

January 29, 1953.
Departmental Affairs.

House File 189
By FREY, TATE, NOVAK, PARKER,
SCHWENGEL and BURROWS.

Passed House, Date.....
Vote: Ayes..... Nays.....
Passed Senate, Date.....
Vote: Ayes..... Nays.....
Approved

A BILL FOR

An Act to repeal section seven hundred twenty-seven point two (727.2), Code 1950, to section seven hundred twenty-seven point five (727.5), Code 1950, inclusive, to create an athletic commission, to provide for its powers, duties and organization; and to legalize boxing and wrestling exhibitions; and to provide for an initial appropriation to establish said commission.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. Section seven hundred twenty-seven point two
2 (727.2), Code 1950, to section seven hundred twenty-seven point
3 five (727.5), Code 1950, inclusive, is hereby repealed.

1 Sec. 2. Commission created. There is hereby created an
2 athletic commission with the commissioner of athletics as the
3 head thereof.

1 Sec. 3. Appointment and term. The governor shall appoint
2 three (3) commissioners of athletics who shall be selected for
3 their experience and known ability in athletic administration
4 to hold office at his pleasure. The commission shall appoint
5 one (1) of its members as commissioner.

1 Sec. 4. Salary. The athletic commissioners shall receive
2 such salary as the general assembly shall provide. Each inspec-

3 tor shall receive ten dollars (\$10.00) and actual expenses for
4 each day spent on official duties.

1 Sec. 5. Powers. The athletic commissioner shall have such
2 powers and duties as are conferred on him by law and may dele-
3 gate the exercise or performance thereof.

1 Sec. 6. Definitions. The following words when used in
2 this chapter shall, for the purpose of this chapter, have the
3 meanings respectively ascribed to them in this section, except
4 in instances where the context clearly indicates a different
5 meaning:

6 1. "Commissioner" means any of the commissioners of
7 athletics of this state.

8 2. "Athletics" means any sport, activity or contest of
9 boxing, sparring or wrestling.

10 3. "Referee" means official at any athletic event.

11 4. "Commission" means the athletic commission of this state,
12 consisting of the commissioner and two deputy commissioners.

13 5. "Person" means every natural person, firm, co-partnership,
14 association, or corporation.

1 Sec. 7. The commissioner may appoint official
2 representatives designated as inspectors, each of whom shall
3 receive written authority from the commissioner authorizing him
4 to act as such inspector wherever the commissioner may designate
5 him to act.

1 Sec. 8. One inspector shall be present at each boxing,
2 sparring, or wrestling match or exhibition and see that the

3 rules of the commission and the provisions of this act are
4 strictly observed, and shall also be present at the counting
5 of the gross receipts, and shall immediately mail to the
6 commission the official box office statement received by him
7 from the person conducting such exhibition.

1 Sec. 9. The inspector and the referee or either of them
2 shall have power to declare and order held any prize, remuneration
3 or purse, or any part thereof belonging to the contestants or one
4 of them, if, in his or their judgment, such contestant or
5 contestants did not compete honestly to the best of his or their
6 ability, until a hearing before the commission to determine by
7 final order whether such contestant or contestants did or did
8 not compete honestly to the best of his or their ability. When
9 the inspector and the referee or either of them shall declare and
10 order held any prize, remuneratiton or purse as above provided,
11 the commission shall at once proceed to hold a hearing and hear
12 evidence, and by final order determine whether such contestant or
13 contestants did or did not compete honestly to the best of his or
14 their ability, which final order shall be entered within
15 thirty (30) days from the time of the declaration and order of
16 the inspector and referee or either of them.

1 Sec. 10. If the commission finds that the contestant or
2 contestants did not honestly compete to the best of his or their
3 ability the commission shall, in the final order, revoke the
4 license of the contestant or contestants and such decision of
5 the commission shall be final.

1 Sec. 11. When a finding is made that the contestant or
2 contestants did not honestly compete to the best of his or
3 their ability and an order is entered by the commission revoking
4 the license, the prize, remuneration or purse or part thereof
5 belonging to the contestant or contestants who are found to
6 have not honestly competed to the best of his or their ability,
7 and which is held under the direction and order of the referee
8 and inspector or either of them, shall be paid to the treasurer
9 of state upon such order becoming final.

1 Sec. 12. Any hearing, finding or order under the provisions
2 of this section shall not be a bar to any criminal prosecution
3 which may be brought for the violation of any of the provisions
4 of this chapter.

1 Sec. 13. The commission may employ such clerical employees
2 as is necessary for the proper transaction of its business.

1 Sec. 14. Two (2) members of the commission shall constitute
2 a quorum for the transaction of business, and the concurrence
3 of two (2) members of the commission shall be necessary to render
4 a determination or decision by the commission.

1 Sec. 15. On or before the thirty-first (31st) day of
2 December, of each year, the commission shall make to the governor
3 a full report of its proceedings for the year ending the first
4 (1st) day of December in each year.

1 Sec. 16. Boxing, sparring, and wrestling matches or
2 exhibitions for prizes or purses, or where an admission fee
3 is charged or received, may be held within the state of Iowa.

4 except on Sunday, subject to the direction, management and
5 control of the state athletic commission, which is hereby
6 vested with the sole jurisdiction over all boxing, sparring,
7 and wrestling matches and exhibitions to be conducted in this
8 state. provided, however, that any such boxing, sparring, or
9 wrestling matches or exhibitions which are conducted by any
10 school, college or university, within any building or upon any
11 ground owned or occupied by said school, college or university,
12 within the state of Iowa shall not be subject to the provisions
13 of this act, requiring licenses, as herein provided, even though
14 an admission fee is charged. However the term "school, college
15 or university" does not include a school or other institution
16 for the principal purpose of furnishing instruction in boxing,
17 wrestling or other athletics.

1 Sec. 17. No boxing, sparring, or wrestling match or
2 exhibition, except as herein provided, shall be held or conducted
3 within this state, except under a license and permit issued by
4 the state athletic commission, in accordance with the provisions
5 of this chapter, and the rules and regulations adopted in
6 pursuance thereof.

1 Sec. 18. The commission may, in its discretion, issue,
2 under the name and seal of the state athletic commission, an
3 annual license in writing for holding such boxing, sparring,
4 and wrestling matches or exhibitions, to any person, club,
5 corporation, or association, who, or which, in the discretion
6 of the state athletic commission, is, properly qualified for

7 the holding of such exhibitions, and shall have the right to,
8 and are hereby put under the obligation of, adopting reasonable
9 rules and regulations, to establish the qualifications of the
10 applicants for such license, which rules and regulations shall
11 be such as to carry out the spirit of this chapter and shall not
12 be inconsistent herewith.

13 In addition to the license herein required, every person,
14 club, corporation or association, before conducting any particular
15 boxing, sparring, or wrestling match or exhibition, where one
16 or more contests are to be held, shall obtain a permit therefor
17 from the state athletic commission, such permit so issued shall
18 authorize the conducting of one such boxing, sparring, or
19 wrestling match or exhibition, and any number of contests may
20 be held thereat.

1 Sec. 19. Any person, club, corporation, or association, or
2 any officer of such club, corporation or association conducting
3 a boxing, sparring, or wrestling match or exhibition, without
4 first obtaining such license and permit, as provided in this
5 chapter, shall be deemed guilty of a misdemeanor, and shall
6 be punished by a fine of not less than one thousand dollars,
7 (\$1,000.00), and not more than five thousand dollars (\$5,000.00),
8 and, in addition thereto, in the discretion of the court, in
9 the case of such individual or officer, shall be sentenced not
10 to exceed six (6) months in the county jail.

1 Sec. 20. Applications for a license or permit to conduct
2 a boxing, sparring, or wrestling match or exhibition shall be

3 made in writing upon forms prescribed by the state athletic
4 commission, and shall be addressed to and filed with such
5 commission, and shall be verified by the applicant, if an
6 individual, or by some officer of the club, corporation, or
7 association in whose behalf the application is made.

8 The application for a permit to conduct a boxing, sparring,
9 or wrestling match or exhibition shall, among other things, state
10 the time and exact place at which the boxing, sparring, or
11 wrestling match or exhibition is proposed to be held, the name
12 of the contestants who will participate therein and their
13 seconds, the seating capacity of the building or the hall in
14 which such exhibition is proposed to be held, the admission
15 charge or charges which it is proposed to make, the name of
16 the referee who will act at such match or exhibition, and the
17 amount of his fee or compensation, the amount of the compensation
18 or percentage of gate receipts which it is proposed to pay to
19 each of the participants therein, the name and address of the
20 person, club, corporation, or association making the application,
21 and the names and addresses of all the officers of such club,
22 corporation or association.

23 Any person who in swearing to such application, makes, or
24 causes to be made, therein, any statement which is knowingly
25 and wilfully false, shall be deemed guilty of perjury and
26 punished accordingly.

1 Sec. 21. No boxing, sparring, or wrestling match or
2 exhibition shall be conducted by any person, club, corporation,

3 or association, except by and in accordance with a license and
4 permit issuing to such person, club, corporation, or association
5 by the state athletic commission of the state of Iowa, and no
6 club, corporation, or association shall be entitled to receive
7 a license or permit from the state athletic commission unless
8 it has been incorporated under the laws of the state of Iowa
9 with a membership of not less than fifty (50) persons, who have
10 been continuous residents of the state of Iowa not less than
11 one (1) year prior to the application for such license or permit.

1 Sec. 22. All fees received by the commission under the
2 provisions of this act shall be turned over to the treasurer of state
3 within ten (10) days and placed in the general revenue fund to
4 be placed to the credit of the state athletic commission fund.

1 Sec. 23. The state athletic commission may, in its
2 discretion, issue a license to conduct boxing, sparring, or
3 wrestling matches or exhibitions to any person, club, corporation,
4 or association, who or which, complies with the provisions of
5 this act, and the rules and regulations of the commission and
6 who or which comply with the following conditions:

7 1. Who, or which, shall pay an annual license fee of
8 fifty dollars (\$50.00);

9 2. Who, or which, shall file with the treasurer of state
10 a bond hereinafter provided for;

11 3. Who, or which, prior to the application, obeyed every
12 valid rule, regulation, or order of the state athletic commission,
13 and shall not be guilty of violating any of the provisions of

14 this act;

15 4. Which, in the case of a club, corporation, or association,
16 does not have among its officers or members any person who
17 belonged to a club, corporation, or association which has been
18 guilty of a violation of this act, or of any valid rule,
19 regulation, or order of the state athletic commission;

20 5. Which, in case of a club, corporation, or association,
21 shall have officers, matchmakers, and other officials of the
22 club, corporation, or association, all of whom must be bona
23 fide residents of the state of Iowa, who having resided in the
24 state of Iowa three (3) years prior to the application of such
25 license and permit under this act.

26 The license when issued shall recite that the person, club,
27 corporation, or association, to whom it is granted, has complied
28 with the conditions of this section, and the license shall not
29 be transferable.

1 Sec. 24. The commission shall have full power and authority
2 to limit the number of clubs or the sparring, boxing and
3 wrestling matches and exhibitions to be held or given by any
4 club, organization or corporation in any city in this state,
5 wherein such boxing contests are conducted in the manner herein
6 provided. No boxing, sparring or wrestling matches or exhibitions
7 shall be conducted by any club, organization or corporation having
8 a license to conduct sparring, boxing or wrestling matches or
9 exhibitions in this state except by a sanction or permit from
10 the state athletic commission. Every license shall be subject

11 to such rules and regulations and amendments thereof as the
12 commission may prescribe.

13 No license or permit shall be issued to any person, club,
14 corporation or association to conduct sparring, boxing or
15 wrestling matches or exhibitions at any place other than in a
16 city, village or incorporated town.

1 Sec. 25. Any person, club, corporation or association
2 to whom a license is issued, shall not:

3 1. Hold such match and exhibition at any other time or
4 place; or

5 2. Permit any other contestants or referee to participate
6 therein; or

7 3. Charge a greater fee, compensation or percentage to
8 contestants or referee than was specified in the application
9 made and filed prior to the issuance of such permit.

10 Provided, however, that in case of an emergency, the
11 commission may, upon application, allow a person, club,
12 corporation, or association to hold such boxing, sparring, or
13 wrestling show or contests wherever it may deem fit, within the
14 city in which such person, club, corporation, or association is
15 located, and substitute contestants, seconds, or referee, as
16 circumstances may require.

17 Any corporation or officer of any club, or association,
18 violating the provisions of this section, is guilty of a
19 misdemeanor and shall be punished by a fine of not less than
20 two hundred dollars (\$200.00) nor more than five hundred

21 dollars (\$500.00).

1 Sec. 26. Any hearing by the commission shall be held at
2 any of its offices, which the commission may designate, after
3 at least ten (10) days' notice in writing, addressed to the
4 person, club, corporation or association affected, at its
5 address, as stated in the last application filed with the
6 commission. Such notice shall be served by mailing the same,
7 postage prepaid, by registered mail, to such person, club,
8 corporation or association at such address.

9 The commission, in conducting such hearing, shall not be
10 bound by technical rules of evidence, but all evidence offered
11 before the commission shall be reduced to writing and shall with
12 the petition and exhibits, if any, and the findings of the
13 commission, be permanently preserved and shall constitute the
14 record of the commission in such case.

15 Any person, club, organization or association interested in
16 such hearing may be represented by counsel and shall have the
17 right to introduce evidence. The attorney general, at the
18 request of the commission, shall assist in the conduct of such
19 hearing.

1 Sec. 27. Every member of the state athletic commission
2 shall have power to administer oaths and affirmations, certify
3 to all official acts, issue subpoenas, compel the attendance and
4 testimony of witnesses and the production of papers, books,
5 accounts and documents. Any person who shall be served with a
6 subpoena to appear and testify, or to produce books, papers,

7 accounts or documents, issued by the commission, or any member
8 thereof, in the course of an inquiry or hearing conducted under
9 the provisions of this act, and who shall refuse and neglect
10 to appear or to testify, or to promote books, papers, accounts
11 and documents relative to said hearings, as commanded in such
12 subpoena, shall be guilty of a misdemeanor.

13 The commission or any member thereof, may, in any hearing
14 before the commission, cause the deposition of witnesses
15 residing within or without the state, to be taken in the manner
16 prescribed by law for like depositions in civil actions in the
17 courts of this state.

18 All hearings shall be held before at least two (2) members
19 of said commission, and the concurrence of at least two members
20 of the commission shall be necessary to any findings or order.

21 At the conclusion of such hearing, the commission shall
22 enter an order finding whether or not the person, club,
23 corporation or association, concerning which such hearing is
24 held, has been guilty of a violation of any valid rule, regulation
25 or order of the commission, or has been guilty of a violation
26 of any of the provisions of this act, or has failed to comply
27 with any or all conditions required in this act, and shall specify
28 the nature of the violation or failure to comply.

29 Such findings shall be the basis for a refusal or for the
30 granting of a license or permit to such person, club, corporation
31 or association, but such finding shall not be admissible in
32 evidence or be conclusive against such person, club, corporation

33 or association or any officer, member or stockholder thereof,
34 in any criminal prosecution brought for the violation of any of
35 the provisions of this act, nor shall such hearing and finding
36 be a bar to any criminal prosecution which may be brought for
37 the violation of any of the provisions of this act.

1 Sec. 28. All the buildings or structures used, or intended
2 to be used for the purpose of this act shall be properly
3 ventilated and provided with fire exits and fire escapes, if
4 need be, and in all manner conform to the laws, ordinances and
5 regulations pertaining to the buildings in the city, town, or
6 village where situated.

1 Sec. 29. No person, club, corporation or association shall:

2 1. Hold or conduct any boxing, sparring or wrestling
3 match or exhibition on Sunday; or

4 2. Permit any person under the age of eighteen (18) years
5 to participate in any boxing, sparring or wrestling match or
6 exhibition; or

7 3. Permit any gambling, or betting or wagering of any
8 character on the result of, or any contingency in connection
9 with any boxing, sparring, or wrestling match or exhibition
10 conducted by it, either before, after or during any such contest;
11 or

12 4. Conduct or give or participate in, or permit, any sham
13 or fake boxing, sparring, or wrestling match or exhibition.

14 Any person, club, corporation or association, or the
15 officers of any unincorporated club or association which violates

16 any of the provisions of this section, is guilty of a misdemeanor,
17 and shall, severally, be fined not less than one thousand dollars
18 (\$1,000.00) nor more than ten thousand dollars (\$10,000.00).

1 Sec. 30. No person shall:

2 1. Engage in any boxing, sparring, or wrestling match or
3 exhibition on Sunday; or

4 2. Gamble, bet or wager on the result of or any contingency
5 connected with any boxing or sparring or wrestling exhibition; or

6 3. Participate in any sham or fake boxing, sparring, or
7 wrestling match or exhibition, where such match or exhibition
8 is conducted by any licensed club, corporation or association; or

9 4. Being under the age of eighteen (18) years, participate
10 in any boxing, sparring, or wrestling match or exhibition.

11 Any person violating any of the provisions of this section
12 is guilty of a misdemeanor, and shall be fined not less than
13 one hundred dollars (\$100.00), nor more than one thousand
14 dollars (\$1,000.00).

15 If such person is a licensed contestant in this state, he
16 shall, for the first offense, in addition to the fine, suffer a
17 revocation of his license, and for a second offense, be forever
18 barred and disqualified from receiving a license or participating
19 in any boxing, sparring, or wrestling match or exhibition
20 within this state.

1 Sec. 31. Each contestant for boxing, sparring, or wrestling,
2 shall be examined prior to entering the ring by a competent
3 physician appointed by the commission, who has been licensed by

4 the state athletic commission and has practiced in the state of
5 Iowa for not less than five (5) years. The physician shall, if
6 he so finds the facts, certify in writing over his signature
7 that each contestant is physically fit to engage in such contest.
8 Said physician shall mail said report of examination to the
9 commission within a period of twenty-four (24) hours after the
10 contest. Blank forms of physician's report shall be furnished
11 to physicians, by the commission, and all questions on blank
12 forms must be answered in full. The physician shall be paid a
13 fee, the amount of which shall be fixed by the commission, by
14 the person, club, corporation or association conducting the match
15 or exhibition. No such match, contest or exhibition shall be
16 held unless a physician so licensed by the commission shall be
17 in attendance.

18 No boxing or sparring match or exhibition shall be of more
19 than fifteen (15) rounds in length, such rounds shall not be
20 more than three (3) minutes each with a one (1) minute interval
21 between rounds, and no boxer shall be allowed to participate in
22 more than fifteen rounds within seventy-two (72) consecutive
23 hours.

24 The commission may, in respect to any bout or in respect to
25 any class of contestants, limit the number of rounds of a bout
26 within the maximum of fifteen (15) rounds.

27 At each boxing, or sparring match or exhibition there shall
28 be in attendance a duly licensed referee, who shall direct and
29 control the same. Before starting such contest the referee

30 shall ascertain from each contestant the name of his chief
31 second, and shall hold such chief second responsible for the
32 conduct of his assistant second during the progress of the
33 contest. The referee shall have power, in his discretion to
34 declare held any prize, remuneration or purse, or any part
35 thereof, belonging to the contestants or one of them, if, in
36 his judgment, such contestant or contestants are not honestly
37 competing, subject, however, to a hearing before the commission
38 to determine the final order of the commission.

39 There shall also be in attendance two (2) duly licensed
40 judges, who shall, at the termination of each such boxing or
41 sparring match or exhibition, render their decision. The
42 decision of the judges, taken together with the decision of
43 the referee, shall be final.

44 Each contestant shall wear, during such contest, gloves
45 weighing not less than six (6) ounces. The provisions of this
46 section shall apply to a wrestling contest, except that the
47 commission shall by rules and regulations prescribe the length
48 or duration of such contest, the manner in which the contestants
49 shall engage in such contest and such further safeguards and
50 conditions as shall insure fair, sportsmanlike and scientific
51 wrestling contests.

52 Any person, club, corporation or association or the officers
53 of any club, corporation or association, which holds any boxing,
54 sparring, or wrestling match or exhibition in violation of the
55 provisions of this section, is guilty of a misdemeanor, and shall

56 be fined not less than one thousand dollars (\$1,000.00) nor
57 more than ten thousand dollars (\$10,000.00).

58 Any physician making the physical examination described
59 in this section who, knowingly, certifies falsely to the physical
60 condition of any contestant, is guilty of a misdemeanor, and
61 shall be fined not less than five hundred dollars (\$500.00) nor
62 more than one thousand dollars (\$1,000.00).

1 Sec. 32. No amateur boxing, sparring, or wrestling match
2 or exhibition, which is hereby defined to one in which the
3 participants receive no compensation, gifts, emolument, or
4 percentage of the gate receipts, either directly or indirectly,
5 shall be subject to the provisions of this act, except that they
6 are permitted.

1 Sec. 33. No contestant shall be permitted to participate
2 in any boxing, sparring, or wrestling match or exhibition unless
3 he, his managers, trainers and seconds, are duly registered
4 and licensed with the state athletic commission, which license
5 must be renewed annually. The license fee and the renewal
6 fee for each contestant shall be not less than five dollars
7 (\$5.00). The license fee and the renewal fee for each such
8 manager shall be fifteen dollars (\$15.00) and for each such
9 trainer and second shall be five dollars (\$5.00). All such
10 license and renewal fees shall be paid at the time of the
11 application for the license or renewal.

12 Any person who desires to be registered and licensed as a
13 contestant, manager, trainer or second, shall file his application,

14 in writing, with the commissioner, which application shall, among
15 other things, state the correct name of the applicant, the date
16 and place of his birth, and place of his residence, and his
17 employment, business, or occupation, if any. The application
18 must be verified under oath of the applicant. Application
19 for renewal of license shall be in similar form. No assumed,
20 or ring names shall be used in any application, nor in any
21 advertisement of any such contest unless such ring or assumed
22 name has been registered with the commission with the correct
23 name of the applicant.

24 Each application for license by a contestant or for renewal
25 thereof, must be accompanied by the certificate of a physician
26 residing within this state, who has been licensed as herein
27 provided, and has practiced in this state for not less than
28 five (5) years, certifying that such physician has made a
29 thorough physical examination of the applicant, and that the
30 applicant is physically fit and qualified to participate in
31 boxing, sparring, or wrestling matches or exhibitions.

1 Sec. 31. The commission shall, upon application, grant
2 licenses to competent referees, physicians, announcers and
3 timekeepers, whose qualifications may be tested by said
4 commission and who shall be bona fide residents of the state of
5 Iowa, having resided in the state one (1) year, and may revoke
6 any such licenses granted to any referee, physician, announcer
7 or timekeeper, upon such cause as the commission may deem
8 sufficient. Such licenses must be renewed annually. No person

9 shall be permitted to act as referee, physician, announcer or
10 timekeeper in this state unless holding such license. The
11 application for license as a referee or renewal thereof, shall
12 be accompanied by an annual fee, which shall be twenty-five
13 dollars (\$25.00). The application for license as an announcer,
14 or renewal thereof, shall be accompanied by an annual fee, which
15 shall be ten dollars (\$10.00). The application for license as
16 a timekeeper, or renewal thereof, shall be accompanied by an
17 annual fee, which shall be ten dollars (\$10.00). The commission
18 shall appoint from among such licensed referees, physicians,
19 announcers and timekeepers, the officials for all contests held
20 under the provisions of this act.

1 Sec. 35. Every person, club, corporation or association,
2 which may conduct any match or exhibition under this act,
3 except national guard organizations, reserve officers'
4 associations or organizations, posts or organizations of war
5 veterans, or auxiliary units or societies of any such posts or
6 organizations, where the net proceeds of any match or exhibition
7 conducted by any such organization, association, post unit or
8 society is expended solely for charitable, patriotic or
9 educational purposes, shall, within twenty-four (24) hours
10 after the determination thereof, furnish to the commission, by
11 mail, a written report duly verified by one of its officers,
12 showing the number of tickets sold for such contest and the
13 amount of the gross proceeds thereof, and such other matters as
14 the commission may prescribe, and shall also within the said

15 time pay to the treasurer of state a tax of two (2) per centum
16 of the total gross receipts from the sale of tickets of admission
17 to such match or exhibition, which tax shall be placed in the
18 general revenue fund to be designated for use by the state
19 athletic commission.

1 Sec. 36. Before any license shall be granted to any person,
2 club, corporation or association, (except such organizations,
3 associations, posts, units and societies which are by the
4 provisions of this section exempt from paying a tax) to conduct,
5 hold or give any boxing, sparring or wrestling match or exhibition,
6 such applicant therefor shall execute and file with the treasurer
7 of state a bond in the sum of not less than one thousand dollars
8 (\$1,000.00), to be approved as to form and sufficiency of the
9 sureties thereon, by the treasurer of state, payable to the
10 people of the state of Iowa, and conditioned for the payment of
11 the tax hereby imposed, and the compliance with this act,
12 and the valid rules and regulations of this commission. Upon
13 the filing and approval of such bond, the treasurer of state
14 shall issue to such applicant, a certificate and duplicate
15 thereof of such filing and approval, one of which shall be by
16 said applicant filed in the office of the commission with its
17 application for such license, and no license shall be issued,
18 except as hereinbefore provided, until such certificate shall
19 have been filed.

1 Sec. 37. Whenever any such person, club, corporation or
2 association shall fail to make a report of any contest at the

3 time prescribed by this act, or whenever any such report is
4 unsatisfactory to the treasurer of state, he may examine or
5 cause to be examined the books and records of such club,
6 corporation or association, and subpoena and examine under oath
7 its officers and other persons as witnesses for the purpose of
8 determining the total amount of its gross receipts for any
9 contests and the amount of tax due pursuant to the provisions
10 of this act, which tax he may, upon, and as the result of such
11 examination, fix and determine.

12 In case of the default in the payment of any tax so
13 ascertained to be due, together with the expenses incurred in
14 making such examinations, for a period of twenty (20) days
15 after notice to such delinquent person, club, corporation or
16 association of the amount at which the same may be fixed by the
17 treasurer of state, such delinquent shall be disqualified from
18 receiving any new license and the attorney general shall
19 institute suit upon the bond filed pursuant to section thirty-
20 five (35) to recover the tax or penalties imposed by this act.

1 Sec. 38. It shall be unlawful for any person, club,
2 corporation or association, receiving a license hereunder, to
3 sell or cause to be sold or issued, more tickets or invitations
4 purporting to admit to any such match or exhibition, or
5 otherwise to admit to the same, more persons than are
6 admissible according to the authorized capacity of the building,
7 or part thereof, actually used therefor.

1 Sec. 39. The commission shall appoint official

2 representatives designated as inspectors, each of whom shall
3 receive from the commission a card authorizing him to act as
4 such inspector, wherever the commission may designate him to
5 act. One inspector shall be present at all boxing, sparring,
6 or wrestling matches or exhibitions, and see that the rules of
7 the commission, and the provisions of this act are strictly
8 observed, and shall also be present at the counting up of the
9 gross receipts, and shall immediately mail to the commission
10 the official box office statement received by him from the
11 person or officers of the club, corporation or association,
12 conducting such exhibition.

1 Sec. 40. Nothing in this act shall in any way be so
2 construed as to give any one person, club, corporation or
3 association, the right to hold or give boxing, sparring, or
4 wrestling matches or exhibitions in more than one (1) city or
5 in more than one (1) location in any city without written
6 authority and consent of the commission.

1 Sec. 41. There is hereby imposed a tax of two percent (2%)
2 on each paid admission to any contest as described in this
3 chapter. Such tax and all other funds provided to be paid in
4 this chapter shall be paid to the treasurer of state who shall
5 designate all such funds to the state athletic commission to
6 pay the expenses of such commission. In event such state
7 athletic fund exceeds five thousand dollars (\$5,000.00) such
8 excess shall be placed in the general fund of the state.

1 Sec. 42. For the purpose of carrying out the provisions

2 of this act, the sum of five thousand dollars (\$5,000.00) is
 3 hereby appropriated and the commission is instructed to draw
 4 its warrant for this sum out of any money in the treasury
 5 not otherwise appropriated.

EXPLANATION OF H. F. 189

The purpose of this bill is to insure the safety of participants in boxing and wrestling matches, and also to protect the general public of the state of Iowa from paying to witness sham or false contests. It is felt that any sporting fan desires to see and is entitled to expect a clean, fair and authentic exhibition for the money such person pays for admission.

Boxing exhibitions are now illegal in Iowa and this act will legalize this sport. This act provides for a manner of collecting fees and a small percentage of each paid admission in order that once established, the Iowa state athletic commission will be self-supporting, and all revenue over bare expenses will go to the state general fund for the benefit of the people of the state as a whole.

Similar acts have proven highly successful and have had a highly beneficial effect in states with similar legislation. They have resulted in improving the safety factors, the type of contestants participating and in general elevated these sporting activities to a clean, honest, respectable plane.

The legalizing of boxing and wrestling exhibitions in the states of Iowa will also offer the public a better type of entertainment for the time when telecasting of such events will be made.

1 Amend House File 189 as follows:

2 1. Strike all after the word "act" in line one (1) of
 3 the title and add in lieu thereof the following: "to repeal
 4 section seven hundred twenty-seven point two (727.2), Code 1950,
 5 to section seven hundred twenty-seven point five (727.5), Code
 6 1950, inclusive, and to provide for the licensing of promoters
 7 of boxing, sparring and wrestling contests."

8 2. Strike all after the enacting clause except section
 9 one (1), and insert in lieu thereof the following:
 10 "Sec. 2. No promoter or organization shall hold or conduct
 11 a boxing, sparring or wrestling match or exhibition until he
 12 shall have obtained a license from the secretary of state. Each

13 license shall expire September 1, each year. The said license
 14 shall not be transferrable.

15 "Sec. 3. Every application for a license under this chapter
 16 shall be made upon a blank furnished by the secretary of state
 17 and shall contain the items required by it as to name of
 18 promoter, or organization, place the contests are to be held, and
 19 such other information that may be required by the secretary of
 20 state.

21 "Sec. 4. The secretary of state shall collect the following
 22 fees for licenses:

23 1 Promoters and organizations located in, or if contests
 24 are to be held in cities and towns of less than 25,000
 25 population, twenty-five dollars (\$25).

26 2. Promoters and organizations located in, or if contests
 27 are to be held in cities and towns of more than 25,000, but less
 28 than 75,000 population, fifty dollars (\$50).

29 3. Promoters and organizations located in, or if contests
 30 are to be held in cities and towns of over 75,000 population, one
 31 hundred dollars (\$100).

32 "Sec. 5. Any person who shall violate any provision of
 33 this chapter shall be fined not exceeding three hundred dollars
 34 (\$300), or imprisoned in the county jail not exceeding ninety
 35 (90) days, or both such fine and imprisonment."

Filed

March 19, 1963.

FREY of Pottawattamic.

