

HOUSE BILL NO. HB0087

Mixed martial arts.

Sponsored by: Representative(s) Pedersen

A BILL

for

1 AN ACT relating to mixed martial arts; establishing the
2 mixed martial arts board; providing definitions; providing
3 for the appointment of the state mixed martial arts board,
4 inspectors and deputies; specifying duties; requiring
5 reports; providing procedures for licensure; providing for
6 distribution of revenues; providing for contingent repeal
7 of the act as specified; providing penalties; granting
8 rulemaking authority; providing an appropriation; and
9 providing for an effective date.

10

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

12

13 **Section 1.** W.S. 33-48-101 through 33-48-117 are
14 created to read:

15

16

CHAPTER 48

17

MIXED MARTIAL ARTS REGULATION

1

2 **33-48-101. State mixed martial arts board created;**
3 **appointment; term; rules and regulations; definitions.**

4

5 (a) The state board of mixed martial arts is created
6 to implement and administer this chapter.

7

8 (b) The board shall consist of three (3) members.

9

10 (c) Terms of initial board members shall be staggered
11 with one (1) member serving for one (1) year, one (1)
12 serving for two (2) years and one (1) serving for three (3)
13 years.

14

15 (d) The governor shall appoint the members of the
16 board. Except for initial board members as provided under
17 subsection (c) of this section, the term of each member
18 shall be three (3) years. Upon expiration of their terms,
19 members of the board shall continue to hold office until
20 the appointment of their successors. No person shall serve
21 as a member of the board for more than two (2) consecutive
22 terms.

23

1 (e) A vacancy that occurs for any reason in the
2 membership of the board shall be filled within thirty (30)
3 days by the governor. A person appointed to fill a vacancy
4 shall serve for the unexpired portion of the term.

5

6 (f) The governor may remove any member of the board
7 as provided in W.S. 9-1-202 or upon a recommendation of a
8 majority of the board for any reason.

9

10 (g) The board shall adopt a seal and shall make rules
11 for the administration of this chapter.

12

13 (h) As used in this chapter:

14

15 (i) "Board" means the state board of mixed
16 martial arts;

17

18 (ii) "Mixed martial arts" means unarmed combat
19 involving the use, subject to any limitations set forth in
20 this chapter or by rule of the board, of a combination of
21 techniques from different disciplines of the martial arts
22 including, without limitation, grappling, submission holds,
23 kicking and striking;

24

1 (iii) "Unarmed combat" means any form of
2 competition in which a blow is usually struck which may
3 reasonably be expected to inflict injury.

4

5 **33-48-102. State mixed martial arts board; powers and**
6 **duties; subpoenas; oaths.**

7

8 (a) The board shall keep a full and accurate record
9 of all acts and doings of the board. The board shall
10 prepare for service of notices and other papers as may be
11 necessary and shall have the power to administer oaths and
12 issue subpoenas in all matters pertaining to the
13 administration of the board's duties. Falsely swearing
14 before the board shall be attended by the same consequences
15 and be subject to the same penalties as if the disobedience
16 or false swearing occurred in an action in the district
17 court.

18

19 (b) A majority of the board constitutes a quorum for
20 meetings and the transaction of business. The act of the
21 majority of members of the board shall be the act of the
22 board. The board shall meet as often as needed, but not
23 less than four (4) times a year. The meetings shall be held

1 in accordance with W.S. 16-4-401 through 16-4-407. The
2 board shall keep permanent records of its meetings.

3

4 (c) Any subpoena issued by the commissioner shall be
5 subject to the following:

6

7 (i) The subpoena shall describe the objects
8 required to be produced and shall prescribe a return date
9 within a reasonable period of time within which the objects
10 can be assembled and made available. If any tangible
11 materials subpoenaed are located outside of this state, the
12 person to whom the subpoena is issued shall make the
13 materials available to the commissioner at a convenient
14 location;

15

16 (ii) At any time before the return date
17 specified on the subpoena, the person summoned may, in the
18 district court in which the person resides or does
19 business, petition for an order modifying the subpoena,
20 setting aside the subpoena or prohibiting disclosure of
21 specified materials;

22

23 (iii) If any party fails or refuses to obey a
24 subpoena, the attorney general may, upon request of the

1 commissioner and reasonable notice to all affected persons,
2 apply to the district court for an order compelling
3 compliance.

4

5 **33-48-103. State mixed martial arts board; per diem;**
6 **mileage.**

7

8 Board members shall receive as compensation the salary, per
9 diem and mileage allowance as allowed to state legislators
10 for each day or portion thereof in which they are engaged
11 in the performance of their duties, payments of the same to
12 be made out of the state mixed martial arts board's
13 appropriation. Provided, that if any state officer is
14 appointed to act as a board member, compensation for the
15 services shall not be reimbursed except for any necessary
16 expenses incurred or paid subject to the submission of
17 appropriate receipts.

18

19 **33-48-104. State mixed martial arts board; report to**
20 **legislature; repeal of chapter.**

21

22 (a) The board shall make a full report to the joint
23 travel, recreation, wildlife and cultural resources interim
24 committee of all proceedings during the two (2) years

1 preceding the first day of December before the beginning of
2 the general session of the legislature. The report shall
3 contain a statement of persons, clubs, organizations or
4 corporations issued licenses, the number of licenses
5 revoked, suspended or denied, the gross receipts from each
6 person, club, organization or corporation, and other
7 information and comments in relation to the work of the
8 board as public interest may require.

9

10 (b) If the board raises fees pursuant to W.S.
11 33-48-108(b) and determines that the money received under
12 this chapter remains insufficient to continue operations,
13 the board shall report that information to the legislature
14 and shall not request any appropriation from the
15 legislature. W.S. 33-48-101 through 33-48-117 are repealed,
16 effective upon adjournment of the first legislative session
17 convened after the date a report under this subsection is
18 made.

19

20 **33-48-105. Jurisdiction over mixed martial arts**
21 **matches and licenses; power of municipalities.**

22

23 The board shall have sole direction, management, control
24 of, and jurisdiction over, all mixed martial arts matches

1 to be conducted, held or given within the state. No mixed
2 martial arts match shall be conducted, held or given within
3 the state except pursuant to a license granted by the board
4 and in accordance with the provisions of this chapter and
5 the rules and regulations of the board. Every license
6 shall be subject to such rules as the board may prescribe.
7 The board may, at its discretion, issue and for cause
8 revoke, deny or suspend a license to conduct, hold or give
9 a mixed martial arts match. The board shall have full
10 power and authority to limit the number of mixed martial
11 arts matches to be held or given by any person, club,
12 organization or corporation in this state. No provision of
13 this chapter shall prevent any incorporated city or town
14 from prohibiting by ordinance any mixed martial arts match,
15 provided that no match shall be held other than in
16 compliance with this chapter.

17

18 **33-48-106. License application; fee and bond.**

19

20 Application for a license to conduct mixed martial arts
21 matches shall be in writing, shall be addressed to the
22 board and shall be verified by the individual promoter or
23 by an officer of the club, organization or corporation on
24 whose behalf the application is made. The application

1 shall be accompanied by a fee as established by the board
2 in accordance with W.S. 33-1-201. The application shall
3 show that the club, organization or corporation has been in
4 existence not less than thirty (30) days. Before any
5 license is issued under this chapter to any person, club,
6 organization or corporation, the applicant shall file with
7 the state treasurer a bond in an amount established by the
8 board, not to exceed ten thousand dollars (\$10,000.00),
9 with good and sufficient surety, conditioned for the
10 faithful performance of the conditions of this chapter.

11

12 **33-48-107. Report of person, club, organization or**
13 **corporation; admission fee to be paid.**

14

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

19

20 (i) Furnish to the board, or its inspector or
21 deputy, a written report, verified by the individual
22 promoter or an officer of the club, organization or
23 corporation. The report shall show the number of tickets

1 sold for the match, the amount of gross proceeds from the
2 match and other matters as the board may prescribe; and

3

4 (ii) Pay to the board a fee of five percent (5%)
5 of its total gross receipts from the sale of tickets of
6 admission and admission fees to any mixed martial arts
7 match.

8

9 **33-48-108. Disposition of fees.**

10

11 (a) All money received by the board under this
12 chapter shall be deposited with the state treasurer and
13 credited to the mixed martial arts board account, which is
14 hereby created.

15

16 (b) If at any time the board determines that the
17 money received under this chapter is insufficient to
18 continue operations without additional state funding, the
19 board shall increase fees in accordance with W.S. 33-1-201
20 to the extent required to continue operations. If the
21 board raises fees under this subsection and the money
22 received under this chapter remains insufficient to
23 continue operations, the board shall provide a report to
24 the legislature as specified in W.S. 33-48-104(b).

1

2 **33-48-109. Amateur matches.**

3

4 Whenever an amateur mixed martial arts match is held by any
5 person, club, organization or corporation, and the match is
6 not for pecuniary profit, the license fee and bond
7 provisions of W.S. 33-48-106, the reporting and fee
8 provisions of W.S. 33-48-107, the presence of a board
9 member and the deputy or inspector provisions of W.S.
10 33-48-110 shall not apply. The match shall, however, be
11 subject to all other provisions of this chapter and the
12 rules and regulations of the board.

13

14 **33-48-110. County inspectors.**

15

16 The board shall, after consultation with the county
17 commissioners of the several counties, appoint official
18 representatives designated as inspectors and deputy
19 inspectors for each county. Each inspector and deputy
20 shall receive from the board a card authorizing him to act
21 as an inspector wherever the board may designate him to
22 act. Any board member may, and at least one (1) inspector
23 or deputy shall, be present at all matches conducted for
24 pecuniary profit and see that the rules and regulations of

1 the board are strictly observed. An inspector or deputy
2 shall also be present at the counting of the gross receipts
3 and shall immediately mail to the board the written report
4 received by the inspector or deputy from the individual
5 promoter or officer of the club, organization or
6 corporation showing the number of tickets sold, the gross
7 amount of proceeds and other matters as the board may
8 prescribe. The board may establish compensation for, and
9 pay, any inspectors or deputies appointed under this
10 section from fees deposited in the mixed martial arts board
11 account in accordance with W.S. 33-1-202 and this chapter.

12

13 **33-48-111. Rules for conduct of matches.**

14

15 (a) The board shall promulgate rules and regulations
16 regarding the conduct of matches not inconsistent with this
17 chapter or the unified rules of mixed martial arts adopted
18 by the association of boxing commissions.

19

20 (b) No betting or wagering at any mixed martial arts
21 match shall be permitted by any person directly associated
22 with the mixed martial arts match, including the
23 contestants, spectators and members of the club or
24 organization, before, after or during any match, in or

1 around the premises where the match is held. Nothing in
2 this subsection shall be construed to prohibit betting or
3 wagering as may be allowed by law away from the premises
4 where the match is held, or to authorize betting or
5 wagering otherwise prohibited by law.

6

7 **33-48-112. Examination by physician.**

8

9 Each contestant shall be examined not more than twelve (12)
10 hours prior to a mixed martial arts match by a physician
11 who has been licensed to practice in Wyoming and who has
12 been designated by the board. The physician shall certify
13 in writing, over his signature, as to the contestant's
14 physical condition to engage in the match. The physician's
15 compensation shall be provided by the individual promoter
16 or entity unless otherwise agreed.

17

18 **33-48-113. Referees.**

19

20 No person shall act as a referee to a mixed martial arts
21 match without a certificate granted by the board. The
22 board is authorized to grant certificates to competent
23 referees upon the application and the payment of an annual
24 fee as established by the board in accordance with W.S.

1 33-1-201 and the board may revoke any certificate granted
2 to any referee for cause as the board may deem sufficient.

3

4 **33-48-114. Penalty for contestants violating rules of**
5 **board.**

6

7 (a) In addition to any penalty imposed under W.S.
8 33-48-117, any contestant who shall be found to be in
9 violation of any rule or regulation of the board shall be
10 penalized as follows:

11

12 (i) For the first offense he shall be restrained
13 by order of the board from participating in any mixed
14 martial arts match to be held or given by any person, club,
15 organization or corporation licensed to give or hold any
16 mixed martial arts match for a period of not less than
17 three (3) months nor more than one (1) year at the
18 discretion of the board;

19

20 (ii) For a second offense he shall be
21 disqualified from further admission or participation in any
22 mixed martial arts match, held or given by any person,
23 club, organization or corporation licensed under this
24 chapter.

1

2 **33-48-115. Failure to make reports; unsatisfactory**
3 **reports; examination of records, officers.**

4

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

1 be filed by W.S. 33-48-106, which may be recovered by the
2 attorney general in the name of the state of Wyoming.
3 Appeals of a disqualification under this section may be
4 made as provided in the Wyoming Administrative Procedure
5 Act.

6

7 **33-48-116. Weights and classes.**

8

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

15

16 **33-48-117. Penalty.**

17

18 Any person who violates any of the provisions of this
19 chapter shall be deemed guilty of a misdemeanor punishable
20 by imprisonment for not more than six (6) months, a fine of
21 not more than seven hundred fifty dollars (\$750.00), or
22 both.

23

1 **Section 2.** There is appropriated ten thousand dollars
2 (\$10,000.00) from the general fund to the mixed martial
3 arts board created by this act for the fiscal period
4 beginning July 1, 2012 and ending June 30, 2013 to
5 establish rules and regulations under this act.
6 Notwithstanding any other provision of law, this
7 appropriation shall not be transferred or expended for any
8 other purpose and any unexpended, unobligated funds
9 remaining from this appropriation shall revert as provided
10 by law on June 30, 2013.

11

12 **Section 3.** This act is effective July 1, 2012.

13

14

(END)