

**STATE OF TENNESSEE**

**PUBLIC CHAPTER NO. 598**

**HOUSE BILL NO. 1423**

**By Representative Todd**

Substituted for: Senate Bill No. 1579

By Senators Jackson, Ford

AN ACT to amend Tennessee Code Annotated, Title 4 and Title 68, Chapter 115, relative to the Tennessee athletic commission.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-115-102(9), is amended by deleting the language in its entirety and by substituting instead the following language:

(9) "Contest" means an unarmed combat sport competition or exhibition in which at least one (1) of the combatants is a professional or has previously competed as a professional in this state or any other state or in which licensed combatants compete for a purse or item of value greater than that amount authorized pursuant to subdivision (1) for an amateur event;

SECTION 2. Tennessee Code Annotated, Section 68-115-102(1), is amended by inserting the language "as a professional in this state or any other state" between the words "has never competed" and the words "in an unarmed combat sport".

SECTION 3. Tennessee Code Annotated, Section 68-115-102(11), is amended by deleting the language "combatants" and by substituting instead the language "amateurs, as defined herein,".

SECTION 4. Tennessee Code Annotated, Section 68-115-102, is amended by deleting subdivision (17) in its entirety and by substituting instead the following:

(17) "Permit" means a certification of approval for a contest or event, issued upon receipt of an application and fee that shall be established and collected pursuant to the rulemaking authority of the commission for professional and amateur events;

SECTION 5. Tennessee Code Annotated, Section 68-115-102, is amended by deleting subdivision (20) in its entirety and by substituting instead the following:

(20) "Professional" means a person who competes or has competed in an unarmed combat sport contest for the purpose of a purse or item of value greater than that amount authorized for an amateur event; or any person who has been previously licensed in any other jurisdiction as a professional;

SECTION 6. Tennessee Code Annotated, Section 68-115-102, is amended by deleting subdivision (24) in its entirety, and by substituting instead the following:

(24) "Sanctioning organization" means an organization recognized by the Tennessee athletic commission that sanctions amateur events of unarmed combat, and is required to comply with all provisions of this act. "Sanctioning organization" may also mean an organization recognized by the Tennessee athletic commission that adopts rules and regulations pursuant to the provisions of § 68-115-213;

SECTION 7. Tennessee Code Annotated, Section 68-115-205, is amended by deleting subsection (b) in its entirety and by substituting instead the following:

(b) Every promoter of a professional contest or amateur event of unarmed combat shall obtain a permit from the commission for each contest or event not less than thirty (30) days prior to the date a promoter stages a contest or event, unless some shorter time period is authorized by the commissioner or administrator.

SECTION 8. Tennessee Code Annotated, Section 68-115-208, is amended by deleting subsection (f) in its entirety and by substituting instead the following:

(f) When any person fails to make any report and pay the full amount of the reportable tax or fee required by this chapter, there shall be imposed a specific penalty to be added to the tax or fee in the amount of five percent (5%) of such tax or fee if the failure is for not more than thirty (30) days, with an additional five percent (5%) for each additional thirty (30) days or fraction thereof, during which the failure continues, not to exceed twenty-five percent (25%) in the aggregate. In the case of a false or fraudulent report, or in the case where no report has been filed and there exists a willful intent to defraud the state of the tax or fee due under this chapter, a specific penalty of one hundred percent (100%) of the tax or fee may be due.

SECTION 9. Tennessee Code Annotated, Section 68-115-210, is amended by deleting the section in its entirety and by substituting instead the following:

§ 68-115-210. The commission or administrator shall assign all ring officials for a professional contest of unarmed combat. Every promoter of a professional contest shall pay for services rendered by such ring officials, and any other fees for services provided pursuant to this chapter.

SECTION 10. Tennessee Code Annotated, Section 68-115-216, is amended by adding the following as a new, appropriately designated subsection:

( ) If a complaint is made against a person pursuant to this chapter such complaint shall be made on a commission prescribed form. The form shall be submitted to the administrator, who shall then present the complaint to the commission to:

(1) Determine if the complaint warrants further review; or

(2) Take action against such person based on the complaint.

SECTION 11. Tennessee Code Annotated, Section 68-115-203, is amended by deleting subsection (b) in its entirety and by substituting instead the following:

(b) The commission or the administrator shall have the authority to employ, as necessary, designated individuals, as part-time state employees for purposes of title 8, chapter 42, part 1, who are qualified to assist ring officials and commission members in the regulation of professional contests. Such state employees shall be classified as executive service employees.

SECTION 12. For purposes of title 8, chapter 42, part 1, "state employee" also includes, solely for purposes of such chapter and under §§ 9-8-112 and 9-8-307, a qualified individual employed pursuant to § 68-115-203(b) to assist ring officials and commission members pursuant to § 68-115-203(b) in the regulation of professional contests under title 68, chapter 115, part 2. Such individuals shall not be eligible for any other state employee benefits, including, but not limited to workers' compensation, nor shall they be members of the Tennessee Consolidated Retirement System.

SECTION 13. Tennessee Code Annotated, Section 68-115-109, is amended by adding the following language at the end of the section:

Except as provided in § 68-115-203, other staff shall be employed on recommendation of the administrator with the approval of the commission.

SECTION 14. This act shall take effect upon becoming a law, the public welfare requiring it.

**PASSED: June 18, 2009**

  
KENT WILLIAMS, SPEAKER  
HOUSE OF REPRESENTATIVES

  
RON RAMSEY  
SPEAKER OF THE SENATE

**APPROVED this 8th day of July 2009**



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PHIL BREDESEN, GOVERNOR