

ASSEMBLY BILL NO. 446—ASSEMBLYMEN PERKINS, GOLDWATER AND DINI

MARCH 19, 2001

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to unarmed combat. (BDR 41-1195)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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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 unarmed combat; authorizing the Nevada athletic commission to require the registration of certain television networks and sanctioning organizations; requiring certain information that must be provided to the commission to be kept confidential; revising the provisions relating to the suspension of a license or permit issued by the commission; 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
2 the provisions set forth as sections 2 to 5, inclusive, of this act.
3 **Sec. 2. 1. “Manager” means a person who:**
4 *(a) Undertakes to represent the interests of another person, by*
5 *contract, agreement or other arrangement, in procuring, arranging or*
6 *conducting a professional contest or exhibition in which that person will*
7 *participate as a contestant;*
8 *(b) Directs or controls the activities of an unarmed combatant relating*
9 *to the participation of the unarmed combatant in professional contests or*
10 *exhibitions;*
11 *(c) Receives or is entitled to receive at least 10 percent of the gross*
12 *purse or gross income of any professional unarmed combatant for*
13 *services relating to the participation of the unarmed combatant in a*
14 *professional contest or exhibition; or*
15 *(d) Receives compensation for services as an agent or representative*
16 *of an unarmed combatant.*
17 **2. The term does not include an attorney who is licensed to practice**
18 *law in this state if his participation in any of the activities described in*
19 *subsection 1 is limited solely to his legal representation of a client who is*
20 *an unarmed combatant.*



1 **Sec. 3.** *"Sanctioning organization" means an organization that*
2 *sanctions professional contests of unarmed combat in this state.*

3 **Sec. 4.** 1. *"Unarmed combatant" means any person who engages*
4 *in unarmed combat in a contest or exhibition, whether or not the person*
5 *receives remuneration.*

6 2. *The term includes, without limitation:*

7 (a) *A contestant; and*

8 (b) *An amateur boxer who:*

9 (1) *Is registered with the United States Amateur Boxing, Inc., or*
10 *any other amateur organization recognized by the commission; and*

11 (2) *Participates in an amateur boxing contest or exhibition in this*
12 *state that is registered and sanctioned by the United States Amateur*
13 *Boxing, Inc., or Golden Gloves of America.*

14 3. *The term does not include a person who participates in a contest*
15 *or exhibition that is exempt from the provisions of this chapter.*

16 **Sec. 5.** 1. *The commission may require a sanctioning organization*
17 *or a broadcasting network for television that televises professional*
18 *contests of unarmed combat in this state to register with the commission*
19 *before it participates, directly or indirectly, in any professional contest or*
20 *exhibition of unarmed combat.*

21 2. *If such registration is required, the commission shall adopt*
22 *regulations that prescribe, without limitation, the requirements for*
23 *registration and any fees for registration.*

24 3. *The commission may require a sanctioning organization or*
25 *broadcasting network that applies for registration to:*

26 (a) *Pay the costs of the proceedings relating to the issuance of the*
27 *registration, including, without limitation, investigative costs and*
28 *attorney's fees; and*

29 (b) *Deposit with the commission such an amount of money as the*
30 *commission deems necessary to pay for those costs. If any amount*
31 *required to be deposited pursuant to this paragraph exceeds the actual*
32 *cost of the proceedings, including, without limitation, investigative costs*
33 *and attorney's fees, the commission shall refund the excess amount to*
34 *the sanctioning organization or broadcasting network upon the*
35 *completion of the proceedings.*

36 **Sec. 6.** NRS 467.010 is hereby amended to read as follows:

37 467.010 As used in this chapter, unless the context otherwise requires,
38 the words and terms defined in NRS 467.0101 to 467.0107, inclusive, *and*
39 *sections 2, 3 and 4 of this act* have the meanings ascribed to them in those
40 sections.

41 **Sec. 7.** NRS 467.080 is hereby amended to read as follows:

42 467.080 1. The commission may issue and revoke licenses to
43 conduct, hold or give contests or exhibitions of unarmed combat where an
44 admission fee is received in accordance with such terms and provisions as
45 the commission prescribes.



1 2. Any application for such a license must be in writing and correctly
2 show and define the applicant. The application must be accompanied by an
3 annual fee to be fixed by the commission on a uniform scale.

4 3. *The commission may deny an application for such a license or*
5 *grant a limited, restricted or conditional license for any cause deemed*
6 *sufficient by the commission.*

7 4. Before any license is granted, the applicant must file a bond in an
8 amount fixed by the commission but not less than \$10,000, executed by the
9 applicant as principal, and by a corporation qualified under the laws of this
10 state as surety, payable to the State of Nevada, and conditioned upon the
11 faithful performance by the applicant of the provisions of this chapter. In
12 lieu of a bond, the applicant may deposit with the commission a like
13 amount of lawful money of the United States or any other form of security
14 authorized by NRS 100.065. If security is provided in the form of a savings
15 certificate, certificate of deposit or investment certificate, the certificate
16 must state that the amount is not available for withdrawal except upon
17 order of the commission. All money which the commission receives
18 pursuant to this subsection must be deposited with the state treasurer for
19 credit to the athletic commission's agency account, which is hereby created
20 in the state agency fund for bonds.

21 ~~4.5~~ 5. If the commission believes the requirement for a bond is
22 inadequate, the commission may require the promoter to make a deposit of
23 money in an amount fixed by the commission. The deposit must be made
24 not less than 5 days before the contest or exhibition. It may be used to
25 satisfy any obligation incurred by the promoter during the staging of the
26 contest or exhibition upon order of the commission. After satisfaction of all
27 such obligations the commission shall release the remainder to the
28 promoter.

29 ~~5. Subsections 3 and 4~~

30 6. *The provisions of subsections 4 and 5* do not apply to amateur
31 athletic clubs.

32 **Sec. 8.** NRS 467.1005 is hereby amended to read as follows:

33 467.1005 1. Except as otherwise provided in subsection 2, the
34 commission shall keep confidential:

35 (a) Any information that it receives concerning an applicant for the
36 issuance of a license pursuant to this chapter which is declared confidential
37 by law and that is provided to the commission by another governmental
38 entity ~~and~~ *or the Association of Boxing Commissions;*

39 (b) Any information contained in a medical record of such an applicant,
40 if the information is not relevant to the commission in determining whether
41 to grant a license to the applicant ~~and~~ ;

42 *(c) Any information required to be provided to the commission*
43 *pursuant to this chapter or any information relating to the finances,*
44 *earnings or revenue of an applicant or licensee that the commission*
45 *obtains; and*

46 *(d) Any information required to be disclosed to the commission*
47 *pursuant to federal law.*

48 2. The commission shall reveal the information set forth in
49 subsection 1:



- 1 (a) Upon the lawful order of a court of competent jurisdiction;
2 (b) To any person upon the request of the person who is the subject of
3 the information; and

4 (c) In the course of the necessary administration of this chapter.

5 3. A person seeking an order of a court of competent jurisdiction for
6 the disclosure of information described in subsection 1 must submit a
7 motion in writing to the court requesting the information. At least 10 days
8 before submitting the motion, the person must provide notice to the
9 commission, the attorney general and all persons who may be affected by
10 the disclosure of the information. ~~Such~~ *The* notice must:

11 (a) Include, without limitation, a copy of the motion and all documents
12 in support of the motion that are to be filed with the court; and

13 (b) Be delivered in person or by certified mail to the last known address
14 of each person to whom notice must be provided.

15 **Sec. 9.** NRS 467.105 is hereby amended to read as follows:

16 467.105 1. Every promoter, in order to present a program of contests
17 or exhibitions of unarmed combat, must obtain a permit from the
18 commission for each program.

19 2. *The commission may deny an application for such a permit or*
20 *grant a limited, restricted or conditional permit for any cause deemed*
21 *sufficient by the commission.*

22 3. The commission shall charge and collect the following fees for a
23 permit to present a program of contests or exhibitions:

24

25	Permit for a promoter who has no place of business in this	
26	state	\$100
27	Permit for a promoter who has a place of business in this	
28	state	100

29

30 The provisions of this subsection do not apply to the presentation of a
31 program of amateur contests or exhibitions of unarmed combat.

32 **Sec. 10.** NRS 467.113 is hereby amended to read as follows:

33 467.113 1. Any member of the commission may conduct hearings.

34 2. All hearings conducted under the provisions of this chapter ~~shall~~
35 *must* be preceded by a written notice to be served upon the accused at least
36 ~~30 days prior to~~ *10 days before* the hearing.

37 3. Before any adjudication is rendered, a majority of the members of
38 the commission shall ~~be required to~~ examine the record and approve the
39 adjudication and order.

40 4. The commission shall file a written report of its findings,
41 adjudication and order in the record of the proceedings and ~~shall~~ send a
42 copy to the accused.

43 **Sec. 11.** NRS 467.115 is hereby amended to read as follows:

44 467.115 1. The commission, or a quorum of three members thereof,
45 may:

46 (a) Issue subpoenas to require the attendance and testimony of a
47 licensee or other person whom the commission believes to have
48 information of importance to the ~~committee;~~ *commission;*



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- 1 (b) Issue subpoenas duces tecum to require the production of books and
2 papers by a licensee or other person whom the commission believes to
3 have books or papers of importance to the commission;
4 (c) Administer oaths and require testimony under oath;
5 (d) Appoint hearing examiners who may administer oaths and receive
6 evidence and testimony under oath; and
7 (e) Pay such transportation and other expenses of witnesses as it may
8 deem reasonable and proper.
- 9 2. Service of process or notice required pursuant to this section must
10 be served in the manner provided for service of process and notices in civil
11 actions.
- 12 3. A person making false oath in a matter before the commission or a
13 hearing examiner is guilty of perjury which is a category D felony and
14 shall be punished as provided in NRS 193.130.
- 15 **Sec. 12.** NRS 467.117 is hereby amended to read as follows:
16 467.117 *1. Each member of the commission or the executive*
17 *director of the commission* may , upon his own motion ~~†~~ or upon the
18 verified written ~~complaint~~ *charge* of any person charging a licensee or
19 the holder of a permit with violating any provision of this chapter or the
20 regulations ~~promulgated thereunder,~~ *adopted pursuant thereto*, suspend
21 for a period not exceeding 10 days any license or permit until final
22 determination by the commission ~~†, when~~ *if*, in his opinion , the action is
23 necessary to protect the public welfare and the best interests of the sports
24 regulated pursuant to this chapter.
- 25 *2. If a license or permit is suspended pursuant to subsection 1, the*
26 *commission may, upon written notice to the licensee or holder of the*
27 *permit and after a hearing, continue the suspension until it makes a final*
28 *determination of any disciplinary action to be taken against the licensee*
29 *or holder of the permit.*
- 30 **Sec. 13.** NRS 467.156 is hereby repealed.
31 **Sec. 14.** This act becomes effective on July 1, 2001.

TEXT OF REPEALED SECTION

467.156 Temporary and permanent suspension of license; notice of suspension; hearing. The commission may suspend temporarily without a hearing any license issued under this chapter, when in its opinion such action is necessary to protect the public welfare and the best interest of the sports regulated pursuant to this chapter. The suspension is permanent unless within 30 days after a notice of the suspension is received by the licensee, he applies in writing for a hearing as provided in NRS 467.113. The hearing must be held within 30 days after the receipt of the request for the hearing.

