

Meeting Agenda
SOUTH DAKOTA ATHLETIC COMMISSION
Via ZOOM

Or

Call: 1-312-626-6799

Meeting ID: 867 1793 5616

Passcode: 245851

Friday, September 6, 2024, 12:30 p.m. CDT

Proposed Agenda

- A. Call to Order
- B. Roll Call
- C. Approval of the Agenda
- D. Open Forum: 5 minutes for the public to address the Commission
- E. Approval of Meeting Minutes: June 14, 2024
- F. Financial Report as of July 31, 2024
- G. Old Business
 - 1) Approved Event Update
 - i. MMA 2024-02 (PFL – Sioux Falls)
 - ii. BOX 2024-02 (15th Round – Sioux Falls)
 - iii. BOX 2024-03 (Holden Productions – Deadwood)
 - 2) Administrative Rule Review Update
- H. New Business
 - 1) Bare Knuckle Fighting Events
 - 2) Red Neck Brawl Event Inquiry
 - 3) 2025 Legislation Proposal
 - 4) Event Applications
 - 5) Election of Officers
- I. Other Business
- J. Announcements
- K. Adjourn

Meeting Minutes
SOUTH DAKOTA ATHLETIC COMMISSION
Via Teleconference
June 14, 2024, 12:30 p.m. CDT

Chairman Kilmer called the meeting to order at 12:33 p.m. A quorum was present.

Members Present Electronically: Mike Kilmer, Verle Valentine, Mark Johnston, George Giovanis, and Kaleb Paulsen

Members Absent: None

Others Present Electronically: Jennifer Stalley, executive secretary, and Jerry McCabe, Department of Labor, Commission legal counsel

Johnston made a motion to approve the agenda. Giovanis seconded the motion. **MOTION PASSED.**

Kilmer asked for any public comments. No comments were offered.

Paulsen made a motion to approve the April 12, 2024 commission meeting minutes. Valentine seconded the motion. **MOTION PASSED.**

Valentine made a motion to accept the May 31, 2024 financial report as presented. Giovanis seconded the motion. **MOTION PASSED.**

Johnston moved to renew the contract with Midwest Solutions for executive services with a 4% increase for the services and the current event fee for the period of July 1, 2024 through December 31, 2024. Valentine seconded the motion. **MOTION PASSED.**

Johnston moved to extend the contract with Midwest Solutions for services related to updating the Commission's statutes and administrative rules through December 31, 2024 under the terms of the original contract. Giovanis seconded the motion. **MOTION PASSED.**

Stalley informed the Commission of Johnston's intention to resign his position on the Commission effective June 30, 2024. The Commission thanked Johnston for his service in establishing the Commission as a legislator and for his time as a member of the Commission.

Stalley informed the Commission that the next meeting date will be set soon, with the hope that any commissioners appointed to the open seats on the Commission will be available to join the meeting.

Paulsen made a motion to adjourn the meeting at 12:49 p.m. Valentine seconded the motion. **MOTION PASSED.**

Respectfully Submitted,

Mark Johnston, Secretary

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STATE OF SOUTH DAKOTA
CASH CENTER BALANCES
AS OF: 07/31/2024

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AGENCY: 10 LABOR & REGULATION
BUDGET UNIT: 1039 SOUTH DAKOTA ATHLETIC COMMISSION - INFO

COMPANY	CENTER	ACCOUNT	BALANCE	DR/CR	CENTER DESCRIPTION
6503	1039000887	1140000	104,048.50	DR	BOXING COMMISSION FUND
COMPANY/SOURCE TOTAL 6503 887			104,048.50	DR *	
COMP/BUDG UNIT TOTAL 6503 1039			104,048.50	DR **	
BUDGET UNIT TOTAL 1039			104,048.50	DR ***	

STATE OF SOUTH DAKOTA
 REVENUE SUMMARY BY BUDGET UNIT
 FOR PERIOD ENDING: 07/31/2024

AGENCY BUDGET UNIT	COMP	ACCOUNT	DESCRIPTION	CURRENT MONTH	YEAR-TO-DATE	
10	6503		SECRETARIAT ADMINISTRATION			
1039			SOUTH DAKOTA ATHLETIC COMMISSION - INFO			
COMPANY NO 6503						
COMPANY NAME PROFESSIONAL & LICENSING BOARDS						
1039000887	6503	4299080	EVENT FEE	3,599.65	3,599.65	
1039000887	6503	4299081	CONTESTANT REGIST FEE	1,800.00	1,800.00	
1039000887	6503	4299082	JUDGE REGISTRATION FEE	350.00	350.00	
1039000887	6503	4299083	REFEREE REGISTRATION FEE	100.00	100.00	
1039000887	6503	4299084	SECOND REGISTRATION FEE	1,800.00	1,800.00	
1039000887	6503	4299085	TIMEKEEPER REGIST FEE	25.00	25.00	
ACCT: 4299			OTHER LIC, PRMITS, & FEES (NON-GOVERNMENTAL)	7,674.65	7,674.65	*
ACCT: 42			LICENSES, PERMITS & FEES	7,674.65	7,674.65	**
CNTR: 1039000887				7,674.65	7,674.65	***
COMP: 6503				7,674.65	7,674.65	****
B UNIT: 1039				7,674.65	7,674.65	*****

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STATE OF SOUTH DAKOTA
MONTHLY REVENUE AND JOURNAL VOUCHER REPORT
FOR PERIOD ENDING: 07/31/2024

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1,549

AGENCY 10 NOT ON TM700 FILE
BUD UNIT 1039 SOUTH DAKOTA ATHLETIC COMMISSION - INFO

COMP CENTER	ACCOUNT	DOCUMENT ID	POST DATE	APPROVAL, VENDOR, OR PO #	EFFECT DATE	AMOUNT	DR CR	
COMPANY NO 6503	PROFESSIONAL & LICENSING BOARDS							
6503 1039	71010100	BD07012024	07/02/2024		07/01/2024	15,742.00	CR	
6503 1039	71020100	BD07012024	07/02/2024		07/01/2024	1,347.00	CR	
TOTAL ACCOUNT GROUP NET CHANGE							17,089.00	CR *
6503 1039	72030100	BD07012024	07/02/2024		07/01/2024	4,539.00	CR	
6503 1039	72040100	BD07012024	07/02/2024		07/01/2024	43,077.00	CR	
6503 1039	72050100	BD07012024	07/02/2024		07/01/2024	1,100.00	CR	
TOTAL ACCOUNT GROUP NET CHANGE							48,716.00	CR *

TOTAL COMPANY--NET CHANGE

65,805.00 CR **

COMPANY NO 6503
COMPANY NAME PROFESSIONAL & LICENSING BOARDS

6503 10390000887	4299080	C105AC001	07/05/2024	373316	07/02/2024	1,250.00	DR
6503 10390000887	4299080	C105AC001	07/05/2024	373316	07/02/2024	1,250.00	DR
6503 10390000887	4299080	C105AC001	07/05/2024	373316	07/02/2024	1,250.00	CR
6503 10390000887	4299080	C105AC001	07/05/2024	373316	07/02/2024	1,250.00	CR
6503 10390000887	4299081	C105AC001	07/05/2024	373316	07/02/2024	1,200.00	DR
6503 10390000887	4299081	C105AC001	07/05/2024	373316	07/02/2024	1,200.00	CR
6503 10390000887	4299081	C105AC001	07/05/2024	373316	07/02/2024	1,200.00	CR
6503 10390000887	4299082	C105AC001	07/05/2024	373316	07/02/2024	1,200.00	CR
6503 10390000887	4299082	C105AC001	07/05/2024	373316	07/02/2024	1,200.00	CR
6503 10390000887	4299082	C105AC001	07/05/2024	373316	07/02/2024	1,200.00	CR
6503 10390000887	4299083	C105AC001	07/05/2024	373316	07/02/2024	100.00	CR
6503 10390000887	4299084	C105AC001	07/05/2024	373316	07/02/2024	1,325.00	CR
6503 10390000887	4299082	C105AC002	07/10/2024	373517	07/08/2024	50.00	DR
6503 10390000887	4299082	C105AC002	07/10/2024	373517	07/08/2024	50.00	DR
6503 10390000887	4299082	C105AC002	07/10/2024	373517	07/08/2024	50.00	CR
6503 10390000887	4299082	C105AC002	07/10/2024	373517	07/08/2024	50.00	CR
6503 10390000887	4299082	C105AC002	07/10/2024	373517	07/08/2024	50.00	CR
6503 10390000887	4299080	C105AC003	07/11/2024	374282	07/11/2024	2,349.65	DR
6503 10390000887	4299080	C105AC003	07/11/2024	374282	07/11/2024	2,349.65	CR
6503 10390000887	4299080	C105AC003	07/11/2024	374282	07/11/2024	2,349.65	CR
6503 10390000887	4299080	C105AC003	07/11/2024	374282	07/11/2024	2,349.65	CR
6503 10390000887	4299081	C105AC004	07/24/2024	374890	07/23/2024	600.00	CR
6503 10390000887	4299081	C105AC004	07/24/2024	374890	07/23/2024	600.00	CR
6503 10390000887	4299081	C105AC004	07/24/2024	374890	07/23/2024	150.00	CR
6503 10390000887	4299084	C105AC004	07/24/2024	374890	07/23/2024	475.00	CR
6503 10390000887	4299085	C105AC004	07/24/2024	374890	07/23/2024	25.00	CR

TOTAL ACCOUNT GROUP NET CHANGE

7,674.65 CR *

6503 10390000887	52042000	FM406082	07/24/2024		07/22/2024	256.85	DR
6503 10390000887	52042000	RM406057	07/17/2024		07/02/2024	97.50	DR

TOTAL ACCOUNT GROUP NET CHANGE

354.35 DR *

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STATE OF SOUTH DAKOTA
MONTHLY REVENUE AND JOURNAL VOUCHER REPORT
FOR PERIOD ENDING: 07/31/2024

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AGENCY 10 NOT ON TM700 FILE
BUD UNIT 1039 SOUTH DAKOTA ATHLETIC COMMISSION - INFO

COMP	CENTER	ACCOUNT	DOCUMENT ID	POST DATE	APPROVAL, VENDOR, OR PO #	EFFECT DATE	AMOUNT	DR CR
6503	1039000887	82040900	24-1000-002 2226	07/25/2024	25SC10002A	07/25/2024	6,884.80	CR
6503	1039000887	82040900	25-1000-002 2226	07/17/2024	25SC10002A	07/15/2024	6,884.80	CR
6503	1039000887	82040900	25-1000-002 2226	07/24/2024	25SC10002A	07/15/2024	6,884.80	DR
6503	1039000887	82040900	25SC10002A	07/17/2024	12199902	07/15/2024	18,147.37	DR
TOTAL ACCOUNT GROUP NET CHANGE							11,262.57	DR *
TOTAL COMPANY--NET CHANGE							3,942.27	DR **

STATE OF SOUTH DAKOTA
MONTHLY EXPENDITURE REPORT
FOR PERIOD ENDING: 07/31/2024

AGENCY 10 LABOR & REGULATION
BUDGET UNIT 1039 SOUTH DAKOTA ATHLETIC COMMISSION - INFO
CENTER-5 10390 SD ATHLETIC COMMISSION

COMP	CENTER	ACCOUNT	DOCUMENT NUMBER	POSTING DATE	JV APPL #, OR PAYMENT #	SHORT NAME	VENDOR NUMBER	VENDOR GROUP	AMOUNT	DR/ CR
COMPANY NO 6503 PROFESSIONAL & LICENSING BOARDS										
6503	1039000887	51010300	CGEX240626	07/02/2024					360.00	DR
6503	1039000887	51010300	CGEX240703	07/05/2024					636.00	DR
6503	1039000887	51010300	CGEX240711	07/17/2024					664.00	DR
OBSUB: 5101030 BOARD & COMM MERS FEES										
OBSUB: 5101 EMPLOYEE SALARIES										
6503	1039000887	51020100	CGEX240626	07/02/2024					1,660.00	DR *
6503	1039000887	51020100	CGEX240703	07/05/2024					27.54	DR
6503	1039000887	51020100	CGEX240711	07/17/2024					48.65	DR
OBSUB: 5102010 EAST-EMPLOYER'S SHARE										
OBSUB: 5102 EMPLOYEE BENEFITS										
6503	1039000887	52040900	24-1000-002	07/31/2024	00924101	MIDWESTSOL	12199902		6,884.80	DR
GROUP: 51 PERSONAL SERVICES										
OBSUB: 5204090 MANAGEMENT CONSULTANT										
6503	1039000887	52042000	FM406082	07/24/2024					6,884.80	DR *
6503	1039000887	52042000	RM406057	07/17/2024					256.85	DR
OBSUB: 5204200 CENTRAL SERVICES										
OBSUB: 5204 CONTRACTUAL SERVICES										
GROUP: 52 OPERATING EXPENSES										
COMP: 6503										
CNTR: 1039000887										
B. UNIT: 1039										

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STATE OF SOUTH DAKOTA
MONTHLY OBJECT/SUB-OBJECT REPORT BY BUDGET UNIT
FOR PERIOD ENDING: 07/31/2024

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AGENCY BUDGET CENTER	UNIT	COMP	ACCOUNT	DESCRIPTION	CURRENT MONTH	YEAR-TO-DATE	
10390	10390	6503	10390	LABOR & REGULATION SOUTH DAKOTA ATHLETIC COMMISSION - INFO SD ATHLETIC COMMISSION			
COMPANY NO 6503 COMPANY NAME PROFESSIONAL & LICENSING BOARDS							
1039000887	6503	51010300		BOARD & COMM MBR'S FEES	1,660.00	1,660.00	
ACCT: 5101	6503	51020100		EMPLOYEE SALARIES	1,660.00	1,660.00	*
1039000887	6503	51020100		OASI-EMPLOYER'S SHARE	126.99	126.99	
ACCT: 5102	6503	52040900		EMPLOYEE BENEFITS	126.99	126.99	*
ACCT: 51	6503	52042000		PERSONAL SERVICES	1,786.99	1,786.99	**
1039000887	6503	52040900		MANAGEMENT CONSULTANT	6,884.80	6,884.80	
1039000887	6503	52042000		CENTRAL SERVICES	354.35	354.35	
ACCT: 5204	6503	52040900		CONTRACTUAL SERVICES	7,239.15	7,239.15	*
ACCT: 52	6503	52042000		OPERATING EXPENSES	7,239.15	7,239.15	**
COMP: 6503 PROFESSIONAL & LICENSING BOARDS							
CENTER: 1039000887							
B UNIT: 1039							
					9,026.14	9,026.14	***
					9,026.14	9,026.14	*****
					9,026.14	9,026.14	*****

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BUDGET UNIT 1039

AVAILABLE FUNDS
AS OF: 07/31/2024
FY YEAR REMAINING: 91.8%
PAY DAYS REMAINING: 0

MONTHLY

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DATE 08/03/2024

CENTER NAME SOUTH DAKOTA ATHLETIC COMMISSION - INFO

COMP	ORIGINAL APPROPRIATION	APPROPRIATION TRANSFERS	YEAR-TO-DATE COMMITMENTS	YEAR-TO-DATE ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	AVAILABLE APPROPRIATIONS	CASH BALANCE
6503-I	65,805.00	0.00	0.00	11,262.57	9,026.14	45,516.29	104,048.50
BUDGETED TOT	65,805.00	0.00	0.00	11,262.57	9,026.14	45,516.29	
ALL COMP TOT	65,805.00	0.00	0.00	11,262.57	9,026.14	45,516.29	

TOTAL BUDGETED:

OBJECT OF EXPENDITURE	AMOUNT BUDGETED	COMMITMENTS YEAR-TO-DATE	ENCUMBRANCES YEAR-TO-DATE	MONTHLY EXPENDITURES	BUDGET AVAILABLE	PCT AVL
5101 EMPLOYEE SALARIES	15,742.00	0.00	0.00	1,660.00	14,082.00	89.5
5102 EMPLOYEE BENEFITS	1,347.00	0.00	0.00	126.99	1,220.01	90.6
5203 TRAVEL	4,539.00	0.00	0.00	0.00	4,539.00	100.0
5204 CONTRACTUAL SVCS	43,077.00	0.00	11,262.57	7,239.15	24,575.28	57.0
5205 SUPPLIES & MATRIS	1,100.00	0.00	0.00	0.00	1,100.00	100.0
TOTALS	65,805.00	0.00	11,262.57	9,026.14	45,516.29	69.2

BREAKOUT BY COMPANY:

COMPANY	PROFESSIONAL & LICENSING BOARDS	AMOUNT BUDGETED	COMMITMENTS YEAR-TO-DATE	ENCUMBRANCES YEAR-TO-DATE	MONTHLY EXPENDITURES	BUDGET AVAILABLE	PCT AVL
COMPANY 6503-I	15,742.00	0.00	0.00	0.00	1,660.00	14,082.00	89.5
5102000 EMPLOYEE SALARIES	1,347.00	0.00	0.00	0.00	126.99	1,220.01	90.6
5203000 EMPLOYEE BENEFITS	4,539.00	0.00	0.00	0.00	0.00	4,539.00	100.0
5204000 TRAVEL	43,077.00	0.00	11,262.57	7,239.15	7,239.15	24,575.28	57.0
5205000 CONTRACTUAL SVCS	1,100.00	0.00	0.00	0.00	0.00	1,100.00	100.0
PS SUBTOTALS	17,089.00	0.00	0.00	0.00	1,786.99	15,302.01	89.5
OE SUBTOTALS	48,716.00	0.00	11,262.57	7,239.15	7,239.15	30,214.28	62.0
COMPANY 6503-I TOT	65,805.00	0.00	11,262.57	9,026.14	9,026.14	45,516.29	69.2

An Act to revise certain provisions related to the Athletic Commission.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 42-12-7.1. be AMENDED:

42.12.7.1. Terms used in this chapter mean:

- (1) "Department," the Department of Labor and Regulation;
- (2) "Commission," the South Dakota Athletic Commission;
- (3) "Boxing," the sport or practice of fighting with fists in which participants wear boxing gloves;
- (4) "Kickboxing," the sport of attack and defense in which participants wear boxing gloves and throw punches as in boxing and kick with bare feet as in karate;
- (5) "Mixed martial arts," the sport of fighting in which participants inflict or employ kicks, punches, blows, holds, and other techniques to injure, stun, choke, incapacitate, or disable an opponent, using a combination of boxing, kickboxing, wrestling, grappling, or other martial arts;
- (6) "Boxer," a participant in a boxing competition or sparring exhibition;
- (7) "Kickboxer," a participant in a kickboxing competition or sparring exhibition;
- (8) "Mixed martial artist," a participant in a mixed martial arts competition or sparring exhibition;
- (9) "Promoter," any person, club, corporation, association, or entity, who produces, arranges, or stages any competition or sparring exhibition;
- (10) "Manager," any person who acts on behalf of a boxer, kickboxer, ~~or~~ mixed martial artist, or combatant to facilitate the production, arrangement, or staging of any competition or sparring exhibition;
- (11) "Matchmaker," any person, club, corporation, association, or entity that brings together a competition or sparring exhibition;
- (12) "Competition," any match, fight, contest, or event in which the participants intend to and actually inflict punches, blows, kicks, or other techniques to temporarily incapacitate an opponent with the intent to win the competition, and in which the

participants receive payment or remuneration, directly or indirectly, as consideration for the participant's performance; ~~and~~

(13) "Sparring exhibition," any match, fight, contest, or event in which the participants intend to and actually inflict punches, blows, kicks, or other techniques to temporarily incapacitate an opponent with the intent to display skills without striving to win, and in which the participants receive payment or remuneration, directly or indirectly, as consideration for the participant's performance;

(14) "Unarmed combat sport," any form of competition or sparring exhibition in which a blow is usually struck which may reasonably be expected to inflict injury: and

(15) "Combatant," a participant in an unarmed combat competition or sparring exhibition.

Section 2. That § 42-12-8 be AMENDED:

42-12-8. There is hereby created, within the jurisdiction of the Department of Labor and Regulation, the South Dakota Athletic Commission consisting of five members appointed by the Governor. ~~Not all members may be of the same political party.~~ One member shall have experience with, or have been active in boxing, kickboxing, or mixed martial arts. One member shall be a physician licensed to practice in South Dakota. One member shall represent the public at large.

Section 3. That § 42-12-8.3 be AMENDED:

42-12-8.3. The commission shall select a chair, vice chair, and secretary annually. ~~No member may serve as chair for more than three consecutive years.~~

Section 4. That § 42-12-9 be AMENDED:

42-12-9. The commission is hereby vested with the sole direction, control, and jurisdiction over all contests and exhibitions of boxing, kickboxing, ~~and~~ mixed martial arts and unarmed combat competitions and sparring exhibitions held in the State of South Dakota. No competition or exhibition may be conducted within this state except in accordance with the provisions of this chapter.

Section 5. That § 24-12.9.1 be AMENDED:

42-12-9.1. The commission has the following powers and duties:

(1) Through rules established pursuant to chapter 1-26, establish standards for the practice of boxing, kickboxing, ~~and~~ mixed martial arts, and unarmed combat;

- (2) Issue licenses and registrations to persons, clubs, corporations, associations, or other entities that meet the qualifications for licensure or registration;
- (3) Have available the names of persons, clubs, corporations, associations, or other entities registered or licensed pursuant to the provisions of this chapter;
- (4) Have available the date, time, and location of any competition or sparring exhibition registered pursuant to the provisions of this chapter;
- (5) Employ personnel in accordance with the needs and budget of the commission;
- (6) Enter into contracts as necessary to carry out the commission's responsibilities pursuant to the provisions of this chapter;
- (7) Communicate disciplinary actions and registration and license status of boxers, kickboxers, mixed martial artists, combatants, managers, promoters, and matchmakers to relevant state and federal governing bodies as may be required; and
- (8) Perform other duties directly related to the provisions of this chapter or rules promulgated pursuant to chapter 1-26.

Section 6. That § 42-12-10 be AMENDED:

42-12-10. Promulgation of rules. The commission shall promulgate rules, pursuant to chapter 1-26, to:

- (1) Govern the conduct of boxing, kickboxing, ~~and~~ mixed martial arts, and unarmed combat competitions, and sparring exhibitions;
- (2) Establish registration criteria and registration fees for all boxers, kickboxers, ~~and~~ mixed martial artists, and combatants who participate in competitions and sparring exhibitions governed by the commission;
- (3) Establish license criteria and license fees for all promoters, managers, and matchmakers of boxing, kickboxing, ~~or~~ mixed martial arts, or unarmed combat competitions or sparring exhibitions held in the state;
- (4) Establish registration requirements for all boxing, kickboxing, ~~or~~ mixed martial arts, or unarmed combat competitions or sparring exhibitions held in the state;
- (5) Establish the written records to be maintained for all competitions and sparring exhibitions conducted in the state;
- (6) Establish a fee based on the percentage of gross revenues from any boxing, kickboxing, ~~or~~ mixed martial arts, or unarmed combat competition or sparring exhibition held in the

state. The fee established under this subdivision may not exceed five percent of the gross revenues of the exhibition from any and all sources including cable television and pay-per-view telecasts of the event, exclusive of any federal tax. However, the commission may establish and impose a minimum exhibition fee not to exceed five thousand dollars to cover the expenses of the South Dakota Athletic Commission;

- (7) Establish criteria for approved bona fide educational institutions or national amateur boxing, kickboxing, ~~or mixed martial arts~~, or unarmed combat associations for purposes of being exempted from the provisions of this chapter;
- (8) Establish procedures for disciplinary proceedings; and
- (9) Establish procedures for receiving and conducting complaint investigations.

Section 7. That § 42-12-12 be AMENDED:

42-12-12. Boxing, kickboxing, ~~or mixed martial arts~~, or unarmed combat competitions or sparring exhibitions held in any city in this state shall be held in conformity to the ordinances of that city, in addition to the requirements of this chapter. No boxing, kickboxing, ~~or mixed martial arts~~, or unarmed combat competition or sparring exhibition may be held in a city where such contests or exhibitions are prohibited by ordinance.

Section 8. That § 42-12-13 be AMENDED:

42-12-13. All boxing, kickboxing, ~~or mixed martial arts~~ or unarmed combat sparring exhibitions conducted by bona fide educational institutions or by national amateur boxing, kickboxing, or mixed martial arts, or unarmed combat associations or their local affiliates approved by the commission are exempt from the provisions of this chapter.

Section 9. That § 42-12-14 be AMENDED:

42-12-14. No boxer, kickboxer, ~~or mixed martial artist~~, or combatant may participate in any competition or sparring exhibition without having a certificate of registration issued by the commission. Each boxer, kickboxer, ~~or mixed martial artist~~, or combatant shall submit an application upon a form prescribed by the commission and pay the required application fee. Any boxer, kickboxer, ~~or mixed martial artist~~, or combatant in a competition or sparring exhibition who does not have a certificate of registration issued by the commission is guilty of a Class 2 misdemeanor. The commission may file a civil suit to enjoin any person engaging in a competition or sparring exhibition without a certificate of registration issued by the commission.

Section 10. That § 42-12-24 be AMENDED:

42-12-24. Any person, club, corporation, association, or entity that has violated any provision of this chapter or any rule promulgated pursuant to this chapter is subject to the following penalties:

(1) Administrative fine:

- (a) Boxer, kickboxer, ~~or~~ martial artist, or combatant: any person registered by the commission who violates any provision of this chapter or rules promulgated pursuant to this chapter is liable for an administrative fine not to exceed five hundred dollars for each offense;
- (b) Manager, promoter, or matchmaker: any person, club, corporation, association, or entity licensed by the commission which violates any provision of this chapter or rules promulgated pursuant to this chapter is liable for an administrative fine not to exceed two thousand dollars for each offense;
- (c) Competition or sparring exhibition: any person, club, corporation, association, or entity responsible for facilitating, producing, staging, arranging, or profiting from a competition or sparring exhibition registered by the commission that violates any provision of this chapter or rules promulgated pursuant to this chapter is liable for an administrative fine not to exceed two thousand five hundred dollars for each offense.

An administrative fine not paid within sixty days from the date of the order imposing the fine may be enforced by an action in the appropriate county circuit court. Any person, club, corporation, association, or entity aggrieved by an order under this subdivision may make an appeal pursuant to chapter 1-26;

- (2) Injunction: if the commission deems it necessary for the public safety or the safety of competitors or participants in a competition or sparring exhibition, the commission may bring an action in the name of the state in the circuit court in any county in which jurisdiction is proper to enjoin the act, practice, or violation and to enforce compliance with this chapter or any rule promulgated pursuant to this chapter. Upon showing that a person, club, corporation, association, or entity has engaged in an otherwise unauthorized act or practice, a permanent or temporary injunction, or restraining order, or other appropriate relief shall be obtained against the person, club, corporation, association, or entity to prohibit the continuation of the unauthorized act or practice;

- (3) Cease and desist order: the commission may issue and have served upon a person, club, corporation, association, or entity an order requiring the person, club, corporation, association, or entity to cease and desist from any unauthorized practice or act which is in violation of this chapter or any rule promulgated pursuant to this chapter. The cease and desist order shall give reasonable notice of the rights to request a hearing pursuant to chapter 1-26 and shall state the reasons for the entry of the order.