

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997

# A Bill

HOUSE BILL 2278

4  
5 By: Representatives Wooldridge and Choate

## For An Act To Be Entitled

9 "AN ACT TO AMEND VARIOUS SECTIONS OF CHAPTER 22 OF  
10 TITLE 17 OF THE ARKANSAS CODE OF 1987, ANNOTATED,  
11 REGARDING THE ATHLETIC COMMISSION, TO ELIMINATE ITS  
12 AUTHORITY WITH REGARD TO WRESTLING PROMOTERS AND EVENTS;  
13 TO ADD A NEW CHAPTER 113 TO TITLE 23 OF THE ARKANSAS CODE  
14 OF 1987, ANNOTATED, TO REQUIRE REGISTRATION OF WRESTLING  
15 PROMOTERS WITH THE DEPARTMENT OF FINANCE AND  
16 ADMINISTRATION; AND FOR OTHER PURPOSES."

## Subtitle

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19 "TO ELIMINATE AUTHORITY OF THE ATHLETIC  
20 COMMISSION OVER WRESTLING PROMOTERS AND  
21 EVENTS AND TO REQUIRE WRESTLING  
22 PROMOTERS TO REGISTER WITH THE  
23 DEPARTMENT OF FINANCE AND  
24 ADMINISTRATION."

25  
26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

27  
28 SECTION 1. Arkansas Code § 17-22-204 is amended to read as follows:  
29 "17-22-204. Authority.

30 (a)(1) The commission shall have the authority to appoint and issue  
31 annual licenses to boxers, ~~wrestlers~~, managers, matchmakers, promoters,  
32 referees, physicians, timekeepers, and other persons arranging, participating  
33 in, or otherwise dealing in matches and exhibitions regulated by this chapter.

34 (2) Fees for the licenses shall be established by the commission.

35 (3) All licenses so issued shall expire annually on June 30.

36 (b) The commission shall also have authority to appoint inspectors and

1 other officials necessary to properly conduct the matches, exhibitions, or  
 2 other performances authorized in this chapter."

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4 SECTION 2. Arkansas Code §17-22-301 is amended to read as follows:

5 "17-22-301. Matches and exhibitions authorized - Restrictions.

6 (a) Matches and exhibitions involving ~~wrestling~~, boxing, sparring,  
 7 karate, judo, or any combinations thereof which are conducted for purses or  
 8 where an admission fee is charged are authorized by this subchapter. However,  
 9 all such matches and exhibitions shall be sponsored by and held under the  
 10 auspices of a patriotic organization chartered by authority of a special act  
 11 of the Congress of the United States, a chartered civic club, a nonprofit  
 12 corporation, or the Secretary of State as provided in subdivision (b)(1) of  
 13 this section. The matches or exhibitions shall be conducted only in accordance  
 14 with the provisions of this chapter and acts amendatory or supplemental hereto  
 15 and in accordance with rules and regulations of the State Athletic Commission.

16 (b)(1) If no local patriotic organization or chartered civic club has  
 17 obtained or desires to obtain a license to conduct ~~wrestling~~, boxing,  
 18 sparring, karate, or judo matches as authorized by law in any city, town, or  
 19 area of the state, then the Secretary of State shall be entitled to obtain a  
 20 license to promote and conduct ~~wrestling~~, boxing, sparring, karate, judo, or  
 21 combination matches and exhibitions, for purses, and to charge admission fees  
 22 for the matches in the city, town, or area of the state subject to the rules  
 23 and regulations of the State Athletic Commission, and in compliance with laws  
 24 relating thereto.

25 (2) When the Secretary of State sponsors any events, all funds  
 26 received by him as sponsor shall be deposited in the State Treasury and  
 27 credited to general revenues."

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29 SECTION 3. Arkansas Code § 17-22-302 is amended to read as follows:

30 "17-22-302. Issuance of licenses - Fees.

31 (a)(1) The commission shall permit any patriotic organization chartered  
 32 by a special act of the Congress of the United States, any chartered civic  
 33 club, a nonprofit corporation, or part of any such organization to hold  
 34 matches and exhibitions under the rules and regulations prescribed by the  
 35 commission.

36 (2) The commission shall have no authority to limit the number of

1 organizations or nonprofit organizations which may sponsor athletic matches  
 2 and exhibitions in any area of the state, ~~nor to limit or restrict the number~~  
 3 ~~of wrestling organizations or federations promoting or organizing wrestling~~  
 4 ~~matches or exhibitions in the state.~~

5 (3) If there is no qualified patriotic organization or civic club  
 6 which wishes to sponsor such matches and exhibitions in any city or town or  
 7 area of the state, the Secretary of State may sponsor those activities in such  
 8 city, town, or area.

9 (b) Permission shall be given by also granting a license to the  
 10 sponsoring unit or to the Secretary of State for a fee of five percent (5%) of  
 11 the total gross receipts received from admission charges for each main or  
 12 principal exhibition held under authority of this chapter but in no event to  
 13 exceed two hundred dollars (\$200) per exhibition.

14 (c) The fees shall be paid by the sponsoring unit or the Secretary of  
 15 State to the Secretary of the State Athletic Commission for each main or  
 16 principal exhibition held under authority of this chapter. No license shall be  
 17 issued to any unit or part of any organization composed of persons under the  
 18 age of twenty-one (21) years.

19 (d)(1) The commission shall have the authority to issue annual licenses  
 20 to the boxer, ~~wrestler~~, manager, matchmaker, promoter, referee, physician, and  
 21 timekeeper.

22 (2) Fees for the licenses shall be established by the commission.

23 (3) All licenses so issued shall expire annually on June 30."  
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25 SECTION 4. Arkansas Code § 17-22-303 is amended to read as follows:

26 "17-22-303. Unlicensed activities - Penalty - Exemption.

27 (a) Any person engaging in ~~wrestling~~, boxing, sparring, karate, judo,  
 28 or any combination thereof, or engaging in the promotion of an exhibition  
 29 within this state without first securing a license from the State Athletic  
 30 Commission shall be deemed guilty of a misdemeanor and upon conviction shall  
 31 be fined in any sum not less than one thousand dollars (\$1,000) nor more than  
 32 two thousand five hundred dollars (\$2,500).

33 (b) Nothing in this chapter shall be construed so as to apply to  
 34 ~~wrestling~~, boxing, sparring, karate, judo, or any combination thereof, in  
 35 which all of the contestants are amateurs."  
 36

1 SECTION 5. Arkansas Code § 17-22-304 is amended to read as follows:

2 "17-22-304. Bond required.

3 As a condition to the issuance of a license for holding boxing, or  
 4 ~~sparring, or wrestling~~ matches or exhibitions as contemplated by this chapter,  
 5 the person applying for the license shall file with the State Athletic  
 6 Commission a bond in the sum of five hundred dollars (\$500) written by a  
 7 corporate surety authorized to do business in this state conditioned that the  
 8 licensee shall pay all taxes and other charges due the state and its political  
 9 subdivisions on account of such matches or exhibitions."

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11 SECTION 6. Arkansas Code § 17-22-305 is amended to read as follows:

12 "17-22-305. Refusal or revocation of license.

13 The State Athletic Commission may, for good cause, refuse to grant a  
 14 license to any sponsoring unit of such organizations as are mentioned in this  
 15 chapter, as well as to boxers, ~~wrestlers~~, managers, matchmakers, promoters,  
 16 referees, physicians, and timekeepers, and may, for good cause, revoke any  
 17 license granted under authority of this chapter."

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19 SECTION 7. Title 23 of the Arkansas Code of 1987, Annotated is amended  
 20 to add a new Chapter 113 to read as follows:

21 CHAPTER 113 - WRESTLING PROMOTION

22 23-113-101. License required.

23 It shall be unlawful for any person to engage in business as a wrestling  
 24 promoter without registering and obtaining a promoter's license or to engage  
 25 in wrestling as a wrestler for compensation or prize money without registering  
 26 with the Department of Finance and Administration.

27 23-113-102. Annual registration of promoters required with the director.

28 (a)(1) All persons who act as a wrestling promoter within the State of  
 29 Arkansas shall be required to register annually on July 1 of each year with  
 30 the director.

31 (2) Registration shall be made with the director upon forms  
 32 designed and provided by him.

33 (3) The director shall issue a certificate of registration which  
 34 shall be posted conspicuously on all premises for each event and each location  
 35 where wrestling is going to be conducted during the year.

36 (b)(1) Registration shall be complete and a certificate issued upon

1 submission of the properly completed forms and the payment of a one hundred  
2 dollar (\$100) nonrefundable annual registration fee by all wrestling  
3 promoters.

4 (2) The registration fee shall not be prorated.

5 (c)(1) Any person required to register under this section shall obtain  
6 a certificate of registration for each event and each location where wrestling  
7 is going to be conducted during the year.

8 (2) The registration certificate shall be conspicuously displayed  
9 at the location for which it was issued.

10 (d)(1) The certificate shall be effective from the date of issuance  
11 until June 30 next following the date of issuance.

12 (2) All registrations shall be renewed on an annual basis.

13 (3) All registration renewals must be made on or before July 1  
14 each year.

15 (e) Failure to properly register or to report or pay the tax levied in  
16 this subchapter shall be a Class A misdemeanor.

17 23-113-103. Annual registration of wrestler's required.

18 (a)(1) All persons who engage in wrestling as a wrestler for  
19 compensation or prize money within the State of Arkansas shall be required to  
20 register annually on July 1 of each year with the director.

21 (2) Registration shall be made with the director upon forms  
22 designed and provided by him.

23 (3) The director shall issue a certificate of registration which  
24 shall be presented to each promoter before the wrestler may participate in a  
25 wrestling event for money.

26 (b) Registration shall be complete and a certificate issued upon  
27 submission of the properly completed forms and the payment of a fifty dollar  
28 (\$50) annual registration fee by all wrestlers.

29 (c)(1) Any person required to register under this section shall obtain  
30 a certificate of registration for each event and each location where they are  
31 going to wrestle during the year.

32 (2) The certificate shall be effective from the date of issuance  
33 until June 30 next following the date of issuance.

34 (3) All registration renewals must be made on or before July 1  
35 each year.

36 23-113-104. Administration - Rules and regulations.

1       (a) The administration of this chapter shall be vested in and shall be  
 2 exercised by the Director of the Department of Finance and Administration.

3       (b) The Director shall promulgate rules and regulations and prescribe  
 4 forms for the proper enforcement of this chapter.

5       23-113-105. Bond required.

6       As a condition to the registration of a wrestling promoter holding any  
 7 events as contemplated in this chapter, the Director shall require the person  
 8 registering to file with the Department of Finance and Administration a bond  
 9 in the sum of two thousand dollars (\$2,000) written by a corporate surety  
 10 authorized to do business in this state conditioned that the registrant shall  
 11 pay all taxes and other charges due the state and its political subdivisions  
 12 on account of the wrestling events being promoted or held by them. The bond  
 13 shall be executed in the name of the State of Arkansas and the proceeds of the  
 14 bonds shall be paid either to the State of Arkansas or to its political  
 15 subdivisions upon verification that any taxes and other charges are due to the  
 16 state and its political subdivisions."

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18       SECTION 9. All provisions of this act of general and permanent nature  
 19 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
 20 Revision Commission shall incorporate the same in the Code.

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22       SECTION 10. If any provisions of this act or the application thereof to  
 23 any person or circumstance is held invalid, the invalidity shall not affect  
 24 other provisions or applications of the act which can be given effect without  
 25 the invalid provisions or application, and to this end the provisions of this  
 26 act are declared to be severable.

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28       SECTION 11. All laws and parts of laws in conflict with this act are  
 29 hereby repealed.

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