

CHAPTER 285

PROFESSIONS AND OCCUPATIONS

SENATE BILL 04-045

BY SENATOR(S) Johnson S., Groff, Jones, Sandoval, Tapia, and Tupa;
also REPRESENTATIVE(S) Vigil, Borodkin, Carroll, Coleman, Frangas, Madden, Sinclair, and Weddig.

AN ACT**CONCERNING A PROHIBITION AGAINST TOUGHPERSON FIGHTING.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 12-10-103, Colorado Revised Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS to read:

12-10-103. Definitions. As used in this article, unless the context otherwise requires:

(13.5) "PLACE OF TRAINING" MEANS A FACILITY WHERE ALCOHOL BEVERAGES ARE NOT PERMITTED, AN ADMISSION FEE IS NOT CHARGED FOR NONSTUDENTS, INSTRUCTORS OF PARTICULAR DISCIPLINES TRAIN STUDENTS IN THE ART OF PHYSICAL DISCIPLINES, AND STUDENTS PAY A FEE TO BE ENROLLED IN CLASSES AND RECEIVE INSTRUCTION.

(15) "TOUGHPERSON FIGHTING" MEANS A PHYSICAL CONTEST, MATCH, TOURNAMENT, EXHIBITION, OR BOUT, OR ANY ACTIVITY THAT INVOLVES PHYSICAL CONTACT BETWEEN TWO OR MORE INDIVIDUALS ENGAGING IN COMBATIVE SKILLS USING THE HANDS, FEET, OR BODY, WHETHER OR NOT PRIZES OR PURSES ARE AWARDED, AT THE EVENT OR PROMISED IN FUTURE EVENTS, OR SPECTATOR ADMISSION FEES ARE CHARGED OR RECEIVED, AND THE CONTEST, MATCH, TOURNAMENT, EXHIBITION, BOUT, OR ACTIVITY IS NOT RECOGNIZED BY AND NOT SANCTIONED BY ANY STATE, REGIONAL, OR NATIONAL BOXING OR KICKBOXING SANCTIONING AUTHORITY THAT IS RECOGNIZED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REGULATORY AGENCIES, UNLESS THE CONTEST, MATCH, TOURNAMENT, EXHIBITION, BOUT, OR ACTIVITY MEETS HEALTH AND SAFETY STANDARDS ADOPTED BY THE DEPARTMENT OF REGULATORY AGENCIES. THE DEPARTMENT SHALL ADOPT SUCH STANDARDS WITHIN ONE HUNDRED TWENTY DAYS AFTER THE EFFECTIVE DATE

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

OF THIS ACT. SUCH STANDARDS SHALL BE ADOPTED WITHIN THE DEPARTMENT'S EXISTING APPROPRIATIONS. "TOUGHPERSON FIGHTING" DOES NOT MEAN ACTIVITIES OCCURRING UNDER A MARTIAL ARTS INSTRUCTOR AT A PLACE OF TRAINING OR OTHER TYPES OF INSTRUCTOR-STUDENT OR STUDENT-STUDENT CONTACT OCCURRING UNDER THE SUPERVISION OF AN INSTRUCTOR AT A PLACE OF TRAINING. "TOUGHPERSON FIGHTING" DOES NOT MEAN A SANCTIONED BOXING OR KICKBOXING EVENT APPROVED BY THE COMMISSION.

SECTION 2. Article 10 of title 12, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

12-10-107.5. Toughperson fighting prohibited. (1) TOUGHPERSON FIGHTING IS PROHIBITED IN THE STATE OF COLORADO. NO PERSON OR ENTITY SHALL PROMOTE, ADVERTISE, CONDUCT, OR COMPETE OR PARTICIPATE IN TOUGHPERSON FIGHTING. NO LICENSE OR PERMIT SHALL BE ISSUED FOR TOUGHPERSON FIGHTING OR FOR ANY CONTESTS OR EXHIBITIONS OF A SIMILAR NATURE.

(2) ANY VIOLATION OF THIS SECTION IS A CLASS 1 MISDEMEANOR AND SHALL BE PUNISHED AS PROVIDED IN SECTION 18-1.3-501, C.R.S.

SECTION 3. 12-47-901 (5), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

12-47-901. Unlawful acts - exceptions. (5) It is unlawful for any person licensed to sell at retail pursuant to this article:

(o) TO AUTHORIZE OR PERMIT TOUGHPERSON FIGHTING AS DEFINED IN SECTION 12-10-103.

SECTION 4. Applicability. This act shall apply to acts or occurrences on or after the effective date of this act.

SECTION 5. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 21, 2004