

SENATE BILL 176

56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024

INTRODUCED BY

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This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

AN ACT

RELATING TO ATHLETIC COMPETITION; AMENDING AND ENACTING SECTIONS OF THE PROFESSIONAL ATHLETIC COMPETITION ACT; ADDING DEFINITIONS; ADDING AND INCREASING FEES; ADDING WEIGHT CLASSES; REQUIRING STATE CHAMPIONS; EXTENDING THE TERMINATION DATES OF THE PROFESSIONAL ATHLETIC COMPETITION ACT AND THE NEW MEXICO ATHLETIC COMMISSION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

.226864.4AIC February 1, 2024 (11:38am)

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SECTION 1. Section 60-2A-2 NMSA 1978 (being Laws 1980, Chapter 90, Section 2, as amended) is amended to read:

"60-2A-2. DEFINITIONS.--As used in the Professional Athletic Competition Act:

A. "board" means the medical advisory board;

B. "closed circuit telecast" means a telecast that is not intended to be available for viewing without the payment of a fee, including a pay-per-view telecast, podcast, webcast, streaming media or any electronic transmission to an arena, bar, lounge, club, entertainment or meeting center or private residence;

~~[B.]~~ C. "commission" means the New Mexico athletic commission;

~~[G.]~~ D. "contestant" means a person who engages in unarmed combat for remuneration;

~~[D.]~~ E. "department" means the regulation and licensing department;

F. "exhibition" means any contest or portion of a fight card, bout or event in any form of unarmed combat regulated by the commission and conducted, held or televised on a closed circuit telecast originating in New Mexico;

~~[E.]~~ G. "foreign co-promoter" means a promoter who has no place of business in this state;

~~[F.]~~ H. "manager":

(1) means a person who:

(a) undertakes to represent the

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interests of another person by contract, agreement or other arrangement in procuring, arranging or conducting a professional contest or exhibition in which the represented person will participate as a contestant;

(b) directs or controls the activities of an unarmed combatant relating to the participation of the unarmed combatant in professional contests or exhibitions;

(c) receives or is entitled to receive at least ten percent of the gross purse or gross income of any professional unarmed combatant for services relating to the participation of the unarmed combatant in a professional contest or exhibition; or

(d) receives compensation for services as an agent or representative of an unarmed combatant; and

(2) does not include an attorney who is licensed to practice law in this state if the attorney's participation in any of the activities described in Paragraph (1) of this subsection is limited solely to the legal representation of a client who is an unarmed combatant;

[G.] I. "professional boxer" [~~or "professional wrestler"~~] means an individual who competes for money, prizes or purses or who teaches, pursues or assists in the practice of boxing [~~wrestling or martial arts~~] as a means of obtaining a livelihood or pecuniary gain;

[H.] J. "professional contest" means any professional boxing, [~~wrestling or~~] professional kickboxing,

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professional martial arts, professional mixed martial arts or sports entertainment wrestling contest or exhibition, whether or not an admission fee is charged for admission of the public;

K. "professional kickboxer" means an individual who competes for money, prizes or purses or who teaches, pursues or assists in the practice of kickboxing as a means of obtaining a livelihood or pecuniary gain;

L. "professional martial artist" means an individual who competes for money, prizes or purses or who teaches, pursues or assists in the practice of martial arts as a means of obtaining a livelihood or pecuniary gain;

M. "professional mixed martial artist" means an individual who competes for money, prizes or purses or who teaches, pursues or assists in the practice of mixed martial arts as a means of obtaining a livelihood or pecuniary gain;

[F.] N. "promoter" means any person, and in the case of a corporate promoter includes any officer, director or stockholder of the corporation, who produces or stages any professional boxing, professional kickboxing, [~~wrestling or~~] professional martial arts, professional mixed martial arts or sports entertainment wrestling contest, exhibition or closed circuit television show;

[J.] O. "purse" means the financial guarantee or any other remuneration, or part thereof, for which professional boxers, [~~or professional wrestlers~~] professional kickboxers, professional martial artists, professional mixed martial

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artists or sports entertainment wrestlers are participating in a contest or exhibition and includes the participant's share of any payment received for radio broadcasting, television or motion picture rights;

[K.] P. "ring official" means any person who performs an official function during the progress of a contest or exhibition;

Q. "sports entertainment wrestler" means an individual who competes for money, prizes or purses or who teaches, pursues or assists in the practice of sports entertainment wrestling as a means of obtaining a livelihood or pecuniary gain;

R. "sports entertainment wrestling" means an activity in which participants struggle hand-to-hand primarily for the purpose of providing entertainment to spectators rather than conducting a bona fide athletic contest;

[L.] S. "unarmed combat" means boxing, ~~wrestling~~ kickboxing, martial arts, mixed martial arts, sports entertainment wrestling or any form of competition in which a blow is usually struck that may reasonably be expected to inflict injury; and

[M.] T. "unarmed combatant" means:

(1) a person who engages in unarmed combat in a contest or exhibition, whether or not the person receives remuneration, including a ~~wrestler~~ boxer, kickboxer, martial artist, mixed martial artist, sports entertainment wrestler or

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other contestant; or

(2) an amateur boxer who is registered with United States amateur boxing, incorporated, or any other amateur organization recognized by the commission and participates in an amateur boxing contest or exhibition in the state that is registered and sanctioned by United States amateur boxing, incorporated or golden gloves of America."

SECTION 2. Section 60-2A-7 NMSA 1978 (being Laws 1980, Chapter 90, Section 7) is amended to read:

"60-2A-7. MEDICAL ADVISORY BOARD.--

A. There is created the "medical advisory board" to assist the commission.

B. The board shall consist of three members to be appointed by the commission. Each member of the board shall be licensed to practice medicine in this state and shall have had at the time of [his] appointment at least five years' experience in the practice of [his] the member's profession. Members of the board shall serve without compensation.

C. The board shall:

(1) prepare and submit to the commission for its approval standards for the physical and mental examination of professional boxers, [~~and professional wrestlers which~~] professional kickboxers, professional martial artists, professional mixed martial artists or sports entertainment wrestlers that shall safeguard their health; provided no standard shall become effective until approved by the

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commission;

(2) recommend to the commission for licensing purposes physicians who are qualified to make examinations of professional boxers, [~~and wrestlers~~] professional kickboxers, professional martial artists, professional mixed martial artists or sports entertainment wrestlers; and

(3) upon request of the commission, advise the commission as to the physical and mental fitness of any individual professional boxer, [~~or wrestler~~] professional kickboxer, professional martial artist, professional mixed martial artist or sports entertainment wrestler."

SECTION 3. Section 60-2A-10 NMSA 1978 (being Laws 1980, Chapter 90, Section 10) is amended to read:

"60-2A-10. LICENSES FOR PROMOTERS, BOXERS, [~~WRESTLERS~~] TRAINERS, RING OFFICIALS AND OTHERS.--

A. All promoters, foreign co-promoters, matchmakers, professional boxers, professional [~~wrestlers~~] kickboxers, professional martial artists, professional mixed martial artists, sports entertainment wrestlers, managers, seconds, announcers, referees, trainers, booking agents and timekeepers shall be licensed by the commission.

B. No person shall be permitted to participate either directly or indirectly in any professional contest unless [~~such person shall have~~] the person has first procured a license from the commission.

C. Any person violating the provisions of this

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section is guilty of a petty misdemeanor."

SECTION 4. Section 60-2A-12 NMSA 1978 (being Laws 1980, Chapter 90, Section 12, as amended) is amended to read:

"60-2A-12. LICENSE FEES.--

A. The annual license fee shall not exceed the following amounts:

- [A.] (1) promoters . . . . . [~~\$300.00~~] \$500.00
- [B.] (2) foreign co-promoters [500.00] 750.00
- [C.] (3) referees . . . . . [40.00] 75.00
- [D.] (4) timekeepers and announcers . . . . .  
. . . . . [25.00] 75.00
- [E.] (5) seconds and trainers . [25.00] 75.00
- [F.] (6) managers . . . . . [50.00] 75.00
- [G.] (7) professional boxers . . [25.00] 75.00
- [H.] (8) professional [~~wrestlers~~] kickboxers  
. . . . . [25.00] 75.00
- [I.] (9) booking agents . . . . . [50.00] 75.00
- [J.] (10) matchmakers . . . . . [50.00] 75.00
- [K.] (11) judges . . . . . [25.00] 75.00
- (12) professional mixed martial artists 75.00
- (13) amateur mixed martial artists . . . 75.00
- (14) professional martial artists . . . 75.00
- (15) sports entertainment wrestlers . . 75.00.

Every license shall expire at midnight on December 31 of the year in which the license is issued.

B. An unarmed combatant may hold a professional



license in one commission licensing category while maintaining amateur status in other unarmed combat disciplines."

SECTION 5. Section 60-2A-16 NMSA 1978 (being Laws 1980, Chapter 90, Section 16) is amended to read:

"60-2A-16. CONTRACTS.--

A. Every professional boxer, [~~or professional wrestler~~] professional kickboxer, professional martial artist, professional mixed martial artist or sports entertainment wrestler competing in a professional contest [~~shall be~~] is entitled to receive a copy of a written contract or agreement, approved as to form by the commission, binding a licensee to pay the professional boxer, [~~or professional wrestler~~] professional kickboxer, professional martial artist, professional mixed martial artist or sports entertainment wrestler a certain fixed fee or percentage of the gate receipts.

B. One copy of [~~such~~] the contract or agreement shall be filed with the executive secretary of the commission, and one copy shall be retained by the licensee or promoter of the professional contest."

SECTION 6. Section 60-2A-17 NMSA 1978 (being Laws 1980, Chapter 90, Section 17) is amended to read:

"60-2A-17. INSURANCE.--

A. The commission may by rule require insurance coverage for each licensed professional boxer, [~~or professional wrestler~~] professional kickboxer, professional martial artist,

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professional mixed martial artist or sports entertainment wrestler to provide for medical, surgical and hospital care for injuries sustained while preparing for or engaged in a professional contest, in an amount of SHPAC→~~one thousand dollars (\$1,000)~~←SHPAC SHPAC→two thousand five hundred dollars (\$2,500) or more←SHPAC payable to [~~such~~] the boxer, [~~or wrestler~~] kickboxer, martial artist, mixed martial artist or sports entertainment wrestler as beneficiary.

B. In lieu of or in addition to the insurance provided for in Subsection A of this section, the commission may establish a voluntary injury fund in the state treasury to provide for the medical care of a professional boxer, [~~or professional wrestler~~] professional kickboxer, professional martial artist, professional mixed martial artist or sports entertainment wrestler injured in the course of a professional contest. The fund shall consist solely of voluntary contributions by promoters equal to two percent of the gross receipts of the professional contest. The funds may be expended upon vouchers signed by the [~~chairman~~] chair of the commission and warrants drawn by the secretary of finance and administration."

SECTION 7. Section 60-2A-19 NMSA 1978 (being Laws 1980, Chapter 90, Section 19) is amended to read:

"60-2A-19. WITHHOLDING OF PURSE.--

A. The commission or its executive secretary may order a promoter to withhold [~~any~~] a part of a purse or other

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funds belonging or payable to [~~any~~] a contestant, manager or second if, in the judgment of the commission or the executive secretary, the contestant is not competing honestly or to the best of [~~his~~] the contestant's skill and ability or if the manager or second has violated any of the provisions of the Professional Athletic Competition Act or [~~any~~] a rule promulgated [~~thereunder~~] under that act.

B. This section does not apply to any [~~professional~~] sports entertainment wrestler who appears not to be competing honestly or to the best of [~~his~~] the wrestler's skill and ability.

C. Upon the withholding of [~~any~~] a part of a purse pursuant to this section, the commission shall immediately schedule a hearing on the matter as promptly as possible. If it is determined that [~~such~~] the contestant, manager or second is not entitled to [~~any~~] a part of [~~his~~] a share of the purse or other funds, the promoter shall turn [~~such~~] that money over to the commission, and it shall become forfeit to the state and be disposed of as are fees."

SECTION 8. Section 60-2A-21 NMSA 1978 (being Laws 1980, Chapter 90, Section 21) is amended to read:

"60-2A-21. LENGTH OF PROFESSIONAL CONTESTS--ROUNDS.--No professional boxing contest shall be more than fifteen rounds in length, and each round shall not exceed three minutes in length. There shall be a one-minute rest between rounds. The commission shall adopt rules governing the length of

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professional [~~wrestling~~] kickboxing, professional martial arts, professional mixed martial arts and sports entertainment wrestling contests, duration of rounds and the period of rest between rounds."

SECTION 9. A new section of the Professional Athletic Competition Act is enacted to read:

"[NEW MATERIAL] WEIGHT LIMITS FOR CHAMPIONSHIP PROFESSIONAL BOXING CONTESTS.--State championships are recognized in fourteen classes; the classes for SHPAC→~~unarmed combatants who are~~←SHPAC professional boxers and the SHPAC→~~maximum~~←SHPAC weights for each class are:

- A. junior flyweight: one hundred eight pounds;
- B. flyweight: one hundred twelve pounds;
- C. bantamweight: one hundred eighteen pounds;
- D. junior featherweight: one hundred twenty-two pounds;
- E. featherweight: one hundred twenty-six pounds;
- F. junior lightweight: one hundred thirty pounds;
- G. lightweight: one hundred thirty-five pounds;
- H. junior welterweight: one hundred forty pounds;
- I. welterweight: one hundred forty-seven pounds;
- J. junior middleweight: one hundred fifty-four pounds;
- K. middleweight: one hundred sixty pounds;
- L. light heavyweight: one hundred seventy-five pounds;

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M. cruiserweight: one hundred ninety pounds; and  
N. heavyweight: no maximum weight for any  
contestant."

SECTION 10. A new section of the Professional Athletic  
Competition Act is enacted to read:

"[NEW MATERIAL] PROFESSIONAL BOXING STATE CHAMPIONS AND  
RANKED CONTENDERS.--

A. The commission shall declare a state champion  
professional boxer in each weight class.

B. At least two times per year, the commission  
shall publish a list of professional boxing top ten ranked  
contenders in each weight class.

C. The professional boxing state champion shall  
defend the championship title within six months of winning the  
title and every six months thereafter against a challenger in  
the champion's own weight class. If the champion does not  
defend the title or cannot defend the title for physical  
reasons that are permanent, the commission shall forfeit the  
championship and declare the title vacant. In the case of a  
champion not defending a title within six months due to illness  
or injury that is not permanent, the champion shall submit to  
the commission a physician's report describing the illness or  
injury and an estimated time when the champion will be able to  
defend the championship title. It will be at the discretion of  
the commission, after considering the physician's report,  
whether a stay of the six-month title defense requirement will

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be permitted."

SECTION 11. Section 60-2A-30 NMSA 1978 (being Laws 1980, Chapter 90, Section 30, as amended) is amended to read:

"60-2A-30. TERMINATION OF AGENCY LIFE--DELAYED REPEAL.--  
The New Mexico athletic commission is terminated on July 1, [2023] 2029 pursuant to the Sunset Act. The commission shall continue to operate according to the provisions of the Professional Athletic Competition Act until July 1, [2024] 2030. Effective July 1, [2024] 2030, Chapter 60, Article 2A NMSA 1978 is repealed."

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