



House of Representatives

File No. 621

General Assembly

February Session, 2006

(Reprint of File No. 57)

Substitute House Bill No. 5127
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
April 24, 2006

AN ACT CONCERNING THE REGULATION OF BOXING.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 21a-195a of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective October 1, 2006*):

3 (a) There is established the Connecticut Boxing [Promotion]
4 Commission which shall be within the Department of [Consumer
5 Protection for administrative purposes only] Public Safety. The
6 commission shall consist of nine members, three to be appointed by
7 the Governor, one to be appointed by the speaker of the House of
8 Representatives, one to be appointed by the president pro tempore of
9 the Senate, one to be appointed by the majority leader of the House of
10 Representatives, one to be appointed by the majority leader of the
11 Senate, one to be appointed by the minority leader of the House of
12 Representatives and one to be appointed by the minority leader of the
13 Senate. The initial appointments to the commission shall be made not
14 later than November 1, 1998. Notwithstanding the provisions of
15 subsection (c) of section 4-9a, as amended, the terms of each member of
16 the commission shall be coterminous with the term of the appointing
17 authority or until a successor is chosen, whichever is later. The

18 appointing authority shall fill any vacancy for the unexpired portion of
19 the term. Members of the commission shall receive no compensation
20 for their services. The commission shall hold at least one meeting each
21 quarter.

22 (b) The commission shall make recommendations to the Governor,
23 the Commissioner of [Consumer Protection, the Commissioner of
24 Economic and Community Development] Public Safety and the
25 General Assembly, upon the request thereof or at such time or times as
26 the commission may determine, to encourage, develop and promote
27 the sport of boxing in this state. Such recommendations shall include,
28 but not be limited to: (1) Identifying any legal or administrative
29 impediments to the development of the sport of boxing in this state; (2)
30 identifying ways to improve state and local services designed to
31 support and promote boxing; (3) identifying ways of developing
32 young boxers through amateur boxing clubs and other programs;
33 [and] (4) developing strategies to assist promoters of small-scale
34 professional boxing events and to aid in the development of a market
35 for large-scale professional boxing events in this state; and (5)
36 developing ways to protect the health and safety of participants in
37 boxing.

38 Sec. 2. Section 21a-196 of the general statutes is repealed and the
39 following is substituted in lieu thereof (*Effective October 1, 2006*):

40 (a) As used in this chapter, "commissioner" means the
41 Commissioner of [Consumer Protection] Public Safety.

42 (b) The commissioner shall have sole control of and jurisdiction over
43 all amateur and professional boxing and sparring matches [and
44 wrestling exhibitions] held, conducted or given within the state by any
45 person or persons, club, corporation or association, except amateur
46 boxing and sparring matches [or wrestling exhibitions] held under the
47 supervision of any school, college or university having an academic
48 course of study or of the recognized athletic association connected
49 with such school, college or university or amateur boxing and sparring

50 matches [and wrestling exhibitions] held under the auspices of any
51 amateur athletic association that has been determined by the
52 commissioner to be capable of ensuring the health and safety of the
53 participants; provided the commissioner may at any time assume
54 jurisdiction over any amateur boxing or sparring match [or wrestling
55 exhibition] if the commissioner determines that the health and safety
56 of the participants is not being sufficiently safeguarded. The
57 commissioner may appoint inspectors who shall, on the order of the
58 commissioner, represent the commissioner at all boxing matches [and
59 wrestling exhibitions]. The commissioner may appoint a secretary who
60 shall prepare for service such notices and papers as may be required
61 and perform such other duties as the commissioner directs.

62 (c) The commissioner or the commissioner's authorized
63 representative may [:(1) Issue subpoenas to any person involved in
64 any matter under investigation pursuant to this chapter; (2) subpoena
65 documentary material relating to any such matter; (3) administer an
66 oath or affirmation to any person; or (4) conduct hearings in aid of any
67 such investigation, provided none of the powers conferred by this
68 chapter shall be used for the purpose of compelling any natural person
69 to furnish testimony or evidence which might tend to incriminate the
70 person or subject the person to a penalty or forfeiture. If any person
71 fails or refuses to obey any such subpoena, the commissioner, after
72 giving notice, may apply to the superior court for the judicial district of
73 Hartford which court, after a hearing, may issue an order requiring
74 such person to obey such subpoena or any part of such subpoena. Any
75 disobedience of a final order of any court under this section shall be
76 punished as contempt] cause a full investigation of the location,
77 paraphernalia and equipment in respect to any boxing or sparring
78 match and all other matters relating thereto to be made and shall
79 determine whether or not such match will be reasonably safe for the
80 participants and for public attendance and may make reasonable
81 orders concerning alterations, or betterments to the equipment,
82 paraphernalia, and concerning the character and arrangement of the
83 seating, means of egress, lighting, firefighting appliances, fire and

84 police protection and such other provisions as shall make the match
85 reasonably safe against both fire and casualty hazards.

86 (d) When any serious physical injury, as defined in subdivision (4)
87 of section 53a-3, or death occurs in connection with a boxing or
88 sparring match, the owner of the location of the match shall, not later
89 than four hours after such occurrence, report the injury or death to the
90 commissioner or the commissioner's designee. Not later than four
91 hours after receipt of such report, the commissioner or the
92 commissioner's designee shall cause an investigation of the occurrence
93 to determine the cause of such serious physical injury or death. The
94 commissioner or the commissioner's designee may enter into any place
95 or upon any premises so registered or licensed in furtherance of such
96 investigation and inspection.

97 [(d)] (e) The commissioner, in consultation with the Connecticut
98 Boxing Commission shall adopt such regulations in accordance with
99 chapter 54 as the commissioner deems necessary and desirable for the
100 conduct, supervision and safety of boxing matches, including the
101 licensing of the sponsors and the participants of such boxing matches,
102 and for the development and promotion of the sport of boxing in this
103 state, including, but not limited to, regulations to improve the
104 competitiveness of the sport of boxing in this state relative to other
105 states. Such regulations shall require fees for the issuance of licenses to
106 such sponsors and participants as follows: (1) For referees, a fee of not
107 less than sixty-three dollars; (2) for matchmakers and assistant
108 matchmakers, a fee of not less than sixty-three dollars; (3) for
109 timekeepers, a fee of not less than thirteen dollars; (4) for professional
110 boxers, a fee of not less than thirteen dollars; (5) for amateur boxers, a
111 fee of not less than three dollars; (6) for managers, a fee of not less than
112 sixty-three dollars; (7) for trainers, a fee of not less than thirteen
113 dollars; (8) for seconds, a fee of not less than thirteen dollars; (9) for
114 announcers, a fee of not less than thirteen dollars; and (10) for
115 promoters, a fee of not less than two hundred fifty dollars.

116 (f) No organization, gymnasium or independent club shall host a

117 sparring match unless such organization, gymnasium or independent
 118 club registers with the Department of Public Safety in accordance with
 119 this subsection. The commissioner shall register any organization,
 120 gymnasium or independent club that the commissioner deems
 121 qualified to host such matches. Application for such registration shall
 122 be made on forms provided by the department and accompanied by a
 123 fee of fifty dollars. For the purpose of enforcing the provisions of this
 124 chapter, the commissioner or an authorized representative may inspect
 125 the facility of any such organization, gymnasium or independent club.
 126 The Attorney General, at the request of the Commissioner of Public
 127 Safety, may apply in the name of the state of Connecticut to the
 128 Superior Court for an order temporarily or permanently restraining
 129 any organization, gymnasium or independent club from operating in
 130 violation of any provision of this chapter or the regulations adopted
 131 pursuant to this subsection. The commissioner, in consultation with
 132 the Connecticut Boxing Commission shall adopt such regulations, in
 133 accordance with chapter 54, as the commissioner deems necessary for
 134 the conduct, supervision and safety of sparring matches.

135 [(e)] (g) The state, acting by and in the discretion of the
 136 commissioner, may enter into a contract with any person for the
 137 services of such person acting as an inspector appointed in accordance
 138 with the provisions of this section.

139 [(f) The commissioner may disallow the conduct of any professional
 140 wrestling exhibition if the commissioner determines that the health
 141 and safety of the participants is not being sufficiently safeguarded.]

142 Sec. 3. Subdivision (14) of section 21a-6 of the general statutes is
 143 repealed. (Effective October 1, 2006)

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2006	21a-195a
Sec. 2	October 1, 2006	21a-196
Sec. 3	October 1, 2006	Repealer section

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 07 \$	FY 08 \$
Consumer Protection, Dept.	GF - Savings	Minimal	Minimal
Public Safety, Dept.	GF - Cost	Potential	Potential
Public Safety, Dept.	GF - Revenue Gain	Minimal	Minimal

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill transfers the regulatory authority of boxing from the Department of Consumer Protection (DCP) to the Department of Public Safety (DPS). The bill adds sparring to the list of sports subject to regulation, and makes several other technical changes.

Currently, the Boxing Promotion Commission is located in the DCP and the department has expended only minimal costs for purposes of the regulation of boxing. The elimination of DCP's Boxing Promotion Commission would result in a minimal savings to DCP.

The transfer of regulatory authority could result in an additional cost to DPS. The responsibilities for regulating boxing and sparring have been expanded, and the additional responsibilities could result in the need for one additional staff member within DPS.

Additionally, the bill requires organizations, gymnasiums, and independent clubs hosting sparring matches to register with DPS, and to pay a fee of \$50. It is unknown how many organizations will register, but it is anticipated that the increase in revenue will be minimal.

The bill also eliminates the Department of Public Safety's (DPS) subpoena power, and requires them to conduct investigations of certain boxing and sparring matches, when a serious injury or death has resulted during a match.

House "A" reduces the cost of the original bill by eliminating the regulation of wrestling.

The Out Years

The savings as a result of the elimination of the Boxing Promotion Commission in DCP would continue throughout the out years, as would the potential cost to DPS. Future revenues generated from application fees are not subject to inflation since the fee amounts are fixed by statute. Absent any sustained trend in the number of applications issued or other statutory changes, the annualized revenues indicated in FY 08 above are projected to remain stable into the future.

OLR Bill Analysis**sHB 5127 (as amended by House "A")*****AN ACT CONCERNING THE REGULATION OF BOXING AND WRESTLING.****SUMMARY:**

This bill transfers boxing regulation from the Department of Consumer Protection (DCP) commissioner to the Department of Public Safety (DPS) commissioner. It transfers to the DPS commissioner all the DCP commissioner's authority pertaining to boxing, except subpoena powers. It also transfers the Connecticut Boxing Promotion Commission to DPS and changes its name to the Connecticut Boxing Commission. The members and appointment procedures remain the same.

The bill requires DPS to regulate sparring, and it gives the DPS commissioner sole jurisdiction over sparring matches. It requires organizations, gymnasiums, or independent clubs hosting sparring matches to register with DPS and pay a \$50 fee.

The bill terminates the regulation of professional wrestling, the only form regulated under current law.

*House Amendment "A" eliminates the commissioner's subpoena powers and ends wrestling regulation.

EFFECTIVE DATE: October 1, 2006

BOXING PROMOTION COMMISSION

The bill transfers this commission to DPS. Under current law, the

commission is in DCP for administrative purposes only.

The bill expands the specified recommendations that the commission must make in its required reports to include the health and safety of boxers. By law, it must recommend ways to encourage, develop, and promote boxing to the governor, the legislature, the DCP commissioner, and the economic and community development commissioner. Currently, the recommendations must, at a minimum, identify (1) legal or administrative impediments to boxing development, (2) ways to improve state and local boxing support and promotion services, (3) ways to develop young boxers through amateur clubs and other programs, and (4) strategies to help promoters of small professional boxing events and create a market for large professional events.

SPORTS SUBJECT TO REGULATION

With exceptions, current law gives the DCP commissioner sole jurisdiction over boxing matches and wrestling exhibitions. The exceptions are amateur school-based matches and matches held under the auspices of any amateur athletic association that the commissioner determines capable of ensuring participants' health and safety.

The bill (1) eliminates wrestling from state regulation, (2) transfers the DCP commissioner's jurisdiction over boxing to the DPS commissioner, (3) specifies that jurisdiction over nonexempt boxing applies to both professional and amateur boxing, and (4) subjects sparring to DPS regulation. It exempts amateur school-based sparring matches and matches held under the auspices of amateur athletic associations that the commissioner determines capable of ensuring participants' health and safety.

BOXING REGULATIONS

Under current law, the DCP commissioner must adopt boxing regulations necessary for the conduct, supervision, and safety of boxing. The bill requires the DPS commissioner to adopt the regulations in consultation with the commission.

SPARRING

The bill requires organizations, gymnasiums, or independent clubs hosting sparring matches to register with DPS. The commissioner must register ones he deems qualified to host matches. The registration fee is \$50, and the applicant must include it with the application. The commissioner or a designee may inspect the applicant's facility to enforce the law.

INJURY REPORTS

The bill requires the owner of any location where a serious physical injury or death from boxing or sparring occurs to report it to the commissioner or his designee within four hours after it happens. The DPS commissioner or his designee must investigate the incident within four hours of receiving the report to determine the cause. He or his designee may enter any registered or licensed premises to further his investigation or inspection.

ENFORCEMENT ACTIVITIES

The bill allows the DPS commissioner or his designee to (1) investigate the location, paraphernalia, equipment, and other matters for boxing or sparring matches; (2) determine whether the match will be reasonably safe for participants and spectators; and (3) make reasonable orders for altering or improving the equipment or paraphernalia and addressing seating, means of egress, lighting, firefighting appliances, fire and police protection, and such other provisions to make matches reasonably safe from fire and casualty hazards.

The bill eliminates the authority that the DCP commissioner or his designee has under current law to (1) issue subpoenas to anyone involved in a wrestling or boxing investigation, (2) subpoena documents pertinent to the investigation, (3) administer oaths or affirmations, (4) conduct investigatory hearings, or (5) apply to the Superior Court to enforce the subpoenas.

VIOLATIONS

The attorney general, at DPS request, may apply to the Superior Court for a temporary or permanent order to restrain any entity from operating in violation of the laws pertaining to boxing or sparring, or regulations pertaining to registration. The commissioner, in consultation with the commission, must adopt necessary regulations for the conduct, supervision, and safety of sparring matches.

BACKGROUND

Boxing Promotion Commission

The commission’s nine members are appointed by the governor (three members) and the House speaker, Senate president pro tempore, and majority and minority leaders of both chambers (one member each). Members are not compensated.

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable Substitute

Yea 20 Nay 0 (03/07/2006)

Government Administration and Elections Committee

Joint Favorable

Yea 19 Nay 0 (04/04/2006)

General Law Committee

Joint Favorable

Yea 15 Nay 0 (04/11/2006)

Appropriations Committee

Joint Favorable

Yea 31 Nay 16 (04/18/2006)