

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 office of mixed martial arts commissioner; providing
 3 definitions; providing for the appointment of a state mixed
 4 martial arts commissioner, inspectors and deputies;
 5 specifying duties; requiring reports; providing procedures
 6 for licensure; providing for distribution of revenues;
 7 providing for contingent repeal of the act as specified;
 8 providing penalties; granting rulemaking authority;
 9 providing an appropriation; and providing for an effective
 10 date.

11

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

13

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

16

17

CHAPTER 48

1 MIXED MARTIAL ARTS REGULATION

2

3 33-48-101. State mixed martial arts commissioner;
4 office created; appointment; term; rules and regulations;
5 definitions.

6

7 (a) There is hereby created an office known as "state
8 mixed martial arts commissioner of Wyoming." The governor
9 shall appoint a person to fill the office. Any resident of
10 the state of Wyoming shall be eligible to fill the office
11 of the state mixed martial arts commissioner. The term of
12 office shall be two (2) years subject to reappointment.

13

14 (b) The commissioner shall adopt a seal and shall
15 make rules for the administration of his office not
16 inconsistent with this chapter.

17

18 (c) As used in this chapter:

19

20 (i) "Commissioner" means the state mixed martial
21 arts commissioner;

22

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

1 this chapter or by rule of the commissioner, 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 (iii) "Unarmed combat" means any form of
7 competition in which a blow is usually struck which may
8 reasonably be expected to inflict injury.

9

10 **33-48-102. State mixed martial arts commissioner;**
11 **powers and duties; subpoenas; oaths.**

12

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

23

1 **33-48-103. State mixed martial arts commissioner; per**
2 **diem; mileage.**

3

4 The commissioner shall receive as compensation the salary,
5 per diem and mileage allowance as allowed to state
6 legislators for each day or portion thereof in which the
7 commissioner is engaged in the performance of his duties,
8 payments of the same to be made out of the state mixed
9 martial arts commissioner's appropriation. Provided, that
10 if any state officer is appointed to act as commissioner,
11 compensation for the services as commissioner shall not be
12 reimbursed except for any necessary expenses incurred or
13 paid subject to the submission of appropriate receipts.

14

15 **33-48-104. State mixed martial arts commissioner;**
16 **report to legislature; repeal of chapter.**

17

18 (a) The commissioner shall make a full report to the
19 joint travel, recreation, wildlife and cultural resources
20 interim committee of all proceedings during the two (2)
21 years preceding the first day of December before the
22 beginning of the general session of the legislature. The
23 report shall contain a statement of persons, clubs,
24 organizations or corporations issued licenses, the number

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

6

7 (b) If the commissioner raises fees pursuant to W.S.
8 33-48-108(b) and determines that the money received under
9 this chapter remains insufficient to continue operations,
10 the commissioner shall report that information to the
11 legislature and shall not request any appropriation from
12 the legislature. W.S. 33-48-101 through 33-48-117 are
13 repealed, effective upon adjournment of the first
14 legislative session convened after the date a report under
15 this section is made.

16

17 **33-48-105. Jurisdiction over mixed martial arts**
18 **matches and licenses; power of municipalities.**

19

20 The commissioner shall have sole direction, management,
21 control of, and jurisdiction over, all mixed martial arts
22 matches to be conducted, held or given within the state.
23 No mixed martial arts match shall be conducted, held or
24 given within the state except pursuant to a license granted

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

16

17 **33-48-106. License application; fee and bond.**

18

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

1 the commissioner in accordance with W.S. 33-1-201. The
2 application shall show that the club, organization or
3 corporation has been in existence not less than thirty (30)
4 days. Before any license is issued under this chapter to
5 any person, club, organization or corporation, the
6 applicant shall file with the state treasurer a bond in an
7 amount established by the commissioner, not to exceed ten
8 thousand dollars (\$10,000.00), with good and sufficient
9 surety, conditioned for the faithful performance of the
10 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 commissioner, or his
21 inspector or deputy, a written report, verified by the
22 individual promoter or an officer of the club, organization
23 or corporation. The report shall show the number of
24 tickets sold for the match, the amount of gross proceeds

1 from the match and other matters as the commissioner may
2 prescribe; and

3

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

8

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

10

11 (a) Money received by the commissioner under this
12 chapter shall be deposited with the state treasurer and
13 credited as follows:

14

15 (i) All of the license and referee certificate
16 fees and fifty percent (50%) of the admission fees shall,
17 subject to the provisions of W.S. 33-1-202, be deposited in
18 the mixed martial arts commissioner account, which is
19 hereby created;

20

21 (ii) Fifty percent (50%) of the admission fees
22 shall be distributed to the treasurer of the county in
23 which the match was held. If the match is held in a city
24 or town, seventy-five percent (75%) of the amount disbursed

1 hereunder shall be distributed by the county to the
2 treasurer of the city or town in which the match is held.

3

4 (b) If at any time the commissioner determines that
5 the money received under this chapter is insufficient to
6 continue operations without additional state funding, the
7 commissioner shall increase fees in accordance with W.S.
8 33-1-201 to the extent required to continue operations. If
9 the commissioner raises fees under this subsection and the
10 money received under this chapter remains insufficient to
11 continue operations, the commissioner shall provide a
12 report to the legislature as specified in W.S.
13 33-48-104(b).

14

15 **33-48-109. Amateur matches.**

16

17 Whenever an amateur mixed martial arts match is held by any
18 person, club, organization or corporation, and the match is
19 not for pecuniary profit, the license fee and bond
20 provisions of W.S. 33-48-106, the reporting and fee
21 provisions of W.S. 33-48-107, the presence of the
22 commissioner and the deputy or inspector provisions of W.S.
23 33-48-110 shall not apply. The match shall, however, be

1 subject to all other provisions of this chapter and the
2 rules and regulations of the commissioner.

3

4 **33-48-110. County inspectors.**

5

6 The commissioner shall, with the cooperation of the county
7 commissioners of the several counties, appoint official
8 representatives designated as inspectors and deputy
9 inspectors for each county. Each inspector and deputy
10 shall receive from the commissioner a card authorizing him
11 to act as an inspector wherever the commissioner may
12 designate him to act. The commissioner may, and at least
13 one (1) inspector or deputy shall, be present at all
14 matches conducted for pecuniary profit and see that the
15 rules and regulations of the commissioner are strictly
16 observed. An inspector or deputy shall also be present at
17 the counting of the gross receipts and shall immediately
18 mail to the commissioner the written report received by the
19 inspector or deputy from the individual promoter or officer
20 of the club, organization or corporation showing the number
21 of tickets sold, the gross amount of proceeds and other
22 matters as the commissioner may prescribe. The
23 commissioner may establish compensation for, and pay, any
24 inspectors or deputies appointed under this section from

1 fees deposited in the mixed martial arts commissioner
2 account in accordance with W.S. 33-1-202 and this chapter.

3

4 **33-48-111. Rules for conduct of matches.**

5

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

11

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

22

23 **33-48-112. Examination by physician.**

24

1 Each contestant shall be examined not more than twelve (12)
2 hours prior to a mixed martial arts match by a physician
3 who has been licensed to practice in Wyoming and who has
4 been designated by the commissioner. The physician shall
5 certify in writing, over his signature, as to the
6 contestant's physical condition to engage in the match. The
7 physician's compensation shall be provided by the
8 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
13 match without a certificate granted by the commissioner.
14 The commissioner is authorized to grant certificates to
15 competent referees upon the application and the payment of
16 an annual fee as established by the commissioner in
17 accordance with W.S. 33-1-201 and the commissioner may
18 revoke any certificate granted to any referee for cause as
19 the commissioner may deem sufficient.

20

21 **33-48-114. Penalty for contestants violating rules of**
22 **commissioner.**

23

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

5
6 (i) For the first offense he shall be restrained
7 by order of the commissioner from participating in any
8 mixed martial arts match to be held or given by any person,
9 club, organization or corporation licensed to give or hold
10 any mixed martial arts match for a period of not less than
11 three (3) months nor more than one (1) year at the
12 discretion of the commissioner;

13
14 (ii) For a second offense he shall be
15 disqualified from further admission or participation in any
16 mixed martial arts match, held or given by any person,
17 club, organization or corporation licensed under this
18 chapter.

19
20 **33-48-115. Failure to make reports; unsatisfactory**
21 **reports; examination of records, officers.**

22
23 Whenever any person, club, organization or corporation
24 fails to make a report of any match at the time prescribed

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

24

1 **33-48-116. Weights and classes.**

2

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

9

10 **33-48-117. Penalty.**

11

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

17

18 **Section 2.** There is appropriated ten thousand dollars
19 (\$10,000.00) from the general fund to the office of the
20 mixed martial arts commissioner created by this act for the
21 fiscal period beginning July 1, 2012 and ending June 30,
22 2013 to establish rules and regulations under this act.
23 Notwithstanding any other provision of law, this
24 appropriation shall not be transferred or expended for any

1 other purpose and any unexpended, unobligated funds
2 remaining from this appropriation shall revert as provided
3 by law on June 30, 2013.

4

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

6

7

(END)