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2011 APR -1 AM 11:19

OFFICE OF THE CLERK OF THE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE
FIRST REGULAR SESSION, 2011



ENROLLED

**COMMITTEE SUBSTITUTE
FOR**

House Bill No. 2562

(By Delegates Morgan, Stephens, Hartman,
Manypenny, Martin, Staggers, Swartzmiller,
Talbot and Azinger)



Passed March 12, 2011

In Effect Ninety Days From Passage

HB 2562

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H. B. 2562

(BY DELEGATES MORGAN, STEPHENS, HARTMAN,
MANYPENNY, MARTIN, STAGGERS, SWARTZMILLER,
TALBOTT AND AZINGER)

[Passed March 12, 2011; in effect ninety days from passage.]

AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §29-5A-3a, relating to the State Athletic Commission; authorizing the commission to regulate mixed martial arts; providing for use of the unified rules of mixed martial arts; stating powers of the commission; defining terms; creating licensing requirements; providing for rule-making authority; and prohibiting municipalities from imposing a license tax on mixed martial arts clubs.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §29-5A-3a, to read as follows:

ARTICLE 5A. STATE ATHLETIC COMMISSION.

§29-5A-3a. Power to regulate mixed martial arts.

1 (a) The commission has sole power, direction,
2 management and control over all professional mixed martial
3 arts contests, matches and exhibitions, or any form thereof,
4 to be promoted, conducted, held or given within the state.

5 (b) As used in this article, the term “mixed martial arts”
6 means a combative sporting contest, the rules of which allow
7 two competitors to attempt to achieve dominance over one
8 another by utilizing a variety of techniques including, but not
9 limited to, striking, grappling and the application of
10 submission holds.

11 (c) A mixed martial arts contest, match or exhibition
12 promoted, conducted, held or given within the state shall be
13 under the commission’s authority and be in accordance with
14 the provision of this section. The provisions of this article
15 that apply to boxing shall also apply to mixed martial arts as
16 appropriate.

17 (d) In exercising its jurisdiction over professional mixed
18 martial arts contests matches and exhibitions, the commission
19 shall follow the current unified rules of mixed martial arts as
20 adopted by the Association of Boxing Commissions, to
21 enable the proper licensing of all participants, referees and
22 judges, and the approval of contests, matches or exhibitions
23 conducted under the provisions of this section.

24 (e) The commission may issue and revoke a license to
25 promote, conduct, hold or give mixed martial arts contests,
26 matches or exhibitions and may issue and revoke a license to
27 be a contestant. Each license is subject to the provisions of
28 this section and article, and the rules of the commission.

29 (f) The commission shall propose rules for legislative
30 approval, in accordance with the provisions of article three,
31 chapter twenty-nine-a of this code, to implement the
32 provisions of this section, including:

33 (1) Procedures and requirements for the issuance and
34 renewal of licenses: *Provided*, That the procedures and
35 requirements shall not:

36 (A) Limit or prohibit mixed martial arts contests, matches
37 or exhibitions; nor

38 (B) Include a provision that a licensee be a West Virginia
39 resident;

40 (2) Exemptions from licensure;

41 (3) Procedures for revoking licenses;

42 (4) Adopting the unified rules of mixed martial arts;

43 (5) A fee schedule;

44 (6) Limitations or restrictions necessary to guarantee the
45 safety of the participants;

46 (7) The requirements for fair and honest conducting of
47 the contests, matches or exhibitions; and

48 (8) Any other rules necessary to effectuate the provisions
49 of this section.

50 (g) Notwithstanding the provisions of this code to the
51 contrary, a municipality may not impose a municipal license
52 tax under section four, article thirteen, chapter eight of this
53 code on mixed martial arts clubs. The granting of a license
54 to a club by the commission, or the holding of a license by a
55 club, individual, corporation or association, does not prevent
56 the commission from revoking the license to conduct an
57 event, as provided in this section: *Provided*, That nothing in
58 this subsection limits the authority of a municipality to
59 impose any other taxes or fees on mixed martial arts contests,
60 matches or exhibitions, pursuant to article thirteen, chapter
61 eight of this code.

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



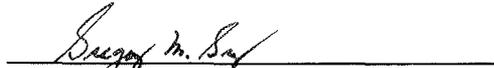
Chairman, House Committee



Chairman, Senate Committee

Originating in the House.

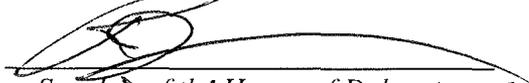
To take effect ninety days from passage.



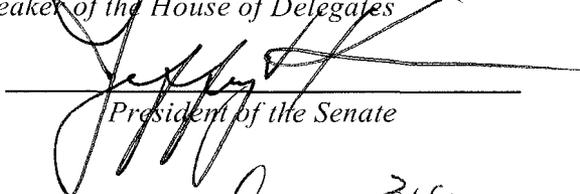
Clerk of the House of Delegates



Clerk of the Senate



Speaker of the House of Delegates



President of the Senate

The within is approved this the 31st
day of March, 2011.



Governor

2011 APR - 1 AM 11:19
SECRETARY OF STATE
VIRGINIA

PRESENTED TO THE GOVERNOR

MAR 31 2011

Time 11:30 am
EDT