

Senate Bill No. 29—Committee on Judiciary

CHAPTER.....

AN ACT relating to unarmed combat; authorizing the Nevada Athletic Commission to adopt, revise or repeal rules governing the conduct of contests and exhibitions of unarmed combat through certain procedures; revising provisions governing the deposit of money received by the Executive Director of the Commission and the Commission; revising provisions relating to the issuance, renewal, suspension and revocation of licenses and permits issued by the Commission; revising provisions relating to the license fee imposed for holding a live contest or exhibition of unarmed combat; making certain technical corrections; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the Nevada Athletic Commission to adopt regulations to administer unarmed combat. (NRS 467.030) **Section 1** of this bill authorizes the Commission to adopt, revise or repeal rules governing the conduct of contests and exhibitions of unarmed combat for each type of professional or amateur unarmed combat over which the Commission has jurisdiction.

Existing law defines the term “unarmed combatant” for the purposes of chapter 467 of NRS. (NRS 467.0108) **Section 2** of this bill revises that definition: (1) to correct the name of USA Boxing, Inc.; and (2) to clarify that the term includes amateur unarmed combatants who are not boxers and who are not otherwise exempt from the provisions of chapter 467 of NRS.

Existing law provides that, with certain exceptions, all money received by the Executive Director of the Commission or by the Commission pursuant to the provisions of chapter 467 of NRS must be deposited with the State Treasurer for credit to the State General Fund. (NRS 467.040) **Sections 3, 8, 11, 13 and 14** of this bill provide that certain money received by the Commission pursuant to certain statutory provisions must be deposited in the Athletic Commission's Agency Account, rather than the State General Fund.

Existing law provides that the Commission may issue and revoke licenses to conduct, hold or give contests or exhibitions of unarmed combat where an admission fee is received. (NRS 467.080) **Section 4** of this bill removes the requirement that an admission fee be received for the Commission to issue and revoke licenses to conduct, hold or give contests or exhibitions of unarmed combat. Additionally, **section 8** of this bill provides that for any professional contest or exhibition of unarmed combat for which no admission fee is imposed and for which the Commission provides services, the promoter is required to remit a license fee equal to the costs of the services provided by the Commission.

Existing law provides that: (1) before any license is granted, the applicant must file a bond in an amount fixed by the Commission but not less than \$10,000; and (2) in lieu of such a bond, the applicant may deposit with the Commission money or another form of security. (NRS 467.080) **Section 4** eliminates the option of depositing money or another form of security with the Commission.

Existing law provides that: (1) all contestants, promoters, managers, seconds, trainers and ring officials must be licensed by the Commission; and (2) no person may participate, directly or indirectly, in any professional contest or exhibition of



unarmed combat unless the person has first procured a license from the Commission. (NRS 467.100) **Section 5** of this bill provides that: (1) if the Commission does not have sufficient time to review an application for issuance or renewal of a license before the applicant is scheduled to participate in a contest or exhibition of unarmed combat, the Chair of the Commission or the designee of the Chair may, absent any concerns about the qualifications for licensure of the applicant, grant the applicant a temporary license; (2) if an applicant is denied a temporary license by the Chair or the designee of the Chair, the applicant may appeal the denial to the full Commission, which may grant or deny a temporary license to the applicant; and (3) after the granting of such a temporary license to an applicant, at the next scheduled meeting of the Commission, the Commission shall grant, condition or deny the issuance of a license to the applicant for the remainder of the calendar year.

Existing law provides that the Commission must require each ring official and employee of the Commission and any other applicant the Commission wishes to investigate to submit to the Commission with the application a complete set of his or her fingerprints, which the Commission may forward to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report. (NRS 467.100) **Section 5** makes the decision of the Commission to require any such person to submit fingerprints discretionary rather than mandatory.

Existing law provides that a license issued to a licensee may not be renewed by the Commission if the State Controller has informed the Commission that the applicant owes a debt to an agency that has been assigned to the State Controller for collection and the applicant has not satisfied the debt, entered into a payment plan or demonstrated that the debt is not valid. (NRS 467.1003) **Section 6** of this bill provides that a license may not be renewed if the applicant owes a debt to the Commission and has not entered into a payment plan that has been approved by the Chair of the Commission and the Executive Director.

Existing law provides that certain information concerning an applicant for a license issued by the Commission is confidential and must not be disclosed except under certain circumstances. (NRS 467.1005) **Section 7** of this bill revises the type of information that the Commission must keep confidential.

Existing law requires a promoter to pay a license fee, based upon gross receipts from admission fees to a live contest or exhibition of unarmed combat, but provides that for the purpose of calculating the license fee, complimentary tickets are not included unless the promoter issues complimentary tickets for more than 8 percent of the seats in the house, in which case the value of the complimentary tickets exceeding 8 percent of the seats in the house must be included in the calculation of the license fee. (NRS 467.107) **Section 8** clarifies that the term "seats in the house" includes those seats that are included in the booking arrangement for the venue, but does not include any seat that is not available for viewing of the contest or exhibition.

Existing law also: (1) provides that a promoter is entitled to receive a credit against the license fee in an amount equal to the amount paid by the promoter to the Commission or to an organization sanctioned by the Commission to administer a drug testing program for unarmed combatants; and (2) requires the Commission to adopt regulations governing the sanctioning of organizations to administer a drug testing program. (NRS 467.107) **Section 8**: (1) authorizes the Commission to require an applicant for sanctioning as a drug testing program to pay any costs related to an investigation of the applicant and to deposit with the Commission the amount of money deemed necessary to pay for such costs; and (2) provides that if any amount required to be deposited exceeds the actual cost of the investigation of



the applicant, the Commission is required to refund the excess amount to the applicant upon the completion of the investigation.

Existing law provides that each member of the Commission or the Executive Director may, upon his or her own motion or upon the verified written charge of any person charging a licensee or the holder of a permit with violating any provision of chapter 467 of NRS, or the regulations adopted pursuant thereto, suspend for a period not exceeding 10 days any license or permit until final determination by the Commission if, in his or her opinion, the action is necessary to protect the public welfare and the best interests of the sports regulated by the Commission. (NRS 467.117) **Section 9** of this bill: (1) clarifies that such a suspension of a license or permit is temporary; (2) provides that any other person associated with unarmed combat in this State may be made temporarily ineligible to participate in any contest or exhibition of unarmed combat; and (3) provides that the period of temporary suspension or ineligibility may be for a period not exceeding 10 days or until the next scheduled meeting of the Commission, whichever is later.

Existing law provides: (1) every contestant is entitled to receive a copy of a written contract or agreement approved as to form by the Commission binding the licensee to pay the contestant a certain fixed fee or percentage of the gate receipts; (2) one copy of the agreement must be filed with the Executive Director and one copy must be retained by the licensee or sponsor of the contest; and (3) the inspector or member of the Commission in attendance at the contest must determine whether the agreement has been delivered to each contestant and may require that a sufficient amount of the gate receipts be impounded to pay the contestants according to those agreements. (NRS 467.120) **Section 10** of this bill provides that instead of a member of the Commission performing such duties, a representative of the Commission may perform such duties.

Section 12 of this bill clarifies that every participant in a boxing contest must be present and weighed in no later than noon on the day of the contest. (NRS 467.155)

Existing law provides that if the Commission takes disciplinary action against a person, the Commission may require the person against whom such action is taken to pay the costs of the proceeding, including investigative costs and attorney's fees. (NRS 467.158) **Section 13** of this bill: (1) clarifies that the costs of the proceeding may also include costs expended by the Commission for drug tests related to the disciplinary action; and (2) provides that all money collected for such disciplinary action must be deposited with the State Treasurer for credit to the Athletic Commission's Agency Account.

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

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

Section 1. Chapter 467 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Commission may adopt, revise or repeal rules governing the conduct of contests and exhibitions of unarmed combat for each type of professional or amateur unarmed combat



for which the Commission has jurisdiction pursuant to the following procedures:

(a) At least 45 days before the Commission adopts, revises or repeals a rule, the Executive Director of the Commission shall:

(1) Publish notice of the proposed action by posting on the Internet website maintained by the Commission a copy of the text of the proposed adoption, revision or repeal of any rule;

(2) Send notice of the posting pursuant to subparagraph (1) to every licensee and to every person who has filed a request with the Commission to receive such notice; and

(3) Provide a copy of the text of the proposed adoption, revision or repeal of any rule to the Chair of the Commission and to each other Commissioner.

(b) Before the Commission considers the adoption, revision or repeal of a rule, the Executive Director shall:

(1) Conduct at least one public workshop at which members of the public may comment on the proposed adoption, revision or repeal of any rule;

(2) Allow members of the public to submit written comments regarding the proposed adoption, revision or repeal of any rule; and

(3) Provide the Commission with a transcript of any public workshop held pursuant to subparagraph (1) and copies of all written comments submitted pursuant to subparagraph (2).

(c) Not less than 15 days before the date of any public workshop conducted pursuant to paragraph (b), the Executive Director shall provide written notice of the time and place set for the public workshop by:

(1) Posting on the Internet website maintained by the Commission a copy of the notice; and

(2) Sending a copy of the notice to every licensee and every person who has filed a request with the Commission to receive such notice.

(d) The Commission shall hold a public hearing at which the Commission shall vote whether or not to enact the proposed adoption, revision or repeal of any rule. Not later than 30 days before the public hearing, the Commission shall provide written notice of the hearing by:

(1) Posting on the Internet website maintained by the Commission a copy of the notice; and

(2) Sending a copy of the notice to every licensee and every person who has filed a request with the Commission to receive such notice.



(e) If the Commission votes to adopt, revise or repeal any rule pursuant to this section, the Executive Director shall:

(1) Post on the Internet website maintained by the Commission an updated version of the rules that reflects the actions of the Commission; and

(2) Send written notice of the actions of the Commission, together with an updated version of the rules that reflects the actions of the Commission, to every licensee and every person who has filed a request with the Commission to receive such notice.

2. The provisions of this section:

(a) Authorize the adoption, revision or repeal of a rule only if the rule directly governs the conduct of a contest or exhibition.

(b) Do not affect the applicability of any other provision of this chapter, including, without limitation, those provisions governing the administration of unarmed combat and the licensing and oversight of persons over whom the Commission has jurisdiction.

3. The Commission is exempt from the requirements for rulemaking set forth in chapter 233B of NRS for the limited purpose of adopting, revising or repealing rules pursuant to this section.

4. A rule adopted or revised pursuant to this section shall be deemed to have the same force of law as a regulation adopted or revised pursuant to the procedures set forth in chapter 233B of NRS, and a violation of a rule adopted or revised pursuant to this section shall be deemed to be a violation of a regulation adopted or revised pursuant to the procedures set forth in chapter 233B of NRS for the purposes of this chapter and chapter 467 of NAC.

Sec. 2. NRS 467.0108 is hereby amended to read as follows:

467.0108 1. "Unarmed combatant" means any person who engages in unarmed combat in a contest or exhibition, whether or not the person receives remuneration.

2. The term includes, without limitation:

(a) A contestant; ~~and~~

(b) An amateur boxer who:

(1) Is registered with ~~United States Amateur~~ USA Boxing, Inc., or any other amateur organization recognized by the Commission; and

(2) Participates in an amateur boxing contest or exhibition in this state that is registered and sanctioned by ~~United States Amateur~~ USA Boxing, Inc., or Golden Gloves of America ~~;~~; and

(c) An amateur unarmed combatant who is not an amateur boxer and who is not otherwise exempt from the provisions of this chapter.



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

Sec. 3. NRS 467.040 is hereby amended to read as follows:

467.040 1. The Commission may employ an Executive Director, who must not be a member of the Commission.

2. Except as *otherwise* provided in *subsections 4 and 5 of NRS 467.080, subsection 8 of NRS 467.100, subsections 2, 6 and 9 of NRS 467.107, [and] NRS 467.108, 467.135, subsection 4 of NRS 467.136, subsection 6 of NRS 467.158 and subsection 3 of NRS 467.159,* all money received by the Executive Director or the Commission pursuant to the provisions of this chapter must be deposited with the State Treasurer for credit to the State General Fund.

Sec. 4. NRS 467.080 is hereby amended to read as follows:

467.080 1. The Commission may issue and revoke licenses to conduct, hold or give contests or exhibitions of unarmed combat ~~[where an admission fee is received]~~ in accordance with such terms and provisions as the Commission prescribes.

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

3. The Commission may deny an application for such a license or grant a limited, restricted or conditional license for any cause deemed sufficient by the Commission.

4. Before any license is granted, the applicant must file a bond in an amount fixed by the Commission but not less than \$10,000, executed by the applicant as principal, and by a corporation qualified under the laws of this state as surety, payable to the State of Nevada, and conditioned upon the faithful performance by the applicant of the provisions of this chapter. ~~[In lieu of a bond, the applicant may deposit with the Commission a like amount of lawful money of the United States or any other form of security authorized by NRS 100.065. If security is provided in the form of a savings certificate, certificate of deposit or investment certificate, the certificate must state that the amount is not available for withdrawal except upon order of the Commission.]~~ All money which the Commission receives pursuant to this subsection must be deposited with the State Treasurer for credit to the Athletic Commission's Agency Account, which is hereby created in the State Agency Fund for Bonds.



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

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

Sec. 5. NRS 467.100 is hereby amended to read as follows:

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

2. The Commission may deny an application for a license or grant a limited, restricted or conditional license for any cause deemed sufficient by the Commission.

3. *If the Commission does not have sufficient time to review an application for issuance or renewal of a license before the applicant is scheduled to participate in a contest or exhibition of unarmed combat, the Chair of the Commission or the designee of the Chair may, absent any concerns about the qualifications for licensure of the applicant, grant the applicant a temporary license. If an applicant is denied a temporary license by the Chair or the designee of the Chair, the applicant may appeal the denial to the full Commission, which may grant or deny a temporary license to the applicant. After the granting of a temporary license to an applicant pursuant to this subsection, at the next scheduled meeting of the Commission at which the matter can be heard in compliance with the provisions of chapter 241 of NRS, the Commission shall grant, condition or deny the issuance of a license to the applicant for the remainder of the calendar year.*

4. An application for a license constitutes a request for a determination of the applicant's general suitability, character, integrity, and ability to participate or engage in, or be associated with contests or exhibitions of unarmed combat. The burden of proof is on the applicant to establish to the satisfaction of the Commission that the applicant is qualified to receive a license. By filing an application with the Commission, an applicant accepts the risk of adverse public notice, embarrassment, criticism, financial loss or other action with respect to the application, and expressly



waives any claim for damages as a result thereof. Any written or oral statement that is made by any member of the Commission or any witness testifying under oath which is relevant to the application and investigation of the applicant is absolutely privileged and does not impose liability for defamation or constitute a ground for recovery in a civil action.

~~[4.]~~ 5. The Commission ~~[shall]~~ *may* require:

(a) Each ring official and employee of the Commission; and
(b) Any other applicant the Commission wishes to investigate,
↳ to submit to the Commission with the application a complete set of his or her fingerprints which the Commission may forward to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report.

~~[5.]~~ 6. After an application has been submitted to the Commission, the application may not be withdrawn unless the Commission consents to the withdrawal.

~~[6.]~~ 7. The Commission shall fix a uniform scale of license fees.

~~[7.]~~ 8. In addition to the license fees required by subsection ~~[6.]~~ 7, the Commission may require an applicant for a license to:

(a) Pay the costs of the proceedings associated with the issuance of the license, including, without limitation, investigative costs and attorney's fees; and

(b) Deposit with the Commission such an amount of money as the Commission deems necessary to pay for those costs. If any amount required to be deposited pursuant to this paragraph exceeds the actual cost of the proceedings, including, without limitation, investigative costs and attorney's fees, the Commission shall refund the excess amount to the applicant upon the completion of the proceedings.

~~[8.— It is a violation of this chapter for any person to participate, directly or indirectly, as stated in subsection 1, unless the person has been granted a license therefor.]~~

Sec. 6. NRS 467.1003 is hereby amended to read as follows:

467.1003 1. In addition to any other requirements set forth in this chapter, an applicant for the renewal of a license issued pursuant to NRS 467.100 must indicate in the application submitted to the Commission whether the applicant has a state business license. If the applicant has a state business license, the applicant must include in the application the business identification number assigned by the Secretary of State upon compliance with the provisions of chapter 76 of NRS.



2. A license issued pursuant to NRS 467.100 may not be renewed by the Commission if:

(a) The applicant fails to submit the information required by subsection 1; ~~or~~

(b) *The applicant owes a debt to the Commission and has not entered into an agreement for the payment of the debt that has been approved by the Chair of the Commission and the Executive Director of the Commission; or*

(c) The State Controller has informed the Commission pursuant to subsection 5 of NRS 353C.1965 that the applicant owes a debt to an agency that has been assigned to the State Controller for collection and the applicant has not:

(1) Satisfied the debt;

(2) Entered into an agreement for the payment of the debt pursuant to NRS 353C.130; or

(3) Demonstrated that the debt is not valid.

3. As used in this section:

(a) "Agency" has the meaning ascribed to it in NRS 353C.020.

(b) "Debt" has the meaning ascribed to it in NRS 353C.040.

Sec. 7. NRS 467.1005 is hereby amended to read as follows:

467.1005 1. Except as otherwise provided in ~~subsection 2,~~ *subsections 2 and 3*, the Commission shall keep confidential:

(a) Any information that ~~it receives concerning an applicant for the issuance of a license~~ *is submitted or disclosed to the Commission or otherwise obtained by the Commission* pursuant to this chapter ~~which is declared confidential by law and~~ *or the regulations adopted pursuant thereto;*

(b) *Any information* that is ~~provided~~ *submitted or disclosed* to the Commission by another governmental entity or the Association of Boxing Commissions;

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

~~(c) Any information relating to the financial records of an applicant or licensee;~~ and

~~(d)~~ (c) Any information required to be *submitted or* disclosed to the Commission and kept confidential pursuant to federal law.

2. The Commission shall reveal the information set forth in subsection 1:

(a) Upon the lawful order of a court of competent jurisdiction;

(b) To any person upon the request of the person who is the subject of the information; and

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



3. *The Commission may reveal the information set forth in subsection 1 to an authorized agent of an agency of the United States Government, a state, a political subdivision of a state, a foreign government or a political subdivision of a foreign government responsible for regulating unarmed combat in the jurisdiction of the authorized agent.*

4. A person seeking an order of a court of competent jurisdiction for the disclosure of information described in subsection 1 must submit a motion in writing to the court requesting the information. At least 10 days before submitting the motion, the person must provide notice to the Commission, the Attorney General and all persons who may be affected by the disclosure of the information. The notice must:

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

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

Sec. 8. NRS 467.107 is hereby amended to read as follows:

467.107 1. In addition to the payment of any other fees and money due under this chapter, every promoter, except as *otherwise* provided in subsection 3, shall pay a license fee of 8 percent of the total gross receipts from admission fees , *if any*, to the live contest or exhibition of unarmed combat, exclusive of any federal tax or tax imposed by any political subdivision of this state, without any deductions for commissions, brokerage fees, distribution fees, advertising, contestants' purses or any other expenses or charges.

2. One-fourth of the total gross receipts from admission fees collected pursuant to subsection 1 must be deposited with the State Treasurer for credit to the Athletic Commission's Agency Account created by NRS 467.080.

3. A corporation organized pursuant to NRS 81.550 to 81.660, inclusive, which promotes an amateur contest or exhibition of unarmed combat whose net proceeds are to be spent entirely in this state, for the purposes for which the corporation is organized, is exempt from the fees payable under this section. The corporation must retain the services of a promoter licensed pursuant to this chapter.

4. A promoter is entitled to receive a credit against the license fee imposed by this section in an amount equal to the amount paid by the promoter to the Commission or to an organization sanctioned by the Commission to administer a drug testing program for



unarmed combatants, subject to regulations adopted pursuant to subsection 5.

5. The Commission shall adopt regulations governing:

- (a) The treatment of complimentary tickets for the purposes of computing gross receipts from admission fees under subsection 1.
- (b) Credits against the license fee imposed by this section.
- (c) The sanctioning of organizations to administer a drug testing program for unarmed combatants pursuant to subsection 4.

6. *The Commission may require an applicant for sanctioning as an organization to administer a drug testing program to:*

(a) Pay any costs related to an investigation of the applicant, including, without limitation, investigative costs and attorney's fees; and

(b) Deposit with the Commission such an amount of money as the Commission deems necessary to pay for the costs set forth in paragraph (a). If any amount required to be deposited pursuant to this paragraph exceeds the actual cost of the investigation of the applicant, the Commission shall refund the excess amount to the applicant upon the completion of the investigation.

↳ All amounts paid pursuant to this subsection must be deposited with the State Treasurer for credit to the Athletic Commission's Agency Account created by NRS 467.080.

7. Except as otherwise provided in subsection ~~7.7~~ 8, for the purpose of calculating the license fee imposed by this section, "gross receipts" does not include complimentary tickets or tickets provided to a charitable organization. As used in this subsection, "charitable organization" means a person that the Secretary of the Treasury has determined to be tax exempt pursuant to the provisions of section 501(c)(3) of the Internal Revenue Code of 1986, 26 U.S.C. § 501(c)(3).

~~7.7~~ 8. If a promoter issues complimentary tickets for more than 8 percent of the seats in the house for a live contest or exhibition of unarmed combat, the value of the complimentary tickets exceeding 8 percent of the seats in the house must be included in the calculation of the license fee imposed by this section. *For the purposes of this subsection, the term "seats in the house":*

(a) Includes those seats that are included in the booking arrangement for the venue.

(b) Does not include any seat that is not available for viewing of the contest or exhibition.

9. *In addition to the payment of any other fees and money due under this chapter, for any professional contest or exhibition*



of unarmed combat for which no admission fee is imposed and for which the Commission provides services, the promoter shall remit a license fee equal to the costs of the services of the Commission provided in relation to the contest or exhibition of unarmed combat, as determined by the Executive Director and approved by the Commission. All amounts paid pursuant to this subsection must be deposited with the State Treasurer for credit to the Athletic Commission's Agency Account created by NRS 467.080.

Sec. 9. NRS 467.117 is hereby amended to read as follows:

467.117 1. Each member of the Commission or the Executive Director of the Commission may, upon his or her own motion or upon the verified written charge of any person charging a licensee, ~~or~~ the holder of a permit *or any other person associated with unarmed combat in this State* with violating any provision of this chapter or the regulations adopted pursuant thereto, *temporarily* suspend *any license or permit or make a person associated with unarmed combat ineligible to participate in any contest or exhibition of unarmed combat* for a period not exceeding 10 days ~~[any license or permit]~~ *or until the next scheduled meeting of the Commission at which the matter can be heard in compliance with the provisions of chapter 241 of NRS, whichever is later*, until final determination by the Commission if, in his or her opinion, the action is necessary to protect the public welfare and the best interests of the sports regulated pursuant to this chapter.

2. If a license or permit is suspended *or a person associated with unarmed combat is made ineligible to participate in any contest or exhibition of unarmed combat* pursuant to subsection 1, the Commission may, upon written notice to the licensee, ~~or~~ holder of the permit *or person associated with unarmed combat* and after a hearing, continue the suspension *or period of ineligibility* until it makes a final determination of any disciplinary action to be taken against the licensee, ~~or~~ holder of the permit ~~or~~ *or person associated with unarmed combat.*

Sec. 10. NRS 467.120 is hereby amended to read as follows:

467.120 1. Every contestant competing under the terms of this chapter or regulation of the Commission is entitled to receive a copy of a written contract or agreement approved as to form by the Commission binding the licensee to pay the contestant a certain fixed fee or percentage of the gate receipts.

2. One copy of the agreement must be filed with the Executive Director of the Commission and one copy must be retained by the licensee or sponsor of the contest.



3. The inspector or ~~member~~ *a representative* of the Commission in attendance at the contest shall determine whether such an agreement has been delivered to each contestant and may require that a sufficient amount of the gate receipts be impounded to pay the contestants according to those agreements.

Sec. 11. NRS 467.136 is hereby amended to read as follows:

467.136 1. The Commission may require a sanctioning organization or a broadcasting network for television that televises professional contests of unarmed combat in this State to register with the Commission before it participates, directly or indirectly, in any professional contest or exhibition of unarmed combat.

2. If such registration is required, the Commission shall adopt regulations that prescribe, without limitation, the requirements for registration and any fees for registration.

3. The Commission may require a sanctioning organization or broadcasting network that applies for registration to:

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

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

4. All amounts paid pursuant to subsection 3 must be deposited with the State Treasurer for credit to the Athletic Commission's Agency Account created by NRS 467.080.

Sec. 12. NRS 467.155 is hereby amended to read as follows:

467.155 Every participant in a boxing contest shall be present and weighed in no later than ~~12 m.~~ *noon* on the day of the contest.

Sec. 13. NRS 467.158 is hereby amended to read as follows:

467.158 1. If disciplinary action is taken against a person pursuant to this chapter and the disciplinary action does not relate to a contest or exhibition of unarmed combat as provided in subsection 2, the Commission may prescribe a penalty not to exceed \$250,000.

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

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



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

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

↳ the Commission may prescribe a penalty pursuant to subsection 3.

3. A penalty prescribed by the Commission pursuant to subsection 2:

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

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

4. In addition to any other disciplinary action that is taken against a person by the Commission pursuant to this chapter, the Commission may impose a ban from participation in unarmed combat in this State for a certain period, including a lifetime ban from participation in unarmed combat in this State.

5. The authority of the Commission to take disciplinary action against a person pursuant to this chapter must not be construed to be limited to those persons who are licensed by the Commission. Such authority extends to any person involved in or associated with unarmed combat in this State who violates any provision of this chapter.

6. If disciplinary action is taken against a person pursuant to this chapter, the Commission may require the person against whom such action is taken to pay the costs of the proceeding, including investigative costs, ~~and~~ attorney's fees ~~and~~ *and any costs expended by the Commission for drug tests related to the disciplinary action. All amounts paid pursuant to this subsection must be deposited with the State Treasurer for credit to the Athletic Commission's Agency Account created by NRS 467.080.*

Sec. 14. NRS 467.159 is hereby amended to read as follows:

467.159 1. Except as otherwise provided in NRS 467.158, upon receipt of an application and the payment of a penalty prescribed by the Commission, not to exceed \$250,000, the Commission may reinstate a revoked license.

2. In addition to the penalty required by subsection 1, the Commission may require the applicant to:

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



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

3. All amounts paid pursuant to subsection 2 must be deposited with the State Treasurer for credit to the Athletic Commission's Agency Account created by NRS 467.080.

Sec. 15. NRS 233B.039 is hereby amended to read as follows:

233B.039 1. The following agencies are entirely exempted from the requirements of this chapter:

(a) The Governor.

(b) Except as otherwise provided in NRS 209.221, the Department of Corrections.

(c) The Nevada System of Higher Education.

(d) The Office of the Military.

(e) The Nevada Gaming Control Board.

(f) Except as otherwise provided in NRS 368A.140 and 463.765, the Nevada Gaming Commission.

(g) Except as otherwise provided in NRS 425.620, the Division of Welfare and Supportive Services of the Department of Health and Human Services.

(h) Except as otherwise provided in NRS 422.390, the Division of Health Care Financing and Policy of the Department of Health and Human Services.

(i) The State Board of Examiners acting pursuant to chapter 217 of NRS.

(j) Except as otherwise provided in NRS 533.365, the Office of the State Engineer.

(k) The Division of Industrial Relations of the Department of Business and Industry acting to enforce the provisions of NRS 618.375.

(l) The Administrator of the Division of Industrial Relations of the Department of Business and Industry in establishing and adjusting the schedule of fees and charges for accident benefits pursuant to subsection 2 of NRS 616C.260.

(m) The Board to Review Claims in adopting resolutions to carry out its duties pursuant to NRS 445C.310.

(n) The Silver State Health Insurance Exchange.

2. Except as otherwise provided in subsection 5 and NRS 391.323, the Department of Education, the Board of the Public Employees' Benefits Program and the Commission on Professional



Standards in Education are subject to the provisions of this chapter for the purpose of adopting regulations but not with respect to any contested case.

3. The special provisions of:

(a) Chapter 612 of NRS for the distribution of regulations by and the judicial review of decisions of the Employment Security Division of the Department of Employment, Training and Rehabilitation;

(b) Chapters 616A to 617, inclusive, of NRS for the determination of contested claims;

(c) Chapter 91 of NRS for the judicial review of decisions of the Administrator of the Securities Division of the Office of the Secretary of State; and

(d) NRS 90.800 for the use of summary orders in contested cases,

↳ prevail over the general provisions of this chapter.

4. The provisions of NRS 233B.122, 233B.124, 233B.125 and 233B.126 do not apply to the Department of Health and Human Services in the adjudication of contested cases involving the issuance of letters of approval for health facilities and agencies.

5. The provisions of this chapter do not apply to:

(a) Any order for immediate action, including, but not limited to, quarantine and the treatment or cleansing of infected or infested animals, objects or premises, made under the authority of the State Board of Agriculture, the State Board of Health, or any other agency of this State in the discharge of a responsibility for the preservation of human or animal health or for insect or pest control;

(b) An extraordinary regulation of the State Board of Pharmacy adopted pursuant to NRS 453.2184;

(c) A regulation adopted by the State Board of Education pursuant to NRS 388.255 or 394.1694;

(d) The judicial review of decisions of the Public Utilities Commission of Nevada; ~~for~~

(e) The adoption, amendment or repeal of policies by the Rehabilitation Division of the Department of Employment, Training and Rehabilitation pursuant to NRS 426.561 or 615.178 ~~for~~; *or*

(f) The adoption, amendment or repeal of rules governing the conduct of contests and exhibitions of unarmed combat by the Nevada Athletic Commission pursuant to section 1 of this act.

6. The State Board of Parole Commissioners is subject to the provisions of this chapter for the purpose of adopting regulations but not with respect to any contested case.



Sec. 16. This act becomes effective on July 1, 2019.



