

1 SB174  
2 148306-3  
3 By Senator Allen  
4 RFD: Governmental Affairs  
5 First Read: 12-FEB-13

1 SB174

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3  
4 ENROLLED, An Act,

5 To amend Sections 41-9-1020, 41-9-1021, 41-9-1022,  
6 41-9-1023, 41-9-1024, 41-9-1025, 41-9-1027, 41-9-1028,  
7 41-9-1029, 41-9-1030, 41-9-1031, 41-9-1032, 41-9-1033,  
8 41-9-1034, 41-9-1035, 41-9-1036, 41-9-1037, and 41-9-1038,  
9 Code of Alabama 1975, changing the name of the Alabama Boxing  
10 and Mixed Martial Arts Act to the Alabama Boxing, Wrestling,  
11 and Mixed Martial Arts Act; to define the terms professional  
12 wrestling and tough man contests; to authorize the Alabama  
13 Athletic Commission to regulate professional wrestling and  
14 tough man contests in the same manner as boxing and mixed  
15 martial arts; to provide penalties; and in connection  
16 therewith would have as its purpose or effect the requirement  
17 of a new or increased expenditure of local funds within the  
18 meaning of Amendment 621 of the Constitution of Alabama of  
19 1901, now appearing as Section 111.05 of the Official  
20 Recompilation of the Constitution of Alabama of 1901, as  
21 amended.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. Sections 41-9-1020, 41-9-1021, 41-9-1022,  
24 41-9-1023, 41-9-1024, 41-9-1025, 41-9-1027, 41-9-1028,  
25 41-9-1029, 41-9-1030, 41-9-1031, 41-9-1032, 41-9-1033,

1 41-9-1034, 41-9-1035, 41-9-1036, 41-9-1037, and 41-9-1038 of  
2 the Code of Alabama 1975, are amended to read as follows:

3 "§41-9-1020.

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

6 "§41-9-1021.

7 "As used in this article, the following terms shall  
8 have the following meanings:

9 "(1) AMATEUR. A person who engages in a match,  
10 contest, or exhibition of boxing, tough man contests,  
11 wrestling, or mixed martial arts, for no compensation or thing  
12 of value for participating, which is governed or authorized by  
13 any of the following:

14 "a. U.S.A. Boxing.

15 "b. The Alabama High School Athletic Association.

16 "c. The National Collegiate Athletic Association.

17 "d. Amateur Athletic Union.

18 "e. Golden Gloves.

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

21 "g. USA Wrestling.

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

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

1           "j. The National Collegiate Wrestling Association.

2           "gk. Any organization licensed by the commission.

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

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

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

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

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

18           "(5) COMMISSION. The Alabama Athletic Commission.

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

1           "(7) 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           "(8) 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           "(9) MANAGER. A person who, under contract,  
18 agreement, or other arrangement with a boxer or a mixed  
19 martial arts competitor, undertakes to control or administer,  
20 directly or indirectly, a matter on behalf of a boxer or a  
21 mixed martial arts competitor. The term includes, but is not  
22 limited to, a person who functions as a booking agent,  
23 adviser, or consultant.

24           "(10) MATCHMAKER. A person who is employed by or  
25 associated with a promoter in the capacity of booking and

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

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

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

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

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

24 "a. Has received or competed for or is receiving or  
25 competing for any cash as a salary, purse, or prize for

1 participating in any match, contest, or exhibition of boxing,  
2 wrestling, or mixed martial arts.

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

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

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

16 "(15) PROFESSIONAL MATCH, ~~CONTEST, or EXHIBITION~~ OF  
17 BOXING, WRESTLING, or MIXED MARTIAL ARTS.

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

23 "1. Rewards a boxer, wrestler, or mixed martial arts  
24 competitor participating with cash as a salary, purse, or  
25 prize for such participation.

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

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

5           "4. 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           "(16) 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           "~~(16)~~ (17) PROMOTER. The person primarily responsible  
15 for organizing, promoting, and producing a ~~professional~~ match,  
16 contest, or exhibition of professional boxing, tough man  
17 contest, professional wrestling, or mixed martial arts and who  
18 is legally responsible for the lawful conduct of such  
19 professional match, contest, or exhibition ~~of boxing or mixed~~  
20 martial arts.

21           "~~(17)~~ (18) PURSE or RING EARNINGS. The financial  
22 guarantee or any other remuneration, or part thereof, which a  
23 professional boxer, wrestler, or mixed martial arts competitor  
24 participating in a match, contest, or exhibition will receive



1 and includes any share of any payment received for radio  
2 broadcasting, television, or motion picture rights.

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

7 ~~"(18)~~ (20) UNARMED COMBAT.

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

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

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

20 ~~"b. Unarmed combat includes, but is not limited to,~~  
21 ~~tough man fights and bad man fights.~~

22 "c.b. Unarmed combat does not include any of the  
23 following:

24 "1. Professional boxing.

25 "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 "8. Tough man contests.

12 "9. Professional wrestling.

13 "§41-9-1022.

14 "This article shall not be construed to apply to any  
15 match, contest, or exhibition of boxing or wrestling in which  
16 the contestants are all amateurs and which is governed or  
17 authorized by any of the following:

18 "(1) U.S.A. Boxing.

19 "(2) The Alabama High School Athletic Association.

20 "(3) The National Collegiate Athletic Association.

21 "(4) Amateur Athletic Union.

22 "(5) Golden Gloves.

23 "(6) USA Wrestling.

24 "(7) The National Junior College Athletic  
25 Association.

1           "(8) The National Association of Intercollegiate  
2 Athletics.

3           "(9) The National Collegiate Wrestling Association.

4           "~~(6)~~ (10) The local affiliate of any organization  
5 listed in this section.

6           "§41-9-1023.

7           "(a) There is created the Alabama Athletic  
8 Commission composed of ~~five~~ six members.

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

13           "a. Two members appointed by the Governor.

14           "b. One member appointed by the Alabama Athlete  
15 Agents Commission.

16           "c. One member appointed by the Speaker of the House  
17 of Representatives.

18           "d. One member appointed by the President of the  
19 Senate.

20           "e. One member appointed by the President Pro  
21 Tempore of the Senate.

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

1 Senate shall be for two years, and the initial appointment of  
2 the President Pro Tempore of the Senate shall be for one year.

3 The initial appointment by the commission shall be for four  
4 years. All subsequent appointments shall be for terms of four  
5 years. Vacancies shall be filled for the unexpired terms under  
6 the same procedures and requirements as appointments for full  
7 terms. Each member of the commission shall be a citizen of  
8 this state and no two members shall be from the same  
9 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,  
24 representing the specialties of neurology, ophthalmology,  
25 sports medicine, and general medicine. The medical advisory

1 panel shall advise and assist the commission and its staff  
2 regarding issues and questions concerning the medical safety  
3 of professional boxers, tough man contestants, professional  
4 wrestlers, amateur mixed martial arts competitors, and  
5 professional mixed martial arts competitors, including, but  
6 not 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

1 supervising all ~~professional~~ competitors in mixed martial  
2 arts. The commission shall regulate professional and amateur  
3 mixed martial arts to the same extent as professional boxing  
4 unless any rule of the commission is not by its nature  
5 applicable to mixed martial arts.

6           "(3) Commencing on the effective date of the act  
7 amending this subdivision, the ~~The~~ commission shall ~~have the~~  
8 ~~sole authority to license an amateur mixed martial arts~~  
9 ~~sanctioning organization to safeguard the public health, to~~  
10 ~~protect competitors, and to provide for competitive matches by~~  
11 ~~requiring each licensed organization to abide by rules~~  
12 ~~promulgated by the commission.~~ be the sole regulator of  
13 professional matches, contests, or exhibitions of wrestling  
14 and shall have the authority to protect the physical safety  
15 and welfare of professional competitors in professional  
16 wrestling and serve the public interest by closely supervising  
17 all competitors in professional wrestling. The commission  
18 shall regulate professional wrestling to the same extent as  
19 professional boxing unless any rule of the commission is not  
20 by its nature applicable to professional wrestling.

21           "(4) The commission shall have the sole authority to  
22 license a wrestling sanctioning organization to safeguard the  
23 public health, to protect competitors, and to provide for  
24 competitive matches by requiring each licensed organization to  
25 abide by rules promulgated by the commission. The commission,

1 at the request of a licensed sanctioning organization, may  
2 provide direct oversight of any event sanctioned by the  
3 organization for a fee negotiated between the commission and  
4 the licensed sanctioning organization.

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

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

19 "(c) The commission shall have the authority to  
20 license participants in any ~~professional~~ match, contest, or  
21 exhibition of professional boxing, professional wrestling,  
22 amateur mixed martial arts, or professional mixed martial arts  
23 held in this state.

24 "(d) The commission shall have the authority to  
25 direct, manage, control, and supervise all ~~professional~~

1 matches, contests, or exhibitions of professional boxing,  
2 tough man contests, professional wrestling, amateur mixed  
3 martial arts, or professional mixed martial arts including,  
4 but not limited to, the authority to enforce safety measures  
5 and restrict access to certain areas for the protection of the  
6 public and participants. The commission. It may adopt bylaws  
7 for its own management and promulgate and enforce rules and  
8 regulations consistent with this article.

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

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

24 "(g) The commission may designate physicians as duly  
25 authorized representatives of the commission to conduct



1 physical examinations of boxers or mixed martial arts  
2 competitors licensed under this article and shall designate a  
3 roster of physicians authorized to conduct prefight physicals  
4 and serve as ringside physicians in all professional boxing, l  
5 tough man, or mixed martial arts matches held in this state.

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

8 "a. Make investigations.

9 "b. Hold hearings.

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

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

16 "e. Swear out a warrant of arrest against any person  
17 violating the criminal provisions of this article, and the  
18 commission shall not be liable in damages or to any action for  
19 damages by reason of swearing out a warrant or for causing the  
20 arrest and detention or imprisonment of any person under such  
21 warrant, unless the commission or agent fails to act in a  
22 reasonably prudent manner.

23 "(2) During an investigation of any allegation  
24 which, if proven, would result in criminal or civil sanctions  
25 as provided in this article, the commission may withhold all

1 or a portion of the gross receipts to which the person under  
2 investigation is entitled until such time as the matter has  
3 been resolved.

4 "(i) The commission may engage in activities which  
5 promote amateur boxing, amateur wrestling, and amateur mixed  
6 martial arts in this state and contract with any nonprofit  
7 organization which is exempted from the taxation of income. To  
8 support amateur boxing, amateur wrestling, and amateur mixed  
9 martial arts in this state, the commission may promote  
10 voluntary contributions through the application process or  
11 through any fund-raising or other promotional technique deemed  
12 appropriate by the commission.

13 "(j) Pursuant to 15 U.S.C. Section 6301, et seq.,  
14 the commission may issue to each boxer who is a resident of  
15 this state an identification card bearing the photograph of  
16 the boxer and in such form and containing such information as  
17 the commission deems necessary and appropriate. The commission  
18 shall ensure that the form and manner of issuance of the  
19 identification cards comply with any applicable federal law or  
20 regulation. The commission may charge an amount not to exceed  
21 one hundred dollars (\$100) per card for the issuance or  
22 replacement of each identification card.

23 "(k) The commission may create a boxing registry or  
24 designate a nationally recognized boxing registry and register

1 each boxer who is a resident of this state or who is a  
2 resident of another state which has no boxing registry.

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

8 "(m) The commission, pursuant to rule, may license  
9 any concessionaire, ring announcer, photographer, or other  
10 person receiving any portion of the gate proceeds from a  
11 match, contest, or exhibition held in the state pursuant to  
12 this article.

13 "§41-9-1025.

14 "The commission shall designate a person to serve as  
15 ~~secretary~~ executive director and the ~~secretary~~ executive  
16 director shall issue licenses and identification cards and  
17 perform other duties as the commission may direct in the  
18 enforcement of this article.

19 "§41-9-1027.

20 "The commission shall adopt rules and regulations  
21 governing professional boxing, tough man contests, amateur  
22 mixed martial arts, and professional mixed martial arts to  
23 establish the following:

24 "(1) Procedures to evaluate the professional records  
25 and physician certifications of each boxer participating in a

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

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

13           "a. A recent knockout, technical knockout, or series  
14 of consecutive losses.

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

17           "c. Failure of a drug test.

18           "d. The use of false aliases or falsifying official  
19 identification cards or document.

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

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

25           "§41-9-1028.

1            "A member or employee of the commission and any  
2 person who administers or enforces this article or rules  
3 promulgated in accordance with this article shall not be a  
4 member of, contract with, or receive any compensation from any  
5 person or organization who authorizes, arranges, or promotes  
6 ~~professional~~ matches, contests, or exhibitions of professional  
7 boxing, tough man contests, professional wrestling, amateur  
8 mixed martial arts, or professional mixed martial arts or who  
9 otherwise has a financial interest in any activity or licensee  
10 regulated by the commission. The term compensation does not  
11 include funds held in escrow for payment to another person in  
12 connection with a professional match, contest, or exhibition  
13 of boxing, wrestling, or mixed martial arts.

14            "§41-9-1029.

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

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

23            "(b) Promoters shall apply to the commission for a  
24 license required by subsection (a) on a form provided by the  
25 commission. The application shall be accompanied by a

1 nonrefundable fee not to exceed two hundred fifty dollars  
2 (\$250). The application shall also be accompanied by a  
3 performance bond in an amount and under any conditions  
4 required by the commission. ~~To qualify for a promoter's~~  
5 ~~license, an applicant shall be a citizen of the United States~~  
6 ~~or, if not a citizen of the United States, a person who is~~  
7 ~~legally present in the United States with appropriate~~  
8 ~~documentation from the federal government.~~

9 "(c) (1) In addition to the license required by  
10 subsection (a), a ~~professional~~ match, contest, or exhibition  
11 of professional boxing, tough man contests, professional  
12 wrestling, amateur mixed martial arts, or professional mixed  
13 martial arts within this state shall not be staged unless a  
14 match permit has been issued by the commission for the  
15 ~~professional~~ match, contest, or exhibition ~~of boxing or mixed~~  
16 ~~martial arts.~~

17 "(2) Each application for a match permit shall be on  
18 a form provided by the commission and shall be accompanied by  
19 a nonrefundable application fee not to exceed two hundred  
20 fifty dollars (\$250). The commission may charge an additional  
21 match fee in accordance with rules and regulations promulgated  
22 by the commission.

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

1           "(e) The commission may refund any portion of the  
2 match permit fee in excess of two hundred fifty dollars (\$250)  
3 to any person who paid the excess fee if the ~~professional~~  
4 match, contest, or exhibition of professional boxing, tough  
5 man contests, professional wrestling, amateur mixed martial  
6 arts, or professional mixed martial arts for which the fees  
7 were paid is not held.

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

17           "~~(1) The names and other relevant information~~  
18 ~~relating to the contestants.~~

19           "~~(2) The venue.~~

20           "~~(3) The rules of the competition.~~

21           "~~(4) The anticipated level of physical conditioning~~  
22 ~~and training of the contestants.~~

23           "~~(5) Any other information deemed necessary by the~~  
24 ~~commission.~~

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

9           "§41-9-1030.

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



1           "(b) The nonrefundable initial licensing fee and  
2 annual renewal fee for ~~an amateur mixed martial arts~~ a  
3 professional wrestling sanctioning organization may not exceed  
4 one thousand dollars (\$1,000).

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

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

10           "(2) The applicant has complied with all applicable  
11 requirements of this article and any rules and regulations  
12 promulgated pursuant to this article.

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

18           "(4) The applicant is a citizen of the United States  
19 or, if not a citizen of the United States, a person who is  
20 legally present in the United States with appropriate  
21 documentation from the federal government.

22           "§41-9-1031.

23           "(a) In addition to the license required in Section  
24 41-9-1030, each professional boxer, amateur mixed martial arts  
25 competitor, or professional mixed martial arts competitor who

1 is a resident of this state or another state which has no  
2 state boxing or athletic commission shall register with a  
3 boxing, amateur mixed martial arts, or professional mixed  
4 martial arts registry created or designated by the commission  
5 and renew his or her registration as prescribed by rules of  
6 the commission.

7 "(b) At the time of registration and renewal, the  
8 boxer , amateur mixed martial arts competitor, or professional  
9 mixed martial arts competitor shall provide the ~~boxing~~  
10 registry with a recent photograph of the ~~boxer~~ licensee and  
11 the Social Security number of the ~~boxer~~ licensee or, in the  
12 case of a foreign ~~boxer~~ licensee, any similar citizen  
13 identification number or ~~boxer~~ licensee number from the  
14 country of residence of the ~~boxer~~ licensee, along with any  
15 other information the commission requires. The ~~boxing registry~~  
16 registries shall issue a personal identification number to  
17 each ~~boxer~~ licensee and the number shall appear on the  
18 identification card issued to the ~~boxer~~ licensee as a result  
19 of registration. Each ~~boxer~~ licensee shall present to the  
20 ~~boxing~~ commission an identification card issued by the state  
21 in which he or she resides not later than the time of the  
22 weigh-in for a ~~professional~~ match, contest, or exhibition.

23 "(c) The commission may charge a registration fee in  
24 an amount calculated to cover the administrative expense of  
25 the registration.

1           "§41-9-1032.

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

14           "(b) (1) The commission, by majority vote, after  
15 prior notice to the holder of a license and after affording  
16 such a holder an opportunity to be heard, may fine the license  
17 holder, revoke or suspend the license, or take other  
18 disciplinary action against the licensee upon the  
19 recommendation of any officially designated representative for  
20 reasons involving the medical or physical safety of any  
21 professional boxer, tough man contestant, amateur mixed  
22 martial arts competitor, or professional mixed martial arts  
23 competitor licensed by the commission, summarily suspend any  
24 license previously issued by the commission or take other  
25 disciplinary action against any licensee. The licensee shall,

1 after the summary suspension, be afforded an opportunity to be  
2 heard, in accordance with the rules of the commission and the  
3 Alabama Administrative Procedure Act. A summary suspension  
4 imposed against such a licensee may include, but shall not be  
5 limited to, the following:

6 "a. Prohibiting any professional boxer, tough man  
7 contestant, amateur mixed martial arts competitor, or  
8 professional mixed martial arts competitor from competing,  
9 appearing in, or participating in any ~~professional~~ match,  
10 contest, or exhibition within 60 days of having suffered a  
11 knockout.

12 "b. Prohibiting any professional boxer, amateur  
13 mixed martial arts competitor, or professional mixed martial  
14 arts competitor, from competing, appearing in, or  
15 participating in any ~~professional~~ match, contest, or  
16 exhibition within 30 days of having suffered a technical  
17 knockout where evidence of head trauma has been determined by  
18 the attending ringside physician.

19 "(2) The length of any summary suspension invoked  
20 pursuant to this subsection, upon the recommendation of the  
21 ringside physician, may be extended to any number of days. The  
22 terms and conditions of the suspension or revocation may  
23 require that the boxer submit to further medical evaluation as  
24 determined by the ringside physician.

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

22           "(d) The commission may revoke a suspension of a  
23 professional boxer, professional wrestler, amateur mixed  
24 martial arts competitor, or professional mixed martial arts  
25 competitor if any of the following applies:

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

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

10           "§41-9-1033.

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

16           "(1) An examination by a physician who has certified  
17 that the boxer or mixed martial arts competitor is physically  
18 fit to compete safely. Copies of each certificate shall be  
19 provided to the commission prior to the ~~professional~~ match,  
20 contest, or exhibition of professional boxing, amateur mixed  
21 martial arts, or professional mixed martial arts. The  
22 commission may require a boxer, tough man contestant,  
23 wrestler, or mixed martial arts competitor to undergo a  
24 physical examination, including neurological or  
25 neuropsychological 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 professional boxing, tough  
4 man contest, professional wrestling, amateur mixed martial  
5 arts, or professional mixed martial arts. The physician shall  
6 observe the physical condition of the boxers, tough man  
7 contestants, wrestlers, or competitors in mixed martial arts  
8 and advise the referee with regard to the boxers, tough man  
9 contestants, wrestlers, or competitors.

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

1           "(4) Each boxer, tough man contestant, wrestler, or  
2 competitor in mixed martial arts shall be covered by health  
3 insurance which will cover injuries sustained during the  
4 ~~professional~~ match, contest, or exhibition of professional  
5 boxing, tough man contest, professional wrestling, amateur  
6 mixed martial arts, or professional mixed martial arts.

7           "(5) An ambulance and medical personnel with  
8 appropriate resuscitation equipment shall be continuously  
9 present at the site during any ~~professional~~ match, contest, or  
10 exhibition of professional boxing, tough man contest,  
11 professional wrestling, amateur mixed martial arts, or  
12 professional mixed martial arts.

13           "§41-9-1034.

14           "It shall be unlawful for any professional boxer,  
15 tough man contestant, professional wrestler, amateur mixed  
16 martial arts competitor, or professional competitor in mixed  
17 martial arts to participate or attempt to participate in a  
18 ~~professional~~ match, contest, or exhibition of professional  
19 boxing, tough man contest, professional wrestling, amateur  
20 mixed martial arts, or professional mixed martial arts while  
21 under the influence of alcohol or any drug. A professional  
22 boxer, tough man contestant, professional wrestler, amateur  
23 mixed martial arts competitor, or professional mixed martial  
24 arts competitor shall be deemed under the influence of alcohol  
25 or a drug for the purposes of this section if a physical



1 examination made during a period of time beginning not more  
2 than six hours prior to the beginning of the ~~professional~~  
3 match, contest, or exhibition of ~~boxing, wrestling, or mixed~~  
4 ~~martial arts~~ and ending not more than one hour after the  
5 completion of the ~~professional~~ match, contest, or exhibition  
6 of ~~boxing or mixed martial arts~~ reveals that the mental or  
7 physical ability of the professional boxer, tough man  
8 contestant, professional wrestler, amateur mixed martial arts  
9 competitor, or professional mixed martial arts competitor is  
10 impaired as a direct result of the use of alcohol or a drug.

11 "§41-9-1035.

12 "All buildings or structures used or intended to be  
13 used for holding or giving ~~professional~~ matches, contests, or  
14 exhibitions of professional boxing, tough man contest,  
15 professional wrestling, amateur mixed martial arts, or  
16 professional mixed martial arts shall be safe and shall in all  
17 manner conform to the laws, ordinances, and regulations  
18 pertaining to buildings in the municipality or unincorporated  
19 area of the county where the building or structure is  
20 situated.

21 "§41-9-1036.

22 "No person under the age of 18 years shall  
23 participate as a contestant in any ~~professional~~ match,  
24 contest, or exhibition of professional boxing, tough man

1 contest, professional wrestling, amateur mixed martial arts,  
2 or professional mixed martial arts.

3 "§41-9-1037.

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

10 "§41-9-1038.

11 "(a) The Attorney General may bring a civil action  
12 requesting relief, including a permanent or temporary  
13 injunction, restraining order, or other order, against any  
14 person who he or she believes is violating Sections 41-9-1029,  
15 41-9-1030, 41-9-1031, 41-9-1032, 41-9-1033, 41-9-1034,  
16 41-9-1035, and 41-9-1037.

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

22 "(2) Any member or employee of the commission or any  
23 person who administers or enforces this article or rules and  
24 regulations promulgated pursuant to this article who knowingly

1 violates Sections 41-9-1033 or 41-9-1034 shall, upon  
2 conviction, be guilty of a Class C felony.

3 "(3) Any professional boxer, tough man contestant,  
4 professional wrestler, amateur mixed martial arts competitor,  
5 or professional competitor in mixed martial arts who knowingly  
6 violates this article, except Section 41-9-1034, shall, upon  
7 conviction, be guilty of a Class B misdemeanor.

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

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

17 "(d) The criminal penalties in this section shall  
18 not be construed to repeal other criminal laws. Whenever  
19 conduct prescribed by this article is also prescribed by other  
20 provision of law, the provision which carries the more serious  
21 penalty shall be applied."

22 Section 2. Although this bill would have as its  
23 purpose or effect the requirement of a new or increased  
24 expenditure of local funds, the bill is excluded from further  
25 requirements and application under Amendment 621, now

1 appearing as Section 111.05 of the Official ReCompilation of  
2 the Constitution of Alabama of 1901, as amended, because the  
3 bill defines a new crime or amends the definition of an  
4 existing crime.

5 Section 3. This act shall become effective  
6 immediately following its passage and approval by the  
7 Governor, or its otherwise becoming law.

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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

SB174

Senate 11-APR-13

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris  
Secretary

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House of Representatives  
Amended and passed 07-MAY-13

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Senate concurred in House amendment 20-MAY-13

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By: Senator Allen