

SENATE BILL NO. 235

INTRODUCED BY BOHLINGER

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4 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT THE BOARD OF ATHLETICS DOES NOT
5 HAVE JURISDICTION OVER A NONPROFESSIONAL OR SEMIPROFESSIONAL BOXING OR WRESTLING
6 MATCH OR EXHIBITION CONDUCTED BY A UNIVERSITY, COLLEGE, OR HIGH SCHOOL, BY THE
7 MILITARY, ~~OR~~, BY A ~~RECOGNIZED~~ AMATEUR ASSOCIATION, ~~OR BY AN ORGANIZATION OR INDIVIDUAL~~
8 CONDUCTING EXHIBITIONS OR MATCHES, INCLUDING BUT NOT LIMITED TO "SO YOU THINK YOU ARE
9 TOUGH" BOXING MATCHES, CLUB BOXING MATCHES, AND MUD WRESTLING; AND AMENDING
10 SECTIONS 23-3-404 AND 23-3-601, MCA."

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12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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14 **Section 1.** Section 23-3-404, MCA, is amended to read:
15 **"23-3-404. Board jurisdiction -- license required -- contestant participation.** (1) The board has sole
16 management, control, and jurisdiction over each professional or semiprofessional wrestling or boxing match or
17 exhibition, ~~including "so you think you are tough" boxing matches and mud wrestling;~~ involving recognition, a
18 prize, or purse and at which an admission fee is charged, either directly or indirectly, in the form of dues or
19 otherwise, to be held within the state; The board does not have jurisdiction over ~~except~~ a match or exhibition
20 conducted:

21 (a) by a university, college, or high school;
22 (b) by the military; ~~or~~
23 (c) ~~for contestants under 16 years of age;~~ by a ~~recognized~~ AN amateur association; ~~OR~~
24 (D) BY AN ORGANIZATION OR AN INDIVIDUAL CONDUCTING EXHIBITIONS OR MATCHES, INCLUDING BUT NOT LIMITED
25 TO "SO YOU THINK YOU ARE TOUGH" BOXING MATCHES, CLUB BOXING MATCHES, AND MUD WRESTLING.

26 (2) Except for an entity described in subsections (1)(a) through (1)(c) (1)(D), an ~~No~~ organization or
27 individual may not conduct a match or exhibition within the board's jurisdiction unless ~~it or he~~ the organization
28 or individual is the holder of an appropriate license granted by the board.

29 (3) ~~No~~ A referee, manager, or judge may not participate in a match or exhibition within the board's
30 jurisdiction unless ~~he is~~ licensed by the board and unless the match or exhibition is conducted by an organization

1 or individual licensed by the board.

2 (4) ~~No~~ A professional or semiprofessional boxer or wrestler may not participate in a match or exhibition
3 within the board's jurisdiction unless ~~he is~~ licensed by the board and unless the match or exhibition is conducted
4 by an organization or individual licensed by the board and ~~his~~ the boxer or wrestler's right to participate has not
5 been suspended under 23-3-603."

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7 **Section 2.** Section 23-3-601, MCA, is amended to read:

8 **"23-3-601. Report of ticket sales -- tax on gross receipts -- disposition of money received.** (1) An
9 individual or organization subject to the jurisdiction of the board and licensed to conduct a boxing or wrestling
10 match or exhibition ~~must~~ shall, within 24 hours after the completion of each match or exhibition, furnish to the
11 department a written report, verified by one of its officers or owners, showing the number of tickets sold for the
12 match or exhibition, the amount of gross proceeds, and other matters as the board prescribes and ~~must~~ shall
13 also within 24 hours pay to the department a tax of 5% of its total gross receipts, after deducting the federal
14 admission tax, if any, from the sale of tickets.

15 (2) All taxes and fees collected by the department or the board under this chapter must be deposited
16 in the state special revenue fund for the use of the board, subject to 37-1-101(6)."

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