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WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2000



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FOR

House Bill No. 4058

(By Delegates Modesitt, Azinger and Trump)



Passed March 11, 2000

In Effect Ninety Days from Passage

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FOR

H. B. 4058

(BY DELEGATES MODESITT, AZINGER AND TRUMP)

[Passed March 11, 2000; in effect ninety days from passage.]

AN ACT to amend and reenact sections three, twelve and twenty-four, article five-a, chapter twenty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, all relating to providing the state athletic commission authority over full contact boxing and other boxing events that also use elements of other fighting disciplines; authority to promulgate rules.

Be it enacted by the Legislature of West Virginia:

That sections three, twelve and twenty-four, article five-a, chapter twenty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted, all to read as follows:

ARTICLE 5A. STATE ATHLETIC COMMISSION.

§29-5A-3. Commission to have sole control of boxing, etc., matches; licenses; municipality not to tax boxing, etc., club.

1 (a) The commission has sole direction, management and
2 control of the jurisdiction over all amateur, professional and
3 semiprofessional boxing, sparring matches and exhibitions, or
4 any form thereof, to be conducted, held or given within the state
5 by any club, individual, corporation or association. As used in
6 this article, the term "boxing" includes any fighting event that
7 includes or permits the striking of an opponent with a closed
8 fist, even if wrestling moves, elements of martial arts, or
9 striking an opponent with the feet are also permitted. No
10 boxing, sparring or exhibition may be conducted, held or given
11 within the state except pursuant to the commission's authority
12 and held in accordance with this article. The commission may,
13 in its discretion, issue and, at its pleasure, revoke the license to
14 conduct, hold or give boxing or sparring matches or exhibitions
15 to any club, corporation, association or individual. Every
16 license is subject to rules the commission may prescribe. Every
17 application for a license shall be on a blank form provided by
18 the commission. No promoter's license may be granted to any
19 club, corporation, association or individual, unless the signer of
20 the application is a bona fide resident of the state of West
21 Virginia. Upon application of the promoter's license, the
22 promoter shall pay a state license fee of one hundred twenty-
23 five dollars for one year. The fee shall be in the form of a
24 certified check or money order and shall be issued to the
25 treasurer of the state of West Virginia to be deposited in the
26 general fund. If the license is not granted, the treasurer shall
27 refund the full amount. Nonprofit chartered and charitable
28 organizations are exempt from this license fee for all amateur
29 events. No municipal corporation may impose any license tax
30 on boxing, sparring or exhibition clubs, notwithstanding the
31 provisions of any section of the code respecting municipal taxes
32 and licenses. The granting of a license to a club by the commis-

33 sion, or the holding of a license by a club, individual, corpora-
34 tion or association, does not prevent the commission from
35 canceling or revoking the license to conduct an event, as
36 provided in this section.

37 (b) In exercising its jurisdiction over professional,
38 semiprofessional and amateur boxing, sparring matches and
39 exhibitions, the commission shall follow the current United
40 States boxing authority rules and requirements to enable the
41 proper sanctioning of all participants, referees, judges and
42 matches or exhibitions conducted under the rules described in
43 subdivision (1), subsection (c), section twenty-four of this
44 article and shall cooperate fully with the boxing authority in
45 order that the sanctioning be extended to state boxers. For full
46 contact boxing events and other boxing events that follow
47 nontraditional rules, the commission may impose any limita-
48 tions or restrictions reasonably necessary to guarantee the
49 safety of the participants and the fair and honest conducting of
50 the matches or exhibitions and may refuse to license any event
51 that poses an unreasonable degree of risk to the participants.

§29-5A-12. Length of rounds; weight of gloves.

1 No boxing or sparring match or exhibition shall be more
2 than fifteen rounds of three minutes each in length with
3 intermission of one minute each between rounds; and the
4 contestants shall wear, during such contests, gloves weighing at
5 least ten ounces, unless the commission finds that for limited
6 categories or classes of fights a lesser weight is sufficient for
7 the protection of the participants and authorizes the lesser
8 weight by legislative rule.

§29-5A-24. Rules and regulations governing contestants and matches.

1 (a) The commission shall promulgate its rules in compli-
2 ance with the provisions of article three of chapter twenty-nine-
3 a of this code.

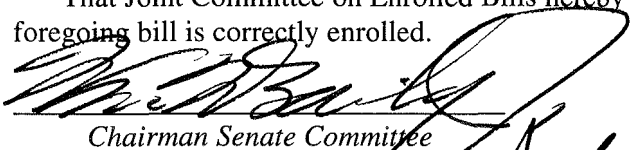
4 (b) The commission shall promulgate such rules as it
5 determines to be necessary to regulate professional and
6 semiprofessional boxers, and professional and semiprofessional
7 boxing matches and exhibitions. For full contact boxing and
8 other boxing events that follow nontraditional rules, rules
9 guaranteeing the safety of the participants and the fair and
10 honest conducting of the matches or exhibitions are authorized.

11 (c) The commission shall promulgate separate rules for
12 amateur boxers and amateur boxing, sparring matches and
13 exhibitions as follows:

14 (1) Rules which comply with the requirements of the rules
15 of the current United States amateur boxing authority to the
16 extent that any boxer complying with them will be eligible to
17 participate in any state, national or international boxing match
18 sanctioned by the current United States amateur boxing
19 authority or the international amateur boxing association.

20 (2) Rules which may differ from the rules of the current
21 United States amateur boxing authority but which adequately
22 guarantee the safety of the participants and the fair and honest
23 conducting of the matches or exhibitions. As a part of these
24 rules, the commission shall include a requirement that all
25 boxers participating in matches or exhibitions conducted under
26 these rules be informed prior to such participation that such
27 participation will disqualify them from participating in state,
28 national or international matches and exhibitions sanctioned by
29 the current United States amateur boxing authority or the
30 international amateur boxing association.

That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.



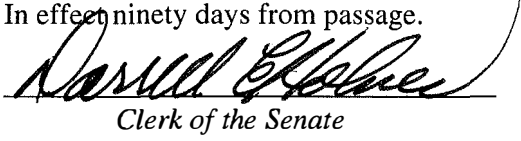
Chairman Senate Committee



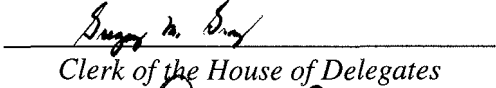
Chairman House Committee

Originating in the House.

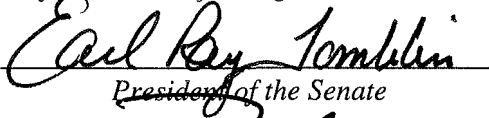
In effect ninety days from passage.



Clerk of the Senate



Clerk of the House of Delegates

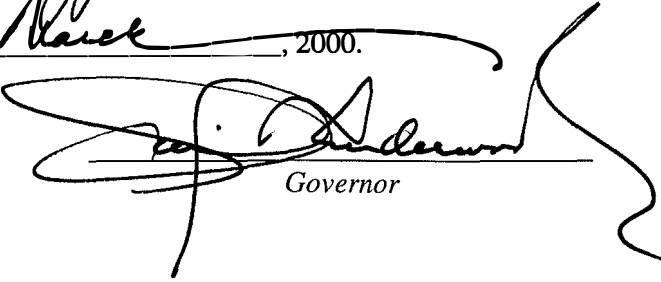


President of the Senate



Speaker of the House of Delegates

The within approved this the 25th
day of March, 2000.



Governor

PRESENTED TO THE

GOVERNOR

Date 3/18/00

Time 12:40pm