

HOUSE BILL NO. HB0107

Wyoming boxing commission.

Sponsored by: Representative(s) Esquibel

A BILL

for

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

17

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

7

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

13

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

18

19 (d) As used in this act:

20

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

23

1 (ii) "This act" means W.S. 33-8-121 through
2 33-8-140.

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4 **33-8-122. State boxing commissioner; powers and**
5 **duties; subpoenas; oaths.**

6

7 The commissioner shall keep a full and accurate record of
8 all his acts and doings and shall preserve at his general
9 office all books, documents and papers. The commissioner
10 shall prepare for service of notices and other papers as
11 may be necessary, and shall issue subpoenas for the
12 attendance of witnesses before him with the same effect as
13 if they were issued in an action in the district court, and
14 shall have power to administer oaths in all matters
15 pertaining to the administration of his affairs as
16 commissioner. Disobedience of such subpoenas and falsely
17 swearing before the commissioner shall be attended by the
18 same consequences and be subject to the same penalties as
19 if the disobedience or false swearing occurred in an action
20 in the district court.

21

22 **33-8-123. State boxing commissioner; per diem;**
23 **mileage.**

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1 The commissioner shall receive as compensation the sum of
2 five dollars (\$5.00) for each day or fraction thereof
3 actually spent in the performance of his duties, together
4 with per diem and mileage allowance as allowed to state
5 employees, payments of the same to be made out of the state
6 boxing commissioner's appropriation. Provided, that if any
7 state officer is appointed to act as commissioner he shall
8 not receive the compensation for his services herein
9 mentioned, but shall be reimbursed for any necessary
10 expenses incurred or paid by him.

11

12 **33-8-124. State boxing commissioner; report to**
13 **legislature.**

14

15 The commissioner shall make to the legislature a full
16 report of all proceedings for the two (2) years ending with
17 the preceding first day of December before the beginning of
18 the regular session of the legislature. The report to the
19 legislature shall be completed and shall contain a
20 statement of clubs, organizations or corporations, the
21 number of licenses revoked, the gross receipts from each
22 club, organization or corporation, and other information
23 and comments in relation to the work of the commissioner as
24 public interest may require.

1

2 **33-8-125. Jurisdiction over boxing matches and**
3 **licenses; power of municipalities.**

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5 The commissioner shall have, and is hereby vested with the
6 sole direction, management, control of, and jurisdiction
7 over, all boxing and sparring matches and exhibitions to be
8 conducted, held or given within the state by any club,
9 corporation or association and no boxing or sparring
10 exhibitions shall be conducted, held or given within the
11 state except pursuant to authority granted by the
12 commissioner and in accordance with the provisions of this
13 act and the rules and regulations of the commissioner. The
14 commissioner may, at his discretion, issue and for cause
15 revoke a license to conduct, hold or give boxing or
16 sparring matches and exhibitions to any incorporated club
17 or association formed as hereinafter provided. The
18 commissioner shall have full power and authority to limit
19 the number of sparring or boxing exhibitions to be held or
20 given by any club, organization or corporation in any city
21 in this state where boxing contests are conducted in the
22 manner herein provided. No boxing or sparring exhibitions
23 shall be conducted by any club, organization or corporation
24 in the state except by a license from the state boxing

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

15

16 **33-8-126. Licenses required; application; fee and**
17 **bond.**

18

19 No boxing or sparring exhibition shall be conducted by any
20 club or organization except by license issued to the club
21 or organization by the state boxing commissioner of
22 Wyoming. The application for a license shall be in writing,
23 and shall be addressed to the commissioner, and shall be
24 verified by some officer of the club, organization or

1 corporation on whose behalf the application is made. The
2 application shall be accompanied by a fee of ten dollars
3 (\$10.00) for each boxing or sparring exhibition. The
4 application shall show that the club or organization has
5 been incorporated not less than thirty (30) days and that
6 the club has been organized under the laws of the state of
7 Wyoming. Before any permit or license is issued under this
8 act to any club, organization or corporation, the applicant
9 shall file a bond of two thousand dollars (\$2,000.00) with
10 good and sufficient surety, with the state treasurer,
11 conditioned for the faithful performance of the conditions
12 of this act.

13

14 **33-8-127. Report of club, corporation or association;**
15 **admission tax to be paid.**

16

17 Every club, corporation or association which may hold or
18 exercise any of the privileges conferred by this act shall,
19 within twenty-four (24) hours after the determination of
20 every contest, furnish to the commissioner a written
21 report, duly verified by one (1) of its officers, showing
22 the number of tickets sold for the contest, and the amount
23 of gross proceeds thereof, and other matters as the
24 commissioner may prescribe and shall also within the time

1 prescribed by this section, pay a tax of five percent (5%)
2 of its total gross receipts from the sale of tickets of
3 admission, or admission fees to boxing or sparring matches
4 or exhibitions.

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6 **33-8-128. Disposition of fees and taxes.**

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8 (a) All money shall be received and collected as
9 provided by this act and credited by the state treasurer as
10 follows:

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

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

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

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21 **33-8-129. Matches under rules of amateur athletic**
22 **union.**

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

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9 (i) Amateur boxing and sparring matches, of not
10 more than six (6) rounds duration shall be permitted
11 outside of incorporated cities and towns;

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

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17 **33-8-130. County inspectors.**

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19 The commissioner shall by and with the cooperation of the
20 county commissioners of the several counties appoint
21 official representatives designated as inspectors or
22 deputies for each county, each of whom shall receive from
23 the commissioner a card, authorizing him in person or by
24 deputy to act as an inspector wherever the commissioner may

1 designate him to act. The commissioner may, and at least
2 one (1) inspector or deputy shall, be present at all
3 exhibitions and matches conducted for pecuniary profit and
4 see that the rules are strictly observed, and an inspector
5 shall also be present at the counting up of the gross
6 receipts, and shall immediately mail to the commissioner
7 the official box office statement received by him from the
8 officers of the club.

9

10 **33-8-131. Sunday matches prohibited.**

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12 No boxing or sparring match or exhibition shall be held on
13 Sunday.

14

15 **33-8-132. Rules for conduct of matches.**

16

17 (a) No boxing or sparring exhibitions shall be of
18 more than fifteen (15) rounds duration, and no one (1)
19 round of such exhibition shall be permitted to extend for a
20 period longer than three (3) minutes.

21

22 (b) There shall be a one (1) minute intermission
23 between rounds.

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1 (c) No contestant shall in any such boxing or
2 sparring exhibition wear, or be permitted to wear, gloves
3 weighing less than five (5) ounces.

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

14

15 (e) In all boxing or sparring contests, contestants
16 shall break clean, and shall not hold and hit. Butting with
17 the head or shoulder, wrestling or illegal use of elbows
18 shall not be allowed. There shall be no unsportsmanlike
19 conduct on the part of the contestants, including the use
20 of abusive or insulting language.

21

22 **33-8-133. Age limit for spectators.**

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1 No person under the age of sixteen (16) years shall be
2 admitted to a boxing or sparring exhibition, unless
3 accompanied by his parent, guardian or other adult
4 relative.

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6 **33-8-134. Examination by physician.**

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

14

15 **33-8-135. Referees.**

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17 The commissioner is authorized to grant licenses to
18 competent referees upon the application and the payment of
19 an annual fee of ten dollars (\$10.00), and may revoke any
20 license granted to any referee upon such cause as the
21 commissioner may deem sufficient. The referee shall stop
22 the contest or match when either of the contestants shows a
23 marked superiority or is apparently outclassed or injury is
24 likely to result to either of the contestants.

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33-8-136. Holding fake matches.

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

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

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14 (a) Any contestant who shall participate in any sham
15 or fake boxing or sparring match or violate any rule or
16 regulation of the commissioner shall be penalized in the
17 following manner:

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(i) For the first offense he shall be restrained
by order of the commissioner from participating in any
boxing or sparring match or exhibition to be held or given
by any club or corporation duly licensed to give or hold
any boxing or sparring match or exhibition for a period of

1 not less than three (3) months nor more than one (1) year
2 at the discretion of the commissioner;

3

4 (ii) For a second offense he shall be totally
5 disqualified from further admission or participation in any
6 boxing contest, held or given by any club, corporation or
7 association, duly licensed for such purpose in this state.

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9 **33-8-138. Failure to make reports; unsatisfactory**
10 **reports; examination of records, officers.**

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12 Whenever any club, corporation or association shall fail to
13 make a report of any contest at the time prescribed by this
14 act, or whenever the report is unsatisfactory to the
15 commissioner, the commissioner may examine or cause to be
16 examined, the books and records of the club, corporation or
17 association, and subpoena and examine under oath its
18 officers and other person or persons for witnesses for the
19 purpose of determining the total amount of its gross
20 receipts for any contest and the amount of taxes due
21 pursuant to the provisions of this act, which tax he may,
22 upon and as a result of such examination, fix and
23 determine. Should the club, corporation or association fail
24 to pay any taxes determined to be due, together with the

1 expenses incurred in making the examination, for a period
2 of twenty (20) days after notice of the amount due by the
3 commissioner, the club, corporation or association shall
4 forfeit its license and shall be thereby disqualified from
5 receiving any new license, or any renewal of its license.
6 In addition, the club, corporation or association shall
7 forfeit to the people of the state of Wyoming the bond of
8 two thousand dollars (\$2,000.00) required to be filed by
9 W.S. 33-8-126, which may be recovered by the attorney
10 general in the name of the people of the state of Wyoming
11 in the same manner as other penalties are by law recovered.

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13 **33-8-139. Weights and classes.**

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15 The weights and classes of boxers and the rules and
16 regulations of boxing shall be the same as the weights and
17 classes and rules and regulations adopted by the Army, Navy
18 and Civilian Board of Boxing and Control, Inc. and the
19 International Sporting Club of New York, Inc. except as
20 otherwise herein provided. No contest shall be allowed in
21 which the difference in weight of the respective
22 contestants shall exceed eighteen (18) pounds, but this
23 provision shall not apply to boxers in the heavy and
24 light-heavy weight classes.

