

## Regulated Sports

**HB 2125** revises the Kansas Professional Regulated Sports Act and the powers of the Athletic Commission.

The bill authorizes the Athletic Commission to impose a civil penalty limited to a maximum of \$10,000 per day per violation. The bill outlines procedures for the imposition of the penalty and an appeals process, including appeal to district court if necessary. Penalty funds are to be deposited into the Athletic Fee Fund.

The bill revises certain definitions and creates new ones. In the definitions for “professional full-contact karate,” “professional kickboxing,” “mixed martial arts,” and “professional wrestling,” the bill deletes the requirement that a competition would have to take place in an enclosed ring. The terms dealing with karate and mixed martial arts are revised further by excluding competitions that include weapons, and the contestants may compete for prizes. New definitions are added for “amateur mixed martial arts” and “grappling arts.” “Regulated sports” is revised to include amateur mixed martial arts, professional wrestling, and grappling arts. “Sparring” is expanded to include kickboxing, professional and amateur mixed martial arts, grappling arts, and karate.

The general powers of the Athletic Commission are revised. The Commission may appoint chief inspectors and other personnel as deemed to be necessary. The Commission may employ contractual labor, and the Commission has rule and regulation authority regarding the certification and payment of inspectors. Adoption of such rules and regulations by the Commission is required by July 1, 2012. The bill authorizes the Commission to issue licenses to announcers.

The bill revises the name of the assessment placed on gross receipts, calling it a fee instead of a tax. The Commission may impose a fee on the gross revenues received by a promoter and by a media network that televises a regulated sports contest. The fee rate is limited to a maximum of 2.0 percent of gross revenues.

The Commission is required to promulgate rules and regulations by July 1, 2012, regarding:

- Drug testing and communicable diseases;
- Full disclosure between promoters, broadcasters, media networks, or distributors;
- Setting fee rates; and
- Any other rule necessary for the administration of the televising, broadcasting, or distributing of a regulated sports contest.

The bill clarifies that the Athletic Commission has permissive rule and regulation authority regarding professional wrestling. Under the law, if the Commission chooses to regulate professional wrestling, those rules and regulations are limited to subject areas specified in statute. The bill permits professional wrestling rules and regulations to include liability insurance and additional subject areas if deemed necessary. In addition, professional wrestling rules and regulations could require a promoter to obtain a license from the Commission prior to the performance.

KSA 74-50,189 outlines the circumstances under which the Commission may issue a license to hold a regulated sports contest. Under the bill, the Commission may issue a contest license to a promoter, contingent upon an applicable resolution obtained from either a city or county to hold the event within the local government's jurisdiction (if required by the jurisdiction). The bill also specifies the number and duration of rounds for each regulated sport.

The bill reorganizes the law found in subsection (c) of KSA 74-50,193 regarding the grounds for which the Commission may withdraw or withhold a license. Additional grounds for such an action would be if a license holder provided incorrect, misleading, or incomplete information. The bill clarifies that if the Commission imposes a civil penalty, the Commission is not precluded from proceeding with any disciplinary proceeding.