

February 7, 1951.
Schools, Libraries, State
Educational Institutions.

House File 358
By FREY, TATE, MUNGER, RYAN
and SCHWENGEL.

Passed House, Date

Vote: Ayes..... Nays.....

Passed Senate, Date

Vote: Ayes..... Nays.....

Approved

A BILL FOR

An Act to create an athletic commission, to provide for its powers, duties and organization; to repeal certain sections of the Code relating to athletics; 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. Commission created. There is hereby created
2 an athletic commission with the commissioner of athletics as
3 the head thereof.

1 Sec. 2. 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. 3. Salary. The athletic commissioners shall receive
2 such salary as the General Assembly shall provide. Each inspector
3 shall receive ten dollars (\$10.00) and actual expenses for
4 each day spent on official duties.

1 Sec. 4. Powers. The athletic commissioner shall have
2 such powers and duties as are conferred on him by law and may

3 delegate the exercise or performance thereof.

1 Sec. 5. Definitions. The following words when used in
2 this chapter shall, for the purposes 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
12 state, consisting of the commissioner and two deputy commissioners.

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

1 Sec. 6. The commissioner may appoint official representatives
2 designated as inspectors, each of whom shall receive written
3 authority from the commissioner authorizing him to act as
4 such inspector wherever the commissioner may designate him to
5 act.

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

1 Sec. 9. 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
5 of the commission shall be final.

1 Sec. 10. 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. 11. 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. 12. The commission may employ such clerical employees
2 as is necessary for the proper transaction of its business.

1 Sec. 13. 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. 14. 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. 15. 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. 16. 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 pursuance
6 thereof.

1 Sec. 17. 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. 18. 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
10 not to exceed six (6) months in the county jail.

1 Sec. 19. Applications for a license or permit to conduct
2 a boxing, sparring, or wrestling match or exhibition shall
3 be 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 willfully false, shall be deemed guilty of perjury and
26 punished accordingly.

1 Sec. 20. 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. 21. All fees received by the commission under the
2 provisions of this Act shall be turned over to the state treasurer
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. 22. The state athletic commission may, in its discretion,
2 issue a license to conduct boxing, sparring, or wrestling
3 matches or exhibitions to any person, club, corporation, or
4 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 a. who, or which, shall pay an annual license fee of
8 fifty dollars (\$50.00);

9 b. who, or which, shall file with the state treasurer
10 a bond hereinafter provided for;

11 c. 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 d. 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 e. 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. 23. The commission shall have full power and authority
2 to limit the number of clubs or the sparring, boxing and wrestling
3 matches and exhibitions to be held or given by any club,
4 organization or corporation in any city in this state, wherein
5 such boxing contests are conducted in the manner herein provided.
6 No boxing, sparring or wrestling matches or exhibitions shall
7 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. 24. Any person, club, corporation or association
2 to whom a license is issued, shall not:

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

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

7 c. Charge a greater fee, compensation or percentage to
8 contestants or referee than was specified in the application made
9 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, corporation,
12 or association to hold such boxing, sparring, or wrestling
13 show or contests wherever it may deem fit, within the city in
14 which such person, club, corporation, or association is located,
15 and substitute contestants, seconds, or referee, as circumstances
16 may require.

17 Any corporation or officer of any club, or association,
18 violating the provision of this section, is guilty of a misdemeanor
19 and shall be punished by a fine of not less than two hundred
20 dollars (\$200.00) nor more than five hundred dollars (\$500.00).

1 Sec. 25. Any hearing by the commission shall be held
2 at any of its offices, which the commission may designate,
3 after at least ten (10) days' notice in writing, addressed to

4 the 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
12 with 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, corporation or association interested
16 in such hearing may be represented by counsel and shall have
17 the 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. 26. 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 produce 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, corporation
23 or association, concerning which such hearing is held, has been
24 guilty of a violation of any valid rule, regulation or order of
25 the commission, or has been guilty of a violation of any of the
26 provisions of this Act, or has failed to comply with any or
27 all conditions required in this Act, and shall specify the nature
28 of the violation or failure to comply.

29 Such finding 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
35 of 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. 27 All the buildings or structures used, or intended
2 to be used for the purpose of this Act shall be properly ventilated
3 and provided with fire exits and fire escapes, if need be, and
4 in all manner conform to the laws, ordinances and regulations
5 pertaining to the buildings in the city, town, or village where
6 situated.

1 Sec. 28. No person, club, corporation or association shall:

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

4 b. 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 c. 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; or

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

13 Any person, club, corporation or association, or the
14 officers of any unincorporated club or association which
15 violates any of the provisions of this section, is guilty of a
16 misdemeanor, and shall, severally, be fined not less than one
17 thousand dollars (\$1,000.00) nor more than ten thousand dollars
18 (\$10,000.00).

1 Sec. 29. No person shall:

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

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

6 c. 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 d. 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 (\$100.00) dollars, 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
17 a revocation of his license, and for a second offense, be
18 forever barred and disqualified from receiving a license or
19 participating in any boxing, sparring or wrestling match or
20 exhibition within this state.

1 Sec. 30. 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
4 by the state athletic commission and has practiced in the state
5 of Iowa for not less than five (5) years. The physician shall,
6 if 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 hours.

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

26 At each boxing, or sparring match or exhibition there shall
27 be in attendance a duly licensed referee, who shall direct and
28 control the same. Before starting such contest the referee
29 shall ascertain from each contestant the name of his chief
30 second, and shall hold such chief second responsible for the
31 conduct of his assistant second during the progress of the
32 contest. The referee shall have power, in his discretion to
33 declare held any prize, remuneration or purse, or any part

34 thereof, belonging to the contestants or one of them, if, in
35 his judgment, such contestant or contestants are not honestly
36 competing, subject, however, to a hearing before the commission
37 to determine the final order of the commission.

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

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

51 Any person, club, corporation or association or the officers
52 of any club, corporation or association, which holds any boxing,
53 sparring, or wrestling match or exhibition in violation of the
54 provisions of this section, is guilty of a misdemeanor, and shall
55 be fined not less than one thousand dollars (\$1,000.00) nor
56 more than ten thousand dollars (\$10,000.00).

57 Any physician making the physical examination described
58 in this section who, knowingly, certifies falsely to the physical
59 condition of any contestant, is guilty of a misdemeanor, and

60 shall be fined not less than five hundred dollars (\$500.00) nor
61 more than one thousand dollars (\$1,000.00).

1 Sec. 31. 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. 32. 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 commission, 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 thorough
29 physical examination of the applicant, and that the applicant
30 is physically fit and qualified to participate in boxing,
31 sparring, or wrestling matches or exhibitions.

1 Sec. 33. The commission shall, upon application, grant
2 licenses to competent referees, physicians, announcers and
3 timekeepers, whose qualifications may be tested by said commission
4 and who shall be bona fide residents of the state of Iowa,
5 having resided in the state one (1) year, and may revoke any
6 such licenses granted to any referee, physician, announcer or
7 timekeeper, upon such cause as the commission may deem sufficient.
8 Such licenses must be renewed annually. No person shall be
9 permitted to act as referee, physician, announcer or timekeeper
10 in this state unless holding such license. The application for
11 license as a referee or renewal thereof, shall be accompanied
12 by an annual fee, which shall be twenty-five dollars (\$25.00).
13 The application for license as an announcer, or renewal thereof,

14 shall be accompanied by an annual fee, which shall be ten dollars
15 (\$10.00). The application for license as a timekeeper, or
16 renewal thereof, shall be accompanied by an annual fee, which
17 shall be ten dollars (\$10.00). The commission shall appoint
18 from among such licensed referees, physicians, announcers and
19 timekeepers, the officials for all contests held under the
20 provisions of this Act.

1 Sec. 34. Every person, club, corporation or association,
2 which may conduct any match or exhibition under this Act, except
3 national guard organizations, reserve officers' associations
4 or organizations, posts or organizations of war veterans, or
5 auxiliary units or societies of any such posts or organizations,
6 where the net proceeds of any match or exhibition conducted
7 by any such organization, association, post, unit or society
8 is expended solely for charitable, patriotic or educational
9 purposes, shall, within twenty-four (24) hours after the
10 determination thereof, furnish to the commission, by mail, a
11 written report duly verified by one of its officers, showing the
12 number of tickets sold for such contest and the amount of the
13 gross proceeds thereof, and such other matters as the commission
14 may prescribe, and shall also within the said time pay to the
15 state treasurer a tax of two (2) per centum of the total gross
16 receipts from the sale of tickets of admission to such match
17 or exhibition, which tax shall be placed in the general revenue
18 fund to be designated for use by the state athletic commission.

1 Sec. 35. 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 state
7 treasurer 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
9 the sureties thereon, by the state treasurer, payable to the
10 people of the state of Iowa, and conditioned for the payment
11 of 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 state treasurer shall
14 issue to such applicant, a certificate and duplicate thereof of
15 such filing and approval, one of which shall be by said applicant
16 filed in the office of the commission with its application for
17 such license, and no license shall be issued, except as hereinbefore
18 provided, until such certificate shall have been filed.

1 Sec. 36. 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 state treasurer, he may examine or cause
5 to be examined the books and records of such club, corporation
6 or association, and subpoena and examine under oath its officers
7 and other persons as witnesses for the purpose of determining
8 the total amount of its gross receipts for any contests and
9 the amount of tax due pursuant to the provisions of this Act,

10 which tax he may, upon, and as the result of such examination,
11 fix and determine.

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

1 Sec. 37. 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 otherwise
5 to admit to the same, more persons than are admissible according
6 to the authorized capacity of the building, or part thereof,
7 actually used therefor.

1 Sec. 38. The commission shall appoint official representatives
2 designated as inspectors, each of whom shall receive from the
3 commission a card authorizing him to act as such inspector,
4 wherever the commission may designate him to act. One inspector
5 shall be present at all boxing, sparring, or wrestling matches
6 or exhibitions, and see that the rules of the commission, and
7 the provisions of this Act are strictly observed, and shall also
8 be present at the counting up of the gross receipts, and shall

9 immediately mail to the commission the official box office
10 statement received by him from the person or officers of the
11 club, corporation or association, conducting such exhibition.

1 Sec. 39. Nothing in this Act shall in any way be so construed
2 as to give to any one person, club, corporation or association,
3 the right to hold or give boxing, sparring, or wrestling matches
4 or exhibitions in more than one (1) city or in more than one (1)
5 location in any city without written authority and consent of
6 the commission.

1 Sec. 40. There is hereby imposed a tax of two percent (2%)
2 on each paid admission to any contest as described in this chapter.
3 Such tax and all other funds provided to be paid in this chapter
4 are to be paid to the treasurer of state who shall designate
5 all such funds to the state athletic commission to pay the
6 expenses of such commission. In event such state athletic fund
7 exceeds five thousand dollars (\$5,000.00) such excess shall be
8 placed in the state general fund.

1 Sec. 41. 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, are hereby repealed.

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 their warrant for this sum out of any money in the treasury
5 not otherwise appropriated.

EXPLANATION OF H. F. 358

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.