

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 16

BY BUSINESS COMMITTEE

AN ACT

1 RELATING TO THE STATE ATHLETIC COMMISSION; AMENDING SECTION 54-406, IDAHO
2 CODE, TO ESTABLISH A PROVISION REGARDING AN EXEMPTION AND TO MAKE TECH-
3 NICAL CORRECTIONS; AND DECLARING AN EMERGENCY.
4

5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 54-406, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 54-406. DUTIES OF COMMISSION -- SANCTIONING PERMITS -- LICENSING --
9 EXEMPTIONS -- MEDICAL CERTIFICATION. (1) The commission shall have power,
10 and it shall be its duty, to direct, supervise and control all amateur and
11 professional contests and exhibitions within the state and no such contest
12 or exhibition shall be held or given within this state except in accordance
13 with the provisions of this chapter. The commission has authority to adopt
14 rules to implement the provisions of this chapter and to implement each of
15 the duties and responsibilities conferred upon the commission, including,
16 but not limited to:

17 (a) Development of an ethical code of conduct for commissioners, com-
18 mission staff and commission officials;

19 (b) Facility and safety requirements relating to the ring, floor
20 plan and apron seating, emergency medical equipment and services, and
21 other equipment and services necessary for the conduct of a program of
22 matches;

23 (c) Requirements regarding a participant's apparel, bandages,
24 ~~handwraps~~ handwraps, gloves, mouthpiece and appearance during a match;

25 (d) Requirements relating to a manager's participation, presence and
26 conduct during a match;

27 (e) Duties and responsibilities of all licensees under this chapter;

28 (f) Procedures for hearings and resolution of disputes, including the
29 commission's recovery of its costs and fees incurred from an unsuccess-
30 ful challenger of a contest decision as well as a deposit in an amount
31 determined by the commission;

32 (g) Qualifications for appointment of referees and judges;

33 (h) Designation and duties of a knockdown timekeeper;

34 (i) Setting fee and reimbursement schedules for referees and other of-
35 ficials appointed by the commission or the representative of the com-
36 mission;

37 (j) Establishment of criteria for approval, disapproval, suspension
38 of approval and revocation of approval of amateur sanctioning orga-
39 nizations for amateur contests and exhibitions held in this state,
40 including, but not limited to, the health and safety standards the
41 organizations use before, during and after the matches to ensure the
42 health, safety and well-being of the amateur combatants participat-

1 ing in the matches, including the qualifications and numbers of health
2 care personnel required to be present, the qualifications required for
3 referees, and other requirements relating to the health, safety and
4 well-being of the amateur combatants participating in the matches. The
5 commission may adopt by rule, or incorporate by reference into rule, the
6 health and safety standards of United States amateur boxing, inc., as
7 the minimum health and safety standards for an amateur boxing sanction-
8 ing organization, and the health and safety standards of the interna-
9 tional amateur kickboxing sport association as the minimum health and
10 safety standards for an amateur kickboxing sanctioning organization;
11 and

12 (k) Establish fees to be paid by an amateur athletic sanctioning organ-
13 ization that is approved pursuant to subsection (3) (b) (ii) of this sec-
14 tion, which fees shall include:

15 (i) Initial and annual application processing fees of not less
16 than two hundred fifty dollars (\$250) and not more than one thou-
17 sand dollars (\$1,000); and

18 (ii) Initial and annual approval fees of not less than two hun-
19 dred fifty dollars (\$250) and not more than one thousand dollars
20 (\$1,000).

21 (2) The commission may, in its discretion, issue or refuse to issue and
22 for cause immediately revoke any sanctioning permit whether or not an admis-
23 sion fee is charged by any person, organization, association or fraternal
24 society. The commission may also, in its discretion, issue or refuse to is-
25 sue and for cause immediately revoke, suspend or otherwise discipline li-
26 censes for participants of sanctioned contests and exhibitions. The commis-
27 sion may recover the costs and fees incurred in the investigation and prose-
28 cution of a licensee or permit holder who is found in violation of the provi-
29 sions of this chapter or the commission's rules.

30 (3) Specifically exempt from the provisions of this chapter are all
31 contests or exhibitions that:

32 (a) Are contests or exhibitions conducted by any secondary school,
33 college or university, whether public or private, where all the partic-
34 ipating contestants are bona fide students enrolled in any secondary
35 school, college or university, within or without this state;

36 (b) Are entirely contests or exhibitions in which all combatants are
37 amateurs and ~~which~~ that have been sanctioned as amateur athletic con-
38 tests or exhibitions by any of the following associations:

39 (i) United States amateur boxing, inc., also known as USA boxing,
40 inc., the amateur athletic union of the United States, inc., also
41 known as the national amateur athletic union, the amateur athletic
42 union and the AAU or any similar nationally recognized entity ap-
43 proved by the commission; or

44 (ii) Any other entity that the commission approves to be an ama-
45 teur athletic sanctioning organization, which approval shall be
46 subject to annual review for purposes of renewal. Notwithstanding
47 any other provision of this chapter, the promoter of any contest
48 or exhibition sanctioned by an organization approved pursuant
49 to this subparagraph shall comply with sections 54-408, 54-411,
50 54-413, 54-417, 54-419, 54-421 and 54-422, Idaho Code, and the

1 promoter and each participant in such contest or exhibition are
2 subject to sections 54-416, 54-418 and 54-420, Idaho Code, unless
3 specifically exempted by commission rule;

4 (c) Are contests or exhibitions held under the auspices or sanction of
5 an established nonprofit secondary school activities organization or
6 of its public or nonprofit accredited secondary school members, or held
7 under the auspices or sanction of an established college or university
8 activities organization or its public or not-for-profit accredited
9 college or university members; ~~or~~

10 (d) Are contests or exhibitions held by a charitable organization that
11 is exempt from taxation pursuant to section 501(c) (3) or (c) (6) of the
12 Internal Revenue Code if the purpose of such contest or exhibition is to
13 raise money for the charitable organization; or

14 ~~(d)~~ (e) Are contests or exhibitions conducted by any military installa-
15 tion or branch of the United States armed forces, or the state national
16 guard, where the participants are employed by the military installa-
17 tion, are members of the branch of the armed forces, or the state na-
18 tional guard unit conducting the contest or exhibition.

19 (4) Provided further that every combatant in any contest or exhibi-
20 tion exempt under the provisions of this chapter, prior to engaging in and
21 conducting such contest or exhibition, shall be examined by a licensed
22 physician at least once in each calendar year, or where such contest is
23 conducted by a secondary school, college or university or organization as
24 further described in this section, once in each academic year in which in-
25 stance the physician shall also designate the maximum and minimum weights at
26 which the combatant shall be medically certified to participate. Provided
27 further that no combatant shall be permitted to participate in any such con-
28 test or exhibition in any weight classification other than that or those for
29 which he is certificated. Provided further that the exempted organizations
30 shall be governed by the provisions of section 54-414, Idaho Code, as that
31 section applies to contests or exhibitions conducted by persons exempted
32 in this section from the general provisions of this chapter. No contest or
33 exhibition shall be conducted within this state except pursuant to a license
34 issued in accordance with the provisions of this chapter and the rules of the
35 commission except as hereinabove provided.

36 SECTION 2. An emergency existing therefor, which emergency is hereby
37 declared to exist, this act shall be in full force and effect on and after its
38 passage and approval.