

State of South Dakota

EIGHTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2009

727Q0581

CONFERENCE COMMITTEE ENGROSSED NO. **HB 1239** - 3/11/2009

Introduced by: Representatives Schrempp, Blake, Burg, Dennert, Elliott, Engels, Fargen, Feickert, Gibson, Hoffman, Iron Cloud III, Killer, Kirschman, Lange, Lucas, Nygaard, Olson (Betty), Schlekeway, Solberg, Sorenson, Street, Thompson, Vanderlinde, Verchio, and Wink and Senators Howie, Abdallah, Bradford, Frysliie, Hanson (Gary), Kloucek, Maher, Miles, and Peterson

1 FOR AN ACT ENTITLED, An Act to create the South Dakota Boxing Commission and to
2 provide for the supervision of boxing, kickboxing, and mixed martial arts competitions and
3 sparring exhibitions in the state.

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

5 Section 1. There is hereby created the South Dakota Boxing Commission consisting of five
6 members appointed by the Governor. Not all of the members may be of the same political party.
7 The initial members to be appointed shall draw lots to determine who will hold the two
8 three-year terms, the two two-year terms, and the one one-year term. Thereafter, each member
9 shall serve terms of three years, but no member may serve more than three consecutive terms.

10 Section 2. The commission shall supervise all boxing, kickboxing, and mixed martial arts
11 competitions and sparring exhibitions held in the state and shall promulgate rules pursuant to
12 chapter 1-26 to:

13 (1) Govern the conduct of boxing, kickboxing, and mixed martial arts competitions, and



1 sparring exhibitions;

2 (2) Establish license fees for all boxers, kickboxers, mixed martial artists, boxing,
3 kickboxing, and mixed martial arts promoters, managers, judges, timekeepers,
4 cornerpersons, knockdown counters, matchmakers, and referees or other participants;
5 and

6 (3) Establish a fee based on the percentage of gross revenues from any boxing,
7 kickboxing, or mixed martial arts competition or sparring exhibition held in the state
8 to pay for the expenses of the South Dakota Boxing Commission. However, no fee
9 established pursuant to this subdivision may exceed five percent of the gross
10 revenues of the competition or exhibition from any and all sources including cable
11 television and pay-per-view telecasts of the event, exclusive of any federal tax
12 thereon. If the expenses of the South Dakota Boxing Commission exceed the fees
13 collected pursuant to this Act, the members of the commission are personally liable
14 to cover the expenses.

15 Section 3. All fees collected pursuant to this Act shall be placed in the boxing commission
16 fund that is hereby established in the state treasury. All money deposited in the fund is
17 continuously appropriated to pay for the administration of this Act and for the expenses of
18 members of the South Dakota Boxing Commission.

19 Section 4. Boxing, kickboxing, or mixed martial arts competitions or sparring exhibitions
20 held in any city in this state shall be held in conformity to the ordinances of that city, in addition
21 to the requirements of this Act. No boxing, kickboxing, or mixed martial arts competition or
22 sparring exhibition may be held in a city where such contests or exhibitions are prohibited by
23 ordinance.

24 Section 5. All boxing, kickboxing, or mixed martial arts or sparring exhibitions conducted

1 by bona fide educational institutions or by national amateur boxing, kickboxing, or mixed
2 martial arts associations or their local affiliates are exempt from this Act.

3 Section 6. No person may arrange, promote, organize, produce, or fight in a professional
4 boxing match, professional mixed martial arts match, or other professional form of mutual
5 physical combat unless the match is supervised by the commission or by a regulatory
6 commission of another state in cooperation with this state or is conducted in compliance with
7 15 U.S.C. 6301 to 15 U.S.C. 6313, inclusive, as amended and in effect on January 1, 2009. A
8 violation of this section is a Class 1 misdemeanor.

9 Section 7. The provisions of § 4-8-14 do not apply to the South Dakota Boxing
10 Commission.

11 Section 8. This Act is repealed on July 1, 2012.