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Senate Bill 152 (Substitute S-2 as reported)
Senate Bill 154 (as reported without amendment)
Sponsor: Senator Dave Robertson
Committee: Regulatory Reform

CONTENT

Senate Bill 152 (S-2) would amend the Michigan Unarmed Combat Regulatory Act to do the following:

- Revise the responsibilities of the Michigan Unarmed Combat Commission and the responsibilities of the Director of the Department of Licensing and Regulatory Affairs (LARA).
- Vest the Commission and LARA with jurisdiction over all professional boxing, professional or amateur mixed martial arts, and unarmed combat contests or events conducted in Michigan, and otherwise revise provisions relating to the scope of the Act.
- Revise and establish new regulations concerning the conduct of events.
- Revise and establish new requirements, including fee amounts, regarding licenses issued under the Act.
- Require a promoter to ensure the availability of a contestant for drug testing, and delete a provision allowing the Commission or LARA to perform drug testing.
- Prohibit a promoter from conducting a professional boxing or professional or amateur mixed martial arts event unless at least one inspector was present at the event, and establish requirements for inspectors.
- Require LARA to initiate an action against an applicant or licensee under certain circumstances, and otherwise revise investigative procedures for LARA to follow in the event of a complaint alleging a violation of the Act.
- Establish new violations and penalties that would apply under the Act, including administrative sanctions and criminal penalties.

The bill would define "unarmed combat" as any of the following:

- Professional boxing.
- Professional or amateur mixed martial arts.
- Any other form of competition in which a blow is usually struck or another fighting technique is applied that may reasonably be expected to inflict injury.

"Contest" would mean an individual bout between two boxers, two mixed martial artists, or two individuals engaged in other unarmed combat that is subject to the Act. "Event" would mean a program of unarmed combat that is subject to the Act and is planned for a specific date and time by a promoter and includes one or more contests.

Senate Bill 154 would amend the Code of Criminal Procedure to include a felony proposed by Senate Bill 152 (S-2) in the sentencing guidelines. Under Senate Bill 154, knowingly allowing a boxing or mixed martial arts professional to participate as a contestant in an amateur mixed martial arts contest with an amateur would be a Class E public safety felony with a statutory maximum sentence of three years.

Senate Bill 154 is tie-barred to Senate Bill 152. Both bills would take effect 90 days after their enactment.

MCL 338.3610 et al. (S.B. 152)
777.13p (S.B. 154)

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

Administrative Impact

Senate Bill 152 (S-2) would have an indeterminate, but likely positive fiscal impact on the Department of Licensing and Regulatory Affairs, and no fiscal impact on local units of government. The bill would increase certain fees paid by people participating in boxing or mixed martial arts contests, require that a person found to be in violation of the Act reimburse LARA for its costs in conducting the investigation, and allow for administrative fines of up to 100% of the person's share of the purse for a contest to be assessed in certain situations.

A number of license fees for individuals who participate in boxing or mixed martial arts are currently established by administrative rule. The bill would put a number of those fees into statute at their current level, except that the bill would raise the fee for promoters from \$250 to \$300, and the fee paid per event from \$125 to \$500, and would create a new fee of \$20 for issuance of a Federal identification card. According to the Department, 19 promoters currently operate in Michigan, so the increased annual promoter fee would generate an additional \$950 in revenue each year. Data to estimate the amount that would be raised by the increase in the event fees and the Federal identification fees are currently not available.

The bill would not appear to significantly increase LARA's costs related to the regulation of boxing and mixed martial arts, but according to a report from LARA, in fiscal year 2012-13, the revenue generated by the program totaled approximately \$75,300, and program costs totaled \$167,200. Additional revenue generated under the bill would serve to offset some of the difference between program revenue and costs.

Other than renaming the Unarmed Combat Fund, the bill would not significantly change the restricted fund into which the revenue generated from the regulation of boxing and mixed martial arts is deposited.

Corrections Impact

Senate Bills 152 (S-2) and 154 could result in a cost to the State's corrections budget. For any new felony convictions resulting from the proposed offense, in the short term, the marginal cost to State government would be approximately \$4,100 per additional prisoner per year. Over the long term, the marginal cost to State government would be approximately \$31,100 per additional prisoner per year. With any increase in the number of felony cases, costs to local courts and law enforcement could increase. Any increase in collected fine revenue would be dedicated to public libraries. To the extent that courts were able to collect assessed costs from an offender, costs to the State and local government could be offset.

Date Completed: 5-12-15

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.