

Amend Floor Amendment No. 1 to CSSB 22 by adding the following appropriately numbered ARTICLE to the bill and renumbering subsequent ARTICLES accordingly:

ARTICLE \_\_\_\_\_. PROHIBITION OF ELIMINATION TOURNAMENTS

SECTION \_\_.01. Subdivision (6), Section 2052.002, Occupations Code, as amended by Senate Bill No. 279, Acts of the 78th Legislature, Regular Session, 2003, is amended to read as follows:

(6) "Elimination tournament" means a competition or exhibition in which contestants or participants who have no professional experience participate in one or more matches by boxing, wrestling, kicking, or using martial arts techniques [~~boxing contest in which elimination tournament contestants compete in a series of matches until not more than one contestant remains in any weight category~~]. The term does not include a boxing event described by Section 2052.110.

SECTION \_\_.02. Section 2052.101, Occupations Code, is amended to read as follows:

Sec. 2052.101. BOXING PROMOTER LICENSE. A person may not act as a boxing promoter [~~or an elimination tournament boxing promoter~~] unless the person holds a license issued under this chapter.

SECTION \_\_.03. Section 2052.110, Occupations Code, as amended by Senate Bill No. 279, Acts of the 78th Legislature, Regular Session, 2003, is amended to read as follows:

Sec. 2052.110. LICENSE AND BONDING EXCEPTIONS. The licensing and bonding requirements of this subchapter do not apply to:

(1) a boxing event in which the participants do not receive a money remuneration, purse, or prize for their performances or services if the event is promoted, conducted, or maintained by:

- (A) an educational institution;
- (B) a law enforcement organization;
- (C) a Texas National Guard Unit; or
- (D) an amateur athletic organization recognized by the executive director;

(2) an event conducted by a nonprofit amateur athletic association chartered under the law of this state that is~~[, including a membership club affiliated with the association located within this state and]~~ recognized by the executive director, including a membership club affiliated with the association located within this state;

(3) an event conducted by a college, school, or university that is part of the institution's athletic program in which only students of different educational institutions participate;

(4) an event in which only members of a troop, battery, company, or unit of the Texas National Guard or a law enforcement agency participate; or

(5) an event conducted by an organization of the Olympic Games, the Paralympic Games, or the Pan-American Games.

SECTION \_\_.04. Subsection (a), Section 2052.151, Occupations Code, as amended by Senate Bill No. 279, Acts of the 78th Legislature, Regular Session, 2003, is amended to read as follows:

(a) A tax is imposed on a person who:

(1) conducts a boxing event~~[, including an elimination tournament,]~~ in which a fee is charged for admission to the event;

(2) exhibits in this state a simultaneous telecast of a live, spontaneous, or current boxing event on a closed circuit telecast, in which a fee is charged for admission to the telecast; or

(3) conducts or sponsors an amateur boxing event, other than an event exempt from licensing under Section 2052.110(2), (3), (4), or (5), in which a fee is charged for admission to the event.

SECTION \_\_.05. The heading of Subchapter E, Chapter 2052, Occupations Code, is amended to read as follows:

SUBCHAPTER E. ~~[REGULATION OF]~~

ELIMINATION TOURNAMENTS

SECTION \_\_.06 Section 2052.201, Occupations Code, is amended to read as follows:

Sec. 2052.201. ELIMINATION TOURNAMENTS PROHIBITED [~~GENERAL RULES~~]. (a) An elimination tournament may not [~~only~~] be held in this state; provided, however, that this section does not preclude kickboxing, mixed martial arts, shoot wrestling/fighting, or Pancrase wrestling/fighting as regulated by this chapter or commission rules [~~conducted as a one-night or two-night event~~].

(b) Promoting an elimination tournament conducted in this state is a violation of this chapter.

(c) Participating in an elimination tournament conducted in this state is a violation of this chapter [~~An elimination tournament match consists of three rounds of not more than 90 seconds per round with an interval of at least one minute between rounds.~~]

[~~(c) The standing eight-count and the three-knock-down rules apply to an elimination tournament.~~]

[~~(d) An elimination tournament contestant must be randomly matched with an opponent in the same weight category as the contestant during the preliminary round of an elimination tournament~~].

SECTION \_\_.07. Section 2052.251, Occupations Code, as amended by Senate Bill No. 279, Acts of the 78th Legislature, Regular Session, 2003, is amended to read as follows:

Sec. 2052.251. BOXING GLOVES. A boxing event contestant[~~7~~  
~~other than an elimination tournament contestant under Subchapter E7~~] shall wear eight-ounce boxing gloves, unless the commission by rule requires or permits a contestant to wear heavier gloves.

SECTION \_\_.08. Subsection (a), Section 2052.252, Occupations Code, as amended by Senate Bill No. 279, Acts of the 78th Legislature, Regular Session, 2003, is amended to read as follows:

(a) This section applies to an amateur boxing event, other than an event described by Section 2052.110(2), (3), (4), or (5) [~~or an elimination tournament subject to Subchapter E7~~], in which a fee is charged for admission to the event.

SECTION \_\_.09. Section 2052.303, Occupations Code, is amended to read as follows:

Sec. 2052.303. CIVIL PENALTY; INJUNCTION. (a) Except as

provided by Subsection (b), a [A] court may assess a civil penalty against a person who violates this chapter or a rule adopted under this chapter. The amount of the penalty assessed under this subsection may not exceed \$1,000 for each violation.

(b) A court may assess a civil penalty against a person who violates Section 2052.201(b) or a rule adopted under that subsection. The amount of the penalty assessed under this subsection may not exceed \$50,000 for each violation.

(c) The attorney general or the department may file a civil suit to:

(1) assess and recover a civil penalty under Subsection (a) or (b); or

(2) enjoin a person who violates or threatens to violate this chapter or a rule adopted under this chapter from continuing the violation or threat.

(d) [~~(c)~~] Venue for a suit filed under Subsection (c) [~~(b)~~] is in a district court in Travis County.

(e) [~~(d)~~] A civil penalty assessed under this section shall be paid to this state.

SECTION \_\_.10. Section 2052.309, Occupations Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) Except as provided by Subsection (c), an [An] offense under this section is a Class A misdemeanor.

(c) An offense based on a violation of Section 2052.201(b) or a rule adopted under that subsection is a second degree felony.

SECTION \_\_.11. The following sections of the Occupations Code are repealed:

(1) Subdivisions (3), (7), (8), (12), and (15), Section 2052.002;

(2) Section 2052.103;

(3) Section 2052.202;

(4) Section 2052.203;

(5) Section 2052.204;

(6) Section 2052.205;

(7) Section 2052.206; and

(8) Section 2052.207.

SECTION \_\_.12. This article takes effect September 1, 2003, if this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary to take effect on that date, this article takes effect November 1, 2003.