

AMENDED IN SENATE MAY 25, 2000
AMENDED IN ASSEMBLY MARCH 16, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 52

Introduced by Assembly Member Cedillo
(Principal coauthor: Assembly Member Calderon)
(Principal coauthor: Senator Murray)
(Coauthors: Assembly Members Briggs, Cardenas,
Firebaugh, Reyes, and Strickland)
(Coauthors: Senators Alarcon and Perata)

December 7, 1998

An act to ~~add Section 7560.5 to the Government Code, to add Sections 123831, 125176, and 125276 to the Health and Safety Code, and to add Sections 4357.5, 4367.5, 4384, 4505.5, 5600.8, 5812, 5856.5, and 14007.65 to the Welfare and Institutions Code, relating to noncitizens. amend, repeal, and add Section 18824 of the Business and Professions Code, relating to athletic events, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 52, as amended, Cedillo. ~~Noncitizens—Athletic events: fees.~~

Existing law, the Boxing Act, provides for the regulation by the State Athletic Commission of specified contests, matches, and exhibitions, including boxing, kickboxing, martial arts,

wrestling and other full or partial contact contests, matches, or exhibitions. Existing law provides that every person who conducts a contest or wrestling exhibition pay the commission a fee of 5% of the amount paid for admission to the contest or wrestling exhibition.

This bill would, until January 1, 2008, require that the 5% fee of the amount paid for admission to a contest or wrestling exhibition be paid to the commission if admission ticket sales are \$1,000,000 or more, and would impose a \$75,000 limit on those fees for any one contest or exhibition. This bill would, until January 1, 2008, require that a fee of 3.5% of the amount paid for admission to a contest or wrestling exhibition be paid to the commission if admission ticket sales are less than \$1,000,000. The bill would also require that if the fees derived from the amount paid for admission to any one contest or wrestling exhibition exceed \$35,000, the amount in excess of \$35,000 be deposited in the Boxers' Pension Account. Because this bill would provide for an increase in the amount deposited into the Boxers' Pension Account, a continuously appropriated account within the General Fund, it would make an appropriation. This bill would require the commission to submit a report to the Legislature, by December 31, 2005, addressing the impact and effect of this act on commission revenues, the sport of boxing, and the Boxers' Pension Account.

This bill would declare that it is to take effect immediately as an urgency statute.

~~Existing law provides for the California Children's Services Program and the Genetically Handicapped Person's Program, both of which provide services to disabled children, and both of which are administered by the State Department of Health Services.~~

~~Existing law establishes a grant program, administered by the State Department of Health Services, for Alzheimer's disease diagnostic and treatment centers.~~

~~Existing law provides for various mental health programs, administered by the State Department of Mental Health and the counties.~~

~~Existing law provides for services to be provided to persons with developmental disabilities through the State~~



~~Department of Developmental Services and regional centers with whom the department contracts to provide, or arrange for the provision of, services.~~

~~Under existing law, federal funding is received to assist in the provision of special education services and other services for children with disabilities.~~

~~Existing federal law precludes the provision of federally funded benefits, with specified exceptions, to certain aliens. Federal law also precludes, with specified exceptions, these aliens from being provided with benefits funded exclusively from state or local funds unless pursuant to legislation enacted after August 22, 1996.~~

~~This bill would provide that any person who would have been eligible for services under any of the above-described programs, as of July 16, 1996, shall continue to be eligible for these services regardless of immigration status, as long as the person meets all other applicable requirements.~~

~~Existing law provides for the Medi-Cal program, administered by the State Department of Health Services, under which qualified low-income persons are provided with health care services.~~

~~Under existing state law, certain aliens ineligible for the full scope of Medi-Cal benefits are eligible to receive long-term care benefits.~~

~~This bill would provide that any alien who is otherwise eligible for Medi-Cal services, but who does not meet the requirements to receive the full scope of Medi-Cal benefits due to his or her alien status, shall be eligible for long-term care services.~~

~~Since the bill would affect the eligibility of persons for programs administered by local agencies and school districts, it would constitute a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.~~



~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

Vote: ~~majority~~ ^{2/3}. Appropriation: ~~no~~ ^{yes}. Fiscal committee: yes. State-mandated local program: ~~yes~~ ^{no}.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 7560.5 is added to the~~
2 ~~SECTION 1. Section 18824 of the Business and~~
3 ~~Professions Code is amended to read:~~

4 18824. (a) Except as provided in ~~Section~~ Sections
5 18646 and ~~Section~~ 18832, every person who conducts a
6 contest or wrestling exhibition shall, within 72 hours after
7 the determination of every contest or wrestling
8 exhibition for which admission is charged and received,
9 furnish to the commission a written report executed
10 under penalty of perjury by one of the officers, showing
11 the number of tickets issued or sold for the contest or
12 wrestling exhibition, the amount of the gross receipts or
13 value thereof, and the gross price charged directly or
14 indirectly and no matter by whom received, for the sale,
15 lease, or other exploitation of broadcasting and television
16 rights of the contest or wrestling exhibition, and without
17 any deductions, except for expenses incurred for one
18 broadcast announcer, telephone line connection, and
19 transmission mobile equipment facility, which may be
20 deducted from the gross taxable base when those
21 expenses are approved by the commission. The person
22 shall also, within the same time, *do the following:*

23 (1) *If the total admission ticket sales are one million*
24 *dollars (\$1,000,000) or more, pay to the commission a*
25 ~~5-percent~~ *fee of 5 percent, but not to exceed the amount*
26 *of seventy-five thousand dollars (\$75,000) for any one*
27 *contest or exhibition, exclusive of any federal taxes paid*
28 *thereon, of the amount paid for admission to the contest*
29 *or wrestling exhibition, and a fee of up to 5 percent of the*
30 *gross price as described above for the sale, lease, or other*
31 *exploitation of broadcasting or television rights thereof;*



1 ~~except that in no case shall the fee be less than one~~
2 ~~thousand dollars (\$1,000). The~~

3 (2) *If the total admission ticket sales are less than one*
4 *million dollars (\$1,000,000), pay to the commission a fee*
5 *of 3.5 percent, exclusive of any federal taxes paid thereon,*
6 *of the amount paid for admission to the contest or*
7 *wrestling exhibition, and a fee of up to 5 percent of the*
8 *gross price as described above for the sale, lease, or other*
9 *exploitation of broadcasting or television rights thereof.*

10 (b) *The minimum fee for an amateur contest or*
11 *exhibition shall not be less than five hundred dollars*
12 *(\$500). The amount of the gross receipts upon which the*
13 *fee provided for in this section is calculated shall not*
14 *include any assessments levied by the commission under*
15 *Section 18711.*

16 *The fee on admission shall apply to the amount actually*
17 *paid for admission and not to the regular established*
18 *price.*

19 *No fee is due in the case of a person admitted free of*
20 *charge; ~~provided, however.~~ However, if the total number*
21 *of persons admitted free of charge to a boxing,*
22 *kickboxing, or martial arts contest or wrestling exhibition*
23 *exceeds 25 percent of the total number of spectators, then*
24 *a fee of one dollar (\$1) per complimentary ticket or pass*
25 *used to gain admission to the contest shall be paid to the*
26 *commission for each complimentary ticket or pass that*
27 *exceeds the numerical total of 25 percent of the total*
28 *number of spectators.*

29 (c) *If the fee on admissions for any one contest or*
30 *exhibition exceeds thirty-five thousand dollars (\$35,000),*
31 *the amount in excess of thirty-five thousand dollars*
32 *(\$35,000) shall be deposited in the Boxers' Pension*
33 *Account.*

34 (d) *As used in this section, "person" includes a*
35 *promoter, club, individual, corporation, partnership,*
36 *association or other organization, and "wrestling*
37 *exhibition" means a performance of wrestling skills and*
38 *techniques by two or more individuals, to which*
39 *admission is charged or which is broadcast or televised, in*
40 *which the participating individuals are not required to*



1 use their best efforts in order to win, and for which the
2 winner may have been selected before the performance
3 commences.

4 *(e) This section shall remain in effect only until*
5 *January 1, 2008, and as of that date is repealed, unless a*
6 *later enacted statute, that is enacted before January 1,*
7 *2008, deletes or extends that date.*

8 *SEC. 2. Section 18824 is added to the Business and*
9 *Professions Code, to read:*

10 *18824. (a) Except as provided in Sections 18646 and*
11 *18832, every person who conducts a contest or wrestling*
12 *exhibition shall, within 72 hours after the determination*
13 *of every contest or wrestling exhibition for which*
14 *admission is charged and received, furnish to the*
15 *commission a written report executed under penalty of*
16 *perjury by one of the officers, showing the number of*
17 *tickets issued or sold for the contest or wrestling*
18 *exhibition, the amount of the gross receipts or value*
19 *thereof, and the gross price charged directly or indirectly*
20 *and no matter by whom received, for the sale, lease, or*
21 *other exploitation of broadcasting and television rights of*
22 *the contest or wrestling exhibition, and without any*
23 *deductions, except for expenses incurred for one*
24 *broadcast announcer, telephone line connection, and*
25 *transmission mobile equipment facility, which may be*
26 *deducted from the gross taxable base when those*
27 *expenses are approved by the commission. The person*
28 *shall also, within the same time pay to the commission a*
29 *5 percent fee, exclusive of any federal taxes paid thereon,*
30 *of the amount paid for admission to the contest or*
31 *wrestling exhibition, and up to 5 percent of the gross price*
32 *as described above for the sale, lease, or other exploitation*
33 *of broadcasting or television rights thereof, except that in*
34 *no case shall the fee be less than one thousand dollars*
35 *(\$1,000).*

36 *(b) The minimum fee for an amateur contest or*
37 *exhibition shall not be less than five hundred dollars*
38 *(\$500). The amount of the gross receipts upon which the*
39 *fee provided for in this section is calculated shall not*



1 include any assessments levied by the commission under
2 Section 18711.

3 The fee on admission shall apply to the amount actually
4 paid for admission and not to the regular established
5 price.

6 No fee is due in the case of a person admitted free of
7 charge; provided, however, if the total number of persons
8 admitted free of charge to a boxing, kickboxing, or martial
9 arts contest or wrestling exhibition exceeds 25 percent of
10 the total number of spectators, then a fee of one dollar
11 (\$1) per complimentary ticket or pass used to gain
12 admission to the contest shall be paid to the commission
13 for each complimentary ticket or pass that exceeds the
14 numerical total of 25 percent of the total number of
15 spectators.

16 (c) As used in this section, "person" includes a
17 promoter, club, individual, corporation, partnership,
18 association or other organization, and "wrestling
19 exhibition" means a performance of wrestling skills and
20 techniques by two or more individuals, to which
21 admission is charged or which is broadcast or televised, in
22 which the participating individuals are not required to
23 use their best efforts in order to win, and for which the
24 winner may have been selected before the performance
25 commences.

26 (d) This section shall become operative on January 1,
27 2008.

28 SEC. 3. The State Athletic Commission shall, by
29 December 31, 2005, submit a report to the Legislature on
30 the impact and effect of this act. The report shall include,
31 at a minimum, an assessment of the act's impact on the
32 following:

33 (a) The net changes in enhancing the ethical
34 competition of the sport of boxing.

35 (b) The net increase in revenues collected by the
36 commission.

37 (c) The net increase in revenues deposited into the
38 Boxers' Pension Account.

39 SEC. 4. This act is an urgency statute necessary for
40 the immediate preservation of the public peace, health,



1 or safety within the meaning of Article IV of the
2 Constitution and shall go into immediate effect. The facts
3 constituting the necessity are:

4 In order to permit the state to attract and retain more
5 boxing and wrestling events as soon as possible, it is
6 necessary that this act take effect immediately.

7 ~~Government Code, to read:~~

8 ~~7560.5. (a) Any person who would have been eligible~~
9 ~~for benefits under the provisions of this chapter in effect~~
10 ~~on July 16, 1996, shall continue to be eligible regardless of~~
11 ~~immigration status, as long as he or she meets all other~~
12 ~~applicable requirements.~~

13 ~~(b) Subdivision (a) is declarative of, and confirms,~~
14 ~~existing law.~~

15 ~~SEC. 2. Section 123831 is added to the Health and~~
16 ~~Safety Code, to read:~~

17 ~~123831. (a) Any person who would have been~~
18 ~~eligible for benefits under this article in effect on July 16,~~
19 ~~1996, shall continue to be eligible regardless of~~
20 ~~immigration status, as long as he or she meets all other~~
21 ~~applicable requirements.~~

22 ~~(b) Subdivision (a) is declaratory of, and confirms,~~
23 ~~existing law.~~

24 ~~SEC. 3. Section 125176 is added to the Health and~~
25 ~~Safety Code, to read:~~

26 ~~125176. (a) Any person who would have been~~
27 ~~eligible for benefits under this article in effect on July 16,~~
28 ~~1996, shall continue to be eligible regardless of~~
29 ~~immigration status, as long as he or she meets all other~~
30 ~~applicable requirements.~~

31 ~~(b) Subdivision (a) is declaratory of, and confirms,~~
32 ~~existing law.~~

33 ~~SEC. 4. Section 125276 is added to the Health and~~
34 ~~Safety Code, to read:~~

35 ~~125276. (a) Any person who would have been~~
36 ~~eligible for benefits under this article in effect on July 16,~~
37 ~~1996, shall continue to be eligible regardless of~~
38 ~~immigration status, as long as he or she meets all other~~
39 ~~applicable requirements.~~



1 ~~(b) Subdivision (a) is declaratory of, and confirms,~~
2 ~~existing law.~~

3 ~~SEC. 5. Section 4357.5 is added to the Welfare and~~
4 ~~Institutions Code, to read:~~

5 ~~4357.5. (a) Any person who would have been eligible~~
6 ~~for benefits under the provisions of this chapter in effect~~
7 ~~on July 16, 1996, shall continue to be eligible regardless of~~
8 ~~immigration status, as long as he or she meets all other~~
9 ~~applicable requirements.~~

10 ~~(b) Subdivision (a) is declarative of, and confirms,~~
11 ~~existing law.~~

12 ~~SEC. 6. Section 4367.5 is added to the Welfare and~~
13 ~~Institutions Code, to read:~~

14 ~~4367.5. (a) Any person who would have been eligible~~
15 ~~for benefits under the provisions of this chapter in effect~~
16 ~~on July 16, 1996, shall continue to be eligible regardless of~~
17 ~~immigration status, as long as he or she meets all other~~
18 ~~applicable requirements.~~

19 ~~(b) Subdivision (a) is declarative of, and confirms,~~
20 ~~existing law.~~

21 ~~SEC. 7. Section 4384 is added to the Welfare and~~
22 ~~Institutions Code, to read:~~

23 ~~4384. (a) Any person who would have been eligible~~
24 ~~for benefits under the provisions of this part in effect on~~
25 ~~July 16, 1996, shall continue to be eligible regardless of~~
26 ~~immigration status, as long as he or she meets all other~~
27 ~~applicable requirements.~~

28 ~~(b) Subdivision (a) is declarative of, and confirms,~~
29 ~~existing law.~~

30 ~~SEC. 8. Section 4505.5 is added to the Welfare and~~
31 ~~Institutions Code, to read:~~

32 ~~4505.5. (a) Any person who would have been eligible~~
33 ~~for benefits under the provisions of this division in effect~~
34 ~~on July 16, 1996, shall continue to be eligible regardless of~~
35 ~~immigration status, as long as he or she meets all other~~
36 ~~applicable requirements.~~

37 ~~(b) Subdivision (a) is declarative of, and confirms,~~
38 ~~existing law.~~

39 ~~SEC. 9. Section 5600.8 is added to the Welfare and~~
40 ~~Institutions Code, to read:~~



1 ~~5600.8. (a) Any person who would have been eligible~~
2 ~~for benefits under the provisions of this division in effect~~
3 ~~on July 16, 1996, shall continue to be eligible regardless of~~
4 ~~immigration status, as long as he or she meets all other~~
5 ~~applicable requirements.~~

6 ~~(b) Subdivision (a) is declarative of, and confirms,~~
7 ~~existing law.~~

8 ~~SEC. 10. Section 5812 is added to the Welfare and~~
9 ~~Institutions Code, to read:~~

10 ~~5812. (a) Any person who would have been eligible~~
11 ~~for benefits under the provisions of this part in effect on~~
12 ~~July 16, 1996, shall continue to be eligible regardless of~~
13 ~~immigration status, as long as he or she meets all other~~
14 ~~applicable requirements.~~

15 ~~(b) Subdivision (a) is declarative of, and confirms,~~
16 ~~existing law.~~

17 ~~SEC. 11. Section 5856.5 is added to the Welfare and~~
18 ~~Institutions Code, to read:~~

19 ~~5856.5. (a) Any person who would have been eligible~~
20 ~~for benefits under the provisions of this part in effect on~~
21 ~~July 16, 1996, shall continue to be eligible regardless of~~
22 ~~immigration status, as long as he or she meets all other~~
23 ~~applicable requirements.~~

24 ~~(b) Subdivision (a) is declarative of, and confirms,~~
25 ~~existing law.~~

26 ~~SEC. 12. Section 14007.65 is added to the Welfare and~~
27 ~~Institutions Code, to read:~~

28 ~~14007.65. (a) Any alien who is otherwise eligible for~~
29 ~~Medi-Cal services, but who does not meet the~~
30 ~~requirements under subdivision (b) or (c) of Section~~
31 ~~14007.5, shall be eligible for long-term care services.~~

32 ~~(b) Subdivision (a) is intended to reconfirm, and be~~
33 ~~declaratory of, existing law.~~

34 ~~SEC. 13. Notwithstanding Section 17610 of the~~
35 ~~Government Code, if the Commission on State Mandates~~
36 ~~determines that this act contains costs mandated by the~~
37 ~~state, reimbursement to local agencies and school~~
38 ~~districts for those costs shall be made pursuant to Part 7~~
39 ~~(commencing with Section 17500) of Division 4 of Title~~
40 ~~2 of the Government Code. If the statewide cost of the~~



1 ~~claim for reimbursement does not exceed one million~~
2 ~~dollars (\$1,000,000), reimbursement shall be made from~~
3 ~~the State Mandates Claims Fund.~~

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