

1 HB534
2 209111-2
3 By Representative Garrett
4 RFD: Boards, Agencies and Commissions
5 First Read: 11-MAR-21

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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 change the name of the
14 regulatory act for the commission from the Alabama
15 Boxing, Wrestling, and Mixed Martial Arts Act to
16 the Alabama Unarmed Combat Act.

17 This bill would provide that the commission
18 is the sole regulator of any form of unarmed combat
19 held in the state.

20 This bill would authorize the commission to
21 immediately implement certain medical guidelines
22 and competition guidelines approved by the
23 commission without hearings as prescribed by the
24 Alabama Administrative Procedure Act.

25 This bill would authorize the commission to
26 assess fines, not exceeding \$10,000 per violation,

1 for violations of the rules and guidelines of the
2 commission.

3 This bill would also provide further for the
4 complaint, investigation, and discipline process
5 for violators.

6 Amendment 621 of the Constitution of Alabama
7 of 1901, as amended by Amendment 890, now appearing
8 as Section 111.05 of the Official Recompilation of
9 the Constitution of Alabama of 1901, prohibits a
10 general law whose purpose or effect would be to
11 require a new or increased expenditure of local
12 funds from becoming effective with regard to a
13 local governmental entity without enactment by a
14 2/3 vote unless: it comes within one of a number of
15 specified exceptions; it is approved by the
16 affected entity; or the Legislature appropriates
17 funds, or provides a local source of revenue, to
18 the entity for the purpose.

19 The purpose or effect of this bill would be
20 to require a new or increased expenditure of local
21 funds within the meaning of the amendment. However,
22 the bill does not require approval of a local
23 governmental entity or enactment by a 2/3 vote to
24 become effective because it comes within one of the
25 specified exceptions contained in the amendment.

26
27 A BILL

1 TO BE ENTITLED

2 AN ACT

3
4 Relating to the Alabama Athletic Commission; to
5 amend Sections 41-9-1020, 41-9-1021, 41-9-1023, 41-9-1024,
6 41-9-1037, and 41-9-1038, Code of Alabama 1975; to rename the
7 regulatory act the Alabama Unarmed Combat Act; to provide that
8 the commission is the sole regulator of any form of unarmed
9 combat held in the state; to authorize the commission to
10 immediately implement certain medical guidelines and
11 competition guidelines approved by the commission without
12 hearings as prescribed by the Alabama Administrative Procedure
13 Act; to authorize the commission to assess fines, not
14 exceeding a specified amount; to provide further for the
15 complaint, investigation, and discipline process for
16 violators; and in connection therewith would have as its
17 purpose or effect the requirement of a new or increased
18 expenditure of local funds within the meaning of Amendment 621
19 of the Constitution of Alabama of 1901, as amended by
20 Amendment 890, now appearing as Section 111.05 of the Official
21 Recompilation of the Constitution of Alabama of 1901.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. Sections 41-9-1020, 41-9-1021, 41-9-1023,
24 41-9-1024, 41-9-1037, and 41-9-1038 of the Code of Alabama
25 1975, are amended to read as follows:

26 "§41-9-1020.

1 "This article shall be known and may be cited as the
2 Alabama ~~Boxing, Wrestling, and Mixed Martial Arts~~ Unarmed
3 Combat Act.

4 "§41-9-1021.

5 "As used in this article, the following terms shall
6 have the following meanings:

7 "(1) AMATEUR. An individual who engages in a match,
8 contest, or exhibition of boxing, tough man contests,
9 wrestling, ~~or~~ mixed martial arts, or other form of unarmed
10 combat, for no compensation or thing of value for
11 participating, which is governed or authorized by any of the
12 following:

13 "a. U.S.A. Boxing.

14 "b. The Alabama High School Athletic Association.

15 "c. The National Collegiate Athletic Association.

16 "d. Amateur Athletic Union.

17 "e. Golden Gloves.

18 "f. The local affiliate of any organization listed
19 in this subdivision.

20 "g. USA Wrestling.

21 "h. The National Junior College Athletic
22 Association.

23 "i. The National Association of Intercollegiate
24 Athletics.

25 "j. The National Collegiate Wrestling Association.

26 "k. Any organization licensed by the commission.

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

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

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

13 "(5) CHARITABLE ORGANIZATION. An entity described by
14 either of the following:

15 "a. Section 501(c)(3), Internal Revenue Code of 1986
16 (26 U.S.C. ~~Section~~ §501(c)(3)).

17 "b. Section 170(c), Internal Revenue Code of 1986
18 (26 U.S.C. ~~Section~~ §170(c)).

19 "(6) COMMISSION. The Alabama Athletic Commission.

20 "(7) EXHIBITION. A contest where the participants
21 engage in the use of boxing skills and techniques, bare
22 knuckle skills and techniques, tough man skills and
23 techniques, wrestling skills and techniques, or mixed martial
24 arts skills and techniques, or any or all of these, and where
25 the objective is to display the skills and techniques without
26 striving to win.

1 "(8) FACE VALUE. The dollar value of a ticket or
2 order shall reflect the dollar amount that the customer shall
3 pay in order to view the match, contest, exhibition, or
4 entertainment event. Face value shall include any charges or
5 fees, such as dinner, gratuity, parking, surcharges, or any
6 other charges or fees which are charged to and must be paid by
7 the customer in order to view the match, contest, exhibition,
8 or entertainment event. It shall exclude any portion paid by
9 the customer for federal, state, or local taxes.

10 "(9) GROSS RECEIPTS. Any of the following:

11 "a. The gross price charged for the sale or lease of
12 broadcasting, television, closed circuit, or motion picture
13 rights without any deductions for commissions, brokerage fees,
14 distribution fees, production fees, advertising, or other
15 expenses or charges.

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

17 "(10) MANAGER. An individual who, under contract,
18 agreement, or other arrangement with a boxer, bare knuckle
19 boxer, or a mixed martial arts competitor, undertakes to
20 control or administer, directly or indirectly, a matter on
21 behalf of a boxer or a mixed martial arts competitor. The term
22 includes, but is not limited to, a person who functions as a
23 booking agent, adviser, or consultant.

24 "(11) MATCHMAKER. A person who is employed by or
25 associated with a promoter in the capacity of booking and
26 arranging professional matches, contests, or exhibitions of
27 boxing, bare knuckle boxing, or mixed martial arts between

1 opponents or who proposes professional matches, contests, or
2 exhibitions of boxing, bare knuckle boxing, or mixed martial
3 arts and selects and arranges for the participants in such
4 events and for whose activities in this regard the promoter is
5 legally responsible.

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

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

15 "(14) PHYSICIAN. A doctor of medicine or doctor of
16 osteopathy licensed to practice medicine in the State of
17 Alabama.

18 "(15) PROFESSIONAL. A person who is participating or
19 has participated in a match, contest, or exhibition of boxing,
20 bare knuckle boxing, wrestling, or mixed martial arts which is
21 not governed or authorized by one or more of the organizations
22 listed in subdivision (1) and any of the following:

23 "a. Has received or competed for or is receiving or
24 competing for any cash as a salary, purse, or prize for
25 participating in any match, contest, or exhibition of boxing,
26 bare knuckle boxing, wrestling, or mixed martial arts.

1 "b. Is participating or has participated in any
2 match, contest, or exhibition of boxing, bare knuckle boxing,
3 wrestling, or mixed martial arts to which admission is granted
4 upon payment of any ticket for admission or other evidence of
5 the right of entry.

6 "c. Is participating or has participated in any
7 match, contest, or exhibition of boxing, bare knuckle boxing,
8 wrestling, or mixed martial arts which is or was filmed,
9 broadcast, or transmitted for viewing.

10 "d. Is participating or has participated in any
11 match, contest, or exhibition of boxing, bare knuckle boxing,
12 wrestling, or mixed martial arts which provides a commercial
13 advantage by attracting persons to a particular place or
14 promoting a commercial product or enterprise.

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

17 "~~a.~~ A boxing match, contest, or exhibition; a bare
18 knuckle boxing match, contest, or exhibition; a wrestling
19 match; ~~or~~ a mixed martial arts match, contest, or exhibition;
20 or other unarmed combat match, contest, or exhibition, which
21 is not governed or authorized by one or more of the
22 organizations listed in subdivision (1) and which does any of
23 the following:

24 "~~f.~~a. Rewards a boxer, bare knuckle boxer, wrestler,
25 ~~or~~ mixed martial arts competitor, or other unarmed combat
26 competitor participating with cash as a salary, purse, or
27 prize for such participation.

1 "~~2.b.~~ Requires for admission payment of a ticket or
2 other evidence of the right of entry.

3 "~~3.c.~~ Is filmed, broadcast, or transmitted for
4 viewing.

5 "~~4.d.~~ Provides a commercial advantage by attracting
6 persons to a particular place or promoting a commercial
7 product or enterprise.

8 "~~b. The term does not include unarmed combat.~~

9 "(17) PROFESSIONAL WRESTLING. Any organized event
10 between two unarmed contestants in which participants compete
11 primarily for the purpose of providing entertainment to
12 spectators that may or may not comprise a bona fide athletic
13 contest or competition.

14 "(18) PROMOTER. The person primarily responsible for
15 organizing, promoting, and producing a match, contest, or
16 exhibition of professional boxing, bare knuckle boxing, tough
17 man contest, professional wrestling, or mixed martial arts and
18 who is legally responsible for the lawful conduct of such
19 professional match, contest, or exhibition.

20 "(19) PURSE or RING EARNINGS. The financial
21 guarantee or any other remuneration, or part thereof, which a
22 professional boxer, bare knuckle boxer, wrestler, or mixed
23 martial arts competitor participating in a match, contest, or
24 exhibition will receive and includes any share of any payment
25 received for radio broadcasting, television, or motion picture
26 rights.

1 "(20) TOUGH MAN CONTEST. A boxing match and
2 tournament where each contestant wears headgear and oversized
3 gloves. A contestant in a tough man contest is not an amateur
4 or a professional and cash prizes may be awarded.

5 "(21) UNARMED COMBAT.

6 a. Any form of competition between human beings in
7 which both of the following occurs:

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

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

18 "b. Unarmed combat does not include any of the
19 following:

20 "1. Professional boxing.

21 "2. Professional wrestling.

22 "3. Amateur boxing.

23 "4. Amateur wrestling.

24 "5. Any competition displaying the skills of a
25 single form of a system of unarmed self-defense, including,
26 but not limited to, ~~kickboxing~~, karate~~7~~ or full-contact
27 karate, which is held pursuant to the rules of that form and

1 governed or authorized by a nationally recognized
2 organization.

3 "6. Professional mixed martial arts.

4 "7. Amateur mixed martial arts.

5 "8. Tough man contests.

6 "9. Professional wrestling.

7 "10. Bare knuckle boxing.

8 "§41-9-1023.

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

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

15 "a. Two members appointed by the Governor.

16 "b. One member appointed by the Alabama Athlete
17 Agents Commission.

18 "c. One member appointed by the Speaker of the House
19 of Representatives.

20 "d. One member appointed by the President of the
21 Senate.

22 "e. One member appointed by the President Pro
23 Tempore of the Senate.

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

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

10 "(c) The commission shall elect a chair from among
11 its membership for a term of one year. While serving as chair,
12 a member may not vote on any matter coming before the
13 commission. The commission may elect a vice chair from its
14 membership for a term of one year. Any member serving as chair
15 shall be eligible for successive election to the office by the
16 commission. The chair may designate another member of the
17 commission to perform the duties of chair in his or her
18 absence. The commission may employ an executive director to
19 manage the day-to-day operations of the commission within the
20 available funds of the commission.

21 "(d) A medical advisory panel of the commission
22 shall be appointed by the Governor and shall consist of four
23 persons licensed to practice medicine in this state, with one
24 member each representing the specialties of ophthalmology and
25 general medicine and two members representing the specialty of
26 sports medicine. The medical advisory panel shall advise and
27 assist the commission and its staff regarding issues and

1 questions concerning the medical safety of professional
2 boxers, bare knuckle boxers, tough man contestants,
3 professional wrestlers, amateur mixed martial arts
4 competitors, ~~and~~ professional mixed martial arts competitors,
5 and other unarmed combat competitors including, but not
6 limited to, matters relating to medical suspensions. The
7 medical advisory panel may meet separately from the commission
8 to discuss and formulate recommendations for the commission in
9 connection with medical safety. Members of the medical
10 advisory panel shall not be counted in determining a quorum of
11 the commission and shall not vote as commission members.

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

15 "§41-9-1024.

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

21 "(2) The commission shall be the sole regulator of
22 professional and amateur matches, contests, or exhibitions of
23 mixed martial arts and shall have the authority to protect the
24 physical safety and welfare of professional competitors in
25 mixed martial arts and serve the public interest by closely
26 supervising all competitors in mixed martial arts. The
27 commission shall regulate professional and amateur mixed

1 martial arts to the same extent as professional boxing unless
2 any rule of the commission is not by its nature applicable to
3 mixed martial arts.

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

13 "(4) The commission shall have the sole authority to
14 license a wrestling sanctioning organization to safeguard the
15 public health, to protect competitors, and to provide for
16 competitive matches by requiring each licensed organization to
17 abide by rules adopted by the commission. The commission, at
18 the request of a licensed sanctioning organization, may
19 provide direct oversight of any event sanctioned by the
20 organization for a fee negotiated between the commission and
21 the licensed sanctioning organization.

22 "(5) The commission shall have the sole authority to
23 license the promoters of tough man contests to safeguard the
24 public health, to protect competitors, and to provide for
25 competitive matches by requiring each licensed promoter to
26 abide by rules adopted by the commission. The commission, at
27 the request of a promoter, may provide direct oversight of any

1 tough man match for a fee negotiated between the commission
2 and the promoter.

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

13 "(7) The commission shall be the sole regulator and
14 shall have the sole authority to regulate any form of unarmed
15 combat held in the state as the commission deems necessary.

16 "(b) The commission shall have the sole jurisdiction
17 to license the promotion or holding of each match, contest, or
18 exhibition of professional boxing, bare knuckle boxing, tough
19 man contests, professional wrestling, amateur mixed martial
20 arts, ~~or~~ professional mixed martial arts, or other form of
21 unarmed combat promoted or held within this state.

22 "(c) The commission shall have the authority to
23 license participants in any match, contest, or exhibition of
24 professional boxing, professional bare knuckle boxing,
25 professional wrestling, amateur mixed martial arts, ~~or~~
26 professional mixed martial arts, or other form of unarmed
27 combat held in this state.

1 "(d) The commission shall have the authority to
2 direct, manage, control, and supervise all matches, contests,
3 or exhibitions of professional boxing, professional bare
4 knuckle boxing, tough man contests, professional wrestling,
5 amateur mixed martial arts, or professional mixed martial arts
6 including, but not limited to, the authority to enforce safety
7 measures and restrict access to certain areas for the
8 protection of the public and participants. The commission may
9 adopt bylaws for its own management and adopt and enforce
10 rules consistent with this article. The commission may
11 immediately implement medical guidelines, that have been
12 vetted by the medical advisory panel and approved by the
13 commission, and competition guidelines, that have been
14 approved by the commission. Medical and competition guidelines
15 approved by the commission pursuant to this subdivision are
16 exempt from the Alabama Administrative Procedure Act.

17 "(e) The commission shall have the sole authority to
18 inquire into the plans or arrangements for compliance of a
19 licensed organization with rules adopted by the commission.
20 The commission may require a wrestling sanctioning
21 organization to pay an annual licensure fee and any other fee
22 determined necessary by the board and may penalize any
23 organization for violation of this article or any rule adopted
24 by the commission pursuant to this article.

25 "(f) The commission may appoint one or more
26 inspectors as duly authorized representatives of the
27 commission to ensure that the rules are strictly observed. The

1 inspectors shall be present at all professional matches,
2 contests, or exhibitions of boxing, bare knuckle boxing,
3 wrestling, or mixed martial arts.

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

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

14 "a. Make investigations.

15 "b. Hold hearings.

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

18 "d. Administer oaths to and examine any witnesses
19 for the purpose of determining any question coming before it
20 under this article or under the rules adopted pursuant to this
21 article.

22 "e. Swear out a warrant of arrest against any person
23 violating the criminal provisions of this article, and the
24 commission shall not be liable in damages or to any action for
25 damages by reason of swearing out a warrant or for causing the
26 arrest and detention or imprisonment of any person under such

1 warrant, unless the commission or agent fails to act in a
2 reasonably prudent manner.

3 "f. Assess fines, not to exceed ten thousand dollars
4 (\$10,000) per violation, for violations of the rules and
5 guidelines of the commission.

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

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

21 "(j) Pursuant to 15 U.S.C. Section 6301, et seq.,
22 the commission may issue to each boxer who is a resident of
23 this state an identification card bearing the photograph of
24 the boxer and in such form and containing such information as
25 the commission deems necessary and appropriate. The commission
26 shall ensure that the form and manner of issuance of the
27 identification cards comply with any applicable federal law or

1 regulation. The commission may charge an amount not to exceed
2 one hundred dollars (\$100) per card for the issuance or
3 replacement of each identification card.

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

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

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

18 "§41-9-1037.

19 "The commission shall have jurisdiction over any
20 match, contest, or exhibition of professional boxing,
21 professional bare knuckle boxing, tough man contests,
22 professional wrestling, amateur mixed martial arts, ~~or~~
23 professional mixed martial arts, or other form of unarmed
24 combat which occurs or is held within this state, is filmed in
25 this state, or is broadcast or transmitted from this state.

26 "§41-9-1038.

1 ~~"(a) The Attorney General may bring a civil action~~
2 ~~requesting relief, including a permanent or temporary~~
3 ~~injunction, restraining order, or other order, against any~~
4 ~~person who he or she believes is violating Section 41-9-1029,~~
5 ~~41-9-1030, 41-9-1031, 41-9-1032, 41-9-1033, 41-9-1034,~~
6 ~~41-9-1035, or 41-9-1037.~~

7 ~~"(b) (1) Any manager, promoter, matchmaker, or~~
8 ~~licensee who knowingly violates or coerces or causes any other~~
9 ~~person to violate Section 41-9-1030, 41-9-1031, 41-9-1032,~~
10 ~~41-9-1033, 41-9-1034, 41-9-1035, 41-9-1036, or 41-9-1037~~
11 ~~shall, upon conviction, be guilty of a Class C felony.~~

12 ~~"(2) Any member or employee of the commission or any~~
13 ~~person who administers or enforces this article or rules~~
14 ~~adopted pursuant to this article who knowingly violates~~
15 ~~Section 41-9-1033 or 41-9-1034 shall, upon conviction, be~~
16 ~~guilty of a Class C felony.~~

17 ~~"(3) Any professional boxer, professional bare~~
18 ~~knuckle boxer, tough man contestant, professional wrestler,~~
19 ~~amateur mixed martial arts competitor, or professional~~
20 ~~competitor in mixed martial arts who knowingly violates this~~
21 ~~article, except Section 41-9-1034, shall, upon conviction, be~~
22 ~~guilty of a Class B misdemeanor.~~

23 ~~"(4) Any professional boxer, professional bare~~
24 ~~knuckle boxer, tough man contestant, professional wrestler,~~
25 ~~amateur mixed martial arts competitor, or professional~~
26 ~~competitor in mixed martial arts who violates Section~~
27 ~~41-9-1034 may be punished by a civil fine not to exceed~~

1 ~~twenty-five thousand dollars (\$25,000) together with a~~
2 ~~percentage of the purse not to exceed 15 percent for each~~
3 ~~violation.~~

4 "(a) Any person may file a written and signed
5 complaint with the commission alleging that any other person
6 has violated any provision of Sections 41-9-1029 to 41-9-1037,
7 inclusive. A complaint shall be made in the manner prescribed
8 by the board and shall be referred by the commission to a
9 standing investigative committee, consisting of a commission
10 member, the executive director, the attorney for the
11 commission, and an investigator or the chief inspector of the
12 commission. If the investigative committee finds that no
13 probable cause exists, the investigative committee may dismiss
14 the charges and prepare a statement in writing, detailing the
15 reasons for the decision.

16 "(b) (1) If the investigative committee finds that
17 probable cause exists, the commission shall initiate an
18 administrative proceeding. If the commission determines a
19 person has violated any provision of Sections 41-9-1029 to
20 41-9-1037, inclusive, the commission may do any of the
21 following:

22 "a. Issue a cease and desist order.

23 "b. Suspend or revoke a license.

24 "c. Impose an administrative fine of not more than
25 ten thousand dollars (\$10,000) per violation.

1 "(2) The commission may petition the circuit court
2 of the county where the violation occurred to enforce a cease
3 and desist order and to collect any assessed fine.

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

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

11 "(e) Any person aggrieved by an adverse action of
12 the commission may appeal the action to the Circuit Court of
13 Montgomery County in accordance with the Alabama
14 Administrative Procedure Act."

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, as amended
19 by Amendment 890, now appearing as Section 111.05 of the
20 Official Recompilation of the Constitution of Alabama of 1901,
21 as amended, because the bill defines a new crime or amends the
22 definition of an existing crime.

23 Section 3. This act shall become effective
24 immediately following its passage and approval by the
25 Governor, or its otherwise becoming law.