

SB 76 A STAFF MEASURE SUMMARY

Carrier: Rep. Post

House Committee On Judiciary

Action Date: 05/02/17

Action: Do Pass the A-Eng bill.

Vote: 11-0-0-0

Yeas: 11 - Barker, Gorsek, Greenlick, Lininger, Olson, Post, Sanchez, Sprenger, Stark, Vial, Williamson

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact, statement issued (Indeterminate Impact)

Prepared By: Whitney Perez, Counsel

WHAT THE MEASURE DOES:

Expands regulation of boxing and mixed martial arts to cover "unarmed combat sports," which the bill defines. Gives certain regulatory responsibilities to the Superintendent of State Police (superintendent), rather than the Oregon State Athletic Commission (commission). Defines and allows superintendent to approve amateur athletic organizations. Creates several exemptions for events supervised by approved amateur athletic organizations. Requires event promoters to reimburse and pay medical personnel who are not employed by Department of State Police. Requires reimbursement to commission for medical supplies used at events. Requires promoter to reimburse and pay for licensed referees, judges, inspectors or timekeepers assigned to unarmed combat sports events. Specifies prohibited financial interest or investment by officers, board members, employees or owners of approved amateur athletic organization. Authorizes representative of superintendent to temporarily deny, revoke or suspend license for specified prohibited conduct or if applicant not qualified. Imposes \$50,000 limit to gross receipts tax per event. Eliminates \$1 per ticket fee on live professional boxing events. Exempts approved nonprofit amateur athletic organization, educational institution athletic program, and Oregon National Guard events from gross receipt tax. Provides conforming amendments and makes technical changes. Effective on 91st day after adjournment sine die. Operative January 1, 2018.

ISSUES DISCUSSED:

- History of the Oregon State Athletic Commission
- ORS Chapter 463 contains contradictions that this measure addresses
- Definition of "unarmed combat sports" clarifies what the commission can and cannot regulate

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Current law requires the Oregon State Athletic Commission (commission) and Superintendent of State Police (superintendent) to regulate boxing, mixed martial arts, and entertainment wrestling. Senate Bill 76-A makes changes to the current regulatory laws and their financing.

Current law gives the superintendent sole authority and jurisdiction to enforce these regulations and conduct investigations of events, participants, and officials. SB 76-A allows an authorized representative of the superintendent to conduct investigations. The authorized representative is also given powers to temporarily deny, revoke, or suspend licenses for specified prohibited conduct or temporarily deny an application for a license if the

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applicant is not qualified. SB 76-A gives certain regulatory responsibilities to the superintendent, rather than the commission.

SB 76-A expands this regulatory authority to cover unarmed combat sports and eliminates the separate definitions for boxing and mixed martial arts. It further defines amateur athletic organizations and vests approval of these organizations with the superintendent. SB 76-A provides several regulatory exemptions for amateur athletic organization events, such as the requirement that commission representatives be present during an unarmed combat sport event.

SB 76-A provides for specified payment and reimbursement for medical personnel that are not employees of the Department of State Police and medical supplies. Current law has been interpreted to require the commission to pay for licensed referees, judges, inspectors, and timekeepers. SB 76-A specifies that the promoter of an unarmed combat sport event pays these personnel.

Oregon law imposes a six percent tax on total gross receipts for boxing, mixed martial arts, or entertainment wrestling events. SB 76-A expands this to cover all unarmed combat sport events. SB 76-A retains the current tax rate, but imposes a \$50,000 cap per event. It would also provide an exemption from this tax for nonprofit amateur athletic organizations approved by the superintendent; events between students of educational institutions that are conducted at the school as part of the athletic program; and events between members of any troop, battery, company, or unit of the Oregon National Guard. SB 76-A eliminates the \$1 per ticket fee on live professional boxing events.

Oregon law prohibits members of the commission or officials from having a financial interest or investment in these events or competitors. SB 76-A also applies these prohibitions to approved amateur athletic organization owners, officers, board members, and employees. Finally, SB 76-A defines several key terms and makes technical and conforming amendments.