

**Fifty-ninth Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 4, 2005**

SENATE BILL NO. 2356  
(Senators Flakoll, J. Lee)  
(Representatives Koppelman, Wieland)

AN ACT to create and enact a new section to chapter 53-01 of the North Dakota Century Code, relating to mixed fighting style competitions; and to amend and reenact sections 53-01-02, 53-01-03, 53-01-07, 53-01-09, and 53-01-17 of the North Dakota Century Code, relating to the regulation of mixed fighting style competitions.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1.** A new section to chapter 53-01 of the North Dakota Century Code is created and enacted as follows:

**Mixed fighting style competition - Definition - Prohibition.** As used in this chapter, "mixed fighting style competition" means an advertised or professionally promoted exhibition or contest for which any type of admission fee is charged and in which participants who inflict or employ kicks, punches, blows, holds, and other techniques to injure, stun, choke, incapacitate, or disable an opponent. The techniques may include a combination of boxing, kickboxing, wrestling, grappling, or other recognized martial arts. Boxing and kickboxing exhibitions or contests without the combination of other techniques do not constitute mixed fighting style competitions. A person may not advertise, promote, sponsor, hold, or participate in any mixed fighting style competition in this state until a mixed fighting style advisory board is authorized and appointed and rules governing the competitions have been adopted by the secretary of state under this chapter.

**SECTION 2. AMENDMENT.** Section 53-01-02 of the North Dakota Century Code is amended and reenacted as follows:

**53-01-02. Administration by secretary of state - Appointment of athletic advisory board and mixed fighting style advisory board.** The secretary of state shall act as state athletic commissioner and administer this chapter. The secretary of state may appoint an athletic advisory board to assist and advise the secretary of state in matters relating to the regulation of boxing, kickboxing, and sparring. The secretary of state also may appoint a mixed fighting style advisory board whose members may include one or more members of the athletic advisory board. The secretary of state shall define the duties of ~~the~~ each board. ~~Members of the board shall serve without Board members are not entitled to compensation, except for reimbursement for actual and necessary expenses at the same rate as allowed state employees incurred in performing their official duties.~~

**SECTION 3. AMENDMENT.** Section 53-01-03 of the North Dakota Century Code is amended and reenacted as follows:

**53-01-03. Restrictions.** The secretary of state may not promote, directly or indirectly, ~~promote~~ any boxing, kickboxing, mixed fighting style competition, or sparring exhibition, engage in the managing of any boxer ~~or~~, kickboxer, or mixed style fighter, or be interested in any manner in the proceeds from any boxing, kickboxing, mixed fighting style competition, or sparring exhibition.

**SECTION 4. AMENDMENT.** Section 53-01-07 of the North Dakota Century Code is amended and reenacted as follows:

**53-01-07. Duties of state athletic commissioner.** The secretary of state shall supervise all boxing, kickboxing, mixed fighting style competitions, or sparring exhibitions held in the state and may:

1. Adopt rules governing the conduct of boxing, kickboxing, mixed fighting style competitions, and sparring exhibitions.
2. Establish license fees for all boxers, kickboxers, mixed style fighters, boxing ~~and~~, kickboxing, and mixed fighting style competition promoters, managers, judges, timekeepers, cornerpersons, knockdown counters, matchmakers, and referees or other participants.
3. Establish by rule a fee based on the percentage of gross revenues from any boxing, kickboxing, mixed fighting style competition, or sparring exhibition held in this state to pay for the expenses of members of the athletic advisory board or the mixed fighting style advisory board. A fee established under this subsection may not exceed one 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 thereon.

**SECTION 5. AMENDMENT.** Section 53-01-09 of the North Dakota Century Code is amended and reenacted as follows:

**53-01-09. Fees paid into special fund - Continuing appropriation.** All fees collected by the secretary of state pursuant to this chapter must be deposited in a special fund maintained in the state treasury. All money deposited in the fund is appropriated as a continuing appropriation to the secretary of state for administering this chapter and for the compensation and expenses of members of the athletic advisory board and the mixed fighting style advisory board.

**SECTION 6. AMENDMENT.** Section 53-01-17 of the North Dakota Century Code is amended and reenacted as follows:

**53-01-17. Exhibitions also governed by local ordinance.** Boxing, kickboxing, or sparring exhibitions may not be held in cities in which such contests or exhibitions are declared illegal by ordinance. All boxing, kickboxing, mixed fighting style competitions, or sparring exhibitions held in any city in this state must be held in conformity with the ordinances of the city in addition to the requirements under this chapter.

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President of the Senate

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Fifty-ninth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2356.

Senate Vote:    Yeas    38        Nays    7        Absent    2

House Vote:    Yeas    88        Nays    3        Absent    3

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Secretary of the Senate

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2005.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2005.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2005,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State