

Department of Legislative Services
Maryland General Assembly
2009 Session

FISCAL AND POLICY NOTE

House Bill 61

(The Speaker)(By Request - Department of Legislative Services)

Economic Matters

Education, Health, and Environmental Affairs

State Athletic Commission - Sunset Extension and Program Evaluation

This bill extends the termination date for the State Athletic Commission to July 1, 2021, and requires an evaluation of the commission by July 1, 2020. The bill includes a related reporting requirement.

The bill takes effect July 1, 2009.

Fiscal Summary

State Effect: General fund revenues and expenditures for the board are maintained beyond FY 2011. The Governor's proposed FY 2010 budget includes \$234,619 for commission operations. The bill's reporting requirement can be handled with existing budget resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law/Background: The State Athletic Commission manages, supervises, and regulates the sports of boxing, kickboxing, professional wrestling, and – more recently though Chapters 607 and 608 of 2008 – mixed martial arts. The commission promulgates and enforces regulations to govern these activities and also licenses all referees, managers, promoters, seconds (individuals who work the corners in a boxing contest), matchmakers, and participants in such activities.

One of the commission's primary purposes is to maintain the integrity of the sports under its jurisdiction by preventing mismatches between contestants. This protects the paying public (by assuring that they get fair value for their money) as well as the safety of the contestants. The commission also works with local police and prosecutors to investigate unsanctioned events. The commission's working relationships with individuals in the boxing and wrestling community often lead to information that can be passed on to law enforcement for investigation and any appropriate action. The commission consistently acts within 48 hours when receiving information due to the time-sensitive nature of such complaints. Unregulated events could pose significant danger to the participants and the public, as the regulations enforced by the commission to ensure safety (*e.g.*, ensuring fair fights between participants who have fully met the commission's medical requirements or prohibiting the introduction of blood in wrestling matches) could be disregarded.

The State Athletic Commission is one of approximately 70 entities currently subject to periodic evaluation under the Maryland Program Evaluation Act. The Act establishes a process better known as "sunset review" as most agencies evaluated are also subject to termination, including the State Athletic Commission which is scheduled to terminate July 1, 2011. The sunset review process begins with a preliminary evaluation conducted by the Department of Legislative Services on behalf of the Legislative Policy Committee (LPC). LPC decides whether to waive an agency from further (or full) evaluation. If waived, legislation to reauthorize the agency typically is enacted. Otherwise, a full evaluation usually is undertaken the following year.

A preliminary sunset evaluation conducted by DLS in 2008 found that the commission plays an important role in the regulation of boxing, kickboxing, and wrestling in Maryland, but evaluation of its new role in regulating mixed martial arts is not yet possible. Therefore, DLS recommended that the commission be waived from full evaluation and that legislation be enacted to extend the commission's termination date by 10 years to July 1, 2021. To aid in future evaluations, DLS recommended that the commission maintain specified information on mixed martial arts by fiscal year and that, as an interim measure prior to the next evaluation, the commission report on its implementation of mixed martial arts regulation by October 1, 2013. This bill implements those recommendations, as adopted by LPC at its December 16, 2008 meeting.

Additional Information

Prior Introductions: None.

Cross File: SB 118 (The President)(By Request - Department of Legislative Services) - Education, Health, and Environmental Affairs.

Information Source(s): Department of Labor, Licensing, and Regulation; Department of Legislative Services

Fiscal Note History: First Reader - February 3, 2009
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