

HOUSE BILL NO. HB0231

Wyoming boxing commissioner.

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

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 33-8-139 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 subject to
8 reappointment.

9

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

15

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

20

21 (d) As used in this act:

22

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

1

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

8

9 (iii) "This act" means W.S. 33-8-121 through
10 33-8-139.

11

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

14

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

1 shall be attended by the same consequences and be subject
2 to the same penalties as if the disobedience or false
3 swearing occurred in an action 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, compensation
13 for the services herein mentioned shall not be reimbursed
14 except for any necessary expenses incurred or paid subject
15 to the submission of appropriate receipts.

16

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

19

20 The commissioner shall make a full report to the joint
21 travel, recreation, wildlife and cultural resources interim
22 committee of all proceedings during the two (2) years
23 preceding the first day of December before the beginning of
24 the general session of the legislature. The report to the

1 joint travel, recreation, wildlife and cultural resources
2 interim committee shall be completed and shall contain a
3 statement of persons, clubs, organizations or corporations,
4 the number of licenses revoked, suspended or denied, the
5 gross receipts from each person, club, organization or
6 corporation, and other information and comments in relation
7 to the work of the commissioner as public interest may
8 require.

9
10 **33-8-125. Jurisdiction over boxing matches and**
11 **licenses; power of municipalities.**

12
13 The commissioner shall have, and is hereby vested with the
14 sole direction, management, control of, and jurisdiction
15 over, all boxing and sparring matches and exhibitions to be
16 conducted, held or given within the state and no boxing or
17 sparring exhibitions shall be conducted, held or given
18 within the state except pursuant to authority granted by
19 the commissioner and in accordance with the provisions of
20 this act and the rules and regulations of the commissioner.
21 The commissioner may, at his discretion, issue and for
22 cause revoke, deny or suspend a license to conduct, hold or
23 give boxing or sparring matches and exhibitions to any
24 incorporated club or association formed as provided in this

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

23

1 **33-8-126. Licenses required; application; fee and**
2 **bond.**

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

22

23 **33-8-127. Report of person, club, corporation or**
24 **association; admission tax to be paid.**

1

2 Every person, club, corporation or association which may
3 hold or exercise any of the privileges conferred by this
4 act shall, within seventy-two (72) hours after the
5 determination of every contest, furnish to the commissioner
6 a written report, duly verified by one (1) of its officers,
7 showing the number of tickets sold for the contest, and the
8 amount of gross proceeds thereof, and other matters as the
9 commissioner may prescribe and shall also within the time
10 prescribed by this section, pay a tax of five percent (5%)
11 of its total gross receipts from the sale of tickets of
12 admission, or admission fees to boxing or sparring matches
13 or exhibitions.

14

15 **33-8-128. Disposition of fees and taxes.**

16

17 (a) All money shall be received and collected as
18 provided by this act and credited by the state treasurer as
19 follows:

20

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

23

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

3

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

6

7 **33-8-129. Matches under rules of amateur athletic**
8 **union.**

9

10 (a) Whenever amateur boxing and sparring matches are
11 held under the rules of the amateur athletic union, by any
12 club or organization, the license fee required under this
13 act or the presence of the commissioner or deputy shall not
14 be required. The matches and exhibitions shall, however,
15 be subject to the provisions of W.S. 33-8-131 and the rules
16 of the commissioner, provided:

17

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

21

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

1

2 **33-8-130. County inspectors.**

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

19

20 **33-8-131. Rules for conduct of matches.**

21

22 (a) The commissioner shall promulgate rules and
23 regulations regarding the conduct of matches not
24 inconsistent with this section or the appropriate amateur

1 and professional boxing and sparring rules of the
2 association of boxing commissions and the U.S.A. amateur
3 boxing association.

4

5 (b) No boxing or sparring exhibitions shall be of
6 more than twelve (12) rounds duration, and no one (1) round
7 of such exhibition shall be permitted to extend for a
8 period longer than three (3) minutes.

9

10 (c) There shall be a one (1) minute intermission
11 between rounds.

12

13 (d) No contestant shall in any boxing or sparring
14 exhibition wear, or be permitted to wear, gloves weighing
15 less than eight (8) ounces.

16

17 (e) No betting or wagering at any boxing or sparring
18 contest shall be permitted by any person or persons
19 directly associated with the boxing or sparring contest,
20 including the contestants, spectators and members of the
21 club or organization, before, after or during any contest,
22 in or around the premises where the contest is held.
23 Nothing in this subsection shall be construed to prohibit

1 betting or wagering as may be allowed by law away from the
2 premises where the contest is held.

3

4 **33-8-132. 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 one (1) of his parents, a guardian, other
9 adult relative or, in the case of a contestant sixteen (16)
10 years of age, the coach of the contestant.

11

12 **33-8-133. Examination by physician.**

13

14 Each contestant shall be examined not more than twelve (12)
15 hours prior to entering the ring by a physician who has
16 been licensed to practice in Wyoming and who has been
17 designated by the commissioner. The physician shall
18 certify in writing, over his signature, as to the
19 contestant's physical condition to engage in the contest.
20 The physician's compensation shall be provided by the
21 sponsoring person or entity unless otherwise agreed.

22

23 **33-8-134. Referees.**

24

1 The commissioner is authorized to grant licenses to
2 competent referees upon the application and the payment of
3 an annual fee of ten dollars (\$10.00) and may revoke any
4 license granted to any referee for cause as the
5 commissioner may deem sufficient.

6

7 **33-8-135. Holding fake matches.**

8

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

17

18 **33-8-136. Penalty for taking part in fake match.**

19

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

24

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 person, club,
12 corporation or association, duly licensed for that purpose
13 in this state.

14

15 **33-8-137. Failure to make reports; unsatisfactory**
16 **reports; examination of records, officers.**

17

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

1 for the purpose of determining the total amount of its
2 gross receipts for any contest and the amount of taxes due
3 pursuant to the provisions of this act. The commissioner
4 shall fix and determine the tax based upon the results of
5 the examination. Should the person, club, corporation or
6 association fail to pay any taxes determined to be due,
7 together with the expenses incurred in making the
8 examination, for a period of twenty (20) days after notice
9 of the amount due by the commissioner, the person, club,
10 corporation or association shall forfeit its license and
11 shall be disqualified from receiving any new license or any
12 renewal of its license. Appeals of a disqualification under
13 this section may be made as provided in the Wyoming
14 Administrative Procedure Act, W.S. 16-3-101 through
15 16-3-115. In addition, the person, club, corporation or
16 association shall forfeit to the state of Wyoming the bond
17 of two thousand dollars (\$2,000.00) required to be filed by
18 W.S. 33-8-126, which may be recovered by the attorney
19 general in the name of the state of Wyoming in the same
20 manner as other penalties are by law recovered.

21

22 **33-8-138. Weights and classes.**

23

1 The weights and classes of boxers and the rules and
2 regulations of boxing shall be the same as the weights and
3 classes and rules and regulations adopted by the
4 association of boxing commissions and the U.S.A. amateur
5 boxing association, except as otherwise provided in this
6 act.

7

8 **33-8-139. Penalty.**

9

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

15

16 **Section 2.** There is appropriated eighty-two thousand
17 dollars (\$82,000.00) from the general fund to the office of
18 the boxing commissioner created pursuant to section 1 of
19 this act for the fiscal period beginning July 1, 2007 and
20 ending June 30, 2008 for purposes of this act.

21

22 **Section 3.** This act is effective July 1, 2007.

23

24 (END)