

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

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8 SYNOPSIS: Under existing law, professional wrestling
9 is not regulated.

10 This bill would rename the Alabama Boxing
11 and Mixed Martial Arts Act as the Alabama Boxing,
12 Wrestling, and Mixed Martial Arts Act.

13 This bill would define the term wrestling.

14 This bill would also authorize the Alabama
15 Athletic Commission to regulate professional
16 wrestling in the same manner as boxing and mixed
17 martial arts.

18 Amendment 621 of the Constitution of Alabama
19 of 1901, now appearing as Section 111.05 of the
20 Official Recompilation of the Constitution of
21 Alabama of 1901, as amended, prohibits a general
22 law whose purpose or effect would be to require a
23 new or increased expenditure of local funds from
24 becoming effective with regard to a local
25 governmental entity without enactment by a 2/3 vote
26 unless: it comes within one of a number of
27 specified exceptions; it is approved by the

1 affected entity; or the Legislature appropriates
2 funds, or provides a local source of revenue, to
3 the entity for the purpose.

4 The purpose or effect of this bill would be
5 to require a new or increased expenditure of local
6 funds within the meaning of the amendment. However,
7 the bill does not require approval of a local
8 governmental entity or enactment by a 2/3 vote to
9 become effective because it comes within one of the
10 specified exceptions contained in the amendment.

11
12 A BILL
13 TO BE ENTITLED
14 AN ACT
15

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

1 Alabama of 1901, now appearing as Section 111.05 of the
2 Official Recompilation of the Constitution of Alabama of 1901,
3 as amended.

4 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

5 Section 1. Sections 41-9-1020, 41-9-1021, 41-9-1023,
6 41-9-1024, 41-9-1028, 41-9-1029, 41-9-1030, 41-9-1032,
7 41-9-1033, 41-9-1034, 41-9-1035, 41-9-1036, 41-9-1037, and
8 41-9-1038, Code of Alabama 1975, are amended to read as
9 follows:

10 "§41-9-1020.

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

13 "§41-9-1021.

14 "As used in this article, the following terms shall
15 have the following meanings:

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

19 "a. U.S.A. Boxing.

20 "b. The Alabama High School Athletic Association.

21 "c. The National Collegiate Athletic Association.

22 "d. Amateur Athletic Union.

23 "e. Golden Gloves.

24 "f. The local affiliate of any organization listed
25 in this subdivision.

26 "g. Any organization licensed by the commission.

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

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

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

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

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

16 "(5) COMMISSION. Alabama Athletic Commission.

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

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

1 the customer in order to view the match, contest, exhibition,
2 or entertainment event. It shall exclude any portion paid by
3 the customer for federal, state, or local taxes.

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

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

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

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

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

26 "(11) MIXED MARTIAL ARTS. Unarmed combat involving
27 the use of any combination of techniques from different

1 disciplines of the martial arts, including, without
2 limitation, grappling, submission holds, throws, and striking
3 or kicking with the hands, feet, knees, or elbows. The term
4 mixed martial arts includes kickboxing.

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

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

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

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

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

24 "c. Is participating or has participated in any
25 match, contest, or exhibition of boxing, wrestling, or mixed
26 martial arts which is or was filmed, broadcast, or transmitted
27 for viewing.

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

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

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

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

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

18 "3. Is filmed, broadcast, or transmitted for
19 viewing.

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

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

24 "(16) PROMOTER. The person primarily responsible for
25 organizing, promoting, and producing a professional match,
26 contest, or exhibition of boxing, wrestling, or mixed martial
27 arts and who is legally responsible for the lawful conduct of

1 such professional match, contest, or exhibition of boxing,l
2 wrestling, or mixed martial arts.

3 "(17) PURSE or RING EARNINGS. The financial
4 guarantee or any other remuneration, or part thereof, which a
5 professional boxer,wrestler, or mixed martial arts competitor
6 participating in a match, contest, or exhibition will receive
7 and includes any share of any payment received for radio
8 broadcasting, television, or motion picture rights.

9 "(18) UNARMED COMBAT.

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

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

14 "2. There is some compensation or commercial benefit
15 arising from such competition, whether in the form of cash or
16 non-cash payment to the competitors or the person arranging
17 the competition; the sale of the right to film, broadcast,
18 transmit, or view the competition; or the use of the
19 competition to attract persons to a particular location for
20 some commercial advantage or to promote a commercial product
21 or commercial enterprise.

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

24 "c. Unarmed combat does not include any of the
25 following:

26 "1. Professional boxing.

27 "2. Professional wrestling.

1 "3. Amateur boxing.

2 "4. Amateur wrestling.

3 "5. Any competition displaying the skills of a
4 single form of a system of unarmed self-defense, including,
5 but not limited to, kickboxing, karate, or full-contact
6 karate, which is held pursuant to the rules of that form and
7 governed or authorized by a nationally recognized
8 organization.

9 "6. Professional mixed martial arts.

10 "7. Amateur mixed martial arts.

11 "§41-9-1023.

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

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

18 "a. Two members appointed by the Governor.

19 "b. One member appointed by the Alabama Athlete
20 Agents Commission.

21 "c. One member appointed by the Speaker of the House
22 of Representatives.

23 "d. One member appointed by the President of the
24 Senate.

25 "(2) Initial appointments by the Governor shall be
26 for one and three years, the initial appointment by the
27 Speaker of the House of Representatives shall be for four

1 years, and the initial appointment of the President of the
2 Senate shall be for two years. The initial appointment by the
3 commission shall be for four years. All subsequent
4 appointments shall be for terms of four years. Vacancies shall
5 be filled for the unexpired terms under the same procedures
6 and requirements as appointments for full terms. Each member
7 of the commission shall be a citizen of this state and no two
8 members shall be from the same congressional district at the
9 time of appointment.

10 "(c) The commission shall elect a chair from among
11 its membership for a term of one year. The commission may
12 elect a vice chair from its membership for a term of one year.
13 Any member serving as chair shall be eligible for successive
14 election to the office by the commission. The chair may
15 designate another member of the commission to perform the
16 duties of chair in his or her absence. The commission may
17 employ an executive director to manage the day-to-day
18 operations of the commission within the available funds of the
19 commission.

20 "(d) A medical advisory panel of the commission
21 shall be appointed by the Governor and shall consist of four
22 persons licensed to practice medicine in this state,
23 representing the specialties of neurology, ophthalmology,
24 sports medicine, and general medicine. The medical advisory
25 panel shall advise and assist the commission and its staff
26 regarding issues and questions concerning the medical safety
27 of professional boxers, wrestlers, and mixed martial arts

1 competitors, including, but not limited to, matters relating
2 to medical suspensions. The medical advisory panel may meet
3 separately from the commission to discuss and formulate
4 recommendations for the commission in connection with medical
5 safety. Members of the medical advisory panel shall not be
6 counted in determining a quorum of the commission and shall
7 not vote as commission members.

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

11 "§41-9-1024.

12 "(a) (1) The commission shall be the sole regulator
13 of professional boxing in this state and shall have authority
14 to protect the physical safety and welfare of professional
15 boxers and serve the public interest by closely supervising
16 all professional boxing in this state.

17 "(2) The commission shall be the sole regulator of
18 professional matches, contests, or exhibitions of mixed
19 martial arts and shall have the authority to protect the
20 physical safety and welfare of professional competitors in
21 mixed martial arts and serve the public interest by closely
22 supervising all professional competitors in mixed martial
23 arts. The commission shall regulate mixed martial arts to the
24 same extent as professional boxing unless any rule of the
25 commission is not by its nature applicable to mixed martial
26 arts.

1 "(3) The commission shall have the sole authority to
2 license an amateur mixed martial arts sanctioning organization
3 to safeguard the public health, to protect competitors, and to
4 provide for competitive matches by requiring each licensed
5 organization to abide by rules promulgated by the commission.

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

15 "(5) The commission shall have the sole authority to
16 license an amateur wrestling sanctioning organization to
17 safeguard the public health, to protect competitors, and to
18 provide for competitive matches by requiring each licensed
19 organization to abide by rules promulgated by the commission.

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

24 "(c) The commission shall have the authority to
25 license participants in any professional match, contest, or
26 exhibition of boxing, wrestling, or mixed martial arts held in
27 this state.

1 "(d) The commission shall have the authority to
2 direct, manage, control, and supervise all professional
3 matches, contests, or exhibitions of boxing, wrestling, or
4 mixed martial arts. It may adopt bylaws for its own management
5 and promulgate and enforce rules and regulations consistent
6 with this article.

7 "(e) The commission shall have the sole authority to
8 inquire into the plans or arrangements for compliance of a
9 licensed organization with rules promulgated by the
10 commission. The commission may require an amateur mixed
11 martial arts organization to pay an annual licensure fee and
12 any other fee determined necessary by the board and may
13 penalize any organization for violation of this article or any
14 rule promulgated by the commission pursuant to this article.

15 "(f) The commission may appoint one or more
16 inspectors as duly authorized representatives of the
17 commission to ensure that the rules are strictly observed. The
18 inspectors shall be present at all professional matches,
19 contests, or exhibitions of boxing, wrestling, or mixed
20 martial arts.

21 "(g) The commission may designate physicians as duly
22 authorized representatives of the commission to conduct
23 physical examinations of boxers, wrestlers, or mixed martial
24 arts competitors licensed under this article and shall
25 designate a roster of physicians authorized to conduct
26 prefight physicals and serve as ringside physicians in all

1 professional boxing, wrestling, or mixed martial arts matches
2 held in this state.

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

5 "a. Make investigations.

6 "b. Hold hearings.

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

9 "d. Administer oaths to and examine any witnesses
10 for the purpose of determining any question coming before it
11 under this article or under the rules and regulations adopted
12 pursuant to this article.

13 "(2) During an investigation of any allegation
14 which, if proven, would result in criminal or civil sanctions
15 as provided in this article, the commission may withhold all
16 or a portion of the gross receipts to which the person under
17 investigation is entitled until such time as the matter has
18 been resolved.

19 "(i) The commission may engage in activities which
20 promote amateur boxing, amateur wrestling, and amateur mixed
21 martial arts in this state and contract with any nonprofit
22 organization which is exempted from the taxation of income. To
23 support amateur boxing, amateur wrestling, and amateur mixed
24 martial arts in this state, the commission may promote
25 voluntary contributions through the application process or
26 through any fund-raising or other promotional technique deemed
27 appropriate by the commission.

1 "(j) Pursuant to 15 U.S.C. Section 6301, et seq.,
2 the commission may issue to each boxer who is a resident of
3 this state an identification card bearing the photograph of
4 the boxer and in such form and containing such information as
5 the commission deems necessary and appropriate. The commission
6 shall ensure that the form and manner of issuance of the
7 identification cards comply with any applicable federal law or
8 regulation. The commission may charge an amount not to exceed
9 one hundred dollars (\$100) per card for the issuance or
10 replacement of each identification card.

11 "(k) The commission may create a boxing registry or
12 designate a nationally recognized boxing registry and register
13 each boxer who is a resident of this state or who is a
14 resident of another state which has no boxing registry.

15 "(l) The commission may inquire into the financial
16 backing of any professional match, contest, or exhibition of
17 boxing, wrestling, or mixed martial arts and obtain answers to
18 written or oral questions propounded to all persons associated
19 with the professional event.

20 "§41-9-1028.

21 "A member or employee of the commission and any
22 person who administers or enforces this article or rules
23 promulgated in accordance with this article shall not be a
24 member of, contract with, or receive any compensation from any
25 person or organization who authorizes, arranges, or promotes
26 professional matches, contests, or exhibitions of boxing,
27 wrestling, or mixed martial arts or who otherwise has a

1 financial interest in any activity or licensee regulated by
2 the commission. The term compensation does not include funds
3 held in escrow for payment to another person in connection
4 with a professional match, contest, or exhibition of boxing,l
5 wrestling, or mixed martial arts.

6 "§41-9-1029.

7 "(a) (1) No person shall promote or hold a
8 professional match, contest, or exhibition of boxing,l
9 wrestling, or mixed martial arts within this state without
10 first applying for and obtaining a promoter's license from the
11 commission.

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

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

25 "(c) (1) In addition to the license required by
26 subsection (a), a professional match, contest, or exhibition
27 of boxing,l wrestling, or mixed martial arts within this state

1 shall not be staged unless a match permit has been issued by
2 the commission for the professional match, contest, or
3 exhibition of boxing, wrestling, or mixed martial arts.

4 "(2) Each application for a match permit shall be on
5 a form provided by the commission and shall be accompanied by
6 a nonrefundable application fee not to exceed two hundred
7 fifty dollars (\$250). The commission may charge an additional
8 match fee in accordance with rules and regulations promulgated
9 by the commission.

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

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

18 "(f) A licensed amateur mixed martial arts
19 sanctioning organization shall provide written notice to the
20 commission at least 15 calendar days before the date of each
21 match, contest, or exhibition authorized and governed by the
22 organization. The licensed amateur mixed martial arts
23 sanctioning organization governing the match, contest, or
24 exhibition shall provide to the commission all of the
25 following information regarding the match, contest, or
26 exhibition:

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

3 "(2) The venue.

4 "(3) The rules of the competition.

5 "(4) The anticipated level of physical conditioning
6 and training of the contestants.

7 "(5) Any other information deemed necessary by the
8 commission.

9 "(g) The commission shall have the sole authority to
10 certify the results of each amateur mixed martial arts match,
11 contest, or exhibition held within the state. The results
12 shall be submitted to the commission not later than three
13 calendar days after the match, contest, or exhibition. A match
14 may not be certified by the commission until all information
15 required by the commission is provided to the commission.

16 "§41-9-1030.

17 "(a) Prior to participating in a professional match,
18 contest, or exhibition of boxing, wrestling, or mixed martial
19 arts supervised by the commission, referees, judges,
20 timekeepers, matchmakers, boxers, wrestlers, mixed martial
21 arts competitors, managers, trainers, and each person who
22 assists a boxer, wrestler, or mixed martial arts competitor
23 immediately before and after a match, contest, or exhibition
24 of boxing, wrestling, or mixed martial arts and between rounds
25 during a match, contest, or exhibition of boxing, wrestling,
26 or mixed martial arts shall apply for and be issued a license.
27 Licenses shall be issued annually and shall expire on December

1 31 of each calendar year. Each applicant shall make
2 application on a form provided by the commission and pay an
3 annual license fee not to exceed two hundred fifty dollars
4 (\$250).

5 "(b) The nonrefundable initial licensing fee and
6 annual renewal fee for an amateur mixed martial arts
7 sanctioning organization may not exceed one thousand dollars
8 (\$1,000).

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

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

14 "(2) The applicant has complied with all applicable
15 requirements of this article and any rules and regulations
16 promulgated pursuant to this article.

17 "(3) The commission or its designated representative
18 has determined from information provided by the applicant and
19 from any medical evaluation required by the commission that
20 the health, welfare, and physical safety of the applicant will
21 not be unduly jeopardized by the issuance of the license.

22 "(4) The applicant is a citizen of the United States
23 or, if not a citizen of the United States, a person who is
24 legally present in the United States with appropriate
25 documentation from the federal government.

26 "§41-9-1032.

1 "(a) The commission may refuse to grant a license to
2 an applicant upon a finding by a majority of the entire
3 commission that the applicant has failed to demonstrate the
4 qualifications or standards for a license contained in this
5 section or under the laws, rules, and regulations under which
6 licensure is sought. The applicant shall demonstrate to the
7 satisfaction of the commission that he or she meets all the
8 requirements for the issuance of a license, and, if the
9 commission is not satisfied as to the qualifications of the
10 applicant, it may deny a license without a prior hearing;
11 however, the applicant shall be allowed to appear before the
12 commission if he or she so desires.

13 "(b) (1) The commission, by majority vote, after
14 prior notice to the holder of a license and after affording
15 such a holder an opportunity to be heard, may fine the license
16 holder, revoke or suspend the license, or take other
17 disciplinary action against the licensee upon the
18 recommendation of any officially designated representative for
19 reasons involving the medical or physical safety of any
20 professional boxer licensed by the commission, summarily
21 suspend any license previously issued by the commission or
22 take other disciplinary action against any licensee. The
23 licensee shall, after the summary suspension, be afforded an
24 opportunity to be heard, in accordance with the rules of the
25 commission and the Alabama Administrative Procedure Act. A
26 summary suspension imposed against such a licensee may
27 include, but shall not be limited to, the following:

1 "a. Prohibiting any boxer from competing, appearing
2 in, or participating in any professional match, contest, or
3 exhibition within 60 days of having suffered a knockout.

4 "b. Prohibiting any boxer from competing, appearing
5 in, or participating in any professional match, contest, or
6 exhibition within 30 days of having suffered a technical
7 knockout where evidence of head trauma has been determined by
8 the attending ringside physician.

9 "(2) The length of any summary suspension invoked
10 pursuant to this subsection, upon the recommendation of the
11 ringside physician, may be extended to any number of days. The
12 terms and conditions of the suspension or revocation may
13 require that the boxer submit to further medical evaluation as
14 determined by the ringside physician.

15 "(c) The commission, its secretary, or its duly
16 authorized representative, at any time prior to the completion
17 of a permitted professional match, contest, or exhibition of
18 boxing, wrestling, or mixed martial arts, may summarily
19 suspend or revoke the match permit or the license of any
20 specific boxer, wrestler, or mixed martial arts competitor
21 should it be determined by such person that the continuation
22 of the professional match, contest, or exhibition of boxing,
23 wrestling, or mixed martial arts may jeopardize the health,
24 welfare, morals, or safety of the citizens of this state or
25 may jeopardize the health or personal safety of any
26 participant of the professional match, contest, or exhibition
27 of boxing, wrestling, or mixed martial arts; provided,

1 however, that the licensee ~~shall~~, after a summary suspension,
2 shall be afforded an opportunity to be heard, in accordance
3 with the rules of the commission and the Alabama
4 Administrative Procedure Act.

5 "(d) The commission may revoke a suspension of a
6 boxer if any of the following applies:

7 "(1) The boxer was suspended pursuant to rules and
8 regulations adopted pursuant to Section 41-9-1027 and has
9 furnished proof of a sufficiently improved medical or physical
10 condition.

11 "(2) The boxer furnishes proof that a suspension
12 pursuant to Section 41-9-1027 was not or is no longer merited
13 by the facts.

14 "§41-9-1033.

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

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

1 "(2) A physician approved by the commission shall be
2 continuously present at ringside during every professional
3 match, contest, or exhibition of boxing, wrestling, or mixed
4 martial arts. The physician shall observe the physical
5 condition of the boxers, wrestlers, or competitors in mixed
6 martial arts and advise the referee with regard to the boxers, l
7 wrestlers, or competitors.

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

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

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

1 "§41-9-1034.

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

17 "§41-9-1035.

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

25 "§41-9-1036.

26 "No person under the age of 18 years shall
27 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.