

1 HB617
2 201286-1
3 By Representative Garrett
4 RFD: Boards, Agencies and Commissions
5 First Read: 14-MAY-19

1
2
3
4
5
6
7
8 SYNOPSIS: Under existing law, the Alabama Athletic
9 Commission is responsible for regulating boxing,
10 wrestling, and mixed martial arts pursuant to the
11 Alabama Boxing, Wrestling, and Mixed Martial Arts
12 Act.

13 This bill would define the term bare knuckle
14 boxing.

15 This bill would revise the membership of the
16 medical advisory panel to provide for two licensed
17 sports medicine physicians.

18 This bill would authorize the Alabama
19 Athletic Commission to regulate professional bare
20 knuckle boxing in the same manner as boxing and
21 mixed martial arts.

22 This bill would provide further for the drug
23 testing of competitors.

24 This bill would authorize the commission to
25 issue a temporary license to any applicant who
26 applies for a license less than 30 days before
27 participating in a scheduled, sanctioned event.

1 Amendment 621 of the Constitution of Alabama
2 1901 prohibits a general law whose purpose or
3 effect would be to require a new or increased
4 expenditure of local funds from becoming effective
5 with regard to a local governmental entity without
6 enactment by a 2/3 vote unless: it comes within one
7 of a number of specified exceptions; it is approved
8 by the affected entity; or the Legislature
9 appropriates funds, or provides a local source of
10 revenue, to the entity for the purpose.

11 The purpose or effect of this general law
12 would be to require a new or increased expenditure
13 of local funds within the meaning of Amendment 621.
14 If this bill is not enacted by a 2/3 vote, it will
15 not become effective with regard to a local entity
16 unless approved by the local entity or until, and
17 only as long as, the Legislature appropriates funds
18 or provides for a local source of revenue.

19
20 A BILL

21 TO BE ENTITLED

22 AN ACT

23
24 To amend Sections 41-9-1021, 41-9-1023, 41-9-1024,
25 41-9-1027, 41-9-1028, 41-9-1029, 41-9-1030, 41-9-1031,
26 41-9-1032, 41-9-1033, 41-9-1034, 41-9-1035, 41-9-1036,
27 41-9-1037, and 41-9-1038 of the Code of Alabama 1975, relating

1 to the Alabama Boxing, Wrestling, and Mixed Martial Arts Act
2 and the Alabama Athletic Commission; to define the term
3 professional bare knuckle boxing; to revise the membership of
4 the medical advisory panel; to authorize the Alabama Athletic
5 Commission to regulate professional bare knuckle boxing in the
6 same manner as boxing and mixed martial arts; to provide
7 further for the drug testing of competitors; to authorize the
8 commission to issue a temporary license to any applicant who
9 applies for a license less than 30 days before participating
10 in a scheduled, sanctioned event; and in connection therewith
11 would have as its purpose or effect the requirement of a new
12 or increased expenditure of local funds.

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

14 Section 1. Sections 41-9-1021, 41-9-1023, 41-9-1024,
15 41-9-1027, 41-9-1028, 41-9-1029, 41-9-1030, 41-9-1031,
16 41-9-1032, 41-9-1033, 41-9-1034, 41-9-1035, 41-9-1036,
17 41-9-1037, and 41-9-1038 of the Code of Alabama 1975, are
18 amended to read as follows:

19 "§41-9-1021.

20 "As used in this article, the following terms shall
21 have the following meanings:

22 "(1) AMATEUR. ~~A person~~ An individual who engages in
23 a match, contest, or exhibition of boxing, tough man contests,
24 wrestling, or mixed martial arts, for no compensation or thing
25 of value for participating, which is governed or authorized by
26 any of the following:

27 "a. U.S.A. Boxing.

1 "b. The Alabama High School Athletic Association.

2 "c. The National Collegiate Athletic Association.

3 "d. Amateur Athletic Union.

4 "e. Golden Gloves.

5 "f. The local affiliate of any organization listed
6 in this subdivision.

7 "g. USA Wrestling.

8 "h. The National Junior College Athletic
9 Association.

10 "i. The National Association of Intercollegiate
11 Athletics.

12 "j. The National Collegiate Wrestling Association.

13 "k. Any organization licensed by the commission.

14 "(2) BARE KNUCKLE BOXING. The original form of
15 boxing, involving two individuals fighting without boxing
16 gloves or other padding on their hands.

17 "(2)(3) BOXING MATCH. A contest between two
18 individuals in which contestants score points in rounds of two
19 or three minutes by striking with gloved fists the head and
20 upper torso of the opponent or by knocking the opponent down
21 and rendering the opponent unconscious or incapable of
22 continuing the contest by the blows, which contest is held in
23 a square ring supervised by a referee and scored by three
24 judges.

25 "(3)(4) BOXING REGISTRY. A registry created or
26 designated pursuant to subsection (k) of Section 41-9-1024.

1 "~~(4)~~(5) CHARITABLE ORGANIZATION. An entity described
2 by either of the following:

3 "a. Section 501(c)(3), Internal Revenue Code of 1986
4 (26 U.S.C. Section 501(c)(3)).

5 "b. Section 170(c), Internal Revenue Code of 1986
6 (26 U.S.C. Section 170(c)).

7 "~~(5)~~(6) COMMISSION. The Alabama Athletic Commission.

8 "~~(6)~~(7) EXHIBITION. A contest where the participants
9 engage in the use of boxing skills and techniques, bare
10 knuckle skills and techniques, tough man skills and
11 techniques, wrestling skills and techniques, or mixed martial
12 arts skills and techniques, or any or all of these, and where
13 the objective is to display the skills and techniques without
14 striving to win.

15 "~~(7)~~(8) FACE VALUE. The dollar value of a ticket or
16 order shall reflect the dollar amount that the customer shall
17 pay in order to view the match, contest, exhibition, or
18 entertainment event. Face value shall include any charges or
19 fees, such as dinner, gratuity, parking, surcharges, or any
20 other charges or fees which are charged to and must be paid by
21 the customer in order to view the match, contest, exhibition,
22 or entertainment event. It shall exclude any portion paid by
23 the customer for federal, state, or local taxes.

24 "~~(8)~~(9) GROSS RECEIPTS. Any of the following:

25 "a. The gross price charged for the sale or lease of
26 broadcasting, television, closed circuit, or motion picture
27 rights without any deductions for commissions, brokerage fees,

1 distribution fees, production fees, advertising, or other
2 expenses or charges.

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

4 "~~(9)~~ (10) MANAGER. ~~A person~~ An individual who, under
5 contract, agreement, or other arrangement with a boxer, bare
6 knuckle boxer, or a mixed martial arts competitor, undertakes
7 to control or administer, directly or indirectly, a matter on
8 behalf of a boxer or a mixed martial arts competitor. The term
9 includes, but is not limited to, a person who functions as a
10 booking agent, adviser, or consultant.

11 "~~(10)~~ (11) MATCHMAKER. A person who is employed by or
12 associated with a promoter in the capacity of booking and
13 arranging professional matches, contests, or exhibitions of
14 boxing, bare knuckle boxing, or mixed martial arts between
15 opponents or who proposes professional matches, contests, or
16 exhibitions of boxing, bare knuckle boxing, or mixed martial
17 arts and selects and arranges for the participants in such
18 events and for whose activities in this regard the promoter is
19 legally responsible.

20 "~~(11)~~ (12) MIXED MARTIAL ARTS. Unarmed combat
21 involving the use of any combination of techniques from
22 different disciplines of the martial arts, including, without
23 limitation, grappling, submission holds, throws, and striking
24 or kicking with the hands, feet, knees, or elbows. The term
25 mixed martial arts includes kickboxing.

1 "~~(12)~~(13) PERSON. An individual, partnership, firm,
2 association, corporation, or combination of individuals of
3 whatever form or character.

4 "~~(13)~~(14) PHYSICIAN. A doctor of medicine or doctor
5 of osteopathy licensed to practice medicine in the State of
6 Alabama.

7 "~~(14)~~(15) PROFESSIONAL. A person who is
8 participating or has participated in a match, contest, or
9 exhibition of boxing, bare knuckle boxing, wrestling, or mixed
10 martial arts which is not governed or authorized by one or
11 more of the organizations listed in subdivision (1) and any of
12 the following:

13 "a. Has received or competed for or is receiving or
14 competing for any cash as a salary, purse, or prize for
15 participating in any match, contest, or exhibition of boxing,
16 bare knuckle boxing, wrestling, or mixed martial arts.

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

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

26 "d. Is participating or has participated in any
27 match, contest, or exhibition of boxing, bare knuckle boxing,

1 wrestling, or mixed martial arts which provides a commercial
2 advantage by attracting persons to a particular place or
3 promoting a commercial product or enterprise.

4 "~~(15)~~(16) PROFESSIONAL MATCH OF BOXING, BARE KNUCKLE
5 BOXING, WRESTLING, or MIXED MARTIAL ARTS.

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

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

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

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

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

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

23 "~~(16)~~(17) PROFESSIONAL WRESTLING. Any organized
24 event between two unarmed contestants in which participants
25 compete primarily for the purpose of providing entertainment
26 to spectators that may or may not comprise a bona fide
27 athletic contest or competition.

1 "~~(17)~~(18) PROMOTER. The person primarily responsible
2 for organizing, promoting, and producing a match, contest, or
3 exhibition of professional boxing, bare knuckle boxing, tough
4 man contest, professional wrestling, or mixed martial arts and
5 who is legally responsible for the lawful conduct of such
6 professional match, contest, or exhibition.

7 "~~(18)~~(19) PURSE or RING EARNINGS. The financial
8 guarantee or any other remuneration, or part thereof, which a
9 professional boxer, bare knuckle boxer, wrestler, or mixed
10 martial arts competitor participating in a match, contest, or
11 exhibition will receive and includes any share of any payment
12 received for radio broadcasting, television, or motion picture
13 rights.

14 "~~(19)~~(20) TOUGH MAN CONTEST. A boxing match and
15 tournament where each contestant wears headgear and oversized
16 gloves. A contestant in a tough man contest is not an amateur
17 or a professional and cash prizes may be awarded.

18 "~~(20)~~(21) UNARMED COMBAT.

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

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

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

1 competition to attract persons to a particular location for
2 some commercial advantage or to promote a commercial product
3 or commercial enterprise.

4 "b. Unarmed combat does not include any of the
5 following:

6 "1. Professional boxing.

7 "2. Professional wrestling.

8 "3. Amateur boxing.

9 "4. Amateur wrestling.

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

16 "6. Professional mixed martial arts.

17 "7. Amateur mixed martial arts.

18 "8. Tough man contests.

19 "9. Professional wrestling.

20 "10. Bare knuckle boxing.

21 "§41-9-1023.

22 "(a) There is created the Alabama Athletic
23 Commission composed of six members.

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

1 "a. Two members appointed by the Governor.

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

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

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

8 "e. One member appointed by the President Pro
9 Tempore of the Senate.

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

23 "(c) The commission shall elect a chair from among
24 its membership for a term of one year. While serving as chair,
25 a member may not vote on any matter coming before the
26 commission. The commission may elect a vice chair from its
27 membership for a term of one year. Any member serving as chair

1 shall be eligible for successive election to the office by the
2 commission. The chair may designate another member of the
3 commission to perform the duties of chair in his or her
4 absence. The commission may employ an executive director to
5 manage the day-to-day operations of the commission within the
6 available funds of the commission.

7 "(d) A medical advisory panel of the commission
8 shall be appointed by the Governor and shall consist of four
9 persons licensed to practice medicine in this state, with one
10 member each representing the specialties of ~~neurology,~~
11 ~~ophthalmology,~~ ~~sports medicine,~~ and general medicine and two
12 members representing the specialty of sports medicine. The
13 medical advisory panel shall advise and assist the commission
14 and its staff regarding issues and questions concerning the
15 medical safety of professional boxers, bare knuckle boxers,
16 tough man contestants, professional wrestlers, amateur mixed
17 martial arts competitors, and professional mixed martial arts
18 competitors including, but not limited to, matters relating to
19 medical suspensions. The medical advisory panel may meet
20 separately from the commission to discuss and formulate
21 recommendations for the commission in connection with medical
22 safety. Members of the medical advisory panel shall not be
23 counted in determining a quorum of the commission and shall
24 not vote as commission members.

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

1 "§41-9-1024.

2 "(a) (1) The commission shall be the sole regulator
3 of professional boxing in this state and shall have authority
4 to protect the physical safety and welfare of professional
5 boxers and serve the public interest by closely supervising
6 all professional boxing in this state.

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

17 "(3) ~~Commencing on May 22, 2013, the~~ The commission
18 shall be the sole regulator of professional matches, contests,
19 or exhibitions of wrestling and shall have the authority to
20 protect the physical safety and welfare of professional
21 competitors in professional wrestling and serve the public
22 interest by closely supervising all competitors in
23 professional wrestling. The commission shall regulate
24 professional wrestling to the same extent as professional
25 boxing unless any rule of the commission is not by its nature
26 applicable to professional wrestling.

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

10 "(5) The commission shall have the sole authority to
11 license the promoters of tough man contests to safeguard the
12 public health, to protect competitors, and to provide for
13 competitive matches by requiring each licensed promoter to
14 abide by rules promulgated by the commission. The commission,
15 at the request of a promoter, may provide direct oversight of
16 any tough man match for a fee negotiated between the
17 commission and the promoter.

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

1 "(b) The commission shall have the sole jurisdiction
2 to license the promotion or holding of each match, contest, or
3 exhibition of professional boxing, bare knuckle boxing, tough
4 man contests, professional wrestling, amateur mixed martial
5 arts, or professional mixed martial arts promoted or held
6 within this state.

7 "(c) The commission shall have the authority to
8 license participants in any match, contest, or exhibition of
9 professional boxing, professional bare knuckle boxing,
10 professional wrestling, amateur mixed martial arts, or
11 professional mixed martial arts held in this state.

12 "(d) The commission shall have the authority to
13 direct, manage, control, and supervise all matches, contests,
14 or exhibitions of professional boxing, professional bare
15 knuckle boxing, tough man contests, professional wrestling,
16 amateur mixed martial arts, or professional mixed martial arts
17 including, but not limited to, the authority to enforce safety
18 measures and restrict access to certain areas for the
19 protection of the public and participants. The commission may
20 adopt bylaws for its own management and promulgate and enforce
21 rules ~~and regulations~~ consistent with this article.

22 "(e) The commission shall have the sole authority to
23 inquire into the plans or arrangements for compliance of a
24 licensed organization with rules promulgated by the
25 commission. The commission may require a wrestling sanctioning
26 organization to pay an annual licensure fee and any other fee
27 determined necessary by the board and may penalize any

1 organization for violation of this article or any rule
2 promulgated by the commission pursuant to this article.

3 "(f) The commission may appoint one or more
4 inspectors as duly authorized representatives of the
5 commission to ensure that the rules are strictly observed. The
6 inspectors shall be present at all professional matches,
7 contests, or exhibitions of boxing, bare knuckle boxing,
8 wrestling, or mixed martial arts.

9 "(g) The commission may designate physicians as duly
10 authorized representatives of the commission to conduct
11 physical examinations of boxers, bare knuckle boxers, or mixed
12 martial arts competitors licensed under this article and shall
13 designate a roster of physicians authorized to conduct
14 prefight physicals and serve as ringside physicians in all
15 professional boxing, professional bare knuckle boxing, tough
16 man, or mixed martial arts matches held in this state.

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

19 "a. Make investigations.

20 "b. Hold hearings.

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

23 "d. Administer oaths to and examine any witnesses
24 for the purpose of determining any question coming before it
25 under this article or under the rules ~~and regulations~~ adopted
26 pursuant to this article.

1 "e. Swear out a warrant of arrest against any person
2 violating the criminal provisions of this article, and the
3 commission shall not be liable in damages or to any action for
4 damages by reason of swearing out a warrant or for causing the
5 arrest and detention or imprisonment of any person under such
6 warrant, unless the commission or agent fails to act in a
7 reasonably prudent manner.

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

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

23 "(j) Pursuant to 15 U.S.C. Section 6301, et seq.,
24 the commission may issue to each boxer who is a resident of
25 this state an identification card bearing the photograph of
26 the boxer and in such form and containing such information as
27 the commission deems necessary and appropriate. The commission

1 shall ensure that the form and manner of issuance of the
2 identification cards comply with any applicable federal law or
3 regulation. The commission may charge an amount not to exceed
4 one hundred dollars (\$100) per card for the issuance or
5 replacement of each identification card.

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

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

15 "(m) The commission, pursuant to rule, may license
16 any concessionaire, ring announcer, photographer, or other
17 person receiving any portion of the gate proceeds from a
18 match, contest, or exhibition held in the state pursuant to
19 this article.

20 "§41-9-1027.

21 "(a) The commission shall adopt rules ~~and~~
22 ~~regulations~~ governing professional boxing, professional bare
23 knuckle boxing, tough man contests, amateur mixed martial
24 arts, and professional mixed martial arts to establish the
25 following:

26 "(1) Procedures to evaluate the professional records
27 and physician certifications of each ~~boxer participating~~

1 participant in a match, contest, or exhibition of professional
2 boxing, professional bare knuckle boxing, tough man contests,
3 amateur mixed martial arts, and professional mixed martial
4 arts and to deny authorization for a professional boxer,
5 professional bare knuckle boxer, tough man contestant, amateur
6 mixed martial arts competitor, or professional mixed martial
7 arts competitor to fight where appropriate.

8 "(2) Procedures to ensure that, except as otherwise
9 provided in subsection (c) of Section 41-9-1032, no
10 professional boxer, professional bare knuckle boxer, amateur
11 mixed martial arts competitor, or professional mixed martial
12 arts competitor shall be permitted to participate while under
13 suspension from any state boxing or athletic commission
14 because of any of the following:

15 "a. A recent knockout, technical knockout, or series
16 of consecutive losses.

17 "b. An injury, requirement for a medical procedure,
18 or physician's denial of certification.

19 "c. Failure of a drug test.

20 "d. The use of false aliases or falsifying official
21 identification cards or document.

22 "e. Other reasons as determined by the commission.

23 "(3) Procedures to report to the boxing registry the
24 results of all professional matches, contests, or exhibitions
25 of boxing held in this state or being supervised by the
26 commission and any related suspensions.

1 "(b) (1) Drug tests, as provided in paragraph c. of
2 subdivision (2) of subsection (a), shall be conducted in
3 accordance with the most recent list of prohibited substances
4 and pursuant to the methods outlined by the World Anti-Doping
5 Agency. Drug tests shall include both in-competition testing
6 and out-of-competition testing, as applicable.

7 "(2) To affirm or disprove the presence of
8 a prohibited substance detected in the primary specimen
9 sample, a competitor who is accused of violating the drug
10 testing policy shall be given the option of having a secondary
11 specimen sample, collected at the same time as the primary
12 specimen sample, if available, tested.

13 "(3) A violation of the drug testing policy shall
14 constitute a civil violation punishable pursuant to guidelines
15 provided in Section 41-9-1034, by a suspension of licensure
16 and a civil fine not to exceed twenty-five thousand dollars
17 (\$25,000), together with a percentage of the purse not to
18 exceed 15 percent, for each violation.

19 "(4) The Administrative Procedure Act shall govern
20 all matters and procedures respecting the hearing and judicial
21 overview of any contested case.

22 "§41-9-1028.

23 "A member or employee of the commission and any
24 person who administers or enforces this article or rules
25 ~~promulgated~~ adopted in accordance with this article shall not
26 be a member of, contract with, or receive any compensation
27 from any person or organization who authorizes, arranges, or

1 promotes matches, contests, or exhibitions of professional
2 boxing, professional bare knuckle boxing, tough man contests,
3 professional wrestling, amateur mixed martial arts, or
4 professional mixed martial arts or who otherwise has a
5 financial interest in any activity or licensee regulated by
6 the commission. The term compensation does not include funds
7 held in escrow for payment to another person in connection
8 with a professional match, contest, or exhibition of boxing,
9 bare knuckle boxing, wrestling, or mixed martial arts.

10 "§41-9-1029.

11 "(a) (1) No person shall promote or hold a match,
12 contest, or exhibition of professional boxing, professional
13 bare knuckle boxing, tough man contests, professional
14 wrestling, amateur mixed martial arts, or professional mixed
15 martial arts within this state without first applying for and
16 obtaining a promoter's license from the commission.

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

19 "(b) Promoters shall apply to the commission for a
20 license required by subsection (a) on a form provided by the
21 commission. The application shall be accompanied by a
22 nonrefundable fee not to exceed two hundred fifty dollars
23 (\$250). The application shall also be accompanied by a
24 performance bond in an amount and under any conditions
25 required by the commission.

26 "(c) (1) In addition to the license required by
27 subsection (a), a match, contest, or exhibition of

1 professional boxing, professional bare knuckle boxing, tough
2 man contests, professional wrestling, amateur mixed martial
3 arts, or professional mixed martial arts within this state
4 shall not be staged unless a match permit has been issued by
5 the commission for the match, contest, or exhibition.

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

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

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

22 "(f) The commission shall have the sole authority to
23 certify the results of each amateur mixed martial arts match,
24 contest, or exhibition held within the state.

25 "§41-9-1030.

26 "(a) Prior to participating in a match, contest, or
27 exhibition of professional boxing, professional bare knuckle

1 boxing, professional wrestling, amateur mixed martial arts, or
2 professional mixed martial arts supervised by the commission,
3 referees, judges, timekeepers, matchmakers, boxers, bare
4 knuckle boxers, wrestlers, mixed martial arts competitors,
5 managers, trainers, and each person who assists a boxer, bare
6 knuckle boxer, wrestler, or mixed martial arts competitor
7 immediately before and after a match, contest, or exhibition
8 of boxing, bare knuckle boxing, wrestling, or mixed martial
9 arts and between rounds during a match, contest, or exhibition
10 of boxing, bare knuckle boxing, wrestling, or mixed martial
11 arts shall be required by the commission to apply for and be
12 issued a license. Licenses shall be issued annually and shall
13 expire on December 31 of each calendar year. Each applicant
14 shall make application on a form provided by the commission
15 and pay an annual license fee not to exceed two hundred fifty
16 dollars (\$250). The commission may issue a temporary license
17 to any applicant who applies for a license less than 30 days
18 before participating in a scheduled, sanctioned event.

19 "(b) The nonrefundable initial licensing fee and
20 annual renewal fee for a professional wrestling sanctioning
21 organization may not exceed one thousand dollars (\$1,000).

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

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

1 "(2) The applicant has complied with all applicable
2 requirements of this article and any rules ~~and regulations~~
3 ~~promulgated~~ adopted pursuant to this article.

4 "(3) The commission or its designated representative
5 has determined from information provided by the applicant and
6 from any medical evaluation required by the commission that
7 the health, welfare, and physical safety of the applicant will
8 not be unduly jeopardized by the issuance of the license.

9 "(4) The applicant is a citizen of the United States
10 or, if not a citizen of the United States, a person who is
11 legally present in the United States with appropriate
12 documentation from the federal government.

13 "§41-9-1031.

14 "(a) In addition to the license required in Section
15 41-9-1030, each professional boxer, professional bare knuckle
16 boxer, amateur mixed martial arts competitor, or professional
17 mixed martial arts competitor who is a resident of this state
18 or another state which has no state boxing or athletic
19 commission shall register with a boxing, bare knuckle boxing,
20 amateur mixed martial arts, or professional mixed martial arts
21 registry created or designated by the commission and renew his
22 or her registration as prescribed by rules of the commission.

23 "(b) At the time of registration and renewal, the
24 boxer, bare knuckle boxer, amateur mixed martial arts
25 competitor, or professional mixed martial arts competitor
26 shall provide the registry with a recent photograph of the
27 licensee and the Social Security number of the licensee or, in

1 the case of a foreign licensee, any similar citizen
2 identification number or licensee number from the country of
3 residence of the licensee, along with any other information
4 the commission requires. The registries shall issue a personal
5 identification number to each licensee and the number shall
6 appear on the identification card issued to the licensee as a
7 result of registration. Each licensee shall present to the
8 commission an identification card issued by the state in which
9 he or she resides not later than the time of the weigh-in for
10 a match, contest, or exhibition.

11 "(c) The commission may charge a registration fee in
12 an amount calculated to cover the administrative expense of
13 the registration.

14 "§41-9-1032.

15 "(a) The commission may refuse to grant a license to
16 an applicant upon a finding by a majority of the entire
17 commission that the applicant has failed to demonstrate the
18 qualifications or standards for a license contained in this
19 section or under the laws, and rules, ~~and regulations~~ under
20 which licensure is sought. The applicant shall demonstrate to
21 the satisfaction of the commission that he or she meets all
22 the requirements for the issuance of a license, and, if the
23 commission is not satisfied as to the qualifications of the
24 applicant, it may deny a license without a prior hearing;
25 however, the applicant shall be allowed to appear before the
26 commission if he or she so desires.

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

18 "a. Prohibiting any professional boxer, professional
19 bare knuckle boxer, tough man contestant, amateur mixed
20 martial arts competitor, or professional mixed martial arts
21 competitor from competing, appearing in, or participating in
22 any match, contest, or exhibition within 60 days of having
23 suffered a knockout.

24 "b. Prohibiting any professional boxer, professional
25 bare knuckle boxer, amateur mixed martial arts competitor, or
26 professional mixed martial arts competitor, from competing,
27 appearing in, or participating in any match, contest, or

1 exhibition within 30 days of having suffered a technical
2 knockout where evidence of head trauma has been determined by
3 the attending ringside physician.

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

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

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

5 "(d) The commission may revoke a suspension of a
6 professional boxer, professional bare knuckle boxer,
7 professional wrestler, amateur mixed martial arts competitor,
8 or professional mixed martial arts competitor if any of the
9 following applies:

10 "(1) The professional boxer, professional bare
11 knuckle boxer, professional wrestler, or mixed martial arts
12 competitor was suspended pursuant to rules ~~and regulations~~
13 adopted pursuant to Section 41-9-1027 and has furnished proof
14 of a sufficiently improved medical or physical condition.

15 "(2) The professional boxer, professional bare
16 knuckle boxer, professional wrestler, or mixed martial arts
17 competitor furnishes proof that a suspension pursuant to
18 Section 41-9-1027 was not or is no longer merited by the
19 facts.

20 "§41-9-1033.

21 "No person shall arrange, promote, organize,
22 produce, or participate in a match, contest, or exhibition of
23 professional boxing, professional bare knuckle boxing,
24 professional wrestling, amateur mixed martial arts, or
25 professional mixed martial arts unless he or she has complied
26 with the following requirements:

1 "(1) An examination by a physician who has certified
2 that the boxer, bare knuckle boxer, or mixed martial arts
3 competitor is physically fit to compete safely. Copies of each
4 certificate shall be provided to the commission prior to the
5 match, contest, or exhibition of professional boxing,
6 professional bare knuckle boxing, amateur mixed martial arts,
7 or professional mixed martial arts. The commission may require
8 a boxer, bare knuckle boxer, tough man contestant, wrestler,
9 or mixed martial arts competitor to undergo a physical
10 examination, including neurological or neuropsychological
11 tests and procedures.

12 "(2) A physician approved by the commission shall be
13 continuously present at ringside during every match, contest,
14 or exhibition of professional boxing, professional bare
15 knuckle boxing, tough man contest, professional wrestling,
16 amateur mixed martial arts, or professional mixed martial
17 arts. The physician shall observe the physical condition of
18 the boxers, bare knuckle boxers, tough man contestants,
19 wrestlers, or competitors in mixed martial arts and advise the
20 referee with regard to the boxers, bare knuckle boxers, tough
21 man contestants, wrestlers, or competitors.

22 "(3) One or more inspectors appointed by the
23 commission as duly authorized representatives of the
24 commission shall be present at each match, contest, or
25 exhibition of professional boxing, professional bare knuckle
26 boxing, tough man contests, professional wrestling, amateur
27 mixed martial arts, or professional mixed martial arts to

1 ensure that the rules are strictly observed. An inspector or
2 other duly authorized representative of the commission shall
3 be present at the weigh-in and at the ring during the conduct
4 of the match, contest, or exhibition of professional boxing,
5 professional bare knuckle boxing, amateur mixed martial arts,
6 or professional mixed martial arts. Inspectors and other duly
7 authorized representatives of the commission shall have free
8 access to the dressing rooms of the professional boxers,
9 professional bare knuckle boxers, tough man contestants, and
10 mixed martial arts competitors.

11 "(4) Each boxer, bare knuckle boxer, tough man
12 contestant, wrestler, or competitor in mixed martial arts
13 shall be covered by health insurance which will cover injuries
14 sustained during the match, contest, or exhibition of
15 professional boxing, professional bare knuckle boxing, tough
16 man contest, professional wrestling, amateur mixed martial
17 arts, or professional mixed martial arts.

18 "(5) An ambulance and medical personnel with
19 appropriate resuscitation equipment shall be continuously
20 present at the site during any match, contest, or exhibition
21 of professional boxing, professional bare knuckle boxing,
22 tough man contest, professional wrestling, amateur mixed
23 martial arts, or professional mixed martial arts.

24 "§41-9-1034.

25 "It shall be unlawful for any professional boxer,
26 professional bare knuckle boxer, tough man contestant,
27 professional wrestler, amateur mixed martial arts competitor,

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

20 "§41-9-1035.

21 "All buildings or structures used or intended to be
22 used for holding or giving matches, contests, or exhibitions
23 of professional boxing, professional bare knuckle boxing,
24 tough man contest, professional wrestling, amateur mixed
25 martial arts, or professional mixed martial arts shall be safe
26 and shall in all manner conform to the laws, ordinances, and
27 regulations pertaining to buildings in the municipality or

1 unincorporated area of the county where the building or
2 structure is situated.

3 "§41-9-1036.

4 "No person under the age of 18 years shall
5 participate as a contestant in any match, contest, or
6 exhibition of professional boxing, professional bare knuckle
7 boxing, tough man contest, professional wrestling, amateur
8 mixed martial arts, or professional mixed martial arts.

9 "§41-9-1037.

10 "The commission shall have jurisdiction over any
11 match, contest, or exhibition of professional boxing,
12 professional bare knuckle boxing, tough man contests,
13 professional wrestling, amateur mixed martial arts, or
14 professional mixed martial arts which occurs or is held within
15 this state, is filmed in this state, or is broadcast or
16 transmitted from this state.

17 "§41-9-1038.

18 "(a) The Attorney General may bring a civil action
19 requesting relief, including a permanent or temporary
20 injunction, restraining order, or other order, against any
21 person who he or she believes is violating Sections 41-9-1029,
22 41-9-1030, 41-9-1031, 41-9-1032, 41-9-1033, 41-9-1034,
23 41-9-1035, and 41-9-1037.

24 "(b) (1) Any manager, promoter, matchmaker, or
25 licensee who knowingly violates or coerces or causes any other
26 person to violate Sections 41-9-1030, 41-9-1031, 41-9-1032,

1 41-9-1033, 41-9-1034, 41-9-1035, 41-9-1036, and 41-9-1037
2 shall, upon conviction, be guilty of a Class C felony.

3 "(2) Any member or employee of the commission or any
4 person who administers or enforces this article or rules ~~and~~
5 ~~regulations promulgated~~ adopted pursuant to this article who
6 knowingly violates Sections 41-9-1033 or 41-9-1034 shall, upon
7 conviction, be guilty of a Class C felony.

8 "(3) Any professional boxer, professional bare
9 knuckle boxer, tough man contestant, professional wrestler,
10 amateur mixed martial arts competitor, or professional
11 competitor in mixed martial arts who knowingly violates this
12 article, except Section 41-9-1034, shall, upon conviction, be
13 guilty of a Class B misdemeanor.

14 "(4) Any professional boxer, professional bare
15 knuckle boxer, tough man contestant, professional wrestler,
16 amateur mixed martial arts competitor, or professional
17 competitor in mixed martial arts who violates Section
18 41-9-1034 may be punished by a civil fine not to exceed
19 twenty-five thousand dollars (\$25,000) together with a
20 percentage of the purse not to exceed 15 percent for each
21 violation.

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

24 "(d) The criminal penalties in this section shall
25 not be construed to repeal other criminal laws. Whenever
26 conduct prescribed by this article is also prescribed by other

1 provision of law, the provision which carries the more serious
2 penalty shall be applied."

3 Section 2. Although this bill would have as its
4 purpose or effect the requirement of a new or increased
5 expenditure of local funds, the bill is excluded from further
6 requirements and application under Amendment 621, now
7 appearing as Section 111.05 of the Official Recompilation of
8 the Constitution of Alabama of 1901, as amended, because the
9 bill defines a new crime or amends the definition of an
10 existing crime.

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