-407. The board
13 commission shall keep permanent records of its meetings.

14
15 (c) Any subpoena issued by the board~~commission~~ shall
16 be subject to the following:

17
18 (i) The subpoena shall describe the objects
19 required to be produced and shall prescribe a return date
20 within a reasonable period of time within which the objects
21 can be assembled and made available. If any tangible
22 materials subpoenaed are located outside of this state, the
23 person to whom the subpoena is issued shall make the

1 materials available to the ~~beard~~commission at a convenient
2 location;

3

4 (iii) If any party fails or refuses to obey a
5 subpoena, the attorney general may, upon request of the
6 ~~beard~~commission and reasonable notice to all affected
7 persons, apply to the district court for an order
8 compelling compliance.

9

10 **33-48-103. Wyoming combat sports commission; per**
11 **diem; mileage.**

12

13 ~~Beard~~Commission members shall receive as compensation the
14 salary, per diem and mileage allowance as allowed to state
15 legislators for each day or portion thereof in which they
16 are engaged in the performance of their duties, payments of
17 the same to be made out of the ~~state mixed martial arts~~
18 ~~beard's~~Wyoming combat sports commission's appropriation.

19 Provided, that if any state officer is appointed to act as
20 a ~~beard~~commission member, compensation for the services
21 shall not be reimbursed except for any necessary expenses
22 incurred or paid subject to the submission of appropriate
23 receipts.

1

2 **33-48-104. Wyoming combat sports commission; report**
3 **to legislature; repeal of chapter.**

4

5 (a) The ~~board~~commission shall make a full report to
6 the joint travel, recreation, wildlife and cultural
7 resources interim committee of all proceedings during the
8 two (2) years preceding the first day of December before
9 the beginning of the general session of the legislature.
10 The report shall contain a statement of persons, clubs,
11 organizations or corporations issued licenses, the number
12 of licenses revoked, suspended or denied, the gross
13 receipts from each person, club, organization or
14 corporation, and other information and comments in relation
15 to the work of the ~~board~~commission as public interest may
16 require.

17

18 (b) If the ~~board~~commission raises fees pursuant to
19 W.S. 33-48-108(b) and determines that the money received
20 under this chapter remains insufficient to continue
21 operations, the ~~board~~commission shall report that
22 information to the legislature and shall not request any
23 appropriation from the legislature. W.S. 33-48-101 through

1 33-48-117 are repealed, effective upon adjournment of the
2 first legislative session convened after the date a report
3 under this subsection is made.

4

5 **33-48-105. Jurisdiction over mixed martial arts and**
6 **boxing matches and licenses; power of municipalities.**

7

8 (a) The ~~board~~commission shall have sole direction,
9 management, control of, and jurisdiction over, all mixed
10 martial arts and boxing matches to be conducted, held or
11 given within the state. No mixed martial arts or boxing
12 match shall be conducted, held or given within the state
13 except pursuant to a license granted by the ~~board~~
14 commission and in accordance with the provisions of this
15 chapter and the rules and regulations of the ~~board~~
16 commission. Every license shall be subject to such rules as
17 the ~~board~~commission may prescribe. The ~~board~~commission
18 may, at its discretion, issue and for cause revoke, deny or
19 suspend a license to conduct, hold or give a mixed martial
20 arts or boxing match. The ~~board~~commission shall have full
21 power and authority to limit the number of mixed martial
22 arts and boxing matches to be held or given by any person,
23 club, organization or corporation in this state. No

1 provision of this chapter shall prevent any incorporated
2 city or town from prohibiting by ordinance any mixed
3 martial arts or boxing match, provided that no match shall
4 be held other than in compliance with this chapter.

5
6 (b) Any person, club, organization or corporation in
7 this state seeking to hold a boxing match may seek a
8 license for the match from another state's boxing
9 commission, agency or regulatory body, subject to approval
10 of the Wyoming combat sports commission. A license issued
11 pursuant to this subsection shall be subject to the rules
12 and regulations of the issuing state's regulatory body.

13
14 **33-48-106. License application; fee and bond.**

15
16 Application for a license to conduct mixed martial arts and
17 boxing matches shall be in writing, shall be addressed to
18 the ~~board~~commission and shall be verified by the
19 individual promoter or by an officer of the club,
20 organization or corporation on whose behalf the application
21 is made. The application shall be accompanied by a fee as
22 established by the ~~board~~commission in accordance with W.S.
23 33-1-201. The application shall show that the club,

1 organization or corporation has been in existence not less
2 than thirty (30) days. Before any license is issued under
3 this chapter to any person, club, organization or
4 corporation, the applicant shall file with the state
5 treasurer a bond in an amount established by the ~~board~~
6 commission, not to exceed the greater of ten thousand
7 dollars (\$10,000.00) or the total estimated expenses
8 associated with the match, with good and sufficient surety,
9 conditioned for the faithful performance of the conditions
10 of this chapter. The applicant shall provide an estimate of
11 the expenses for the match based on matches held at venues
12 with similar audience capacity and other relevant factors.
13 The ~~board~~commission shall verify that the application
14 contains a good faith estimate of anticipated expenses for
15 the match.

16

17 **33-48-107. Report of person, club, organization or**
18 **corporation; admission fee to be paid.**

19

20 (a) Every person, club, organization or corporation
21 which exercises any of the privileges conferred by this
22 chapter shall within seventy-two (72) hours after the
23 determination of every match:

1

2 (i) Furnish to the ~~board~~commission, or its
3 representative, a written report, verified by the
4 individual promoter or an officer of the club, organization
5 or corporation. The report shall show the number of
6 tickets sold for the match, the amount of gross proceeds
7 from the match and other matters as the board may
8 prescribe; and

9

10 (ii) Pay to the ~~board~~commission a fee of five
11 percent (5%) of its total gross receipts from the sale of
12 tickets of admission and admission fees to any mixed
13 martial arts or boxing match.

14

15 **33-48-108. Disposition of fees.**

16

17 (a) All money received by the ~~board~~commission under
18 this chapter shall be deposited with the state treasurer
19 and credited to the ~~mixed martial arts board~~Wyoming combat
20 sports commission account, which is hereby created.

21

22 (b) If at any time the ~~board~~commission determines
23 that the money received under this chapter is insufficient

1 to continue operations without additional state funding,
2 the ~~board~~commission shall increase fees in accordance with
3 W.S. 33-1-201 to the extent required to continue
4 operations. If the ~~board~~commission raises fees under this
5 subsection and the money received under this chapter
6 remains insufficient to continue operations, the ~~board~~
7 commission shall provide a report to the legislature as
8 specified in W.S. 33-48-104(b).

9

10 **33-48-109. Amateur matches.**

11

12 Whenever an amateur mixed martial arts or boxing match is
13 held by any person, club, organization or corporation, and
14 the match is not for pecuniary profit, the ~~license fee and~~
15 ~~bond provisions of W.S. 33-48-106, the reporting and fee~~
16 ~~provisions of W.S. 33-48-107, and the presence of a board~~
17 ~~member and the or board representative provisions of W.S.~~
18 ~~33-48-110~~provisions of this chapter shall not apply.~~The~~
19 ~~match shall, however, be subject to all other provisions of~~
20 ~~this chapter and the rules and regulations of the board.~~

21

22 **33-48-110. Commission representatives.**

23

1 The ~~board~~commission shall appoint official representatives
2 designated as ~~board~~commission representatives for the
3 state. Each ~~board~~commission representative shall receive
4 from the ~~board~~commission a card authorizing him to act as
5 a representative wherever the ~~board~~commission may
6 designate him to act. Except as provided in W.S. 33-48-109,
7 a ~~board~~commission member or ~~board~~commission
8 representative shall be present at all matches conducted
9 for pecuniary profit and see that the rules and regulations
10 of the ~~board~~commission are strictly observed. A ~~board~~
11 commission representative may also be present at the
12 counting of the gross receipts and, if present, shall
13 without undue delay provide to the ~~board~~commission the
14 written report received by the ~~board~~commission
15 representative from the individual promoter or officer of
16 the club, organization or corporation showing the number of
17 tickets sold, the gross amount of proceeds and other
18 matters as the ~~board~~commission may prescribe. The ~~board~~
19 commission may establish compensation for, and pay, any
20 ~~board~~commission representatives appointed under this
21 section from fees deposited in the ~~mixed martial arts board~~
22 Wyoming combat sports commission account in accordance with
23 W.S. 33-1-202 and this chapter.

1

2 **33-48-111. Rules for conduct of matches.**

3

4 (a) The ~~board~~commission shall promulgate rules and
5 regulations regarding the conduct of matches not
6 inconsistent with this chapter or the unified rules of
7 mixed martial arts and the unified rules of boxing adopted
8 by the association of boxing commissions.

9

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

20

21 **33-48-112. Examination by physician.**

22

1 Each contestant shall be examined not more than twelve (12)
2 hours prior to a mixed martial arts or boxing match by a
3 physician who has been licensed to practice in Wyoming and
4 who has been designated by the ~~board~~commission. The
5 physician shall certify in writing, over his signature, as
6 to the contestant's physical condition to engage in the
7 match. The physician's compensation shall be provided by
8 the individual promoter or entity unless otherwise agreed.

9

10 **33-48-113. Referees.**

11

12 No person shall act as a referee to a mixed martial arts or
13 boxing match without a certificate granted by the ~~board~~
14 commission. The ~~board~~commission is authorized to grant
15 certificates to competent referees upon the application and
16 the payment of an annual fee as established by the ~~board~~
17 commission in accordance with W.S. 33-1-201 and the ~~board~~
18 commission may revoke any certificate granted to any
19 referee for cause as the ~~board~~commission may deem
20 sufficient.

21

22 **33-48-114. Penalty for contestants violating rules of**
23 **commission.**

1

2 (a) In addition to any penalty imposed under W.S.
3 33-48-117, any contestant who shall be found to be in
4 violation of any rule or regulation of the ~~board~~-commission
5 shall be penalized as follows:

6

7 (i) For the first offense he shall be restrained
8 by order of the ~~board~~-commission from participating in any
9 mixed martial arts or boxing match to be held or given by
10 any person, club, organization or corporation licensed to
11 give or hold any mixed martial arts or boxing match for a
12 period of not less than three (3) months nor more than one
13 (1) year at the discretion of the ~~board~~-commission;

14

15 (ii) For a second offense he shall be
16 disqualified from further admission or participation in any
17 mixed martial arts or boxing match, held or given by any
18 person, club, organization or corporation licensed under
19 this chapter.

20

21 **33-48-115. Failure to make reports; unsatisfactory**
22 **reports; examination of records, officers.**

23

1 Whenever any person, club, organization or corporation
2 fails to make a report of any match at the time prescribed
3 by this chapter, or whenever the report is unsatisfactory
4 to the ~~board~~commission, the ~~board~~commission may examine
5 or cause to be examined, the books and records of the
6 person, club, organization or corporation, and examine
7 under oath its officers and other persons as witnesses for
8 the purpose of determining the total amount of its gross
9 receipts for any match and the amount of monies due
10 pursuant to the provisions of this chapter. The ~~board~~
11 commission shall determine the amount due based upon the
12 results of the examination. Should the person, club,
13 organization or corporation fail to pay any monies
14 determined to be due, together with the expenses incurred
15 in making the examination, for a period of twenty (20) days
16 after notice of the amount due by the ~~board~~commission, the
17 person, club, organization or corporation shall forfeit its
18 license and shall be disqualified from receiving any new
19 license or any renewal of its license. In addition, the
20 person, club, organization or corporation shall forfeit to
21 the state of Wyoming the bond required to be filed by W.S.
22 33-48-106, which may be recovered by the attorney general
23 in the name of the state of Wyoming. Appeals of a

1 disqualification under this section may be made as provided
2 in the Wyoming Administrative Procedure Act.

3

4 **33-48-116. Weights and classes.**

5

6 The weights and classes of mixed martial arts and boxing
7 participants and the rules and regulations of mixed martial
8 arts and boxing shall be the same as the weights and
9 classes and rules and regulations adopted by the
10 association of boxing commissions in the unified rules of
11 mixed martial arts and the unified rules of boxing, except
12 as otherwise provided in this chapter.

13

14 **Section 2.** W.S. 33-48-101(h)(i) is repealed.

15

16 **Section 3.** The current members of the state board of
17 mixed martial arts, renamed to the Wyoming combat sports
18 commission in Section 1 of this act, shall continue to
19 serve their terms as members of the Wyoming combat sports
20 commission pursuant to the provisions of W.S. 33-48-101, as
21 amended by Section 1 of this act.

22

1 **Section 4.** The Wyoming combat sports commission,
2 renamed from the state board of mixed martial arts in
3 Section 1 of this act, shall promulgate all rules necessary
4 to conduct boxing matches in this state and otherwise to
5 implement this act.

6

7 **Section 5.** On the effective date of this act, all
8 unobligated and unencumbered funds within the mixed martial
9 arts board account shall be transferred to the Wyoming
10 combat sports commission account, as renamed in Section 1
11 of this act.

12

13 **Section 6.** This act is effective immediately upon
14 completion of all acts necessary for a bill to become law
15 as provided by Article 4, Section 8 of the Wyoming
16 Constitution.

17

18

(END)