

## 1 SENATE BILL NO. 363

2 INTRODUCED BY M. CAFERRO

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING BOXING LAWS; SPECIFYING THE AMOUNT OF  
5 LIABILITY INSURANCE REQUIRED OF A PROMOTER; ESTABLISHING GUIDELINES FOR MEDICAL  
6 EXAMINATIONS PRIOR TO EVENTS AND LICENSURE; ALLOWING VENUE OWNERS AND PROMOTERS  
7 TO DETERMINE THE NEED FOR SECURITY PERSONNEL; ESTABLISHING LICENSE FEES; UTILIZING  
8 GATE TAX REVENUE TO SUPPORT AMATEUR BOXING; PROVIDING RULEMAKING AUTHORITY;  
9 AMENDING SECTIONS 23-3-404, 23-3-405, 23-3-501, AND 23-3-601, MCA; AND PROVIDING AN IMMEDIATE  
10 EFFECTIVE DATE."

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12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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14 **Section 1.** Section 23-3-404, MCA, is amended to read:  
15 **"23-3-404. Jurisdiction -- license required -- contestant participation.** (1) The department has sole  
16 management, control, and jurisdiction over each professional boxing event involving recognition, a prize, or a  
17 purse and at which an admission fee is charged, either directly or indirectly, in the form of dues or otherwise, to  
18 be held within the state.

19 (2) (a) An organization or individual may not conduct a professional boxing event within the department's  
20 jurisdiction unless the organization or individual is the holder of an appropriate license granted by the department.

21 (b) The promoter of an event must secure liability insurance to provide each contestant with coverage  
22 of \$2,000 for bodily injury and medical expenses and \$5,000 for accidental death. The department may not  
23 require additional coverage.

24 (3) A referee, manager, or judge may not participate in a professional boxing event within the  
25 department's jurisdiction unless:

26 (a) the individual is licensed by the department; and

27 (b) the professional boxing event is conducted by an organization or individual licensed by the  
28 department.

29 (4) A contestant may not participate in a professional boxing event within the department's jurisdiction  
30 unless:

- 1 (a) the contestant is licensed by the department;
- 2 (b) the professional boxing event is conducted by an organization or individual licensed by the  
3 department; ~~and~~
- 4 (c) the department has not suspended the right of the contestant to participate under 23-3-603; and
- 5 (d) the contestant submits laboratory documentation of negative HIV, hepatitis B, and hepatitis C tests  
6 administered within 1 year prior to the event. The department may not require blood tests to be administered less  
7 than 1 year prior to the event and may not require eye dilation as part of the prefight physical."
- 8

9 **Section 2.** Section 23-3-405, MCA, is amended to read:

10 **"23-3-405. Rules.** (1) The department may adopt rules for the administration and enforcement of this  
11 chapter.

12 (2) (a) The rules must include the granting, suspension, and revocation of licenses and the qualification  
13 requirements for those to be licensed to conduct professional boxing events or to be licensed as referees,  
14 managers, or judges. License qualifications must include appropriate knowledge, experience, and integrity.

15 (b) The rules may include but are not limited to the following:

16 (i) the labeling of a match as a championship match;

17 (ii) the number and length of rounds and the weight of gloves;

18 (iii) the extent and timing of the physical examination of contestants;

19 (iv) the attendance of a referee and the referee's powers and duties; and

20 (v) review of decisions made by officials.

21 (3) The rules must:

22 (a) meet or exceed the safety codes required by recognized professional boxing organizations  
23 conducting professional boxing events;

24 (b) provide reasonable measures for the fair conduct of the professional boxing events and for the  
25 protection of the health and safety of the contestants;

26 (c) require a physical examination of each contestant prior to each professional boxing event;

27 (d) provide for the qualifications of judges, referees, and seconds and for their payment by the promoter;

28 ~~and~~

29 (e) provide for the attendance at ringside of one or more of the following and require the promoter to pay  
30 for that person's attendance:

- 1 (i) a licensed physician as defined in 37-3-102;  
 2 (ii) a licensed physician assistant as defined in 37-20-401; or  
 3 (iii) a licensed advanced practice registered nurse as defined in 37-8-102; and  
 4 (f) allow venue owners and promoters to determine the necessity for security personnel.  
 5 (4) The rules may not require additional health screening for a contestant younger than 40 years of age."  
 6

7 **Section 3.** Section 23-3-501, MCA, is amended to read:

8 **"23-3-501. Licenses -- fees.** (1) The department may issue a promoter's license to an individual for the  
 9 sole purpose of conducting professional boxing events.

10 (2) The department may issue licenses to qualified referees, managers, ~~contestants~~, seconds, trainers,  
 11 and judges.

12 (3) The department may issue licenses to qualified contestants. The qualifications for contestants may  
 13 not require:

14 (a) blood testing to be documented sooner than 1 year prior to the license application;

15 (b) additional requirements of contestants under 40 years of age on the date of application; or

16 (c) eye dilation.

17 ~~(3)(4)~~ (4) A license issued in accordance with subsections (1) and (2) through (3) expires on the date set  
 18 by department rule.

19 ~~(4)(5)~~ (5) Each application for a license under this section must be accompanied by a fee, as provided in  
 20 37-1-134, set by the department as follows:

21 (a) statewide promoter, \$500;

22 (b) single-city promoter, \$100;

23 (c) referee, manager, trainer, or in-state corner, \$25;

24 (d) in-state athlete, \$25;

25 (e) out-of-state athlete or corner, single event, \$10;

26 (f) judge, \$25."  
 27

28 **Section 4.** Section 23-3-601, MCA, is amended to read:

29 **"23-3-601. Report of ticket sales -- tax on gross receipts -- disposition of money received.** (1) An  
 30 individual or organization licensed to conduct a professional boxing event shall, within 24 hours after the

1 completion of each event, furnish to the department a written report, verified by one of its officers or owners,  
2 showing the number of tickets sold for the event, the amount of gross proceeds, and other matters that the  
3 department prescribes and shall also within 24 hours pay to the department a tax of 5% of its total gross receipts  
4 after deducting the federal admission tax, if any, from the sale of tickets.

5 (2) (a) Except as provided in subsection (2)(b), all A# taxes and fees collected by the department under  
6 this chapter must be deposited in the state special revenue fund for the use of the program, subject to  
7 37-1-101(6).

8 (b) Forty percent of the tax collected by the department pursuant to subsection (1) must be deposited  
9 in the state special revenue fund to be used by the department to promote amateur boxing in this state. The  
10 department shall make grants to Montana statewide amateur boxing organizations and may adopt rules in order  
11 to accomplish the purposes of this subsection (2)(b). The amount of money raised for the purposes of this  
12 subsection (2)(b) in a fiscal year must be awarded no later than the end of the following fiscal year."

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14 NEW SECTION. Section 5. Effective date. [This act] is effective on passage and approval.

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