

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

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

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

13 This bill would define the terms
14 professional wrestling and tough man contest.

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

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

1 specified exceptions; it is approved by the
2 affected entity; or the Legislature appropriates
3 funds, or provides a local source of revenue, to
4 the entity for the purpose.

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

12

13 A BILL

14 TO BE ENTITLED

15 AN ACT

16

17 To amend Sections 41-9-1020, 41-9-1021, 41-9-1022,
18 41-9-1023, 41-9-1024, 41-9-1025, 41-9-1027, 41-9-1028,
19 41-9-1029, 41-9-1030, 41-9-1031, 41-9-1032, 41-9-1033,
20 41-9-1034, 41-9-1035, 41-9-1036, 41-9-1037, and 41-9-1038,
21 Code of Alabama 1975, changing the name of the Alabama Boxing
22 and Mixed Martial Arts Act to the Alabama Boxing, Wrestling,
23 and Mixed Martial Arts Act; to define the terms professional
24 wrestling and tough man contests; to authorize the Alabama
25 Athletic Commission to regulate professional wrestling and
26 tough man contests in the same manner as boxing and mixed
27 martial arts; to provide penalties; and in connection

therewith would have as its purpose or effect the requirement of a new or increased expenditure of local funds within the meaning of Amendment 621 of the Constitution of Alabama of 1901, now appearing as Section 111.05 of the Official Recompilation of the Constitution of Alabama of 1901, as amended.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 41-9-1020, 41-9-1021, 41-9-1022, 41-9-1023, 41-9-1024, 41-9-1025, 41-9-1027, 41-9-1028, 41-9-1029, 41-9-1030, 41-9-1031, 41-9-1032, 41-9-1033, 41-9-1034, 41-9-1035, 41-9-1036, 41-9-1037, and 41-9-1038 of the Code of Alabama 1975, are amended to read as follows:

"§41-9-1020.

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

"§41-9-1021.

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

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

"a. U.S.A. Boxing.

"b. The Alabama High School Athletic Association.

"c. The National Collegiate Athletic Association.

"d. Amateur Athletic Union.

"e. Golden Gloves.

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

"g. USA Wrestling.

"h. The National Junior College Athletic Association.

"i. The National Association of Intercollegiate Athletics.

"j. The National Collegiate Wrestling Association.

"gk. Any organization licensed by the commission.

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

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

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

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

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

"(5) COMMISSION. The Alabama Athletic Commission.

1 "(6) EXHIBITION. A contest where the participants
2 engage in the use of boxing skills and techniques, tough man
3 skills and techniques, wrestling skills and techniques, or
4 mixed martial arts skills and techniques, or ~~both~~ any or all
5 of these, and where the objective is to display the skills and
6 techniques without striving to win.

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

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

17 "a. The gross price charged for the sale or lease of
18 broadcasting, television, closed circuit, or motion picture
19 rights without any deductions for commissions, brokerage fees,
20 distribution fees, production fees, advertising, or other
21 expenses or charges.

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

23 "(9) MANAGER. A person who, under contract,
24 agreement, or other arrangement with a boxer, tough man
25 contestant, wrestler, or a mixed martial arts competitor,
26 undertakes to control or administer, directly or indirectly, a
27 matter on behalf of a boxer, tough man contestant, wrestler,

1 or a mixed martial arts competitor. The term includes, but is
2 not limited to, a person who functions as a booking agent,
3 adviser, or consultant.

4 "(10) MATCHMAKER. A person who is employed by or
5 associated with a promoter in the capacity of booking and
6 arranging professional matches, contests, or exhibitions of
7 boxing, wrestling, or mixed martial arts between opponents or
8 who proposes professional matches, contests, or exhibitions of
9 boxing, wrestling, or mixed martial arts and selects and
10 arranges for the participants in such events and for whose
11 activities in this regard the promoter is legally responsible.

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

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

21 "(13) PHYSICIAN. A doctor of medicine or doctor of
22 osteopathy licensed to practice medicine in the State of
23 Alabama.

24 "(14) PROFESSIONAL. A person who is participating or
25 has participated in a match, contest, or exhibition of boxing,
26 wrestling, or mixed martial arts which is not governed or

1 authorized by one or more of the organizations listed in
2 subdivision (1) and any of the following:

3 "a. Has received or competed for or is receiving or
4 competing for any cash as a salary, purse, or prize for
5 participating in any match, contest, or exhibition of boxing,
6 wrestling, or mixed martial arts.

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

11 "c. Is participating or has participated in any
12 match, contest, or exhibition of boxing, wrestling, or mixed
13 martial arts which is or was filmed, broadcast, or transmitted
14 for viewing.

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

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

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

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

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

6 "3. Is filmed, broadcast, or transmitted for
7 viewing.

8 "4. Provides a commercial advantage by attracting
9 persons to a particular place or promoting a commercial
10 product or enterprise.

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

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

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

24 "~~(17)~~(18) PURSE or RING EARNINGS. The financial
25 guarantee or any other remuneration, or part thereof, which a
26 professional boxer, wrestler, or mixed martial arts competitor
27 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.

26 "3. Amateur boxing.

27 "4. Amateur wrestling.

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

7 "6. Professional mixed martial arts.

8 "7. Amateur mixed martial arts.

9 "8. Tough man contests.

10 "9. Professional wrestling.

11 "§41-9-1022.

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

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

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

18 "(3) The National Collegiate Athletic Association.

19 "(4) Amateur Athletic Union.

20 "(5) Golden Gloves.

21 "(6) USA Wrestling.

22 "(7) The National Junior College Athletic
Association.

24 "(8) The National Association of Intercollegiate
Athletics.

26 "(9) The National Collegiate Wrestling Association.

1 "(6)(10) The local affiliate of any organization
2 listed in this section.

3 "§41-9-1023.

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

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

10 "a. Two members appointed by the Governor.

11 "b. One member appointed by the Alabama Athlete
12 Agents Commission.

13 "c. One member appointed by the Speaker of the House
14 of Representatives.

15 "d. One member appointed by the President of the
16 Senate.

17 "(2) Initial appointments by the Governor shall be
18 for one and three years, the initial appointment by the
19 Speaker of the House of Representatives shall be for four
20 years, and the initial appointment of the President of the
21 Senate shall be for two years. The initial appointment by the
22 commission shall be for four years. All subsequent
23 appointments shall be for terms of four years. Vacancies shall
24 be filled for the unexpired terms under the same procedures
25 and requirements as appointments for full terms. Each member
of the commission shall be a citizen of this state and no two

1 members shall be from the same congressional district at the
2 time of appointment.

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

13 "(d) A medical advisory panel of the commission
14 shall be appointed by the Governor and shall consist of four
15 persons licensed to practice medicine in this state,
16 representing the specialties of neurology, ophthalmology,
17 sports medicine, and general medicine. The medical advisory
18 panel shall advise and assist the commission and its staff
19 regarding issues and questions concerning the medical safety
20 of professional boxers, tough man contestants, professional
21 wrestlers, amateur mixed martial arts competitors, and
22 professional mixed martial arts competitors, including, but
23 not limited to, matters relating to medical suspensions. The
24 medical advisory panel may meet separately from the commission
25 to discuss and formulate recommendations for the commission in
26 connection with medical safety. Members of the medical

1 advisory panel shall not be counted in determining a quorum of
2 the commission and shall not vote as commission members.

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

6 "§41-9-1024.

7 "(a) (1) The commission shall be the sole regulator
8 of professional boxing in this state and shall have authority
9 to protect the physical safety and welfare of professional
10 boxers and serve the public interest by closely supervising
11 all professional boxing in this state.

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

22 "(3) Commencing October 1, 2013, the The commission
23 shall ~~have the sole authority to license an amateur mixed~~
24 ~~martial arts sanctioning organization to safeguard the public~~
25 ~~health, to protect competitors, and to provide for competitive~~
26 ~~matches by requiring each licensed organization to abide by~~
27 ~~rules promulgated by the commission.~~ be the sole regulator of

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

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

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

26 "(b) The commission shall have the sole jurisdiction
27 to license the promotion or holding of each ~~professional~~

1 match, contest, or exhibition of professional boxing, tough
2 man contests, professional wrestling, amateur mixed martial
3 arts, or professional mixed martial arts promoted or held
4 within this state.

5 "(c) The commission shall have the authority to
6 license participants in any professional match, contest, or
7 exhibition of professional boxing, tough man contests,
8 professional wrestling, amateur mixed martial arts, or
9 professional mixed martial arts held in this state.

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

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

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

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

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

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

19 "a. Make investigations.

20 "b. Hold hearings.

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

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

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

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

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

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

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

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

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

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

19 "§41-9-1025.

20 "The commission shall designate a person to serve as
21 secretary executive director and the secretary executive
22 director shall issue licenses and identification cards and
23 perform other duties as the commission may direct in the
24 enforcement of this article.

25 "§41-9-1027.

26 "The commission shall adopt rules and regulations
27 governing professional boxing, tough man contests,

1 professional wrestling, amateur mixed martial arts, and
2 professional mixed martial arts to establish the following:

3 "(1) Procedures to evaluate the professional records
4 and physician certifications of each boxer participating in a
5 professional match, contest, or exhibition of professional
6 boxing, tough man contests, professional wrestling, amateur
7 mixed martial arts, and professional mixed martial arts and to
8 deny authorization for a professional boxer, tough man
9 contestant, professional wrestler, amateur mixed martial arts
10 competitor, or professional mixed martial arts competitor to
11 fight where appropriate.

12 "(2) Procedures to ensure that, except as otherwise
13 provided in subsection (c) of Section 41-9-1032, no
14 professional boxer, tough man contestant, professional
15 wrestler, amateur mixed martial arts competitor, or
16 professional mixed martial arts competitor shall be permitted
17 to box participate while under suspension from any state
18 boxing or athletic commission because of any of the following:

19 "a. A recent knockout, technical knockout, or series
20 of consecutive losses.

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

23 "c. Failure of a drug test.

24 "d. The use of false aliases or falsifying official
25 identification cards or document.

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

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

5 "§41-9-1028.

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

19 "§41-9-1029.

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

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

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

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

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

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

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

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

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

22 "(2) ~~The venue.~~

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

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

26 "(5) ~~Any other information deemed necessary by the~~
27 ~~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, tough man
12 contests, professional wrestling, amateur mixed martial arts,
13 or professional mixed martial arts supervised by the
14 commission, referees, judges, timekeepers, matchmakers,
15 boxers, tough man contestants, wrestlers, mixed martial arts
16 competitors, managers, trainers, and each person who assists a
17 boxer, tough man contestant, wrestler, or mixed martial arts
18 competitor immediately before and after a match, contest, or
19 exhibition of boxing, tough man, wrestling, or mixed martial
20 arts and between rounds during a match, contest, or exhibition
21 of boxing, tough man, wrestling, or mixed martial arts ~~shall~~
22 ~~may be required by the commission to~~ apply for and be issued a
23 license. Licenses shall be issued annually and shall expire on
24 December 31 of each calendar year. Each applicant shall make
25 application on a form provided by the commission and pay an
26 annual license fee not to exceed two hundred fifty dollars
27 (\$250).

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

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

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

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

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

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

"§41-9-1031.

"(a) In addition to the license required in Section 41-9-1030, each professional boxer, tough man contestant, professional wrestler, amateur mixed martial arts competitor, or professional mixed martial arts competitor who is a resident of this state or another state which has no state

1 boxing or athletic commission shall register with a boxing
2 registry created or designated by the commission and renew his
3 or her registration as prescribed by rules of the commission.

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

17 "(c) The commission may charge a registration fee in
18 an amount calculated to cover the administrative expense of
19 the registration.

20 "§41-9-1032.

21 "(a) The commission may refuse to grant a license to
22 an applicant upon a finding by a majority of the entire
23 commission that the applicant has failed to demonstrate the
24 qualifications or standards for a license contained in this
25 section or under the laws, rules, and regulations under which
26 licensure is sought. The applicant shall demonstrate to the
27 satisfaction of the commission that he or she meets all the

1 requirements for the issuance of a license, and, if the
2 commission is not satisfied as to the qualifications of the
3 applicant, it may deny a license without a prior hearing;
4 however, the applicant shall be allowed to appear before the
5 commission if he or she so desires.

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

24 "a. Prohibiting any professional boxer, tough man
25 contestant, professional wrestler, amateur mixed martial arts
26 competitor, or professional mixed martial arts competitor from
27 competing, appearing in, or participating in any professional

1 match, contest, or exhibition within 60 days of having
2 suffered a knockout.

3 "b. Prohibiting any professional boxer, tough man
4 contestant, professional wrestler, amateur mixed martial arts
5 competitor or professional mixed martial arts competitor, from
6 competing, appearing in, or participating in any professional
7 match, contest, or exhibition within 30 days of having
8 suffered a technical knockout where evidence of head trauma
9 has been determined by the attending ringside physician.

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

16 "(c) The commission, its secretary executive
17 director, or its duly authorized representative, at any time
18 prior to the completion of a permitted professional match,
19 contest, or exhibition of professional boxing, a tough man
20 contest, professional wrestling, amateur mixed martial arts,
21 or professional mixed martial arts, may summarily suspend or
22 revoke the match permit or the license of any specific boxer,
23 tough man contestant, wrestler, or mixed martial arts
24 competitor should it be determined by such person that the
25 continuation of the professional match, contest, or exhibition
26 of professional boxing, tough man contest, professional
27 wrestling, amateur mixed martial arts, or professional mixed

1 martial arts may jeopardize the health, welfare, morals, or
2 safety of the citizens of this state or may jeopardize the
3 health or personal safety of any participant of 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 provided, however, that the licensee ~~shall~~, after a summary
8 suspension, shall be afforded an opportunity to be heard, in
9 accordance with the rules of the commission and the Alabama
10 Administrative Procedure Act.

11 "(d) The commission may revoke a suspension of a
12 professional boxer, tough man contestant, professional
13 wrestler, amateur mixed martial arts competitor, or
14 professional mixed martial arts competitor if any of the
15 following applies:

16 "(1) The professional boxer, tough man contestant,
17 professional wrestler, or mixed martial arts competitor was
18 suspended pursuant to rules and regulations adopted pursuant
19 to Section 41-9-1027 and has furnished proof of a sufficiently
20 improved medical or physical condition.

21 "(2) The professional boxer, tough man contestant,
22 professional wrestler, or mixed martial arts competitor
23 furnishes proof that a suspension pursuant to Section
24 41-9-1027 was not or is no longer merited by the facts.

25 "§41-9-1033.

26 "No person shall arrange, promote, organize,
27 produce, or participate in a ~~professional~~ match, contest, or

1 exhibition of professional boxing, tough man contest,
2 professional wrestling, amateur mixed martial arts, or
3 professional mixed martial arts unless he or she has complied
4 with the following requirements:

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

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

25 "(3) One or more inspectors appointed by the
26 commission as duly authorized representatives of the
27 commission shall be present at each professional match,

1 contest, or exhibition of professional boxing, tough man
2 contests, professional wrestling, amateur mixed martial arts,
3 or professional mixed martial arts to ensure that the rules
4 are strictly observed. An inspector or other duly authorized
5 representative of the commission shall be present at the
6 weigh-in and at the ring during the conduct of the
7 professional match, contest, or exhibition of professional
8 boxing, tough man contest, professional wrestling, amateur
9 mixed martial arts, or professional mixed martial arts.

10 Inspectors and other duly authorized representatives of the
11 commission shall have free access to the dressing rooms of the
12 professional boxers, tough man contestants, professional
13 wrestlers, and mixed martial arts competitors.

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

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

26 "§41-9-1034.

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

23 "§41-9-1035.

24 "All buildings or structures used or intended to be
25 used for holding or giving professional matches, contests, or
26 exhibitions of professional boxing, tough man contest,
27 professional wrestling, amateur mixed martial arts, or

1 professional mixed martial arts shall be safe and shall in all
2 manner conform to the laws, ordinances, and regulations
3 pertaining to buildings in the municipality or unincorporated
4 area of the county where the building or structure is
5 situated.

6 "§41-9-1036.

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

12 "§41-9-1037.

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

19 "§41-9-1038.

20 "(a) The Attorney General may bring a civil action
21 requesting relief, including a permanent or temporary
22 injunction, restraining order, or other order, against any
23 person who he or she believes is violating Sections 41-9-1029,
24 41-9-1030, 41-9-1031, 41-9-1032, 41-9-1033, 41-9-1034,
25 41-9-1035, and 41-9-1037.

26 "(b) (1) Any manager, promoter, matchmaker, or
27 licensee who knowingly violates or coerces or causes any other

1 person to violate Sections 41-9-1030, 41-9-1031, 41-9-1032,
2 41-9-1033, 41-9-1034, 41-9-1035, 41-9-1036, and 41-9-1037
3 shall, upon conviction, be guilty of a Class C felony.

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

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

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

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

23 "(d) The criminal penalties in this section shall
24 not be construed to repeal other criminal laws. Whenever
25 conduct prescribed by this article is also prescribed by other
26 provision of law, the provision which carries the more serious
27 penalty shall be applied."

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

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