

1 SB445
2 138466-2
3 By Senators Allen and Dial
4 RFD: Governmental Affairs
5 First Read: 22-MAR-12

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3
4 ENGROSSED

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7 A BILL
8 TO BE ENTITLED
9 AN ACT

10
11 To amend Sections 41-9-1020, 41-9-1021, 41-9-1023,
12 41-9-1024, 41-9-1028, 41-9-1029, 41-9-1030, 41-9-1032,
13 41-9-1033, 41-9-1034, 41-9-1035, 41-9-1036, 41-9-1037, and
14 41-9-1038, Code of Alabama 1975, changing the name of the
15 Alabama Boxing and Mixed Martial Arts Act to the Alabama
16 Boxing, Wrestling, and Mixed Martial Arts Act; to define the
17 term wrestling; to authorize the Alabama Athletic Commission
18 to regulate professional wrestling in the same manner as
19 boxing and mixed martial arts; to provide penalties; and in
20 connection therewith would have as its purpose or effect the
21 requirement of a new or increased expenditure of local funds
22 within the meaning of Amendment 621 of the Constitution of
23 Alabama of 1901, now appearing as Section 111.05 of the
24 Official Recompilation of the Constitution of Alabama of 1901,
25 as amended.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Sections 41-9-1020, 41-9-1021, 41-9-1023,
2 41-9-1024, 41-9-1028, 41-9-1029, 41-9-1030, 41-9-1032,
3 41-9-1033, 41-9-1034, 41-9-1035, 41-9-1036, 41-9-1037, and
4 41-9-1038, Code of Alabama 1975, are amended to read as
5 follows:

6 "§41-9-1020.

7 "This article shall be known and may be cited as the
8 Alabama Boxing, Wrestling, and Mixed Martial Arts Act.

9 "§41-9-1021.

10 "As used in this article, the following terms shall
11 have the following meanings:

12 "(1) AMATEUR. A person who engages in a match,
13 contest, or exhibition of boxing, wrestling, or mixed martial
14 arts which is governed or authorized by any of the following:

15 "a. U.S.A. Boxing.

16 "b. The Alabama High School Athletic Association.

17 "c. The National Collegiate Athletic Association.

18 "d. Amateur Athletic Union.

19 "e. Golden Gloves.

20 "f. The local affiliate of any organization listed
21 in this subdivision.

22 "g. USA Wrestling.

23 "h. The National Junior College Athletic
24 Association.

25 "i. The National Association of Intercollegiate
26 Athletics.

27 "j. The National Collegiate Wrestling Association.

1 "9k. Any organization licensed by the commission.

2 "(2) BOXING MATCH. A contest between two individuals
3 in which contestants score points in rounds of two or three
4 minutes by striking with gloved fists the head and upper torso
5 of the opponent or by knocking the opponent down and rendering
6 the opponent unconscious or incapable of continuing the
7 contest by the blows, which contest is held in a square ring
8 supervised by a referee and scored by three judges.

9 "(3) BOXING REGISTRY. A registry created or
10 designated pursuant to subsection (k) of Section 41-9-1024.

11 "(4) CHARITABLE ORGANIZATION. An entity described by
12 either of the following:

13 "a. Section 501(c)(3), Internal Revenue Code of 1986
14 (26 U.S.C. Section 501(c)(3)).

15 "b. Section 170(c), Internal Revenue Code of 1986
16 (26 U.S.C. Section 170(c)).

17 "(5) COMMISSION. Alabama Athletic Commission.

18 "(6) EXHIBITION. A contest where the participants
19 engage in the use of boxing skills and techniques, wrestling
20 skills and techniques, or mixed martial arts skills and
21 techniques, or ~~both~~ all of these, and where the objective is
22 to display the skills and techniques without striving to win.

23 "(7) FACE VALUE. The dollar value of a ticket or
24 order shall reflect the dollar amount that the customer shall
25 pay in order to view the match, contest, exhibition, or
26 entertainment event. Face value shall include any charges or
27 fees, such as dinner, gratuity, parking, surcharges, or any

1 other charges or fees which are charged to and must be paid by
2 the customer in order to view the match, contest, exhibition,
3 or entertainment event. It shall exclude any portion paid by
4 the customer for federal, state, or local taxes.

5 "(8) GROSS RECEIPTS. Any of the following:

6 "a. The gross price charged for the sale or lease of
7 broadcasting, television, closed circuit, or motion picture
8 rights without any deductions for commissions, brokerage fees,
9 distribution fees, production fees, advertising, or other
10 expenses or charges.

11 "b. The face value of all tickets sold.

12 "(9) MANAGER. A person who, under contract,
13 agreement, or other arrangement with a boxer, wrestler, or a
14 mixed martial arts competitor, undertakes to control or
15 administer, directly or indirectly, a matter on behalf of a
16 boxer, wrestler, or a mixed martial arts competitor. The term
17 includes, but is not limited to, a person who functions as a
18 booking agent, adviser, or consultant.

19 "(10) MATCHMAKER. A person who is employed by or
20 associated with a promoter in the capacity of booking and
21 arranging professional matches, contests, or exhibitions of
22 boxing, wrestling, or mixed martial arts between opponents or
23 who proposes professional matches, contests, or exhibitions of
24 boxing, wrestling, or mixed martial arts and selects and
25 arranges for the participants in such events and for whose
26 activities in this regard the promoter is legally responsible.

1 "(11) MIXED MARTIAL ARTS. Unarmed combat involving
2 the use of any combination of techniques from different
3 disciplines of the martial arts, including, without
4 limitation, grappling, submission holds, throws, and striking
5 or kicking with the hands, feet, knees, or elbows. The term
6 mixed martial arts includes kickboxing.

7 "(12) PERSON. An individual, partnership, firm,
8 association, corporation, or combination of individuals of
9 whatever form or character.

10 "(13) PHYSICIAN. A doctor of medicine or doctor of
11 osteopathy licensed to practice medicine in the State of
12 Alabama.

13 "(14) PROFESSIONAL. A person who is participating or
14 has participated in a match, contest, or exhibition of boxing,
15 wrestling, or mixed martial arts which is not governed or
16 authorized by one or more of the organizations listed in
17 subdivision (1) and any of the following:

18 "a. Has received or competed for or is receiving or
19 competing for any cash as a salary, purse, or prize for
20 participating in any match, contest, or exhibition of boxing,
21 wrestling, or mixed martial arts.

22 "b. Is participating or has participated in any
23 match, contest, or exhibition of boxing, wrestling, or mixed
24 martial arts to which admission is granted upon payment of any
25 ticket for admission or other evidence of the right of entry.

26 "c. Is participating or has participated in any
27 match, contest, or exhibition of boxing, wrestling, or mixed

1 martial arts which is or was filmed, broadcast, or transmitted
2 for viewing.

3 "d. Is participating or has participated in any
4 match, contest, or exhibition of boxing, wrestling, or mixed
5 martial arts which provides a commercial advantage by
6 attracting persons to a particular place or promoting a
7 commercial product or enterprise.

8 "(15) PROFESSIONAL MATCH, CONTEST, or EXHIBITION OF
9 BOXING, WRESTLING, or MIXED MARTIAL ARTS.

10 "a. A boxing match, contest, or exhibition; a
11 wrestling match, contest, or exhibition; or a mixed martial
12 arts match, contest, or exhibition, which is not governed or
13 authorized by one or more of the organizations listed in
14 subdivision (1) and which does any of the following:

15 "1. Rewards a boxer, wrestler, or mixed martial arts
16 competitor participating with cash as a salary, purse, or
17 prize for such participation.

18 "2. Requires for admission payment of a ticket or
19 other evidence of the right of entry.

20 "3. Is filmed, broadcast, or transmitted for
21 viewing.

22 "4. Provides a commercial advantage by attracting
23 persons to a particular place or promoting a commercial
24 product or enterprise.

25 "b. The term does not include unarmed combat.

26 "(16) PROFESSIONAL WRESTLING. Any organized event
27 between two unarmed contestants in which participants compete

1 primarily for the purpose of providing entertainment to
2 spectators that may or may not comprise a bona fide athletic
3 contest or competition.

4 "~~(16)~~(17) PROMOTER. The person primarily responsible
5 for organizing, promoting, and producing a professional match,
6 contest, or exhibition of boxing, wrestling, or mixed martial
7 arts and who is legally responsible for the lawful conduct of
8 such professional match, contest, or exhibition of boxing,
9 wrestling, or mixed martial arts.

10 "~~(17)~~(18) PURSE or RING EARNINGS. The financial
11 guarantee or any other remuneration, or part thereof, which a
12 professional boxer, wrestler, or mixed martial arts competitor
13 participating in a match, contest, or exhibition will receive
14 and includes any share of any payment received for radio
15 broadcasting, television, or motion picture rights.

16 "~~(18)~~(19) UNARMED COMBAT.

17 "a. Any form of competition between human beings in
18 which both of the following occurs:

19 "1. One or more blows are struck which may
20 reasonably be expected to inflict injury on a human being.

21 "2. There is some compensation or commercial benefit
22 arising from such competition, whether in the form of cash or
23 non-cash payment to the competitors or the person arranging
24 the competition; the sale of the right to film, broadcast,
25 transmit, or view the competition; or the use of the
26 competition to attract persons to a particular location for

1 some commercial advantage or to promote a commercial product
2 or commercial enterprise.

3 "b. Unarmed combat includes, but is not limited to,
4 tough man fights and bad man fights.

5 "c. Unarmed combat does not include any of the
6 following:

7 "1. Professional boxing.

8 "2. Professional wrestling.

9 "3. Amateur boxing.

10 "4. Amateur wrestling.

11 "5. Any competition displaying the skills of a
12 single form of a system of unarmed self-defense, including,
13 but not limited to, kickboxing, karate, or full-contact
14 karate, which is held pursuant to the rules of that form and
15 governed or authorized by a nationally recognized
16 organization.

17 "6. Professional mixed martial arts.

18 "7. Amateur mixed martial arts.

19 "§41-9-1023.

20 "(a) There is created the Alabama Athletic
21 Commission composed of five members.

22 "(b) (1) The membership of the commission shall be
23 inclusive and reflect the racial, gender, geographic,
24 urban/rural, and economic diversity of the state. The five
25 initial members shall be as follows:

26 "a. Two members appointed by the Governor.

1 "b. One member appointed by the Alabama Athlete
2 Agents Commission.

3 "c. One member appointed by the Speaker of the House
4 of Representatives.

5 "d. One member appointed by the President of the
6 Senate.

7 "(2) Initial appointments by the Governor shall be
8 for one and three years, the initial appointment by the
9 Speaker of the House of Representatives shall be for four
10 years, and the initial appointment of the President of the
11 Senate shall be for two years. The initial appointment by the
12 commission shall be for four years. All subsequent
13 appointments shall be for terms of four years. Vacancies shall
14 be filled for the unexpired terms under the same procedures
15 and requirements as appointments for full terms. Each member
16 of the commission shall be a citizen of this state and no two
17 members shall be from the same congressional district at the
18 time of appointment.

19 "(c) The commission shall elect a chair from among
20 its membership for a term of one year. The commission may
21 elect a vice chair from its membership for a term of one year.
22 Any member serving as chair shall be eligible for successive
23 election to the office by the commission. The chair may
24 designate another member of the commission to perform the
25 duties of chair in his or her absence. The commission may
26 employ an executive director to manage the day-to-day

1 operations of the commission within the available funds of the
2 commission.

3 "(d) A medical advisory panel of the commission
4 shall be appointed by the Governor and shall consist of four
5 persons licensed to practice medicine in this state,
6 representing the specialties of neurology, ophthalmology,
7 sports medicine, and general medicine. The medical advisory
8 panel shall advise and assist the commission and its staff
9 regarding issues and questions concerning the medical safety
10 of professional boxers, wrestlers, and mixed martial arts
11 competitors, including, but not limited to, matters relating
12 to medical suspensions. The medical advisory panel may meet
13 separately from the commission to discuss and formulate
14 recommendations for the commission in connection with medical
15 safety. Members of the medical advisory panel shall not be
16 counted in determining a quorum of the commission and shall
17 not vote as commission members.

18 "(e) Each member of the commission and the medical
19 advisory panel shall be reimbursed for expenses and travel as
20 provided for public officials of this state.

21 "§41-9-1024.

22 "(a) (1) The commission shall be the sole regulator
23 of professional boxing in this state and shall have authority
24 to protect the physical safety and welfare of professional
25 boxers and serve the public interest by closely supervising
26 all professional boxing in this state.

1 "(2) The commission shall be the sole regulator of
2 professional matches, contests, or exhibitions of mixed
3 martial arts and shall have the authority to protect the
4 physical safety and welfare of professional competitors in
5 mixed martial arts and serve the public interest by closely
6 supervising all professional competitors in mixed martial
7 arts. The commission shall regulate professional mixed martial
8 arts to the same extent as professional boxing unless any rule
9 of the commission is not by its nature applicable to mixed
10 martial arts.

11 "(3) The commission shall have the sole authority to
12 license an amateur mixed martial arts sanctioning organization
13 to safeguard the public health, to protect competitors, and to
14 provide for competitive matches by requiring each licensed
15 organization to abide by rules promulgated by the commission.
16 The commission, at the request of a licensed sanctioning
17 organization, may provide direct oversight of any event
18 sanctioned by the organization for a fee negotiated between
19 the commission and the licensed sanctioning organization.

20 "(4) The commission shall be the sole regulator of
21 professional matches, contests, or exhibitions of wrestling
22 and shall have the authority to protect the physical safety
23 and welfare of professional competitors in professional
24 wrestling and serve the public interest by closely supervising
25 all competitors in professional wrestling. The commission
26 shall regulate wrestling to the same extent as professional

1 boxing unless any rule of the commission is not by its nature
2 applicable to wrestling.

3 "(5) The commission shall have the sole authority to
4 license a wrestling sanctioning organization to safeguard the
5 public health, to protect competitors, and to provide for
6 competitive matches by requiring each licensed organization to
7 abide by rules promulgated by the commission. The commission,
8 at the request of a licensed sanctioning organization, may
9 provide direct oversight of any event sanctioned by the
10 organization for a fee negotiated between the commission and
11 the licensed sanctioning organization.

12 "(b) The commission shall have the sole jurisdiction
13 to license the promotion or holding of each professional
14 match, contest, or exhibition of boxing, wrestling, or mixed
15 martial arts promoted or held within this state.

16 "(c) The commission shall have the authority to
17 license participants in any professional match, contest, or
18 exhibition of boxing, wrestling, or mixed martial arts held in
19 this state.

20 "(d) The commission shall have the authority to
21 direct, manage, control, and supervise all professional
22 matches, contests, or exhibitions of boxing, wrestling, or
23 mixed martial arts. It may adopt bylaws for its own management
24 and promulgate and enforce rules and regulations consistent
25 with this article.

26 "(e) The commission shall have the sole authority to
27 inquire into the plans or arrangements for compliance of a

1 licensed organization with rules promulgated by the
2 commission. The commission may require an amateur mixed
3 martial arts organization or wrestling sanctioning
4 organization to pay an annual licensure fee and any other fee
5 determined necessary by the board and may penalize any
6 organization for violation of this article or any rule
7 promulgated by the commission pursuant to this article.

8 "(f) The commission may appoint one or more
9 inspectors as duly authorized representatives of the
10 commission to ensure that the rules are strictly observed. The
11 inspectors shall be present at all professional matches,
12 contests, or exhibitions of boxing, wrestling, or mixed
13 martial arts.

14 "(g) The commission may designate physicians as duly
15 authorized representatives of the commission to conduct
16 physical examinations of boxers, wrestlers, or mixed martial
17 arts competitors licensed under this article and shall
18 designate a roster of physicians authorized to conduct
19 prefight physicals and serve as ringside physicians in all
20 professional boxing, wrestling, or mixed martial arts matches
21 held in this state.

22 "(h) (1) The commission or any agent duly designated
23 by the commission may do any of the following:

24 "a. Make investigations.

25 "b. Hold hearings.

26 "c. Issue subpoenas to compel the attendance of
27 witnesses and the production of books, papers, and records.

1 "d. Administer oaths to and examine any witnesses
2 for the purpose of determining any question coming before it
3 under this article or under the rules and regulations adopted
4 pursuant to this article.

5 "(2) During an investigation of any allegation
6 which, if proven, would result in criminal or civil sanctions
7 as provided in this article, the commission may withhold all
8 or a portion of the gross receipts to which the person under
9 investigation is entitled until such time as the matter has
10 been resolved.

11 "(i) The commission may engage in activities which
12 promote amateur boxing, amateur wrestling, and amateur mixed
13 martial arts in this state and contract with any nonprofit
14 organization which is exempted from the taxation of income. To
15 support amateur boxing, amateur wrestling, and amateur mixed
16 martial arts in this state, the commission may promote
17 voluntary contributions through the application process or
18 through any fund-raising or other promotional technique deemed
19 appropriate by the commission.

20 "(j) Pursuant to 15 U.S.C. Section 6301, et seq.,
21 the commission may issue to each boxer who is a resident of
22 this state an identification card bearing the photograph of
23 the boxer and in such form and containing such information as
24 the commission deems necessary and appropriate. The commission
25 shall ensure that the form and manner of issuance of the
26 identification cards comply with any applicable federal law or
27 regulation. The commission may charge an amount not to exceed

1 one hundred dollars (\$100) per card for the issuance or
2 replacement of each identification card.

3 "(k) The commission may create a boxing registry or
4 designate a nationally recognized boxing registry and register
5 each boxer who is a resident of this state or who is a
6 resident of another state which has no boxing registry.

7 "(l) The commission may inquire into the financial
8 backing of any professional match, contest, or exhibition of
9 boxing, wrestling, or mixed martial arts and obtain answers to
10 written or oral questions propounded to all persons associated
11 with the professional event.

12 "§41-9-1028.

13 "A member or employee of the commission and any
14 person who administers or enforces this article or rules
15 promulgated in accordance with this article shall not be a
16 member of, contract with, or receive any compensation from any
17 person or organization who authorizes, arranges, or promotes
18 professional matches, contests, or exhibitions of boxing, l
19 wrestling, or mixed martial arts or who otherwise has a
20 financial interest in any activity or licensee regulated by
21 the commission. The term compensation does not include funds
22 held in escrow for payment to another person in connection
23 with a professional match, contest, or exhibition of boxing, l
24 wrestling, or mixed martial arts.

25 "§41-9-1029.

26 "(a) (1) No person shall promote or hold a
27 professional match, contest, or exhibition of boxing, l

1 wrestling, or mixed martial arts within this state without
2 first applying for and obtaining a promoter's license from the
3 commission.

4 "(2) Licenses shall be issued annually and shall
5 expire on December 31 of each calendar year.

6 "(b) Promoters shall apply to the commission for a
7 license required by subsection (a) on a form provided by the
8 commission. The application shall be accompanied by a
9 nonrefundable fee not to exceed two hundred fifty dollars
10 (\$250). The application shall also be accompanied by a
11 performance bond in an amount and under any conditions
12 required by the commission. To qualify for a promoter's
13 license, an applicant shall be a citizen of the United States
14 or, if not a citizen of the United States, a person who is
15 legally present in the United States with appropriate
16 documentation from the federal government.

17 "(c) (1) In addition to the license required by
18 subsection (a), a professional match, contest, or exhibition
19 of boxing, wrestling, or mixed martial arts within this state
20 shall not be staged unless a match permit has been issued by
21 the commission for the professional match, contest, or
22 exhibition of boxing, wrestling, or mixed martial arts.

23 "(2) Each application for a match permit shall be on
24 a form provided by the commission and shall be accompanied by
25 a nonrefundable application fee not to exceed two hundred
26 fifty dollars (\$250). The commission may charge an additional

1 match fee in accordance with rules and regulations promulgated
2 by the commission.

3 "(d) The commission ~~may~~, prior to issuing any match
4 permit, may require a performance bond in addition to that
5 required in subsection (b).

6 "(e) The commission may refund any portion of the
7 match permit fee in excess of two hundred fifty dollars (\$250)
8 to any person who paid the excess fee if the professional
9 match, contest, or exhibition of boxing, wrestling, or mixed
10 martial arts for which the fees were paid is not held.

11 "(f) A licensed amateur mixed martial arts
12 sanctioning organization shall provide written notice to the
13 commission at least 15 calendar days before the date of each
14 match, contest, or exhibition authorized and governed by the
15 organization. The licensed amateur mixed martial arts
16 sanctioning organization governing the match, contest, or
17 exhibition shall provide to the commission all of the
18 following information regarding the match, contest, or
19 exhibition:

20 "(1) The names and other relevant information
21 relating to the contestants.

22 "(2) The venue.

23 "(3) The rules of the competition.

24 "(4) The anticipated level of physical conditioning
25 and training of the contestants.

26 "(5) Any other information deemed necessary by the
27 commission.

1 "(g) The commission shall have the sole authority to
2 certify the results of each amateur mixed martial arts match,
3 contest, or exhibition held within the state. The results
4 shall be submitted to the commission not later than three
5 calendar days after the match, contest, or exhibition. A match
6 may not be certified by the commission until all information
7 required by the commission is provided to the commission.

8 "§41-9-1030.

9 "(a) Prior to participating in a professional match,
10 contest, or exhibition of boxing, wrestling, or mixed martial
11 arts supervised by the commission, referees, judges,
12 timekeepers, matchmakers, boxers, wrestlers, mixed martial
13 arts competitors, managers, trainers, and each person who
14 assists a boxer, wrestler, or mixed martial arts competitor
15 immediately before and after a match, contest, or exhibition
16 of boxing, wrestling, or mixed martial arts and between rounds
17 during a match, contest, or exhibition of boxing, wrestling,
18 or mixed martial arts shall apply for and be issued a license.
19 Licenses shall be issued annually and shall expire on December
20 31 of each calendar year. Each applicant shall make
21 application on a form provided by the commission and pay an
22 annual license fee not to exceed two hundred fifty dollars
23 (\$250).

24 "(b) The nonrefundable initial licensing fee and
25 annual renewal fee for an amateur mixed martial arts
26 sanctioning organization may not exceed one thousand dollars
27 (\$1,000).

1 "(c) The commission shall issue a license under this
2 section only if:

3 "(1) The commission has determined to the best of
4 its ability that the applicant has the training or skills
5 necessary to perform in a manner appropriate to the license.

6 "(2) The applicant has complied with all applicable
7 requirements of this article and any rules and regulations
8 promulgated pursuant to this article.

9 "(3) The commission or its designated representative
10 has determined from information provided by the applicant and
11 from any medical evaluation required by the commission that
12 the health, welfare, and physical safety of the applicant will
13 not be unduly jeopardized by the issuance of the license.

14 "(4) The applicant is a citizen of the United States
15 or, if not a citizen of the United States, a person who is
16 legally present in the United States with appropriate
17 documentation from the federal government.

18 "§41-9-1032.

19 "(a) The commission may refuse to grant a license to
20 an applicant upon a finding by a majority of the entire
21 commission that the applicant has failed to demonstrate the
22 qualifications or standards for a license contained in this
23 section or under the laws, rules, and regulations under which
24 licensure is sought. The applicant shall demonstrate to the
25 satisfaction of the commission that he or she meets all the
26 requirements for the issuance of a license, and, if the
27 commission is not satisfied as to the qualifications of the

1 applicant, it may deny a license without a prior hearing;
2 however, the applicant shall be allowed to appear before the
3 commission if he or she so desires.

4 "(b) (1) The commission, by majority vote, after
5 prior notice to the holder of a license and after affording
6 such a holder an opportunity to be heard, may fine the license
7 holder, revoke or suspend the license, or take other
8 disciplinary action against the licensee upon the
9 recommendation of any officially designated representative for
10 reasons involving the medical or physical safety of any
11 professional boxer, wrestler, or mixed martial arts competitor
12 licensed by the commission, summarily suspend any license
13 previously issued by the commission or take other disciplinary
14 action against any licensee. The licensee shall, after the
15 summary suspension, be afforded an opportunity to be heard, in
16 accordance with the rules of the commission and the Alabama
17 Administrative Procedure Act. A summary suspension imposed
18 against such a licensee may include, but shall not be limited
19 to, the following:

20 "a. Prohibiting any boxer, wrestler, or mixed
21 martial arts competitor from competing, appearing in, or
22 participating in any professional match, contest, or
23 exhibition within 60 days of having suffered a knockout.

24 "b. Prohibiting any boxer, wrestler, or mixed
25 martial arts competitor from competing, appearing in, or
26 participating in any professional match, contest, or
27 exhibition within 30 days of having suffered a technical

1 knockout where evidence of head trauma has been determined by
2 the attending ringside physician.

3 "(2) The length of any summary suspension invoked
4 pursuant to this subsection, upon the recommendation of the
5 ringside physician, may be extended to any number of days. The
6 terms and conditions of the suspension or revocation may
7 require that the boxer submit to further medical evaluation as
8 determined by the ringside physician.

9 "(c) The commission, its secretary, or its duly
10 authorized representative, at any time prior to the completion
11 of a permitted professional match, contest, or exhibition of
12 boxing, wrestling, or mixed martial arts, may summarily
13 suspend or revoke the match permit or the license of any
14 specific boxer, wrestler, or mixed martial arts competitor
15 should it be determined by such person that the continuation
16 of the professional match, contest, or exhibition of boxing,
17 wrestling, or mixed martial arts may jeopardize the health,
18 welfare, morals, or safety of the citizens of this state or
19 may jeopardize the health or personal safety of any
20 participant of the professional match, contest, or exhibition
21 of boxing, wrestling, or mixed martial arts; provided,
22 however, that the licensee ~~shall~~, after a summary suspension,
23 shall be afforded an opportunity to be heard, in accordance
24 with the rules of the commission and the Alabama
25 Administrative Procedure Act.

1 "(d) The commission may revoke a suspension of a
2 boxer, wrestler, or mixed martial arts competitor if any of
3 the following applies:

4 "(1) The boxer, wrestler, or mixed martial arts
5 competitor was suspended pursuant to rules and regulations
6 adopted pursuant to Section 41-9-1027 and has furnished proof
7 of a sufficiently improved medical or physical condition.

8 "(2) The boxer, wrestler, or mixed martial arts
9 competitor furnishes proof that a suspension pursuant to
10 Section 41-9-1027 was not or is no longer merited by the
11 facts.

12 "§41-9-1033.

13 "No person shall arrange, promote, organize,
14 produce, or participate in a professional match, contest, or
15 exhibition of boxing, wrestling, or mixed martial arts unless
16 he or she has complied with the following requirements:

17 "(1) An examination by a physician who has certified
18 that the boxer, wrestler, or mixed martial arts competitor is
19 physically fit to compete safely. Copies of each certificate
20 shall be provided to the commission prior to the professional
21 match, contest, or exhibition of boxing, wrestling, or mixed
22 martial arts. The commission may require a boxer, wrestler, or
23 mixed martial arts competitor to undergo a physical
24 examination, including neurological or neuropsychological
25 tests and procedures.

26 "(2) A physician approved by the commission shall be
27 continuously present at ringside during every professional

1 match, contest, or exhibition of boxing, wrestling, or mixed
2 martial arts. The physician shall observe the physical
3 condition of the boxers, wrestlers, or competitors in mixed
4 martial arts and advise the referee with regard to the boxers, l
5 wrestlers, or competitors.

6 "(3) One or more inspectors appointed by the
7 commission as duly authorized representatives of the
8 commission shall be present at each professional match,
9 contest, or exhibition of boxing, wrestling, or mixed martial
10 arts to ensure that the rules are strictly observed. An
11 inspector or other duly authorized representative of the
12 commission shall be present at the weigh-in and at the ring
13 during the conduct of the professional match, contest, or
14 exhibition of boxing, wrestling, or mixed martial arts.
15 Inspectors and other duly authorized representatives of the
16 commission shall have free access to the dressing rooms of the
17 boxers, wrestlers, and competitors in mixed martial arts.

18 "(4) Each boxer, wrestler, or competitor in mixed
19 martial arts shall be covered by health insurance which will
20 cover injuries sustained during the professional match,
21 contest, or exhibition of boxing or mixed martial arts.

22 "(5) An ambulance and medical personnel with
23 appropriate resuscitation equipment shall be continuously
24 present at the site during any professional match, contest, or
25 exhibition of boxing or mixed martial arts.

26 "§41-9-1034.

1 "It shall be unlawful for any boxer, wrestler, or
2 competitor in mixed martial arts to participate or attempt to
3 participate in a professional match, contest, or exhibition of
4 boxing, wrestling, or mixed martial arts while under the
5 influence of alcohol or any drug. A boxer or wrestler shall be
6 deemed under the influence of alcohol or a drug for the
7 purposes of this section if a physical examination made during
8 a period of time beginning not more than six hours prior to
9 the beginning of the professional match, contest, or
10 exhibition of boxing, wrestling, or mixed martial arts and
11 ending not more than one hour after the completion of the
12 professional match, contest, or exhibition of boxing, l
13 wrestling, or mixed martial arts reveals that the mental or
14 physical ability of the boxer or wrestler is impaired as a
15 direct result of the use of alcohol or a drug.

16 "§41-9-1035.

17 "All buildings or structures used or intended to be
18 used for holding or giving professional matches, contests, or
19 exhibitions of boxing, wrestling, or mixed martial arts shall
20 be safe and shall in all manner conform to the laws,
21 ordinances, and regulations pertaining to buildings in the
22 municipality or unincorporated area of the county where the
23 building or structure is situated.

24 "§41-9-1036.

25 "No person under the age of 18 years shall
26 participate as a contestant in any professional match,

1 contest, or exhibition of boxing, wrestling, or mixed martial
2 arts.

3 "§41-9-1037.

4 "The commission shall have jurisdiction over any
5 professional match, contest, or exhibition of boxing,
6 wrestling, or mixed martial arts which occurs or is held
7 within this state, is filmed in this state, or is broadcast or
8 transmitted from this state.

9 "§41-9-1038.

10 "(a) The Attorney General may bring a civil action
11 requesting relief, including a permanent or temporary
12 injunction, restraining order, or other order, against any
13 person who he or she believes is violating Sections 41-9-1029,
14 41-9-1030, 41-9-1031, 41-9-1032, 41-9-1033, 41-9-1034,
15 41-9-1035, and 41-9-1037.

16 "(b) (1) Any manager, promoter, matchmaker, or
17 licensee who knowingly violates or coerces or causes any other
18 person to violate Sections 41-9-1030, 41-9-1031, 41-9-1032,
19 41-9-1033, 41-9-1034, 41-9-1035, 41-9-1036, and 41-9-1037
20 shall, upon conviction, be guilty of a Class C felony.

21 "(2) Any member or employee of the commission or any
22 person who administers or enforces this article or rules and
23 regulations promulgated pursuant to this article who knowingly
24 violates Sections 41-9-1033 or 41-9-1034 shall, upon
25 conviction, be guilty of a Class C felony.

26 "(3) Any professional boxer, wrestler, or competitor
27 in mixed martial arts who knowingly violates this article,

1 except Section 41-9-1034, shall, upon conviction, be guilty of
2 a Class B misdemeanor.

3 "(4) Any professional boxer, wrestler, or competitor
4 in mixed martial arts who violates Section 41-9-1034 may be
5 punished by a civil fine not to exceed twenty-five thousand
6 dollars (\$25,000) together with a percentage of the purse not
7 to exceed 15 percent for each violation.

8 "(c) A person who participates in or promotes
9 unarmed combat shall be guilty of a Class A misdemeanor.

10 "(d) The criminal penalties in this section shall
11 not be construed to repeal other criminal laws. Whenever
12 conduct prescribed by this article is also prescribed by other
13 provision of law, the provision which carries the more serious
14 penalty shall be applied."

15 Section 2. Although this bill would have as its
16 purpose or effect the requirement of a new or increased
17 expenditure of local funds, the bill is excluded from further
18 requirements and application under Amendment 621, now
19 appearing as Section 111.05 of the Official Recompilation of
20 the Constitution of Alabama of 1901, as amended, because the
21 bill defines a new crime or amends the definition of an
22 existing crime.

23 Section 3. This act shall become effective on the
24 first day of the third month following its passage and
25 approval by the Governor, or its otherwise becoming law.

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Senate

Read for the first time and referred to the Senate committee on Governmental Affairs.....	22-MAR-12
Read for the second time and placed on the calen- dar 1 amendment.....	05-APR-12
Read for the third time and passed as amended	02-MAY-12

Yeas 34
Nays 0
Abstaining 1

Patrick Harris
Secretary