

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

ENGROSSED

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6  
7 A BILL  
8

9 TO BE ENTITLED  
10

11 AN ACT  
12

13 To amend Sections 41-9-1020, 41-9-1021, 41-9-1022,  
14 41-9-1023, 41-9-1024, 41-9-1025, 41-9-1027, 41-9-1028,  
15 41-9-1029, 41-9-1030, 41-9-1031, 41-9-1032, 41-9-1033,  
16 41-9-1034, 41-9-1035, 41-9-1036, 41-9-1037, and 41-9-1038,  
17 Code of Alabama 1975, changing the name of the Alabama Boxing  
18 and Mixed Martial Arts Act to the Alabama Boxing, Wrestling,  
19 and Mixed Martial Arts Act; to define the terms professional  
20 wrestling and tough man contests; to authorize the Alabama  
21 Athletic Commission to regulate professional wrestling and  
22 tough man contests in the same manner as boxing and mixed  
23 martial arts; to provide penalties; and in connection  
24 therewith would have as its purpose or effect the requirement  
25 of a new or increased expenditure of local funds within the  
26 meaning of Amendment 621 of the Constitution of Alabama of  
27 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.

1                   "i. The National Association of Intercollegiate  
2                   Athletics.

3                   "j. The National Collegiate Wrestling Association.

4                   "gk. Any organization licensed by the commission.

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

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

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

16                  "a. Section 501(c)(3), Internal Revenue Code of 1986  
17                  (26 U.S.C. Section 501(c)(3)).

18                  "b. Section 170(c), Internal Revenue Code of 1986  
19                  (26 U.S.C. Section 170(c)).

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

21                  "(6) EXHIBITION. A contest where the participants  
22                  engage in the use of boxing skills and techniques, tough man  
23                  skills and techniques, wrestling skills and techniques, or  
24                  mixed martial arts skills and techniques, or both any or all  
25                  of these, and where the objective is to display the skills and  
26                  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, tough man  
19 contestant, wrestler, or a mixed martial arts competitor,  
20 undertakes to control or administer, directly or indirectly, a  
21 matter on behalf of a boxer, tough man contestant, wrestler,  
22 or a mixed martial arts competitor. The term includes, but is  
23 not limited to, a person who functions as a booking agent,  
24 adviser, or consultant.

25                         "(10) MATCHMAKER. A person who is employed by or  
26 associated with a promoter in the capacity of booking and  
27 arranging professional matches, contests, or exhibitions of

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1                             "4. Provides a commercial advantage by attracting  
2 persons to a particular place or promoting a commercial  
3 product or enterprise.

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

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

10                            "(16) (17) PROMOTER. The person primarily responsible  
11 for organizing, promoting, and producing a ~~professional~~ match,  
12 contest, or exhibition of professional boxing, tough man  
13 contest, professional wrestling, or mixed martial arts and who  
14 is legally responsible for the lawful conduct of such  
15 professional match, contest, or exhibition ~~of boxing or mixed~~  
16 ~~martial arts.~~

17                            "(17) (18) PURSE or RING EARNINGS. The financial  
18 guarantee or any other remuneration, or part thereof, which a  
19 professional boxer, wrestler, or mixed martial arts competitor  
20 participating in a match, contest, or exhibition will receive  
21 and includes any share of any payment received for radio  
22 broadcasting, television, or motion picture rights.

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

27                            "(18) (20) UNARMED COMBAT.

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

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

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

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

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

## "1. Professional boxing.

## "2. Professional wrestling.

### "3. Amateur boxing.

#### "4. Amateur wrestling.

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

## "6. Professional mixed martial arts.

1                   "7. Amateur mixed martial arts.

2                   "8. Tough man contests.

3                   "9. Professional wrestling.

4                   "§41-9-1022.

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

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

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

11                  "(3) The National Collegiate Athletic Association.

12                  "(4) Amateur Athletic Union.

13                  "(5) Golden Gloves.

14                  "(6) USA Wrestling.

15                  "(7) The National Junior College Athletic  
16                  Association.

17                  "(8) The National Association of Intercollegiate  
18                  Athletics.

19                  "(9) The National Collegiate Wrestling Association.

20                  "~~(6)~~(10) The local affiliate of any organization  
21                  listed in this section.

22                  "§41-9-1023.

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

25                  "(b) (1) The membership of the commission shall be  
26                  inclusive and reflect the racial, gender, geographic,

1 urban/rural, and economic diversity of the state. The five  
2 initial members shall be as follows:

3 "a. Two members appointed by the Governor.

4 "b. One member appointed by the Alabama Athlete  
5 Agents Commission.

6 "c. One member appointed by the Speaker of the House  
7 of Representatives.

8 "d. One member appointed by the President of the  
9 Senate.

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

22 "(c) The commission shall elect a chair from among  
23 its membership for a term of one year. The commission may  
24 elect a vice chair from its membership for a term of one year.  
25 Any member serving as chair shall be eligible for successive  
26 election to the office by the commission. The chair may  
27 designate another member of the commission to perform the

1           duties of chair in his or her absence. The commission may  
2           employ an executive director to manage the day-to-day  
3           operations of the commission within the available funds of the  
4           commission.

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

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

24                 "§41-9-1024.

25                 "(a) (1) The commission shall be the sole regulator  
26          of professional boxing in this state and shall have authority  
27          to protect the physical safety and welfare of professional

1 boxers and serve the public interest by closely supervising  
2 all professional boxing in this state.

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

13                         "(3) Commencing October 1, 2013, the The commission  
14 shall ~~have the sole authority to license an amateur mixed~~  
15 ~~martial arts sanctioning organization to safeguard the public~~  
16 ~~health, to protect competitors, and to provide for competitive~~  
17 ~~matches by requiring each licensed organization to abide by~~  
18 ~~rules promulgated by the commission.~~ be the sole regulator of  
19 professional matches, contests, or exhibitions of wrestling  
20 and shall have the authority to protect the physical safety  
21 and welfare of professional competitors in professional  
22 wrestling and serve the public interest by closely supervising  
23 all competitors in professional wrestling. The commission  
24 shall regulate professional wrestling to the same extent as  
25 professional boxing unless any rule of the commission is not  
26 by its nature applicable to professional wrestling.

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

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

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

24                         "(c) The commission shall have the authority to  
25 license participants in any ~~professional~~ match, contest, or  
26 exhibition of ~~professional~~ boxing, tough man contests,

1                   professional wrestling, amateur mixed martial arts, or  
2                   professional mixed martial arts held in this state.

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

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

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

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

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

"a. Make investigations.

"b. Hold hearings.

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

"d. Administer oaths to and examine any witnesses for the purpose of determining any question coming before it under this article or under the rules and regulations adopted 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, unless the commission or agent fails to act in a reasonably prudent manner.

"(2) During an investigation of any allegation which, if proven, would result in criminal or civil sanctions

1 as provided in this article, the commission may withhold all  
2 or a portion of the gross receipts to which the person under  
3 investigation is entitled until such time as the matter has  
4 been resolved.

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

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

25 "(k) The commission may create a boxing registry or  
26 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                 "(1) 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 monetary benefit from a match, contest,  
11 or exhibition held in the state pursuant to this article.

12                 "§41-9-1025.

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

18                 "§41-9-1027.

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

23                 "(1) Procedures to evaluate the professional records  
24 and physician certifications of each boxer participating in a  
25 professional match, contest, or exhibition of professional  
26 boxing, tough man contests, professional wrestling, amateur  
27 mixed martial arts, and professional mixed martial arts and to

1 deny authorization for a professional boxer, tough man  
2 contestant, professional wrestler, amateur mixed martial arts  
3 competitor, or professional mixed martial arts competitor to  
4 fight where appropriate.

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

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

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

16 "c. Failure of a drug test.

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

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

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

24 "§41-9-1028.

25 "A member or employee of the commission and any  
26 person who administers or enforces this article or rules  
27 promulgated in accordance with this article shall not be a

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

11 "§41-9-1029.

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

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

20 "(b) Promoters shall apply to the commission for a  
21 license required by subsection (a) on a form provided by the  
22 commission. The application shall be accompanied by a  
23 nonrefundable fee not to exceed two hundred fifty dollars  
24 (\$250). The application shall also be accompanied by a  
25 performance bond in an amount and under any conditions  
26 required by the commission. To qualify for a promoter's  
27 license, an applicant shall be a citizen of the United States

1 or, if not a citizen of the United States, a person who is  
2 legally present in the United States with appropriate  
3 documentation from the federal government.

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

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

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

21 "(e) The commission may refund any portion of the  
22 match permit fee in excess of two hundred fifty dollars (\$250)  
23 to any person who paid the excess fee if the ~~professional~~  
24 match, contest, or exhibition of professional boxing, tough  
25 man contests, professional wrestling, amateur mixed martial  
26 arts, or professional mixed martial arts for which the fees  
27 were paid is not held.

1                         "(f) A licensed amateur mixed martial arts  
2 sanctioning organization shall provide written notice to the  
3 commission at least 15 calendar days before the date of each  
4 match, contest, or exhibition authorized and governed by the  
5 organization. The licensed amateur mixed martial arts  
6 sanctioning organization governing the match, contest, or  
7 exhibition shall provide to the commission all of the  
8 following information regarding the match, contest, or  
9 exhibition:

10                         "(1) The names and other relevant information  
11 relating to the contestants.

12                         "(2) The venue.

13                         "(3) The rules of the competition.

14                         "(4) The anticipated level of physical conditioning  
15 and training of the contestants.

16                         "(5) Any other information deemed necessary by the  
17 commission.

18                         "(g) (f) The commission shall have the sole authority  
19 to certify the results of each amateur mixed martial arts  
20 match, contest, or exhibition held within the state. The  
21 results shall be submitted to the commission not later than  
22 three calendar days after the match, contest, or exhibition. A  
23 match may not be certified by the commission until all  
24 information required by the commission is provided to the  
25 commission.

26                         "§41-9-1030.

"(a) Prior to participating in a ~~professional~~ match, contest, or exhibition of professional boxing, tough man contests, professional wrestling, amateur mixed martial arts, or professional mixed martial arts supervised by the commission, referees, judges, timekeepers, matchmakers, boxers, tough man contestants, wrestlers, mixed martial arts competitors, managers, trainers, and each person who assists a boxer, tough man contestant, wrestler, or mixed martial arts competitor immediately before and after a match, contest, or exhibition of boxing, tough man, wrestling, or mixed martial arts and between rounds during a match, contest, or exhibition of boxing, tough man, wrestling, or mixed martial arts ~~shall~~ may be required by the commission to apply for and be issued a license. Licenses shall be issued annually and shall expire on December 31 of each calendar year. Each applicant shall make application on a form provided by the commission and pay an annual license fee not to exceed two hundred fifty dollars (\$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.

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

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

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

13                         "§41-9-1031.

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

22                         "(b) At the time of registration and renewal, the  
23 boxer shall provide the boxing registry with a recent  
24 photograph of the boxer and the Social Security number of the  
25 boxer or, in the case of a foreign boxer, any similar citizen  
26 identification number or boxer number from the country of  
27 residence of the boxer, along with any other information the

1 commission requires. The boxing registry shall issue a  
2 personal identification number to each boxer and the number  
3 shall appear on the identification card issued to the boxer as  
4 a result of registration. Each boxer shall present to the  
5 boxing commission an identification card issued by the state  
6 in which he or she resides not later than the time of the  
7 weigh-in for a professional match, contest, or exhibition.

8 "(c) The commission may charge a registration fee in  
9 an amount calculated to cover the administrative expense of  
10 the registration.

11 "§41-9-1032.

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

24 "(b) (1) The commission, by majority vote, after  
25 prior notice to the holder of a license and after affording  
26 such a holder an opportunity to be heard, may fine the license  
27 holder, revoke or suspend the license, or take other

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

15 "a. Prohibiting any professional boxer, tough man  
16 contestant, professional wrestler, amateur mixed martial arts  
17 competitor, or professional mixed martial arts competitor from  
18 competing, appearing in, or participating in any professional  
19 match, contest, or exhibition within 60 days of having  
20 suffered a knockout.

21 "b. Prohibiting any professional boxer, tough man  
22 contestant, professional wrestler, amateur mixed martial arts  
23 competitor or professional mixed martial arts competitor, from  
24 competing, appearing in, or participating in any professional  
25 match, contest, or exhibition within 30 days of having  
26 suffered a technical knockout where evidence of head trauma  
27 has been determined by the attending ringside physician.

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

"(c) The commission, its ~~secretary~~ executive ~~director~~, or its duly authorized representative, at any time prior to the completion of a permitted ~~professional~~ match, contest, or exhibition of professional boxing, a tough man contest, professional wrestling, amateur mixed martial arts, or professional mixed martial arts, may summarily suspend or revoke the match permit or the license of any specific boxer, tough man contestant, wrestler, or mixed martial arts competitor should it be determined by such person that the continuation of the ~~professional~~ match, contest, or exhibition of professional boxing, tough man contest, professional wrestling, amateur mixed martial arts, or professional mixed martial arts may jeopardize the health, welfare, morals, or safety of the citizens of this state or may jeopardize the health or personal safety of any participant of the ~~professional~~ match, contest, or exhibition of professional boxing, tough man contest, professional wrestling, amateur mixed martial arts, or professional mixed martial arts; provided, however, that the licensee ~~shall~~, after a summary suspension, shall be afforded an opportunity to be heard, in

1 accordance with the rules of the commission and the Alabama  
2 Administrative Procedure Act.

3                     "(d) The commission may revoke a suspension of a  
4 professional boxer, tough man contestant, professional  
5 wrestler, amateur mixed martial arts competitor, or  
6 professional mixed martial arts competitor if any of the  
7 following applies:

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

13                     "(2) The professional boxer, tough man contestant,  
14 professional wrestler, or mixed martial arts competitor  
15 furnishes proof that a suspension pursuant to Section  
16 41-9-1027 was not or is no longer merited by the facts.

17                     "§41-9-1033.

18                     "No person shall arrange, promote, organize,  
19 produce, or participate in a professional match, contest, or  
20 exhibition of professional boxing, tough man contest,  
21 professional wrestling, amateur mixed martial arts, or  
22 professional mixed martial arts unless he or she has complied  
23 with the following requirements:

24                     "(1) An examination by a physician who has certified  
25 that the boxer, tough man contestant, wrestler, or mixed  
26 martial arts competitor is physically fit to compete safely.  
27 Copies of each certificate shall be provided to the commission

1 prior to the ~~professional~~ match, contest, or exhibition of  
2 professional boxing, tough man contest, professional  
3 wrestling, amateur mixed martial arts, or professional mixed  
4 martial arts. The commission may require a boxer, tough man  
5 contestant, wrestler, or mixed martial arts competitor to  
6 undergo a physical examination, including neurological or  
7 neuropsychological tests and procedures.

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

17 "(3) One or more inspectors appointed by the  
18 commission as duly authorized representatives of the  
19 commission shall be present at each ~~professional~~ match,  
20 contest, or exhibition of professional boxing, tough man  
21 contests, professional wrestling, amateur mixed martial arts,  
22 or professional mixed martial arts to ensure that the rules  
23 are strictly observed. An inspector or other duly authorized  
24 representative of the commission shall be present at the  
25 weigh-in and at the ring during the conduct of the  
26 ~~professional~~ match, contest, or exhibition of professional  
27 boxing, tough man contest, professional wrestling, amateur

1                   mixed martial arts, or professional mixed martial arts.  
2                   Inspectors and other duly authorized representatives of the  
3                   commission shall have free access to the dressing rooms of the  
4                   professional boxers, tough man contestants, professional  
5                   wrestlers, and mixed martial arts competitors.

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

12                  "(5) An ambulance and medical personnel with  
13                  appropriate resuscitation equipment shall be continuously  
14                  present at the site during any professional match, contest, or  
15                  exhibition of professional boxing, tough man contest,  
16                  professional wrestling, amateur mixed martial arts, or  
17                  professional mixed martial arts.

18                  "§41-9-1034.

19                  "It shall be unlawful for any professional boxer,  
20                  tough man contestant, professional wrestler, amateur mixed  
21                  martial arts competitor, or professional competitor in mixed  
22                  martial arts to participate or attempt to participate in a  
23                  professional match, contest, or exhibition of professional  
24                  boxing, tough man contest, professional wrestling, amateur  
25                  mixed martial arts, or professional mixed martial arts while  
26                  under the influence of alcohol or any drug. A professional  
27                  boxer, tough man contestant, professional wrestler, amateur

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

14                  "§41-9-1035.

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

24                  "§41-9-1036.

25                  "No person under the age of 18 years shall  
26                  participate as a contestant in any ~~professional~~ match,  
27                  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  
25                 violates Sections 41-9-1033 or 41-9-1034 shall, upon  
26                 conviction, be guilty of a Class C felony.

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

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

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

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

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



1

2

3 Senate

4 Read for the first time and referred to the Senate  
5 committee on Governmental Affairs.....

12-FEB-13

6

7 Read for the second time and placed on the calen-  
8 dar 1 amendment.....

21-FEB-13

9

10 Read for the third time and passed as amended .... 11-APR-13

11 Yeas 28  
12 Nays 0

13

14

15 Patrick Harris  
16 Secretary  
17