

ACT 238

S.B. NO. 3030

A Bill for an Act Relating to Mixed Martial Arts.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 440E-7, Hawaii Revised Statutes, is amended by amending subsection (d) to read as follows:

“(d) In addition to the payment of other fees and moneys due under this chapter, a licensed promoter shall pay:

- ~~(1) A license fee of three per cent of the first \$50,000 of the total gross receipts from admission fees to an event, exclusive of federal, state, and local taxes;~~
- ~~(2) A license fee of two per cent of the total gross receipts over \$50,000 from admission fees to an event, exclusive of federal, state, and local taxes;]~~
- (1) For fiscal years 2009-2010 to 2012-2013, a license fee of four per cent of the first \$50,000 of the total gross receipts and three per cent of the total gross receipts over \$50,000 from admission fees to an event, exclusive of federal, state, and local taxes;
- (2) For fiscal years beginning July 1, 2013, a license fee that is six per cent of the total gross receipts from admission fees to an event, exclusive of federal, state, and local taxes;
- (3) [Two] In addition to the license fees established in paragraphs (1) and (2), a licensed promoter shall also pay two per cent of the gross sales price for the sale, lease, or other exploitation of broadcasting, television, Internet, and motion picture rights for a contest or an event, without any deductions for commission, brokerage fee, distribution fees, advertising, contestants’ purses, or any other expenses or charges, including federal, state, or local taxes; and
- (4) Two per cent of the gross receipts from subscription or admission fees, exclusive of federal, state, and local taxes, charged for viewing [within the State of] a simultaneous or pay per view telecast of [an] a contest or event[; provided that payments].

Payments under this subsection shall be deposited into a separate account in the compliance resolution fund and shall be used to cover the costs of administering this chapter.”

SECTION 2. At each promoter’s license renewal period, each promoter shall pay an additional surcharge fee of \$16,750, or any other amount determined by the department of commerce and consumer affairs to be appropriate that shall be deposited into the compliance resolution fund established pursuant to section 26-9(o), Hawaii Revised Statutes. The department may adjust the additional surcharge fee to equitably apportion the cost among the promoters based on the number of licensed promoters. Upon the full payment of \$335,000 for fiscal years 2007-2008 and 2008-2009 to cover the cost of implementing the provisions of chapter 440E, Hawaii Revised Statutes, no surcharge shall be assessed thereafter and any funds in excess of this amount shall remain in the compliance resolution fund.

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect on July 1, 2009.

(Became law on July 8, 2008, without the Governor’s signature, pursuant to Art. III, §16, State Constitution.)