

SENATE BILL NO. 158—COMMITTEE ON FINANCE

(ON BEHALF OF BUDGET DIVISION)

FEBRUARY 10, 1999

Referred to Committee on Finance

SUMMARY—Authorizes Nevada athletic commission to recover certain costs associated with issuance and reinstatement of licenses and disciplinary proceedings. (BDR 41-1444)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: Contains Appropriation included in Executive Budget.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

AN ACT relating to the Nevada athletic commission; authorizing the commission to recover certain costs associated with the issuance or reinstatement of a license; expanding the circumstances under which such costs may be recovered if disciplinary action is taken by the commission; making an appropriation; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE
AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** Chapter 467 of NRS is hereby amended by adding thereto a
2 new section to read as follows:
3 1. *Except as otherwise provided in NRS 467.158, upon receipt of an*
4 *application and the payment of a penalty prescribed by the commission,*
5 *not to exceed \$250,000, the commission may reinstate a revoked license.*
6 2. *In addition to the penalty required by subsection 1, the*
7 *commission may require the applicant to:*
8 (a) *Pay the costs of the proceedings associated with the reinstatement*
9 *of the license, including investigative costs and attorney's fees; and*
10 (b) *Deposit with the commission such an amount of money as the*
11 *commission deems necessary to pay for those costs. If any amount*
12 *required to be deposited pursuant to this paragraph exceeds the actual*

1 *cost of the proceedings, including investigative costs and attorney's fees,*
2 *the commission shall refund the excess amount to the applicant upon the*
3 *completion of the proceedings.*

4 **Sec. 2.** NRS 467.100 is hereby amended to read as follows:

5 467.100 1. All contestants, promoters, managers, seconds, trainers
6 and ring officials must be licensed by the commission. No person may
7 participate, directly or indirectly, in any professional contest or exhibition
8 of unarmed combat unless he has first procured a license from the
9 commission.

10 2. The commission shall fix a uniform scale of license fees.

11 3. *In addition to the license fees required by subsection 2, the*
12 *commission may require an applicant for a license to:*

13 *(a) Pay the costs of the proceedings associated with the issuance of the*
14 *license, including investigative costs and attorney's fees; and*

15 *(b) Deposit with the commission such an amount of money as the*
16 *commission deems necessary to pay for those costs. If any amount*
17 *required to be deposited pursuant to this paragraph exceeds the actual*
18 *cost of the proceedings, including investigative costs and attorney's fees,*
19 *the commission shall refund the excess amount to the applicant upon the*
20 *completion of the proceedings.*

21 4. It is a violation of this chapter for any person to participate, directly
22 or indirectly, as stated in subsection 1, unless he has been granted a license
23 therefor.

24 **Sec. 3.** NRS 467.158 is hereby amended to read as follows:

25 467.158 1. ~~If disciplinary action is taken against a person pursuant to this~~
26 ~~chapter and the disciplinary action does not relate to a contest or exhibition~~
27 ~~of unarmed combat as provided in subsection 3, the commission may,~~
28 ~~in lieu of revoking a license, prescribe a penalty not to exceed \$250,000.~~

29 ~~2. If disciplinary action is taken against a person pursuant to this~~
30 ~~chapter and the disciplinary action does not relate to a contest or exhibition~~
31 ~~of unarmed combat as provided in subsection 3, the commission may,~~
32 ~~in lieu of revoking a license, prescribe a penalty not to exceed \$250,000.~~

33 ~~3. If disciplinary action is taken against a person pursuant to this~~
34 ~~chapter, including, but not limited to, a hearing for the revocation of a~~
35 ~~license, and the disciplinary action relates to:~~

36 ~~(a) The preparation for a contest or an exhibition of unarmed combat;~~

37 ~~(b) The occurrence of a contest or an exhibition of unarmed combat; or~~

38 ~~(c) Any other action taken in conjunction with a contest or an exhibition~~
39 ~~of unarmed combat,~~

40 ~~the commission may prescribe a penalty pursuant to subsection 4.~~

41 ~~4. A penalty prescribed by the commission pursuant to subsection~~
42 ~~3.~~

1 (a) Must not exceed \$250,000 or 100 percent of the share of the purse to
2 which the holder of the license is entitled for the contest or exhibition,
3 whichever amount is greater; and

4 (b) May be imposed in addition to or in lieu of any other disciplinary
5 action that is taken against the person by the commission.

6 ~~[5.— If a penalty is imposed pursuant to this section,]~~

7 *4. If disciplinary action is taken against a person pursuant to this*
8 *chapter, the commission may require the person against whom such*
9 *action is taken to pay the* costs of the proceeding, including investigative
10 costs and attorney's fees . ~~[, may be recovered by the commission.]~~

11 **Sec. 4.** There is hereby appropriated from the state general fund to the
12 Nevada Athletic Commission the sum of \$18,596 for unanticipated
13 expenses. This appropriation is supplemental to that made by section 22 of
14 chapter 244, Statutes of Nevada 1997, at page 858.

15 **Sec. 5.** This act becomes effective upon passage and approval.