State of South Dakota

NINETY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2016

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SENATE COMMERCE AND ENERGY

ENGROSSED NO. SB 42 - 01/19/2016

Introduced by: The Committee on Commerce and Energy at the request of the Department of Labor and Regulation

FOR AN ACT ENTITLED, An Act to increase certain fees for boxing, kickboxing, and mixed martial arts competitions.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 42-12-10 be amended to read:

42-12-10. The commission shall promulgate rules, pursuant to chapter 1-26, to:

(1) Govern the conduct of boxing, kickboxing, and mixed martial arts competitions, and sparring exhibitions;

(2) Establish registration criteria and registration fees for all boxers, kickboxers, and mixed martial artists who participate in competitions and sparring exhibitions governed by the commission;

(3) Establish license criteria and license fees for all promoters, managers, and matchmakers of boxing, kickboxing, or mixed martial arts competitions;

(4) Establish registration requirements for all boxing, kickboxing, or mixed martial arts competitions or sparring exhibitions held in the state;

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Insertions into existing statutes are indicated by underscores.
Deletions from existing statutes are indicated by ~~overstrikes~~.

(5) Establish the written records to be maintained for all competitions and sparring exhibitions conducted in the state;

(6) Establish a fee based on the percentage of gross revenues from any boxing, kickboxing, or mixed martial arts competition or sparring exhibition held in the state ~~to cover the expenses of the South Dakota Athletic Commission~~. The fee established under this subdivision may not exceed five percent of the gross revenues of the exhibition from any and all sources including cable television and pay-per-view telecasts of the event, exclusive of any federal tax. However, ~~in no event may the fee be less than one thousand dollars~~ the commission may establish and impose a minimum exhibition fee not to exceed five thousand dollars to cover the expenses of the South Dakota Athletic Commission;

(7) Establish criteria for approved bona fide educational institutions or national amateur boxing, kickboxing, or mixed martial arts associations for purposes of being exempted from the provisions of this chapter;

(8) Establish procedures for disciplinary proceedings; and

(9) Establish procedures for receiving and conducting complaint investigations.

Section 2. That ARSD 20:81:02:03 be amended to read:

20:81:02:03. Contest fees. For each approved contest, the promoter shall pay a fee of ~~one~~ three thousand dollars or five percent of the gross revenue of the contest, whichever is greater. At the time of application to register a contest, the promoter applying for registration shall submit a fee of one thousand dollars. The fee is refundable if the application is denied. If the application is approved, the submitted fee shall be applied to ~~any~~ the remaining contest fee owed to the commission.

The commission shall provide forms for the calculation and payment of contest fees due to

the commission based on the gross revenue of the contest as set forth in § 20:81:07:05.

The promoter shall pay the remaining contest fee due to the commission within thirty days of the completion of the event.