

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SENATE BILL 176

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

INTRODUCED BY

Antonio Maestas and Art De La Cruz

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:

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

underscoring material = new
~~[bracketed material] = delete~~

1 of a fee, including a pay-per-view telecast, podcast, webcast,
2 streaming media or any electronic transmission to an arena,
3 bar, lounge, club, entertainment or meeting center or private
4 residence;

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

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

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

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

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

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

18 (1) means a person who:

19 (a) undertakes to represent the
20 interests of another person by contract, agreement or other
21 arrangement in procuring, arranging or conducting a
22 professional contest or exhibition in which the represented
23 person will participate as a contestant;

24 (b) directs or controls the activities
25 of an unarmed combatant relating to the participation of the

underscored material = new
[bracketed material] = delete

1 unarmed combatant in professional contests or exhibitions;

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

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

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

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

19 [~~H.~~] J. "professional contest" means any
20 professional boxing, [~~wrestling or~~] professional kickboxing,
21 professional martial arts, professional mixed martial arts or
22 sports entertainment wrestling contest or exhibition, whether
23 or not an admission fee is charged for admission of the public;

24 K. "professional kickboxer" means an individual who
25 competes for money, prizes or purses or who teaches, pursues or

.226864.4

underscoring material = new
[bracketed material] = delete

1 assists in the practice of kickboxing as a means of obtaining a
2 livelihood or pecuniary gain;

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

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

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

18 ~~[J.]~~ O. "purse" means the financial guarantee or
19 any other remuneration, or part thereof, for which professional
20 boxers, ~~[or professional wrestlers]~~ professional kickboxers,
21 professional martial artists, professional mixed martial
22 artists or sports entertainment wrestlers are participating in
23 a contest or exhibition and includes the participant's share of
24 any payment received for radio broadcasting, television or
25 motion picture rights;

.226864.4

underscoring material = new
[bracketed material] = delete

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

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

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

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

18 ~~[M-]~~ T. "unarmed combatant" means:

19 (1) a person who engages in unarmed combat in
20 a contest or exhibition, whether or not the person receives
21 remuneration, including a ~~[wrestler]~~ boxer, kickboxer, martial
22 artist, mixed martial artist, sports entertainment wrestler or
23 other contestant; or

24 (2) an amateur boxer who is registered with
25 United States amateur boxing, incorporated, or any other

.226864.4

underscoring material = new
[bracketed material] = delete

1 amateur organization recognized by the commission and
2 participates in an amateur boxing contest or exhibition in the
3 state that is registered and sanctioned by United States
4 amateur boxing, incorporated or golden gloves of America."

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

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

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

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

16 C. The board shall:

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

25 (2) recommend to the commission for licensing

.226864.4

underscored material = new
[bracketed material] = delete

1 purposes physicians who are qualified to make examinations of
2 professional boxers, [~~and wrestlers~~] professional kickboxers,
3 professional martial artists, professional mixed martial
4 artists or sports entertainment wrestlers; and

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

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

12 "60-2A-10. LICENSES FOR PROMOTERS, BOXERS, [~~WRESTLERS~~]
13 TRAINERS, RING OFFICIALS AND OTHERS.--

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

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

24 C. Any person violating the provisions of this
25 section is guilty of a petty misdemeanor."

.226864.4

underscored material = new
[bracketed material] = delete

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

3 "60-2A-12. LICENSE FEES.--

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

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

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

25 B. An unarmed combatant may hold a professional

underscored material = new
[bracketed material] = delete

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

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

5 "60-2A-16. CONTRACTS.--

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

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

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

23 "60-2A-17. INSURANCE.--

24 A. The commission may by rule require insurance
25 coverage for each licensed professional boxer, [~~or professional~~

.226864.4

underscored material = new
[bracketed material] = delete

1 ~~wrestler~~] professional kickboxer, professional martial artist,
2 professional mixed martial artist or sports entertainment
3 wrestler to provide for medical, surgical and hospital care for
4 injuries sustained while preparing for or engaged in a
5 professional contest, in an amount of one thousand dollars
6 (\$1,000) payable to [~~such~~] the boxer, [~~or wrestler~~] kickboxer,
7 martial artist, mixed martial artist or sports entertainment
8 wrestler as beneficiary.

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

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

24 "60-2A-19. WITHHOLDING OF PURSE.--

25 A. The commission or its executive secretary may

underscored material = new
[bracketed material] = delete

1 order a promoter to withhold [~~any~~] a part of a purse or other
2 funds belonging or payable to [~~any~~] a contestant, manager or
3 second if, in the judgment of the commission or the executive
4 secretary, the contestant is not competing honestly or to the
5 best of [~~his~~] the contestant's skill and ability or if the
6 manager or second has violated any of the provisions of the
7 Professional Athletic Competition Act or [~~any~~] a rule
8 promulgated [~~thereunder~~] under that act.

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

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

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

23 "60-2A-21. LENGTH OF PROFESSIONAL CONTESTS--ROUNDS.--No
24 professional boxing contest shall be more than fifteen rounds
25 in length, and each round shall not exceed three minutes in

.226864.4

underscoring material = new
~~[bracketed material] = delete~~

1 length. There shall be a one-minute rest between rounds. The
2 commission shall adopt rules governing the length of
3 professional ~~wrestling~~ kickboxing, professional martial arts,
4 professional mixed martial arts and sports entertainment
5 wrestling contests, duration of rounds and the period of rest
6 between rounds."

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

9 "[NEW MATERIAL] WEIGHT LIMITS FOR CHAMPIONSHIP
10 PROFESSIONAL BOXING CONTESTS.--State championships are
11 recognized in fourteen classes; the classes for unarmed
12 combatants who are professional boxers and the weights for each
13 class are:

- 14 A. junior flyweight: one hundred eight pounds;
- 15 B. flyweight: one hundred twelve pounds;
- 16 C. bantamweight: one hundred eighteen pounds;
- 17 D. junior featherweight: one hundred twenty-two
18 pounds;
- 19 E. featherweight: one hundred twenty-six pounds;
- 20 F. junior lightweight: one hundred thirty pounds;
- 21 G. lightweight: one hundred thirty-five pounds;
- 22 H. junior welterweight: one hundred forty pounds;
- 23 I. welterweight: one hundred forty-seven pounds;
- 24 J. junior middleweight: one hundred fifty-four
25 pounds;

.226864.4

underscored material = new
[bracketed material] = delete

- 1 K. middleweight: one hundred sixty pounds;
2 L. light heavyweight: one hundred seventy-five
3 pounds;
4 M. cruiserweight: one hundred ninety pounds; and
5 N. heavyweight: no maximum weight for any
6 contestant."

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

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

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

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

16 C. The professional boxing state champion shall
17 defend the championship title within six months of winning the
18 title and every six months thereafter against a challenger in
19 the champion's own weight class. If the champion does not
20 defend the title or cannot defend the title for physical
21 reasons that are permanent, the commission shall forfeit the
22 championship and declare the title vacant. In the case of a
23 champion not defending a title within six months due to illness
24 or injury that is not permanent, the champion shall submit to
25 the commission a physician's report describing the illness or

.226864.4

underscored material = new
[bracketed material] = delete

1 injury and an estimated time when the champion will be able to
2 defend the championship title. It will be at the discretion of
3 the commission, after considering the physician's report,
4 whether a stay of the six-month title defense requirement will
5 be permitted."

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

8 "60-2A-30. TERMINATION OF AGENCY LIFE--DELAYED REPEAL.--
9 The New Mexico athletic commission is terminated on July 1,
10 [2023] 2029 pursuant to the Sunset Act. The commission shall
11 continue to operate according to the provisions of the
12 Professional Athletic Competition Act until July 1, [2024]
13 2030. Effective July 1, [2024] 2030, Chapter 60, Article 2A
14 NMSA 1978 is repealed."