

# State of South Dakota

EIGHTY-EIGHTH SESSION  
LEGISLATIVE ASSEMBLY, 2013

916U0521

## HOUSE COMMERCE AND ENERGY ENGROSSED NO. **SB 84** - 02/25/2013

Introduced by: Senator Johnston and Representative Schrempp

1 FOR AN ACT ENTITLED, An Act to create the South Dakota Athletic Commission and to  
2 provide for the supervision of boxing, kickboxing, mixed martial arts competitions and  
3 sparring exhibitions in the state.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. There is hereby created the South Dakota Athletic Commission consisting of five  
6 members appointed by the Governor. Not all members may be of the same political party. One  
7 member shall have experience with, or have been active in boxing, kickboxing, or mixed martial  
8 arts. One member shall represent the public at large. Each member shall serve terms of three  
9 years, but no member may serve more than three consecutive terms.

10 Section 2. The commission is hereby vested with the sole direction, control, and jurisdiction  
11 over all contests and exhibitions of boxing, kickboxing, and mixed martial arts competitions and  
12 sparring exhibitions held in the state of South Dakota. No competition or exhibition may be  
13 conducted within this state except in accordance with the provisions of this Act.

14 Section 3. The commission shall promulgate rules pursuant to chapter 1-26 to:

15 (1) Govern the conduct of boxing, kickboxing, and mixed martial arts competitions, and



1 sparring exhibitions through the use of the most recent uniform rules of boxing and  
2 the unified rules of mixed martial arts published by the association of boxing  
3 commissions;

4 (2) Establish license fees for all boxers, kickboxers, mixed martial artists and all boxing,  
5 kickboxing, mixed martial arts competition promoters, managers, judges,  
6 timekeepers, cornerpersons, knockdown counters, matchmakers, and referees or other  
7 participants; and

8 (3) Establish a fee based on the percentage of gross revenues from any boxing,  
9 kickboxing, or mixed martial arts competition or sparring exhibition held in the state  
10 to cover the expenses of the South Dakota Athletic Commission. The fee established  
11 under this subdivision may not exceed five percent of the gross revenues of the  
12 exhibition from any and all sources including cable television and pay-per-view  
13 telecasts of the event, exclusive of any federal tax. However, in no event may the fee  
14 be less than one thousand dollars.

15 Section 4. All fees collected pursuant to this Act shall be placed in the boxing commission  
16 fund that is hereby established in the state treasury. All money deposited in the fund is  
17 continuously appropriated to pay for the administration of this Act and for the compensation and  
18 expenses of members of the South Dakota Athletic Commission.

19 Section 5. Boxing, kickboxing, or mixed martial arts competitions or sparring exhibitions  
20 held in any city in this state shall be held in conformity to the ordinances of that city, in addition  
21 to the requirements of this Act. No boxing, kickboxing, or mixed martial arts competition or  
22 sparring exhibition may be held in a city where such contests or exhibitions are prohibited by  
23 ordinance.

24 Section 6. All boxing, kickboxing, or mixed martial arts or sparring exhibitions conducted

- 1 by bona fide educational institutions or by national amateur boxing, kickboxing, or mixed
- 2 martial arts associations or their local affiliates are exempt from the provisions of this Act.