

CHAPTER 444

ATHLETIC EXAMINING BOARD

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444.01 Definition. In this chapter "examining board" means the athletic examining board.

History: 1975 c. 39, 1977 c. 418.

444.02 Boxing licenses, permits. The examining board shall have the sole direction, management and control of, and jurisdiction over, all boxing and sparring exhibitions conducted within the state by any club. No boxing or sparring exhibitions may be conducted within the state except under authority granted by the examining board and in accordance with this chapter and the rules of the examining board. The examining board may issue, and for cause limit, suspend or revoke, a license to conduct boxing and sparring exhibitions to any incorporated club formed as provided in this chapter. The examining board may limit the number of sparring or boxing exhibitions given by any club in any city. No boxing or sparring exhibition may be conducted by any licensed club without a permit from the examining board. Every license shall be subject to such rules and regulations as the examining board prescribes. The examining board may reprimand clubs for violating this chapter or any rules of the examining boards.

History: 1977 c. 418, 447.

444.03 Application for license, fee, bond. No boxing or sparring exhibition shall be conducted by any club except by license granted to it by the examining board, and no club shall be licensed unless it is incorporated under the laws of Wisconsin and the membership limited to persons who have been continuous residents in the state at least one year. The application for a license shall be in writing, and shall be addressed to the department, and shall be verified by some officer of the club. Such application shall be accompanied by an annual fee of \$25 in cities of not more than 50,000

inhabitants; of \$50 in cities of over 50,000 and not more than 150,000 inhabitants; and \$300 in all cities of over 150,000 inhabitants when any admission is over \$1, and \$50 when the admission charge is \$1 or less. The application must show that the club has entered into a valid agreement for the use of the building, amphitheater or stadium for athletic purposes, wherein such contests are to be held. Before any license is granted the applicant must file a bond of \$1,000 of a good and sufficient surety with the state treasurer, conditioned for the payment of the tax herein imposed.

444.04 Club reports; tax on receipts. (1) Every club which exercises any of the privileges conferred by this chapter shall, within 24 hours after the determination of every exhibition, furnish to the examining board a written report, verified by one of its officers, showing the number of tickets sold for the exhibition and the amount of gross proceeds, and such other matters as the examining board prescribes; and shall within 24 hours pay to the department a tax of 10% of its total gross receipts from the sale of tickets of admission to the exhibition and from any television broadcasting rights sold for the exhibition.

(2) (a) Every person wishing to hold or show any boxing match on any closed circuit telecast to be viewed in this state, whether originating within this state or another state, shall at least 7 days prior to such showing file a bond of \$1,000 of a good and sufficient surety with the state treasurer, conditioned for the payment of the tax hereafter imposed.

(b) Every person holding or showing any boxing match on a closed circuit telecast or subscription television viewed in this state, whether originating within this state or another state, shall furnish the examining board a written report, under oath, stating the number of tickets sold for the showing and the amount

of gross proceeds, and such other matters as the examining board prescribes, and shall within 24 hours after the showing of the contest pay to the department a license fee of 10% of its total gross receipts from the sale of tickets for the showing of the match.

(c) The examining board may waive the bond required by par. (a) in cases where the applicant is a resident of this state or where the examining board is satisfied that the fee will be paid.

History: 1973 c. 28; 1977 c. 29

444.05 Amateur matches regulated; fee.

Any club may conduct strictly amateur boxing and sparring exhibitions, on payment of an annual license fee of \$10, throughout the state upon compliance and in accordance with this chapter with respect to obtaining a license and sanction from the athletic examining board and subject to all the rules and regulations of the athletic examining board. Amateur exhibitions within the meaning of this section include only exhibitions in which the participants are bona fide amateurs and receive no money, compensation or reward for their participation in such exhibition, other than watches, medals, articles of jewelry, silverware, trophies or ornaments suitably inscribed to show that they are given for participation in an amateur boxing exhibition, but the value of any such article given to any contestant must not exceed the sum of \$35. No other prize or reward shall be given or awarded to or accepted by any boxer unless authorized in writing by the athletic examining board. No bout or match in any such exhibition shall exceed 3 3-minute rounds with one-minute intermission between each round or 5 2-minute rounds with one-minute intermission between each round subject to the approval of the athletic examining board. The athletic examining board shall require membership in a recognized amateur athletic association as evidence of the amateur standing of any contestant, or club, and in case of dispute, may determine upon competent evidence the amateur status of any contestant or club.

444.06 Inspectors. The department shall appoint official "inspectors", each of whom shall receive a card authorizing the inspector to act wherever the examining board designates. The examining board may be, and at least one inspector shall be present at all exhibitions and see that the rules are strictly observed. An inspector shall also be present at the counting up of the gross receipts and shall immediately mail to the department the official box-office statement received from the club. Inspectors shall be paid a per diem to be set by the board,

not to exceed \$25 for each day on which they are actually and necessarily engaged in the performance of their duties, and shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties.

History: 1971 c. 40; 1975 c. 39, 199; 1977 c. 29.

444.09 Conduct of exhibitions regulated.

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

(2) There shall be one minute intermission between rounds.

(3) Gloves weighing not less than 5 ounces shall be worn by contestants under 140 pounds, and not less than 6 ounces by other contestants.

(4) No person under the age of 18 years shall participate in any professional boxing or sparring exhibition. Amateur contestants between 16 and 18 years of age may participate in amateur boxing or sparring exhibitions with the consent of their parents or guardians.

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

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

(7) The athletic examining board may allow or provide for decisions upon exhibitions held under this chapter to be made by the referee or by the referee and 2 judges appointed by the athletic examining board under regulations prescribed by the athletic examining board.

(8) The athletic examining board may permit a total of 40 rounds of professional boxing or sparring at one time when requested by any licensed club.

444.10 Physician to examine contestants. Prior to entering the ring, each contestant must be examined by a physician who has been licensed to practice in Wisconsin not less than 5 years and who is appointed by the athletic examining board and certifies in writing, over his signature, as to the contestant's physical and mental fitness to engage in such contest.

444.11 Licenses to matchmakers, referees, boxers, etc. The examining board may

grant licenses upon application and the payment of the prescribed fees to matchmakers, managers, referees, examining physicians, boxers and seconds and trainers. The fees to be paid per annum shall be: Matchmakers in cities with a population of over 150,000, \$25; matchmakers in other cities and in villages and towns, \$10; managers, \$10; referees, \$15; examining physicians, \$10; boxers, \$5; seconds and trainers, \$5. The examining board may limit, suspend or revoke any such license or reprimand the holder thereof upon such cause as it deems sufficient.

History: 1977 c. 418.

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

444.13 Sham matches, license revoked. Any club which conducts, holds or gives or participates in any sham or fake boxing or sparring match shall thereby forfeit its license which license shall thereupon be revoked by the athletic examining board; and it shall not thereafter be entitled to another license; nor shall any license be issued to any club, which has a member who belonged to a club which had its license revoked.

444.14 Sham matches; contestants penalized; forfeitures; hearing. Any contestant who participates in any sham or fake boxing or sparring exhibition or violates any rule or regulation of the examining board shall be penalized as follows: For the first offense the contestant shall be restrained by order of the examining board for not less than 2 months nor more than one year, the period to begin immediately after the occurrence of the offense, from participation in the exhibition to be held or given by any licensed club; for a 2nd offense, the contestant shall be permanently disqualified from further admission or participation in any such exhibition held or given by any licensed club and in addition, for each such offense, shall forfeit such amount, out of the share or purse agreed to be paid the contestant for the exhibition as the examining board determines, the forfeit to be paid into the general fund of the state. The examining board, upon determining the amount of the forfeit, may pay the same out of any guarantee deposited with it for delivery to the contestant or may order it paid to the department by the club employing the contestant out of the purse or share agreed by it to be paid to the contestant. The examining board shall not determine the forfeit until after due hearing held upon

reasonable notice duly served upon the contestant or the contestant's manager and upon the club by whom the contestant is employed. Any member of the examining board or the secretary or any inspector of the examining board may order the club to hold the share or purse of the contestant in its possession pending the hearing and determination of the examining board. For failure to obey any order of the examining board or the secretary of the examining board or any inspector of the examining board given under this section, the license of the club may be limited, suspended, canceled or revoked and the club may be reprimanded.

History: 1977 c. 418.

444.15 Reports; examination of books and officers; forfeitures on tax default.

Whenever any club fails to make a report of any contest at the time prescribed or whenever such report is unsatisfactory to the examining board, the secretary of the examining board may examine or cause to be examined, the books and records of such club and may subpoena and examine, under oath, its officers and other witnesses to determine the total amount of its gross receipts for any exhibition and the amount of tax due, which tax he may determine upon such examination. In case of a default in the payment of any tax so adjudged to be due (together with the expenses of the examination) for a period of 20 days after notice to such delinquent club of the amount, such club shall thereby forfeit its license and be disqualified from receiving any license; and it shall in addition forfeit to the state the sum of \$1,000, which may be recovered by the department of justice in the name of the state.

444.16 Violation, when a misdemeanor.

(1) A violation of any provision of this chapter, for which a penalty is not herein expressly prescribed, is a misdemeanor.

(2) In addition to any other remedies, the several district attorneys or the attorney general are authorized to bring action in the name of the state to enjoin violations of this chapter or the rules of the examining board.

History: 1973 c. 28.

444.17 Organizations exempted. (1) This chapter does not apply to amateur boxing or sparring exhibitions held under the auspices and upon the premises of any university, college, state university, high school, public school, parochial school or of any church or religious corporation of the state in intramural, interscholastic or intercollegiate or other competition if the participants therein are bona fide

members of such church or religious corporation or students of their respective schools. All such boxing or sparring exhibitions shall be by and with the consent of, and under the supervision of the governing body of such university, college, state university, high school, public school, parochial school or church or religious corporation.

(2) This chapter does not apply to exhibitions conducted by the American Legion, the Young Men's Christian Association, United Spanish War Veterans, Veterans of Foreign Wars or the Disabled American Veterans of the World War, for which no admission fee is charged. Any contribution shall be considered an admission fee. No such boxing or sparring exhibitions shall be conducted as a part of any program where an admission fee is charged.

(3) This chapter does not apply to amateur boxing or sparring exhibitions conducted by or held under the auspices of any public recreation department supported by town, village, city, county, state or federal funds, in any intradepartmental or interdepartmental exhibitions, provided: (a) that such exhibitions are between bona fide members of boxing classes conducted by such public recreation departments, (b) that such public recreation departments are members of a recognized state association of public recreation departments, (c)

and that each such amateur boxing or sparring exhibition is sanctioned by the examining board. The application for the sanction of each exhibition shall be made in writing to the examining board at least 2 weeks prior to the exhibition. A fee of \$5 shall accompany the application, said fee to cover the cost of sanction and expenses of an inspector, whose duty it shall be to enforce all rules and regulations and to see that a competent referee, timer, doctor and judges are employed. Sanction for such exhibitions may be denied for cause upon competent evidence.

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