

SENATE BILL NO. 235
INTRODUCED BY J. BOHLINGER

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT THE BOARD OF ATHLETICS DOES NOT HAVE JURISDICTION OVER A NONPROFESSIONAL OR SEMIPROFESSIONAL BOXING OR WRESTLING MATCH OR EXHIBITION CONDUCTED BY A UNIVERSITY, COLLEGE, OR HIGH SCHOOL, BY THE MILITARY, OR BY A RECOGNIZED AMATEUR ASSOCIATION; AND AMENDING SECTIONS 23-3-404 AND 23-3-601, MCA."

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

Section 1. Section 23-3-404, MCA, is amended to read:

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

- (a) by a university, college, or high school;
- (b) by the military; or
- (c) ~~for contestants under 16 years of age~~, by a recognized amateur association.

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

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

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

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

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

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

- END -