



2026 South Dakota Legislature

Senate Bill 64

Introduced by: The Chair of the Committee on Commerce and Energy at the request of the South Dakota Athletic Commission

1 **An Act to revise and repeal provisions related to the athletic commission.**

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 **Section 1. That a NEW SECTION be added to chapter 42-12:**

4 Terms used in this chapter mean:

- 5 (1) "Boxer," a participant in a boxing competition or sparring exhibition;
 6 (2) "Boxing," a sport or practice of fighting with fists, in which participants wear boxing
 7 gloves;
 8 (3) "Commission," the South Dakota Athletic Commission;
 9 (4) "Competition," any contest, event, fight, or match in which:
 10 (a) The participants intend to and actually inflict blows, kicks, and punches, or
 11 utilize other techniques to temporarily incapacitate an opponent with the
 12 intent to win the contest, event, fight, or match; and
 13 (b) The participants receive payment or remuneration, directly or indirectly, as
 14 consideration for the participant's performance;
 15 (5) "Department," the Department of Labor and Regulation;
 16 (6) "Kickboxer," a participant in a kickboxing competition or sparring exhibition;
 17 (7) "Kickboxing," a sport of attack and defense, in which participants wear boxing
 18 gloves and throw punches, as in boxing, and kick with bare feet, as in karate;
 19 (8) "Manager," any person who acts on behalf of a boxer, kickboxer, or mixed martial
 20 artist to facilitate the arrangement, production, or staging of any competition or
 21 sparring exhibition;
 22 (9) "Matchmaker," any association, club, corporation, entity, or individual that brings
 23 together a competition or sparring exhibition;
 24 (10) "Mixed martial artist," a participant in a mixed martial arts competition or sparring
 25 exhibition;

1 (11) "Mixed martial arts," a sport of fighting, in which participants inflict or employ
2 blows, holds, kicks, punches, and other techniques to choke, disable, incapacitate,
3 injure, or stun an opponent, using a combination of boxing, grappling, kickboxing,
4 wrestling, or other martial arts;

5 (12) "Official," a commission representative, inspector, judge, physician, referee, or
6 timekeeper serving in an assigned role for a competition or sparring exhibition;

7 (13) "Promoter," an association, club, corporation, entity, or individual who arranges,
8 produces, or stages any competition or sparring exhibition;

9 (14) "Second," an individual who attends to a contestant between rounds; and

10 (15) "Sparring exhibition," any contest, event, fight, or match in which:

11 (a) The participants intend to and actually inflict blows, kicks, and punches, or
12 utilize other techniques to temporarily incapacitate an opponent, with the
13 intent to display skills without striving to win; and

14 (b) The participants receive payment or remuneration, directly or indirectly, as
15 consideration for the participant's performance.

16 **Section 2. That § 42-12-9 be AMENDED:**

17 **42-12-9.** The commission is ~~hereby~~ vested with the sole direction, control, and
18 jurisdiction over all contests and exhibitions of boxing, kickboxing, and mixed martial arts
19 competitions and sparring exhibitions held in ~~the State of South Dakota~~ this state. The
20 commission shall regulate competitions and sparring exhibitions for the purposes of
21 compliance with applicable federal laws and regulations, event fairness, fair competition,
22 and safety of the participants and the public. No competition or sparring exhibition may
23 be conducted within this state, except in accordance with ~~the provisions of this chapter or~~
24 any rule promulgated pursuant to this chapter.

25 **Section 3. That § 42-12-9.1 be AMENDED:**

26 **42-12-9.1.** The commission ~~has the following powers and duties~~ shall:

27 (1) ~~Through rules established pursuant to chapter 1-26, establish standards for the~~
28 ~~practice of boxing, kickboxing, and mixed martial arts;~~

29 (2) ~~Issue licenses and registrations to persons, clubs, corporations, associations, any~~
30 association, club, corporation, individual or other entities ~~person that meet~~ meets
31 the qualifications for licensure or registration as a boxer, kickboxer, mixed martial
32 artist, manager, matchmaker, promoter, official, or second;

- 1 ~~(3)~~(2) Have available the names of ~~persons~~ associations, clubs, corporations, ~~associations~~
 2 individuals, ~~or and~~ other ~~entities~~ persons registered or licensed pursuant to the
 3 provisions of this chapter;
- 4 ~~(4)~~(3) Have available to the public the date, time, and location of any competition or
 5 sparring exhibition registered pursuant to the provisions of this chapter;
- 6 ~~(5)~~(4) Employ personnel in accordance with the needs and budget of the commission;
- 7 ~~(6)~~(5) Enter into contracts, as necessary to carry out the commission's responsibilities
 8 pursuant to ~~the provisions of~~ this chapter;
- 9 ~~(7)~~(6) Communicate disciplinary actions and registration and license status of boxers,
 10 kickboxers, mixed martial artists, managers, matchmakers, promoters, ~~and~~
 11 ~~matchmakers~~ officials, and seconds to the relevant state and federal governing
 12 bodies, ~~as may be required~~; ~~and~~
- 13 ~~(8)~~(7) Perform other duties directly related to ~~the provisions of~~ this chapter ~~or rules~~
 14 promulgated pursuant to chapter 1-26;
- 15 (8) Maintain and verify the results of bouts in competitions and sparring exhibitions;
 16 and
- 17 (9) Report the results of bouts in competitions and sparring exhibitions to the relevant
 18 state and federal governing bodies as required.

19 **Section 4. That § 42-12-10 be AMENDED:**

- 20 **42-12-10.** The commission shall promulgate rules, pursuant to chapter 1-26, to:
- 21 (1) ~~Govern~~ Establish the requirements for and govern the conduct of boxing,
 22 kickboxing, and mixed martial arts competitions, and sparring exhibitions;
- 23 (2) Establish registration criteria ~~and registration fees~~ for all boxers, kickboxers, ~~and~~
 24 mixed martial artists, officials, and seconds, who participate in competitions and
 25 sparring exhibitions governed by the commission;
- 26 (3) Establish license criteria ~~and license fees~~ for all ~~promoters~~, managers, ~~and~~
 27 matchmakers, and promoters of boxing, kickboxing, ~~or and~~ mixed martial arts
 28 competitions and sparring exhibitions held in this state;
- 29 (4) Establish registration requirements for all boxing, kickboxing, or mixed martial arts
 30 competitions ~~or and~~ sparring exhibitions held in ~~the~~ this state;
- 31 (5) Establish ~~the and maintain~~ written records ~~to be maintained~~ for all competitions
 32 and sparring exhibitions conducted in ~~the~~ this state;
- 33 (6) Establish a fee based on the percentage of gross revenues from any boxing,
 34 kickboxing, or mixed martial arts competition or sparring exhibition held in ~~the~~ this

- 1 state. ~~The fee established under this subdivision may,~~ provided the fee does not
2 exceed five percent of the gross revenues of the competition or sparring exhibition
3 from any and all sources, including cable television and pay-per-view telecasts of
4 the event, exclusive of any federal tax. ~~However, the~~ The commission may
5 establish and impose a minimum competition or sparring exhibition fee, not to
6 exceed five thousand dollars, to cover the expenses of the ~~South Dakota Athletic~~
7 Commission commission;
- 8 (7) Establish criteria for approved bona fide educational institutions or national
9 amateur boxing, kickboxing, or mixed martial arts associations for purposes of
10 being exempted from ~~the provisions of~~ this chapter;
- 11 (8) Establish procedures for disciplinary proceedings; ~~and~~
- 12 (9) Establish procedures for receiving and conducting complaint investigations;
- 13 (10) Establish procedures for the suspension of boxers, kickboxers, mixed martial
14 artists, officials, and seconds following participation in a boxing, kickboxing, or
15 mixed martial arts competition or sparring exhibition;
- 16 (11) Establish procedures for conducting a review and verification of a bout result in a
17 boxing, kickboxing, or mixed martial arts competition or sparring exhibition;
- 18 (12) Establish qualifying requirements for boxers, kickboxers, mixed martial artists,
19 officials, and seconds for participation in a boxing, kickboxing, or mixed martial
20 arts competition or sparring exhibition;
- 21 (13) Establish qualifying requirements for managers, matchmakers, and promoters for
22 involvement in boxing, kickboxing, or mixed martial arts competition or sparring
23 exhibition;
- 24 (14) Establish requirements for the conduct and discipline of boxers, kickboxers, mixed
25 martial artists, managers, matchmakers, officials, promoters, and seconds
26 participating in boxing, kickboxing, or mixed martial arts competitions or sparring
27 exhibitions;
- 28 (15) Establish criteria and requirements for a boxing, kickboxing, or mixed martial arts
29 competition or sparring exhibition conducted by an education institution; national
30 amateur boxing, kickboxing, or mixed martial arts association; or local affiliate
31 approved by the commission to be exempted from the provisions of this chapter;
32 and
- 33 (16) Establish the following fees:
- 34 (a) A boxer registration fee, not to exceed one hundred dollars;
- 35 (b) An inspector registration fee, not to exceed one hundred dollars;

- 1 (c) A judge registration fee, not to exceed one hundred dollars;
 2 (d) A kickboxer registration fee, not to exceed one hundred dollars;
 3 (e) A mixed martial artist registration fee, not to exceed one hundred dollars;
 4 (f) A physician registration fee, not to exceed one hundred dollars;
 5 (g) A referee registration fee, not to exceed one hundred dollars;
 6 (h) A second registration fee, not to exceed one hundred dollars;
 7 (i) A timekeeper fee, not to exceed one hundred dollars;
 8 (j) A manager license fee, not to exceed five hundred dollars;
 9 (k) A matchmaker license fee, not to exceed five hundred dollars; and
 10 (l) A promoter license fee, not to exceed five hundred dollars.

11 **Section 5. That § 42-12-14 be AMENDED:**

12 **42-12-14.** ~~No~~ A boxer, kickboxer, or mixed martial artist may not participate in
 13 any a competition or sparring exhibition without having a certificate of registration issued
 14 by the commission. Each boxer, kickboxer, ~~or~~ mixed martial artist, official, and second
 15 shall submit an application upon ~~a~~ the form prescribed by the commission and pay the
 16 required ~~application~~ fee.

17 Any boxer, kickboxer, ~~or~~ mixed martial artist, official, or second in a competition
 18 or sparring exhibition, who does not have a certificate of registration issued by the
 19 commission, or who does not comply with the provisions of this chapter or any rule
 20 promulgated pursuant to this chapter, is guilty of a Class 2 misdemeanor and subject to
 21 the sanctions and penalties provided in §§ 42-12-20 and 42-12-24.

22 The commission may file a civil suit to enjoin any person from engaging in a
 23 competition or sparring exhibition without a certificate of registration issued by the
 24 commission.

25 **Section 6. That § 42-12-15 be AMENDED:**

26 **42-12-15.** ~~No~~ A manager, matchmaker, or promoter may not arrange, facilitate,
 27 participate in, ~~facilitate,~~ produce, ~~stage,~~ ~~arrange,~~ ~~or~~ profit from, or stage a competition or
 28 sparring exhibition without having a license issued by the commission. A manager,
 29 matchmaker, or promoter shall submit an application upon ~~a~~ the form prescribed by the
 30 commission and shall pay the required ~~application~~ fee.

31 Any ~~person~~ association, club, corporation, ~~association,~~ ~~or~~ entity, or individual
 32 required to have a license pursuant to this section, that arranges, facilitates, participates
 33 in, ~~facilitates,~~ produces, ~~stages,~~ ~~arranges,~~ ~~or~~ profits from, or stages a competition or

1 sparring exhibition without having a license issued by the commission, or that does not
 2 comply with the provisions of this chapter or any rule promulgated pursuant to this
 3 chapter, is guilty of a Class 2 misdemeanor and subject to the sanctions and penalties
 4 provided in §§ 42-12-20 and 42-12-24.

5 The commission may file a civil suit to enjoin any person ~~or entity~~ from engaging
 6 in a competition or sparring exhibition without a license issued by the commission.

7 **Section 7. That § 42-12-16 be AMENDED:**

8 **42-12-16.** ~~No~~ A competition or sparring exhibition may not be held without having
 9 a certificate of registration issued by the commission. The commission shall prescribe the
 10 form and the fee for registration.

11 Any ~~person~~ association, club, competitor, ~~club,~~ corporation, ~~association,~~ or entity
 12 or individual that arranges, facilitates, participates in, ~~facilitates,~~ produces, ~~stages,~~
 13 ~~arranges,~~ or profits from, or stages a competition or sparring exhibition that does not have
 14 a certificate of registration issued by the commission, or that does not comply with the
 15 provisions of this chapter or any rule promulgated pursuant to this chapter, is guilty of a
 16 Class 1 misdemeanor and subject to the sanctions and penalties provided in §§ 42-12-20
 17 and 42-12-24.

18 The commission may file a civil suit to enjoin any person or entity from participating
 19 in, facilitating, producing, staging, arranging, or profiting from a competition or sparring
 20 exhibition that does not have a certificate of registration issued by the commission.

21 **Section 8. That § 42-12-18 be AMENDED:**

22 **42-12-18.** Any member of the commission, ~~or its representative~~ or the
 23 commission's agent, assigned official, or representative, may freely enter upon and
 24 inspect a competition or sparring exhibition at the time and place set for the competition
 25 or sparring exhibition.

26 **Section 9. That § 42-12-7.1 be REPEALED.**

27 ~~Terms used in this chapter mean:~~

28 (1) ~~"Department," the Department of Labor and Regulation;~~

29 (2) ~~"Commission," the South Dakota Athletic Commission;~~

30 (3) ~~"Boxing," the sport or practice of fighting with fists in which participants wear~~
 31 ~~boxing gloves;~~

- 1 ~~(4) "Kickboxing," the sport of attack and defense in which participants wear boxing~~
2 ~~gloves and throw punches as in boxing and kick with bare feet as in karate;~~
- 3 ~~(5) "Mixed martial arts," the sport of fighting in which participants inflict or employ~~
4 ~~kicks, punches, blows, holds, and other techniques to injure, stun, choke,~~
5 ~~incapacitate, or disable an opponent, using a combination of boxing, kickboxing,~~
6 ~~wrestling, grappling, or other martial arts;~~
- 7 ~~(6) "Boxer," a participant in a boxing competition or sparring exhibition;~~
- 8 ~~(7) "Kickboxer," a participant in a kickboxing competition or sparring exhibition;~~
- 9 ~~(8) "Mixed martial artist," a participant in a mixed martial arts competition or sparring~~
10 ~~exhibition;~~
- 11 ~~(9) "Promoter," any person, club, corporation, association, or entity, who produces,~~
12 ~~arranges, or stages any competition or sparring exhibition;~~
- 13 ~~(10) "Manager," any person who acts on behalf of a boxer, kickboxer, or mixed martial~~
14 ~~artist to facilitate the production, arrangement, or staging of any competition or~~
15 ~~sparring exhibition;~~
- 16 ~~(11) "Matchmaker," any person, club, corporation, association, or entity that brings~~
17 ~~together a competition or sparring exhibition;~~
- 18 ~~(12) "Competition," any match, fight, contest, or event in which the participants intend~~
19 ~~to and actually inflict punches, blows, kicks, or other techniques to temporarily~~
20 ~~incapacitate an opponent with the intent to win the competition, and in which the~~
21 ~~participants receive payment or remuneration, directly or indirectly, as~~
22 ~~consideration for the participant's performance; and~~
- 23 ~~(13) "Sparring exhibition," any match, fight, contest, or event in which the participants~~
24 ~~intend to and actually inflict punches, blows, kicks, or other techniques to~~
25 ~~temporarily incapacitate an opponent with the intent to display skills without~~
26 ~~striving to win, and in which the participants receive payment or remuneration,~~
27 ~~directly or indirectly, as consideration for the participant's performance.~~

28 **Section 10. That § 42-12-13 be REPEALED.**

29 All boxing, kickboxing, or mixed martial arts or sparring exhibitions conducted by
30 bona fide educational institutions or by national amateur boxing, kickboxing, or mixed
31 martial arts associations or their local affiliates approved by the commission are exempt
32 from the provisions of this chapter.