S T A T E O F N E W Y O R K

3021

2009-2010 Regular Sessions

I N A S S E M B L Y

January 22, 2009

Introduced by M. of A. BENJAMIN -- read once and referred to the Committee on Tourism, Arts and Sports Development

AN ACT to impose a temporary moratorium on all professional boxing and sparring pending a legislative taskforce investigation on the safety of boxing; and making an appropriation therefor; and providing for the repeal of such provisions upon the expiration thereof

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Legislative intent. The legislature hereby finds that the costs associated with brain injury and death directly and indirectly caused during the sport of boxing or sparring requires evaluation and study. In the past three years, six professional level boxers have died from injuries sustained in the ring and several others have sustained brain injuries.

Wherefore, the legislature finds that it is in the public interest to suspend all professional boxing and sparring matches until a temporary state taskforce conducts a study on the safety concerns of the public, promoters and the participants and reports to the state athletic commission, the governor and the legislature with recommendations for improving the safety of the sport.

S 2. Temporary moratorium on professional boxing and sparring. Notwithstanding any other provision of law, rule or regulation to the contrary, there shall be a moratorium on the holding of any professional boxing or sparring matches within the boundaries of New York state and the issuance of any professional boxing and sparring licenses by the state athletic commission pending the findings and recommendations of the temporary taskforce on safety in boxing and sparring.

S 3. Temporary taskforce on safety in boxing and sparring. 1. There shall be established within the state athletic commission a taskforce to examine, evaluate and make recommendations regarding safety in the sport of boxing and sparring. The taskforce shall consist of nine members

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD05566-01-9

appointed by the governor, one of whom shall be a current representative from the state athletic commission, and two of whom shall be retired members of the state athletic commission; two members appointed on the recommendation of the speaker of the assembly and one on the recommendation of the minority leader of the assembly; and two members appointed upon the recommendation of the temporary president of the senate and one upon the recommendation of the minority leader of the senate. At least one of the appointees must be a licensed physician with a specialty in sport medicine and at least one of the appointees must be an advocate of safety in sports. The members of the taskforce shall receive no compensation for their services, but shall be allowed their actual and necessary expenses incurred in the performance of their duties hereunder.

2. The taskforce shall hold regional public hearings, well publicized and accessible to the public, within one year of the effective date of this act. The taskforce shall solicit testimony and documentation from the medical and public health communities, athletic leagues and associations, business interests, advocates for and against the sport of boxing, and individuals affected by death and injury caused by such sport of boxing. To the extent feasible, the taskforce shall be entitled to request and utilize any resources and data of any court, department, division, board, bureau, commission or agency of the state or any political subdivision thereof as it may reasonably request to carry out properly its powers and duties.

3. The taskforce shall evaluate the data and finalize its findings, conclusions and recommendations within eighteen months of the effective date of this act. The taskforce's report shall include, but not be limited to, recommendations for:

a. safety equipment used in professional boxing and sparring;

b. safety in the rules and procedures of professional boxing and sparring; and

c. safety in the recruitment, training and promotion of boxing and sparring as a sport.

Such report in its final form shall include legislative proposals and shall be delivered to the governor, the speaker of the assembly and the temporary president of the senate no later than two years after the effective date of this act.

S 4. The sum of one hundred thousand dollars ($100,000), or so much thereof as may be necessary, is hereby appropriated to pay the expenses incurred, including personal service, in carrying out the provisions of this act. Such moneys shall be payable out of the state treasury in the general fund to the credit of the state purposes account after audit by and on the warrant of the comptroller upon vouchers certified or approved by the chairperson of the state athletic commission as prescribed by law.

S 5. This act shall take effect immediately and shall expire and be deemed repealed 2 years after such date.