

State of South Dakota

EIGHTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2013

916U0521

HOUSE ENGROSSED NO. **SB 84** - 02/27/2013

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, within the jurisdiction of the Department of Labor and
6 Regulation, the South Dakota Athletic Commission consisting of five members appointed by
7 the Governor. Not all members may be of the same political party. One member shall have
8 experience with, or have been active in boxing, kickboxing, or mixed martial arts. One member
9 shall represent the public at large. Each member shall serve terms of three years, but no member
10 may serve more than three consecutive terms.

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

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



- 1 (1) Govern the conduct of boxing, kickboxing, and mixed martial arts competitions, and
2 sparring exhibitions through the use of the most recent uniform rules of boxing and
3 the unified rules of mixed martial arts published by the association of boxing
4 commissions;
- 5 (2) Establish license fees for all boxers, kickboxers, mixed martial artists and all boxing,
6 kickboxing, mixed martial arts competition promoters, managers, judges,
7 timekeepers, cornerpersons, knockdown counters, matchmakers, and referees or other
8 participants; and
- 9 (3) Establish a fee based on the percentage of gross revenues from any boxing,
10 kickboxing, or mixed martial arts competition or sparring exhibition held in the state
11 to cover the expenses of the South Dakota Athletic Commission. The fee established
12 under this subdivision may not exceed five percent of the gross revenues of the
13 exhibition from any and all sources including cable television and pay-per-view
14 telecasts of the event, exclusive of any federal tax. However, in no event may the fee
15 be less than one thousand dollars.

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

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

1 Section 6. All boxing, kickboxing, or mixed martial arts or sparring exhibitions conducted
2 by bona fide educational institutions or by national amateur boxing, kickboxing, or mixed
3 martial arts associations or their local affiliates are exempt from the provisions of this Act.