

1 SB333  
2 209111-2  
3 By Senator Allen  
4 RFD: Tourism  
5 First Read: 11-MAR-21

SYNOPSIS: Under existing law, the Alabama Athletic Commission is responsible for regulating boxing, wrestling, and mixed martial arts pursuant to the Alabama Boxing, Wrestling, and Mixed Martial Arts Act.

This bill would change the name of the regulatory act for the commission from the Alabama Boxing, Wrestling, and Mixed Martial Arts Act to the Alabama Unarmed Combat Act.

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

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

This bill would authorize the commission to 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 Recompile 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           "~~1.~~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, 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.