

2003 DRAFTING REQUEST

Bill

Received: **09/18/2002**

Received By: **mkunkel**

Wanted: **As time permits**

Identical to LRB:

For: **Pedro Colon (608) 267-7669**

By/Representing: **Andy Janssen**

This file may be shown to any legislator: **NO**

Drafter: **phurley**

May Contact:

Addl. Drafters: **mkunkel**

Subject: **Occupational Reg. - prof lic**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Colon@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Regulation of boxing

Instructions:

Redraft 2001 AB 163

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mkunkel 09/19/2002			_____			State
/1	phurley 09/19/2002	kfollett 09/26/2002	jfrantze 10/01/2002	_____	sbasford 10/01/2002	mbarman 01/23/2003	
		kfollett 10/01/2002		_____			

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

FE Sent For:

<END>

→ At
Intro

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FE Sent For:		11 9/25	10/11	10/11			

<END>

MDK:hmh/pg
PJT:MK:KJF
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cmh

0134/1

PWF

2001 ASSEMBLY BILL 163

in 9-19-02

March 1, 2001 - Introduced by Representatives COLON, GARD, COGGS, ALBERS, TURNER, KREUSER, RYBA, TOWNSEND, VRAKAS and STONE, cosponsored by Senators GEORGE, ZIEN, BURKE, PLACHE and SCHULTZ. Referred to Committee on Small Business and Consumer Affairs.

D-note

Regen

1 AN ACT ~~to repeal~~ 444.17; *to amend* 440.05 (intro.), 440.08 (2) (a) (intro.), 440.23
2 (1), 444.02, 444.03, 444.04, 444.06, 444.09 (1), 444.09 (2), 444.09 (3), 444.09 (4),
3 444.09 (5), 444.09 (6), 444.09 (7), 444.10, 444.11, 444.12, 444.13, 444.14, 444.15
4 and 444.18; *to repeal and recreate* 444.05; and *to create* 444.01 of the
5 statutes; **relating to:** the regulation of professional boxing contests.

Analysis by the Legislative Reference Bureau

Under current law, the department of regulation and licensing (DORL) regulates boxing and sparring exhibitions. With certain exceptions, a club may not conduct a boxing or sparring exhibition without a license or permit granted by DORL. Current law also allows DORL to license matchmakers, managers, referees, examining physicians, boxers, seconds, and trainers. In addition, current law imposes various requirements on the conduct of a boxing or sparring exhibition, including limiting the number of rounds, specifying the weight of gloves, and requiring examination of contestants by licensed physicians. Current law exempts certain amateur boxing and sparring exhibitions from all of the foregoing requirements. If not exempt, amateur boxing and sparring is subject to the requirements.

This bill exempts all amateur boxing contests from the foregoing requirements. The bill defines "amateur boxing contest" as a boxing contest in which none of the boxers are compensated for participating in the contest. Under the bill, a person may conduct an amateur boxing contest in this state only if the contest is sanctioned by

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and conducted under the rules of the national governing body for amateur boxing that is recognized by the United States Olympic Committee. Except for this requirement, D~~OR~~L's authority under the bill is limited to regulating and licensing a "professional boxing contest," which the bill defines as a boxing contest in which one or more of the boxers is compensated for participating in the contest.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 440.05 (intro.) of the statutes is amended to read:

2 **440.05 Standard fees.** (intro.) The following standard fees apply to all initial
3 credentials, except as provided in ss. 440.42, 440.43, 440.44, 440.51, ~~444.03~~ ^{delete} 444.03,
4 ~~444.05~~, 444.11, 447.04 (2) (c) 2., 449.17, 449.18 and 459.46:

5 **SECTION 2.** 440.08 (2) (a) (intro.) of the statutes is amended to read:

6 440.08 (2) (a) (intro.) Except as provided in par. (b) and in ss. 440.51, 442.04,
7 ~~442.06~~ ^{delete}, 444.03, 444.05, 444.11, 448.065, 447.04 (2) (c) 2., 449.17, 449.18 and 459.46,
8 the renewal dates and renewal fees for credentials are as follows:

9 **SECTION 3.** 440.23 (1) of the statutes is amended to read:

10 440.23 (1) If the holder of a credential pays a fee required under s. 440.05 (1)
11 or (6), 440.08, 444.03, 444.05, 444.11, or 459.46 (2) (b) by check or debit or credit card
12 and the check is not paid by the financial institution upon which the check is drawn
13 or if the demand for payment under the debit or credit card transaction is not paid
14 by the financial institution upon which demand is made, the department may cancel
15 the credential on or after the 60th day after the department receives the notice from
16 the financial institution, subject to sub. (2).

17 **SECTION 4.** 444.01 of the statutes is created to read:

18 **444.01 Definitions.** In this chapter:

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1 (1) "Amateur boxing contest" means a boxing contest or exhibition in which
2 none of the boxers are compensated for participating in the contest or exhibition.

3 (2) "Professional boxing contest" means a boxing contest or exhibition in which
4 one or more of the boxers is compensated for participating in the contest or
5 exhibition.

6 **SECTION 5.** 444.02 of the statutes is amended to read:

7 **444.02 Boxing licenses, permits.** The department shall have the sole
8 direction, management and control of, and jurisdiction over, all ~~boxing and sparring~~
9 ~~exhibitions~~ professional boxing contests conducted within the state by any club. No
10 ~~boxing or sparring exhibitions~~ professional boxing contests may be conducted within
11 the state except under authority granted by the department and in accordance with
12 this chapter and the rules of the department. The department may issue, and for
13 cause limit, suspend, or revoke, a license to conduct ~~boxing and sparring exhibitions~~
14 professional boxing contests to any incorporated club formed as provided in this
15 chapter. The department may limit the number of ~~sparring or boxing exhibitions~~
16 professional boxing contests given by any club in any city, village, or town. No ~~boxing~~
17 ~~or sparring exhibition~~ professional boxing contest may be conducted by any licensed
18 club without a permit from the department. Every license shall be subject to such
19 rules and regulations as the department prescribes. The department may
20 reprimand clubs for violating this chapter or any rules of the department.

21 **SECTION 6.** 444.03 of the statutes is amended to read:

22 **444.03 Application for license; fee.** No ~~boxing or sparring exhibition~~
23 professional boxing contest may be conducted by any club except by license granted
24 to it by the department, and no club may be licensed unless it is incorporated under
25 the laws of Wisconsin and its membership is limited to persons who have been

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1 continuous residents in the state for at least one year. An application for a license
 2 shall be in writing, addressed to the department, and verified by an officer of the club.
 3 An application shall be accompanied by an annual fee of \$25 in cities, villages, and
 4 towns of not more than 50,000 inhabitants, \$50 in cities of over 50,000 and not more
 5 than 150,000 inhabitants, and \$300 in cities of over 150,000 inhabitants when the
 6 admission is over \$1 and \$50 when the admission charge is \$1 or less. The
 7 application must show that the club has entered into a valid agreement for the use
 8 of the building, amphitheater, or stadium in which contests are to be held.

9 SECTION 7. 444.04 of the statutes is amended to read:

10 **444.04 Club reports.** Within 24 hours after a club holds an ~~exhibition a~~
 11 professional boxing contest, the club shall furnish to the department a written
 12 report, verified by one of its officers, showing the number of tickets sold for the
 13 ~~exhibition contest~~, the amount of gross proceeds, and all other information the
 14 department requires by rule to be included in the report.

15 SECTION 8. 444.05 of the statutes is repealed and recreated to read:

16 **444.05 Amateur boxing contests.** A person may conduct an amateur boxing
 17 contest in this state only if the contest is sanctioned by and conducted under the rules
 18 of the national governing body for amateur boxing that is recognized by the ~~United~~ ← U.S.
 19 ~~States~~ Olympic Committee under 36 USC 220521.

20 SECTION 9. 444.06 of the statutes is amended to read:

21 **444.06 Inspectors.** The department shall appoint official "inspectors", each
 22 of whom shall receive a card authorizing the inspector to act wherever the
 23 department designates. The department may be, and at least one inspector shall be
 24 present at all ~~exhibitions~~ professional boxing contests and see that the rules are
 25 strictly observed. An inspector shall also be present at the counting up of the gross

PK

18
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PK

strike → "score"

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SECTION # 444.09 (title) ^{of the statutes} amended to read:
444.09 (title) Conduct of exhibitions contests regulated. (B)

LRB-2349/1
MDK:hmh:pg
SECTION 9

1 receipts and shall immediately mail to the department the official box-office
2 statement received from the club. Inspectors shall be paid a per diem to be set by the
3 department, not to exceed \$25 for each day on which they are actually and
4 necessarily engaged in the performance of their duties, and shall be reimbursed for
5 their actual and necessary expenses incurred in the performance of their duties.

6 SECTION 10. 444.09 (1) of the statutes is amended to read:

7 444.09 (1) No ~~boxing or sparring exhibition~~ professional boxing contest shall
8 be for more than 10 rounds except that where a championship is to be determined,
9 the ~~exhibition contest~~ shall not be for more than 15 rounds, and no round shall last
10 more than 3 minutes.

11 SECTION 11. 444.09 (2) of the statutes is amended to read:

12 444.09 (2) There shall be one minute intermission between rounds of
13 professional boxing contests.

14 SECTION 12. 444.09 (3) of the statutes is amended to read:

15 444.09 (3) Gloves weighing not less than 5 ounces shall be worn by contestants
16 who are in professional boxing contests and who weigh under 140 pounds, and not
17 less than 6 ounces by other contestants.

18 SECTION 13. 444.09 (4) of the statutes is amended to read:

19 444.09 (4) No person under the age of 18 years shall participate in any
20 professional boxing ~~or sparring exhibition~~. ~~Amateur contestants between 14 and 18~~
21 ~~years of age may participate in amateur boxing or sparring exhibitions with the~~
22 ~~consent of their parents or guardians~~ contest.

23 SECTION 14. 444.09 (5) of the statutes is amended to read:

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1 444.09 (5) No betting at any ~~boxing or sparring exhibitions~~ professional boxing
2 contest shall be permitted before, after, or during any such contest, in the building
3 where the contest is held.

4 SECTION 15. 444.09 (6) of the statutes is amended to read:

5 444.09 (6) Contestants in professional boxing contests shall break clean, and
6 must not hold and hit. Butting with head or shoulders, wrestling, or illegal use of
7 elbows shall not be allowed. There shall be no unsportsmanlike conduct on the part
8 of the contestants. This includes the use of abusive or insulting language.

9 SECTION 16. 444.09 (7) of the statutes is amended to read:

10 444.09 (7) The department may allow or provide for decisions upon ~~exhibitions~~
11 professional boxing contests held under this chapter to be made by the referee or by
12 the referee and 2 judges appointed by the department under regulations prescribed
13 by the department.

14 SECTION 17. 444.10 of the statutes is amended to read:

15 **444.10 Physician to examine contestants.** Prior to entering the ring, each
16 contestant in a professional boxing contest must be examined by a physician who has
17 been licensed to practice in Wisconsin not less than 5 years and who is appointed by
18 the department and certifies in writing, over his or her signature, as to the
19 contestant's physical and mental fitness to engage in such contest.

20 SECTION 18. 444.11 of the statutes is amended to read:

21 **444.11 Licenses to matchmakers, referees, boxers, etc.** The department
22 may grant licenses upon application and the payment of the prescribed fees to
23 matchmakers, managers, referees, examining physicians, boxers and, seconds, and
24 trainers in professional boxing contests. The fees to be paid per year shall be:
25 Matchmakers in cities with a population of over 150,000, \$25; matchmakers in other

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1 cities and in villages and towns, \$10; managers, \$10; referees, \$15; examining
2 physicians, \$10; boxers, \$5; seconds and trainers, \$5. The department may limit,
3 suspend, or revoke any such license or reprimand the holder thereof upon such cause
4 as it deems sufficient.

5 SECTION 19. 444.12[✓] of the statutes is amended to read:

6 444.12 Referee to stop contest. The referee must stop the a professional
7 boxing contest when either of the contestants shows a marked superiority or is
8 apparently outclassed.

9 SECTION 20. 444.13[✓] of the statutes is amended to read:

10 444.13 Sham matches contests, license revoked. Any club which that
11 conducts, holds or, gives, or participates in any sham or fake boxing or sparring
12 match professional boxing contest shall thereby forfeit its license which. That
13 license shall thereupon be revoked by the department, and it the club shall not
14 thereafter be entitled to another license, nor shall any license be issued to any club,
15 which that has a member who belonged to a club which that had its license revoked.

16 SECTION 21. 444.14[✓] of the statutes is amended to read:

17 444.14 Sham matches contests; contestants penalized; forfeitures;
18 hearing. Any contestant who participates in any sham or fake boxing or sparring
19 exhibition professional boxing contest or violates any rule or regulation of the
20 department shall be penalized as follows: For the first offense the contestant shall
21 be restrained by order of the department for not less than 2 months nor more than
22 one year, the period to begin immediately after the occurrence of the offense, from
23 participation in the exhibition contest to be held or given by any licensed club; for a
24 2nd offense, the contestant shall be permanently disqualified from further
25 admission or participation in any such exhibition contest held or given by any

PLC

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1 licensed club and in addition, for each such offense, shall forfeit such amount, out of
2 the share or purse agreed to be paid the contestant for the ~~exhibition~~ contest as the
3 department determines, the forfeit to be paid into the general fund of the state. The
4 department, upon determining the amount of the forfeit, may pay the same out of any
5 guarantee deposited with it for delivery to the contestant or may order it paid to the
6 department by the club employing the contestant out of the purse or share agreed by
7 it to be paid to the contestant. The department shall not determine the forfeit until
8 after due hearing held upon reasonable notice duly served upon the contestant or the
9 contestant's manager and upon the club by whom the contestant is employed. Any
10 member of the department or the secretary or any inspector of the department may
11 order the club to hold the share or purse of the contestant in its possession pending
12 the hearing and determination of the department. For failure to obey any order of
13 the department or the secretary of the department or any inspector of the
14 department given under this section, the license of the club may be limited,
15 suspended, canceled, or revoked, and the club may be reprimanded.

16 SECTION 22. 444.15 of the statutes is amended to read:

17 **444.15 Reports; examination of books and officers.** Whenever any club
18 fails to make a report of any professional boxing contest at the time prescribed or
19 whenever a report is unsatisfactory to the department, the secretary of the
20 department may examine the books and records of the club and may subpoena and
21 examine, under oath, the club's officers and other witnesses to determine the total
22 amount of its gross receipts for any ~~exhibition~~ contest. The secretary may require
23 the club to pay the expenses of conducting the examination. If a club fails to pay the
24 amount of expenses determined by the secretary to be due within 20 days after
25 receiving notice of the amount, the club shall forfeit its license, be disqualified from

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1 receiving any license under this chapter, and forfeit to the state the sum of \$1,000,
2 which may be recovered by the department of justice in the name of the state.

3 SECTION 23. 444.17 of the statutes is repealed.

4 SECTION 24. 444.18 of the statutes is amended to read:

5 **444.18 Insurance on boxers.** Any licensee authorized to conduct boxing
6 ~~matches or exhibitions~~ professional boxing contests shall insure each contestant
7 participating ~~therein~~ for hospital, nursing, and medication expenses and physician's
8 and surgeon's services according to an equitable fee schedule, not to exceed in the
9 aggregate \$500, to be paid to, or for the use of, any contestant to compensate for
10 injuries sustained in any such contest; and shall insure each contestant for not less
11 than \$2,500 to be paid to the contestant's estate in the event of the contestant's death
12 as the result of participation in such ~~boxing match or exhibition~~ professional boxing
13 contest.

14 (END)

D-Note



PK

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0134/1dn
PJH & MDK.....

kyf

Date

Representative Colon:

This draft is based on 2001 Assembly Bill 163, which was drafted by Mark Kunkel for the last legislative session. Except for minor technical changes and updating the latest versions of statutes that were amended in the last legislative session, this draft is identical to 2001 AB 163.

Assembly Bill

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PJH:kjf,jf

October 1, 2002

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Barman, Mike

From: Hurley, Peggy
Sent: Thursday, January 23, 2003 9:21 AM
To: Barman, Mike
Subject: jacketing

Mike,

Please jacket 03-0134 for Representative Pedro Colon. Thank you!

Peggy J. Hurley
Legislative Reference Bureau
100 North Hamilton Street
Madison, Wisconsin 53701-2037
608 266 8906