



HOUSE BILL No. 4598

HOUSE BILL No. 4698

May 4, 1993, Introduced by Reps. Harrison, DeMars, Varga, Llewellyn, Shepich and Jacobetti and referred to the Committee on Appropriations.

A bill to license and regulate boxing and wrestling and the conduct of boxing and wrestling contests and exhibitions; to provide for the imposition and disposition of certain fees and assessments derived from certain persons and receipts from certain contests; to create an athletic commission and medical advisory board; to create certain funds for certain purposes; to provide for certain powers and duties for certain state agencies and departments; to limit liability for certain persons for certain purposes; to regulate and prohibit certain conduct between certain persons; to provide for penalties and remedies; and to repeal certain acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

ARTICLE 1

1

2 Sec. 101. This act shall be known and may be cited as the
3 "Michigan boxing and wrestling act".

4 Sec. 103. For purposes of this act, the words defined in
5 sections 105 to 111 have the meanings ascribed to them in those
6 sections.

7 Sec. 105. (1) "Amateur" means a person who is not competing
8 and has never competed for a money prize or who is not competing
9 and has never competed with or against a professional for finan-
10 cial compensation or a prize.

11 (2) "Boxer" means a person who engages in the sport of
12 boxing.

13 (3) "Boxing" means the sport of fighting an opponent with
14 the fists and includes a sport which involves fighting an oppo-
15 nent with a combined use of the fists and legs.

16 (4) "Boxing club" means a person affiliated with the United
17 States of America amateur boxing federation and does 1 or both of
18 the following:

19 (a) Sponsors amateur contests.

20 (b) Provides training equipment and other facilities to
21 boxers.

22 Sec. 107. (1) "Commission" means the athletic commission
23 created under article 2.

24 (2) "Contest" means a wrestling exhibition, boxing contest,
25 or sparring match.

26 (3) "Contestant" means a boxer or wrestler participating in
27 a contest.

1 (4) "Gross receipts" means all receipts from whatever source
2 derived, excluding receipts from food, refreshments, concessions,
3 parking, sponsorships, advertising, suite revenues, and
4 programs.

5 (5) "Inspector" means a representative of the commission who
6 is responsible for assuring compliance with this act and rules
7 promulgated under this act.

8 (6) "Judge" means a person who determines the winner of a
9 boxing contest.

10 Sec. 109. (1) "Manager" means a person who manages or con-
11 ducts the boxing-related business affairs or transactions on
12 behalf of a professional boxer.

13 (2) "Physician" means a person who is licensed as a physi-
14 cian under article 15 of the public health code, Act No. 368 of
15 the Public Acts of 1978, being sections 333.16101 to 333.18838 of
16 the Michigan Compiled Laws.

17 (3) "Professional" means a person who is competing or has
18 competed or who has contracted to compete as a boxer or wrestler
19 in a contest for financial compensation or a prize.

20 (4) "Promoter" means a person who does any of the
21 following:

22 (a) Secures a location or facility for the viewing of a con-
23 test or wrestling exhibition.

24 (b) Arranges for professional boxers or wrestlers to enter
25 into a contest or wrestling exhibition.

26 (c) Purchases advertising for a contest or wrestling
27 exhibition.

1 (d) Hires-staff and personnel necessary to carry out a
2 contest or wrestling exhibition.

3 (e) Procures miscellaneous items such as insurance, tickets,
4 refreshments, and other items necessary to the marketing of a
5 contest or wrestling exhibition.

6 Sec. 111. (1) "Referee" means a person who enforces the
7 rules during a contest and who determines, individually or with
8 judges, the winner of a contest.

9 (2) "Second" means a person who assists a boxer in a corner
10 during a contest.

11 (3) "Timekeeper" means a person who keeps account of the
12 time during and between the rounds of a contest, or who times the
13 count in a knockdown of a boxer.

14 (4) "Wrestling exhibition" means a performance of wrestling
15 skills and techniques by 2 or more professional wrestlers to
16 which admission is charged in which the participating wrestlers
17 are not required to use their best efforts to win and for which
18 the winner may have been selected before the performance
19 commences.

20 ARTICLE 2

21 Sec. 201. (1) The athletic commission is created within the
22 department of agriculture as a type I agency and shall consist of
23 5 members. The members of the commission shall be appointed by
24 the governor with the advice and consent of the senate. The mem-
25 bers shall serve for a term of 4 years. Of the members first
26 appointed, 2 shall serve for a term of 4 years, 2 shall serve for
27 a term of 3 years, and 1 shall serve for a term of 2 years.

1 Three members of the commission shall constitute a quorum. The
2 members of the commission shall annually elect a chairperson to
3 preside over its proceedings.

4 (2) The members shall receive compensation for per diem,
5 travel, and other expenses as fixed by the department of manage-
6 ment and budget.

7 (3) The commission shall hire an executive director who
8 shall be a member of the state classified civil service and shall
9 be a full-time employee of the commission.

10 (4) The commission may delegate its administrative and min-
11 isterial powers and duties to the executive director and may
12 authorize the executive director to contract for any services
13 necessary for the implementation of this act and the rules
14 promulgated under this act. The commission shall also utilize
15 those services and facilities of the department of agriculture
16 which shall promote the efficient administration of this act.

17 (5) The commission shall establish its primary enforcement
18 and administrative office within the city of Detroit.

19 Sec. 203. (1) A person who has a material financial inter-
20 est in a club, organization, or corporation, the main object of
21 which is the holding or giving of contests, or in a professional
22 boxer or wrestler licensed under this act, shall not be eligible
23 for appointment to the commission.

24 (2) A person shall not, within 2 years after expiration of a
25 term as a member of the commission, be eligible for a license as
26 a promoter.

1 Sec. 205. (1) There is created a medical advisory board
2 within the commission. The medical advisory board shall prepare
3 and submit to the commission standards for the physical examina-
4 tion of contestants. The board shall, from time to time as fur-
5 ther medical information becomes available, prepare and submit to
6 the commission new or revised standards for the physical examina-
7 tion of contestants and any other information regarding medical
8 or health issues related to boxing and wrestling.

9 (2) The medical advisory board shall consist of 5 individu-
10 als licensed under article 15 of the public health code, Act
11 No. 368 of the Public Acts of 1978, being sections 333.16101 to
12 333.18821 of the Michigan Compiled Laws, except that not less
13 than 2 individuals shall be licensed under part 170 of Act
14 No. 368 of the Public Acts of 1978, being sections 333.17001 to
15 333.17088 of the Michigan Compiled Laws. The members shall be
16 appointed by the governor with the advice and consent of the
17 senate and shall serve a term of 3 years. Of the members first
18 appointed, 1 shall serve a term of 3 years, 2 shall serve for a
19 term of 2 years, and 2 shall serve for a term of 1 year. A
20 vacancy occurring by reason other than expiration of a term shall
21 be filled by appointment by the governor with the advice and con-
22 sent of the senate for the remainder of the unexpired term. The
23 members shall receive compensation for per diem, travel, and
24 other expenses as fixed by the department of management and
25 budget.

26 Sec. 207. (1) A contest, whether for prize or purse or
27 whether an admission fee is charged, shall not be held or

1 conducted within this state, except under a license and sanction
2 issued by the commission pursuant to this act and the rules
3 promulgated under this act. However, the commission may issue,
4 upon proper application and without the payment of a fee, a
5 license to hold a contest between professionals under the spon-
6 sorship of a civic organization or veterans' group if held for
7 charitable purposes.

8 (2) This act does not apply to either of the following:

9 (a) Contests conducted by or participated in exclusively by
10 a commission or agency of the United States government or by a
11 school, college, or university or by an association or organi-
12 zation composed exclusively of these schools, colleges, or uni-
13 versities if each contestant in the contest is an amateur.

14 (b) A school that has as its primary purpose the instruction
15 of boxing, wrestling, or other athletics.

16 (3) The commission shall keep accurate records of all
17 licensed contests, including the date, time, and location of each
18 contest and the names and addresses of the promoter, referee,
19 physician, contestant, manager, second, timekeeper, judge, and
20 boxing club involved in each contest. Except as otherwise pro-
21 vided in section 217(4), the records shall be available to the
22 public for inspection.

23 (4) The commission shall conduct a criminal background
24 investigation of a promoter seeking licensure under this act.
25 The commission shall deny a license to an applicant, or revoke a
26 license of a licensed promoter, who is convicted of a felony or a

1 misdemeanor involving the possession, use, or sale of a
2 controlled substance.

3 (5) Except as otherwise provided in this act, the commission
4 may promulgate rules establishing license fees for the activities
5 regulated by this act. The fees shall reflect the actual cost to
6 the commission of processing the applications.

7 Sec. 209. (1) There is created a Michigan boxing and wres-
8 tling fund in the department of treasury to be administered by
9 the commission. The money in the fund shall be used for the
10 expenses of the commission related to the administration and
11 enforcement of this act. Money in the fund shall not lapse to
12 the general fund but shall be continuously available in the fund
13 for the purposes specified in this section.

14 (2) In any contest involving professional boxers or wres-
15 tlers being held by a boxing or wrestling organization, the com-
16 mission shall assess a fee equal to 4% of the sanction fee
17 charged by the boxing or wrestling organization to the promoter.
18 That assessment shall be deposited into the Michigan boxing and
19 wrestling fund created in subsection (1) and used in the manner
20 described in subsection (1).

21 (3) Payment of the assessment described in subsection (2)
22 shall be the responsibility of the promoter. The promoter shall
23 deduct an amount equal to the assessment due from the boxing or
24 wrestling organization and remit it to the commission. The com-
25 mission shall not issue a license for a contest involving a
26 boxing or wrestling organization until the assessment under this
27 section is paid.

1 (4) In any contest conducted by a promoter where admission
2 is charged, the promoter shall pay, in addition to the assessment
3 described in subsection (2), the following fees to the commission
4 for deposit into the Michigan boxing and wrestling fund:

5 (a) A sanction fee of \$250.00.

6 (b) A fee representing 4% of the gross proceeds of the
7 contest.

8 (5) As used in this section, "boxing or wrestling
9 organization" means any national or international organization
10 which sponsors contests in this state including, but not limited
11 to, the world boxing council, the world boxing association, the
12 United States boxing association, the international boxing feder-
13 ation, the world boxing organization, the international boxing
14 council, world boxing federation, and the North American boxing
15 federation.

16 Sec. 211. (1) At the expense of a promoter or boxing club,
17 not less than 1 physician shall be in attendance at each
18 contest. The physician shall observe the physical condition of
19 the contestants and advise the commission representative or
20 inspector with regard to their health. The physician shall
21 examine each contestant within 2 hours before entering the ring.
22 A promoter or boxing club shall file with the commission the
23 report of the physical examination of a contestant not later than
24 24 hours after termination of the contest.

25 (2) If, in the opinion of the physician, the health or
26 safety of a contestant requires that the contest in which he or
27 she is participating be terminated, the physician shall notify

1 the referee. The referee shall terminate the contest and the
2 contestant's license shall be suspended until an examination is
3 conducted as further described in section 217.

4 (3) A physician licensed under article 3 or 4 and acting
5 within the scope of his or her duties as a ringside physician
6 shall be held harmless for ordinary negligence.

7 Sec. 213. (1) The commission shall provide that at least 1
8 inspector be present at every contest which is subject to this
9 act.

10 (2) The expense of the presence of the inspector shall be
11 borne by the commission.

12 Sec. 215. (1) Upon a finding of an inspector that a
13 licensee has violated this act or a rule promulgated under this
14 act and upon the commission's determination that the health,
15 safety, or welfare of the public requires emergency action, sum-
16 mary suspension of a license may be ordered effective the date
17 specified in the order.

18 (2) The commission shall provide an opportunity for a hear-
19 ing not later than 5 working days after the issuance of the sum-
20 mary suspension order.

21 (3) A summary suspension order shall incorporate the find-
22 ings of the commission. The conduct of or request for a hearing
23 under this section shall not operate to suspend the commission's
24 order.

25 Sec. 217. (1) A contestant who has lost a contest by a
26 technical knockout shall not fight again for a period of 30
27 calendar days or until he or she has submitted to a physical

1 examination. The commission may require such physical
2 examinations as it determines necessary. Examinations shall be
3 conducted by a physician.

4 (2) A contestant who has been knocked out in a contest, or a
5 contestant participating in a contest which has been stopped by
6 the referee due to the contestant having received hard blows to
7 the head making him or her defenseless or incapable of continu-
8 ing, shall be examined by the ringside physician immediately
9 after the contest and shall, upon leaving the location of the
10 contest, obtain post-contest neurological examinations including,
11 but not limited to, computerized axial tomography scans or mag-
12 netic resonance imaging. Post-contest neurological examination
13 results shall be forwarded to the commission by the contestant as
14 soon as possible. A report shall be submitted to the commission
15 by the ringside physician within 24 hours after the contest.

16 (3) A contestant who has sustained a severe injury or knock-
17 out in a contest shall, within 24 hours, be thoroughly examined
18 by a physician approved by the commission. Upon the physician's
19 request, the commission may suspend the contestant from partici-
20 pating in another contest until he or she is fully recovered and
21 may extend a suspension already imposed.

22 (4) All medical reports submitted to the commission relative
23 to a physical examination or the condition of a contestant are
24 confidential and exempt from disclosure under the freedom of
25 information act, Act No. 442 of the Public Acts of 1976, being
26 sections 15.231 to 15.246 of the Michigan Compiled Laws, and
27 shall be open to examination only by the commission and the

1 contestant upon his or her request to examine the records or upon
2 the order of a court of competent jurisdiction.

3 (5) A contestant who has been knocked out or received exces-
4 sive hard blows to the head making him or her defenseless or
5 incapable of continuing shall not participate as a contestant or
6 engage in any contact training in a gymnasium for a period of not
7 less than 60 days. Violation of this section shall result in an
8 indefinite suspension of the license of a wrestler or a boxer and
9 the boxer's second or manager.

10 (6) Before participating as a contestant after any of the
11 periods of rest prescribed in subsection (5), a contestant shall,
12 following a physical examination, be certified by a physician
13 selected by the commission as fit to take part in a contest.

14 (7) A contestant who has lost 6 consecutive contests shall
15 not participate as a contestant until the commission has reviewed
16 the results of the 6 contests or the contestant has submitted to
17 a physical examination by a physician selected by the
18 commission.

19 (8) A boxer or wrestler who has had cardiac surgery shall
20 not be issued a license under this act to participate as a
21 contestant.

22 (9) A contestant who has suffered a detached retina shall be
23 automatically suspended and shall not be reinstated until it has
24 been surgically repaired and the contestant has submitted to a
25 physical examination by a physician selected by the commission
26 and the commission has reviewed the results of the examination.

1 (10) A contestant who resides in this state and who
 2 participates in a contest outside this state shall report the
 3 results to the commission within 72 hours after the contest. The
 4 results shall be reported by either the contestant or the
 5 contestant's manager.

6 (11) The number of days which shall elapse before a contes-
 7 tant who has competed in a contest may participate in another
 8 contest is as follows:

- 9 (a) A 4-round contest..... 3 days
- 10 (b) A 5- to 9-round contest..... 5 days
- 11 (c) A 10- to 12-round contest..... 7 days
- 12 (d) A 13- to 15-round contest..... 14 days.

13 (12) The commission may prohibit a contestant who is prohib-
 14 ited from boxing or wrestling in another state or country from
 15 boxing or wrestling in this state after considering the person's
 16 entire record if the commission determines that the person would
 17 be prohibited from boxing or wrestling in this state if licensed
 18 under this act.

19 Sec. 219. (1) The commission shall promulgate rules pursu-
 20 ant to the administrative procedures act of 1969, Act No. 306 of
 21 the Public Acts of 1969, being sections 24.201 to 24.328 of the
 22 Michigan Compiled Laws, for the enforcement and administration of
 23 this act.

24 (2) Except in the case of a summary or automatic suspension,
 25 any action by the commission for a violation of this act or the

1 rules promulgated under this act shall be according to Act
2 No. 306 of the Public Acts of 1969.

3 Sec. 221. (1) The business which the commission may perform
4 shall be conducted at a public meeting of the commission held in
5 compliance with the open meetings act, Act No. 267 of the Public
6 Acts of 1976, being sections 15.261 to 15.275 of the Michigan
7 Compiled Laws. Public notice of the time, date, and place of the
8 meeting shall be given in the manner required by Act No. 267 of
9 the Public Acts of 1976.

10 (2) Except as otherwise provided in sections 217(4) and
11 329(4), a writing prepared, owned, used, in the possession of, or
12 retained by the commission in the performance of an official
13 function shall be made available to the public in compliance with
14 the freedom of information act, Act No. 442 of the Public Acts of
15 1976, being sections 15.231 to 15.246 of the Michigan Compiled
16 Laws.

17 ARTICLE 3

18 Sec. 301. (1) A boxer shall not participate in a sparring
19 match and shall not train, whether as an amateur or a profes-
20 sional boxer, unless the activity is conducted at a location
21 licensed as a training facility under this section.

22 (2) The commission shall promulgate rules setting standards
23 for training facilities which shall include, but not be limited
24 to, the following:

25 (a) Requirements for first aid materials to be stored at or
26 brought to the location and requirements for the presence of a

1 person trained and certified in the use of the materials and in
2 procedures for cardiopulmonary resuscitation.

3 (b) Requirements regarding the prominent posting of the
4 telephone number for emergency medical services.

5 (c) Requirements regarding clean and sanitary bathrooms,
6 shower rooms, and locker rooms.

7 (d) Requirements regarding adequate lighting and ventilation
8 in certain areas of the boxing facility, including requirements
9 of restricted smoking areas.

10 (e) Requirements regarding the composition and size of the
11 ring.

12 (f) Requirements regarding the posting of license suspen-
13 sions and revocations.

14 (g) Any other requirements which would reasonably protect
15 the health and safety of the boxers.

16 (3) A person operating a training facility shall obtain a
17 license from the commission by applying on a form provided by the
18 commission and payment of an application fee of \$100.00.

19 (4) The commission shall promulgate rules setting standards
20 for the licensure of a location being used temporarily as a
21 training facility. Upon proper application and payment of a
22 license fee of \$25.00, the commission shall issue a license for
23 use of the location as a temporary training facility, the dura-
24 tion of which shall not be more than 5 days. An applicant, imme-
25 diately upon expiration of the license issued under this subsec-
26 tion and payment of the license fee, may renew the license for a
27 like period.

1 (5) The commission may inspect, without prior notice, a
2 training facility licensed under this section. A person operat-
3 ing a training facility shall make available to an inspector any
4 records required to be kept pursuant to this section.

5 (6) The operator of a training facility shall keep a daily
6 log of any contest conducted at the training facility which shall
7 include the name of the contestant and a notation of whether a
8 contestant suffered any injury or knockout. The log shall at
9 least include the names of the contestants and whether a contes-
10 tant suffered an injury or knockout. In the case of a knockout,
11 the training facility shall report this fact to the commission
12 within 24 hours after the knockout.

13 (7) The commission shall promulgate rules setting a schedule
14 of fines to be imposed for violation of this section.

15 (8) As used in this section, "training facility" means a
16 location where boxers train or participate in a sparring match.
17 In the case of a facility that is issued a temporary license,
18 training facility means a location where boxers train or partici-
19 pate in a sparring match during a specific period of time or
20 during specific regular intervals of time.

21 Sec. 303. (1) A promoter, boxing club, physician, referee,
22 judge, timekeeper, professional boxer, wrestler, or a manager, or
23 second of those persons shall be licensed by the commission under
24 this article before participating either directly or indirectly
25 in a contest, and a person shall not profit directly or indi-
26 rectly from a contest or participate directly or indirectly in
27 the contest or in the receipts from a contest unless the contest

1 is licensed by the commission in advance under the
2 classifications designated in this article. An applicant for a
3 license as a promoter, referee, or judge shall be of good moral
4 character as defined and determined under Act No. 381 of the
5 Public Acts of 1974, being sections 338.41 to 338.47 of the
6 Michigan Compiled Laws.

7 (2) An application for a license shall be in writing, shall
8 be verified by the applicant, and conform to the rules promul-
9 gated by the commission.

10 (3) A person applying for a license as a boxer shall offer 2
11 pieces of identification, 1 of which shall have a photograph of
12 the person. A boxer renewing a license shall also present the
13 passport issued under subsection (4). A license to engage in a
14 contest as a boxer shall be for a duration of 10 days. The fee
15 for such a license is \$10.00.

16 (4) The commission shall issue a passport with each profes-
17 sional boxer's license. The passport shall be issued by the com-
18 mission at the time the contestant receives his or her original
19 license and shall contain the following information:

- 20 (a) The contestant's license number.
- 21 (b) The contestant's name and address.
- 22 (c) The contestant's social security number.
- 23 (d) A photograph of the contestant.
- 24 (e) The contestant's height and weight.
- 25 (f) A record of each fight in which the contestant has
26 participated.

1 (5) The commission shall honor similar passport records from
2 other jurisdictions.

3 (6) The commission shall not allow a contestant to compete
4 in a contest if his or her passport does not contain information
5 required by subsection (4) or if the contestant fails to present
6 the passport to an inspector.

7 Sec. 305. (1) The commission shall develop or adopt exami-
8 nations as required by this section.

9 (2) A person seeking a license under this article as a judge
10 or referee may be required to satisfactorily pass an examination
11 given by the commission testing that person's knowledge and
12 skill, as is determined to be appropriate by the commission.

13 (3) A person seeking a license under this article as a
14 judge, referee, or boxer shall pass a physical examination as
15 established by rules of the commission and present evidence of
16 passage to the commission.

17 (4) The commission shall issue a license to a person who has
18 previously been issued a license under former article 8 of the
19 occupational code, Act No. 299 of the Public Acts of 1980, after
20 application and payment of the appropriate fee within 1 year
21 after the effective date of this act on a form provided by the
22 commission.

23 (5) The commission, through promulgation of a rule, shall
24 develop or adopt continuing education programs for persons
25 licensed under this article.

26 Sec. 307. (1) The commission shall issue free of charge a
27 temporary license allowing a person to officiate as a judge,

1 referee, or timekeeper at an international, national, or regional
2 amateur or professional boxing contest to an applicant under the
3 following circumstances:

4 (a) The applicant is not a resident of this state.

5 (b) The applicant has presented evidence that he or she pos-
6 sesses 1 or both of the following:

7 (i) A valid license to officiate as an amateur or profes-
8 sional boxing judge, referee, or timekeeper in another state or
9 foreign country.

10 (ii) Actual experience as an amateur or professional boxing
11 judge, referee, or timekeeper.

12 (2) A temporary license issued pursuant to this section
13 shall remain valid for a period of not more than 10 days from the
14 date of issuance.

15 Sec. 309. (1) The commission shall issue a temporary
16 license to participate in a contest as a professional boxer or
17 his or her manager or second to an applicant who meets both of
18 the following requirements:

19 (a) The applicant is not a resident of this state.

20 (b) The applicant has presented evidence that he or she pos-
21 sesses a valid license as a boxer, manager, or second issued by
22 another state or a foreign country.

23 (2) A temporary license issued pursuant to this section
24 shall remain valid for a period of not more than 10 days from the
25 date of issuance.

26 Sec. 311. (1) In addition to the requirements of section
27 305(2) and (3), a person seeking a license as a professional

1 referee shall unofficially referee a minimum of 200 rounds of
2 amateur competitive or noncompetitive boxing in a facility which
3 conducts an active boxing program.

4 (2) After a person has successfully completed the require-
5 ments of section 305(2) and (3) and subsection (1), the commis-
6 sion may issue the person a limited license as a referee. Before
7 the person is issued a full license as a referee, the person
8 shall complete all of the following:

9 (a) Officiate not less than 10 4-round preliminary
10 contests.

11 (b) Officiate not less than 4 6-round preliminary contests.

12 (c) Officiate not less than 2 8-round preliminary contests.

13 (3) After the requirements of subsection (2)(a) to (c) have
14 been completed, the commission shall review and evaluate the
15 applicant's work.

16 Sec. 313. (1) In addition to the requirements of section
17 305(2) and (3), a person seeking a license as a professional
18 judge shall score, unofficially, not less than 200 rounds of pro-
19 fessional boxing. In order to fulfill the requirements of this
20 subsection, an applicant shall only unofficially judge contests
21 which are approved by the commission for that purpose. An appli-
22 cant shall not receive compensation for judging contests under
23 this subsection. Scorecards shall be transmitted to the commis-
24 sion for review and evaluation.

25 (2) The commission shall complete a standardized evaluation
26 sheet for each contest judged by a licensee. The evaluation

1 sheets periodically shall be reviewed and evaluated by the
2 commission.

3 Sec. 315. (1) A contestant participating in a contest under
4 this article shall be insured for not less than \$25,000.00 for
5 medical and hospital expenses to be paid to the contestant to
6 cover injuries sustained in the contest, and for not less than
7 \$25,000.00 to be paid in accordance with the statutes of descent
8 and distribution of personal property if the contestant should
9 die as a result of injuries received in a contest.

10 (2) A promoter of a boxing contest between professionals
11 shall insure each contestant participating in the contest in the
12 manner described in subsection (1). The promoter shall also be
13 responsible for payment of the deductible , if any, on a policy
14 of insurance.

15 (3) Not less than 48 hours before a boxing contest, the pro-
16 moter of the contest shall submit to the commission satisfactory
17 proof of the insurance required by subsection (1).

18 (4) A promoter of a contest shall be financially liable for
19 all medical tests ordered for a contestant by the ringside physi-
20 cian or the commission.

21 Sec. 317. (1) The use or administration of drugs, stimu-
22 lants, or nonprescription preparations by or to a boxing contes-
23 tant during a boxing contest is prohibited, except as provided in
24 this section.

25 (2) The giving of substances other than water to a contes-
26 tant during the course of the contest is prohibited.

1 (3) The discretionary use of petroleum jelly is allowed
2 around the eyes; however, the use of petroleum jelly, grease, or
3 any other substance on the arms, legs, and body is prohibited.

4 (4) The discretionary use of coagulants, as approved by the
5 commission, may be allowed between rounds to stop the bleeding of
6 minor cuts and lacerations sustained by a contestant. The use of
7 monsel solution, silver nitrate, "new skin," flex collodion, or
8 substances having an iron base is prohibited, and the use of such
9 substances by a contestant is cause for immediate
10 disqualification.

11 (5) The ringside physician shall monitor the use and appli-
12 cation of any foreign substances administered to a contestant
13 before or during a boxing contest and shall confiscate any suspi-
14 cious foreign substance for possible laboratory analysis, the
15 results of which shall be forwarded to the commission.

16 Sec. 319. (1) At the request of the commission or its
17 authorized representative or the ringside physician, a boxer
18 shall submit to a test of body fluids to determine the presence
19 of drugs. The promoter shall be responsible for any costs of
20 testing.

21 (2) A laboratory test which results in a finding of the
22 presence of a drug, or the refusal of a boxer to submit to the
23 test, shall be grounds for a summary suspension of the boxer's
24 license.

25 (3) If the test results in a finding of the presence of a
26 drug or if the boxer refuses to submit to such a test, a
27 complaint shall be filed under this act. If a determination is

1 made that the boxer has violated this section, the commission
2 shall impose the following penalties:

3 (a) For a first violation, suspension for 90 days.

4 (b) For a second violation, a 1-year suspension.

5 (c) For a third violation, revocation of licensure.

6 (4) At the completion of a suspension ordered by the commis-
7 sion in accordance with subsection (3)(a) or (b), a boxer, at his
8 or her own expense, shall submit to a test of body fluids in the
9 presence of a representative of the commission. The results of
10 the test shall be negative for all drugs tested before the com-
11 mission allows the boxer to reapply for a license to box.

12 (5) A boxer who is disciplined under this section and who
13 was the winner of a contest is disqualified and the decision of
14 the contest shall be changed to "no contest".

15 (6) The results of a contest shall remain unchanged if a
16 boxer who is disciplined under this section was the loser of the
17 contest.

18 (7) A boxer who is suspended from boxing in other states or
19 jurisdictions due to disciplinary action involving the use of
20 drugs is prohibited from boxing in Michigan.

21 Sec. 321. (1) A promoter or boxing club, within 24 hours
22 after the termination of a boxing contest, shall furnish to the
23 commission a written report, showing the number of tickets sold
24 for the contest and the amount of the gross proceeds of the con-
25 test, and other matters as the commission prescribes.

26 (2) Except as provided in subsection (3), before a
27 promoter's license is granted for the conduct of a contest, the

1 commission shall require that the promoter escrow for not more
2 than 10 days the sum of money the commission determines to be
3 sufficient to cover the payment of contest purses, salaries of
4 officials licensed by the commission, and legitimate expenses as
5 determined by the commission.

6 (3) The commission shall promulgate rules setting standards
7 of financial stability for promoters. These standards shall pro-
8 vide that a promoter meeting the standards is exempt from the
9 escrow requirements of subsection (2).

10 Sec. 323. (1) Immediately after a contest, the promoter
11 shall satisfy all contractual agreements made regarding the con-
12 test with licensed participants in the contest.

13 (2) The promoter shall fulfill the requirement of subsection
14 (1) under the direct supervision of the inspector assigned to the
15 contest.

16 Sec. 325. If a contest is stopped by the referee or inspec-
17 tor for a violation of this act, this article, or the rules
18 promulgated under this act or this article, the prize money for
19 the contest shall be turned over to the commission. The commis-
20 sion shall deposit the money in an escrow account pending a hear-
21 ing before the commission.

22 Sec. 327. (1) Any person who charges and receives an admis-
23 sion fee for exhibiting any live boxing contest that emanates
24 from this state on a closed-circuit telecast, pay-per-view tele-
25 vision, or motion picture, shall, within 10 days after the event,
26 furnish to the commission a verified written report on a form
27 which is supplied by the commission, showing the number of

1 tickets sold or issued, and the gross receipts for the tickets
2 sold or issued without any deductions.

3 (2) The person shall also, at the same time, pay to the com-
4 mission a license fee, exclusive of federal taxes, of 4 cents for
5 each \$1.00 or fraction thereof received for admission at the
6 wrestling exhibition or boxing contest. The license fee is based
7 on the face value of all tickets sold.

8 Sec. 329. (1) A promoter and a broadcaster for television
9 shall each, at least 72 hours before a boxing contest or wres-
10 tling exhibition is to be held, file with the commission's execu-
11 tive director a copy of all contracts entered into for the sale,
12 lease, or other exploitation of television rights for the boxing
13 contest or wrestling exhibition.

14 (2) The promoter shall keep detailed records of the accounts
15 and other documents related to his or her receipts from the sale,
16 lease, or other exploitation on the television rights for a
17 boxing contest or wrestling exhibition. The commission, at any
18 time, may inspect these accounts and documents to determine the
19 amount of the gross receipts received by the promoter from the
20 television rights.

21 (3) If a promoter or a broadcaster for television fails to
22 comply with the requirements of this section, the commission may
23 determine the amount of the gross receipts from the sale, lease,
24 or other exploitation of television rights for the boxing contest
25 and assess the appropriate license fee.

26 (4) Each contract filed with the commission pursuant to this
27 section is confidential and is exempt from disclosure under the

1 freedom of information act, Act No. 442 of the Public Acts of
2 1976, being sections 15.231 to 15.246 of the Michigan Compiled
3 Laws.

4 (5) As used in this section, "broadcaster for television"
5 means a person or entity broadcasting over network television,
6 local or national cable television, or pay-per-view television.

7 Sec. 331. (1) A professional boxing contest shall be of not
8 more than 10 rounds in length, except a contest which involves a
9 national or international championship or a title elimination may
10 last not more than 12 rounds if approved by the commission.

11 (2) A contestant in a professional or amateur boxing or
12 sparring contest shall be certified to be in proper physical con-
13 dition by an individual licensed as a physician before partici-
14 pating in a boxing or sparring contest.

15 Sec. 333. (1) The commission shall develop printed contract
16 forms and shall approve the terms of all contracts. Contracts
17 between a boxer and a manager shall be executed on printed forms
18 prescribed or approved by the commission.

19 (2) A copy of all contracts entered into between a contes-
20 tant and a manager shall be placed on file with the commission
21 for approval. A contract executed pursuant to this section shall
22 become null and void if at any time during its term the license
23 of the manager or contestant is suspended or revoked by the
24 commission. A contestant shall have only 1 manager except that
25 the manager may be a group, association, or corporation. An
26 assignment of a part or parts of the contestant's or manager's

1 interest in a contract filed with the commission shall not be
2 permitted without the approval and consent of the commission.

3 (3) A contract to which a minor is a party shall be executed
4 on behalf of the minor by the legal guardian of the minor.

5 (4) A manager shall not contract for the services of a con-
6 testant under his or her management for a contest to take place
7 on a date after the expiration of the contract between the man-
8 ager and the contestant, unless the contest has been approved in
9 advance by the commission.

10 (5) The commission shall not approve a contract for the
11 services of a contestant unless the contract is signed by the
12 contestant under his or her legal name. If a contestant is
13 licensed in this state under any other name, he or she may sign
14 the contract under his or her licensed name if his or her true
15 name appears in the body of the contract as the name under which
16 he or she is otherwise known.

17 (6) Contracts for a contest shall not be approved by the
18 commission unless both contestants have signed contracts with the
19 same promoter, and the contracts have also been signed by the
20 promoter.

21 (7) A contract between a promoter and a contestant or man-
22 ager of a contestant affecting or calling for the services of a
23 contestant shall be filed with the commission by the promoter
24 within 48 hours after the execution of the contract, and not less
25 than 48 hours before the contest to which the contract relates.

ARTICLE 4

1
2 Sec. 401. (1) A promoter, physician, referee, timekeeper,
3 or professional wrestler involved in a wrestling exhibition shall
4 be licensed by the commission under this article before partici-
5 pating either directly or indirectly in a contest, and a person
6 shall not profit directly or indirectly from a contest or partic-
7 ipate directly or indirectly in the contest or in the receipts
8 from a contest unless the contest is licensed by the commission
9 in advance under the classifications designated in this article.
10 An applicant for a license as a promoter or referee shall be of
11 good moral character as defined and determined under Act No. 381
12 of the Public Acts of 1974, being sections 338.41 to 338.47 of
13 the Michigan Compiled Laws.

14 (2) An application for a license shall be in writing, shall
15 be verified by the applicant, and shall conform to the rules
16 promulgated by the commission.

17 Sec. 403. (1) A person seeking a license under this article
18 may be required to satisfactorily pass an examination given by
19 the commission testing that person's knowledge and skill, as is
20 determined to be appropriate by the commission.

21 (2) A person seeking a license under this article as a ref-
22 eree or wrestler shall pass a physical examination as established
23 by rules of the commission and present evidence of passing such
24 an examination.

25 (3) The commission shall issue a license to a person who has
26 previously been issued a license under former article 8 of the
27 occupational code, Act No. 299 of the Public Acts of 1980, after

1 application and payment of the appropriate fee within 1 year
2 after the effective date of this article on a form provided by
3 the commission.

4 Sec. 405. (1) A wrestling exhibition shall have present a
5 timekeeper who shall do all of the following:

6 (a) Sit outside the ring and be close to a bell or gong and
7 indicate the beginning and end of a contest by striking the bell
8 or gong.

9 (b) Be equipped with a stopwatch.

10 (c) Advise the announcer of the time of the contest if the
11 contest ends before the time limit.

12 (2) A wrestler shall confine his or her activities to the
13 ring or immediate outside enclosed area of the ring and shall not
14 conduct any activities in areas occupied by spectators.

15 (3) A wrestler shall not do any of the following:

16 (a) Spit into the spectator area.

17 (b) Possess or use any sharp or pointed object.

18 (c) Strike, grab, or push a spectator.

19 Sec. 407. The commission shall promulgate rules regarding
20 both of the following:

21 (a) Specifications for ring construction and the location
22 and specifications for mats, ropes, and springs.

23 (b) Requirements for the presence of emergency medical
24 personnel.

25 Sec. 409. (1) A contestant participating in a wrestling
26 exhibition under this article shall be insured for not less than
27 \$25,000.00 for medical and hospital expenses to be paid to the

1 contestant to cover injuries sustained in the contest, and for
2 not less than \$25,000.00 to be paid in accordance with the stat-
3 utes of descent and distribution of personal property if the con-
4 testant should die as a result of injuries received in a
5 contest.

6 (2) A promoter of a contest between professionals shall
7 insure each contestant participating in the contest, in the
8 manner described in subsection (1). The promoter shall also be
9 responsible for payment of the deductible, if any, on a policy of
10 insurance.

11 (3) Not less than 48 hours before a contest, the promoter of
12 the contest shall submit to the commission satisfactory proof of
13 the insurance required by subsection (1).

14 (4) A promoter of a contest shall be financially liable for
15 all medical tests ordered for a contestant by the ringside physi-
16 cian or the commission.

17 Sec. 411. (1) The use or administration of drugs, stimu-
18 lants, or nonprescription preparations by or to a contestant
19 during a wrestling exhibition is prohibited, except as provided
20 in this section.

21 (2) The giving of substances other than water to a contes-
22 tant during the course of the contest is prohibited.

23 (3) The ringside physician shall monitor the use and appli-
24 cation of any foreign substances administered to a contestant
25 before or during an exhibition and shall confiscate any suspi-
26 cious foreign substance for possible laboratory analysis, the
27 results of which shall be forwarded to the commission.

1 Sec. 413. (1) At the request of the commission or its
2 authorized representative or the ringside physician, a wrestler
3 shall submit to a test of body fluids to determine the presence
4 of drugs. The promoter shall be responsible for any costs of
5 testing.

6 (2) A laboratory test which results in a finding of the
7 presence of a drug, or the refusal of a wrestler to submit to the
8 test, shall be grounds for a summary suspension of the wrestler's
9 license.

10 (3) If the test results in a finding of the presence of a
11 drug or if the wrestler refuses to submit to such test, a com-
12 plaint shall be filed under this act. If a determination is made
13 that the wrestler has violated this section, the commission shall
14 impose the following penalties:

15 (a) For a first violation, suspension for 90 days.

16 (b) For a second violation, a 1-year suspension.

17 (c) For a third violation, revocation of licensure.

18 (4) At the completion of a suspension ordered by the commis-
19 sion in accordance with subdivision (a) or (b), a wrestler shall
20 submit to a test of body fluids in the presence of a representa-
21 tive of the commission. The results of the test shall be nega-
22 tive for all drugs tested before the wrestler is allowed to wres-
23 tle again.

24 (5) Wrestlers who are prohibited from wrestling in other
25 states or jurisdictions due to disciplinary action involving the
26 use of drugs are prohibited from wrestling in Michigan.

1 Sec. 415. (1) A promoter, within 24 hours after the
2 termination of a wrestling exhibition, shall furnish to the
3 commission a written report, showing the number of tickets sold
4 for the exhibition and the amount of the gross proceeds of the
5 wrestling exhibition, and other information as the commission
6 prescribes.

7 (2) Except as provided in subsection (3), before a
8 promoter's license is granted for the conduct of an exhibition,
9 the commission shall require that the promoter escrow the sum of
10 money the commission determines to be sufficient to cover the
11 payment of the contest purses, salaries of officials licensed by
12 the commission, and legitimate expenses as determined by the
13 commission.

14 (3) The commission shall promulgate rules setting standards
15 of financial stability for promoters. These standards shall pro-
16 vide that a promoter meeting the standards is exempt from the
17 escrow requirements of subsection (2).

18 ARTICLE 5

19 Sec. 501. Sections 801, 802, 803, 804, 805, 806, 806a, 807,
20 808, 809, 810, 811, 812, 813, and 814 of Act No. 299 of the
21 Public Acts of 1980, being sections 339.801, 339.802, 339.803,
22 339.804, 339.805, 339.806, 339.806a, 339.807, 339.808, 339.809,
23 339.810, 339.811, 339.812, 339.813, and 339.814 of the Michigan
24 Compiled Laws, are repealed.