

# HOUSE BILL No. 4220

February 18, 2015, Introduced by Reps. Santana, Kosowski and Kivela and referred to the Committee on Regulatory Reform.

A bill to amend 2004 PA 403, entitled "Michigan unarmed combat regulatory act," by amending the title and sections 10, 11, 12, 22, 30, 32, 33, 35, 40, 41, 42, 43, 44, 46, 47, 48, 50, 52, 61, and 61a (MCL 338.3610, 338.3611, 338.3612, 338.3622, 338.3630, 338.3632, 338.3633, 338.3635, 338.3640, 338.3641, 338.3642, 338.3643, 338.3644, 338.3646, 338.3647, 338.3648, 338.3650, 338.3652, 338.3661, and 338.3661a), sections 10, 11, 12, 32, 35, 47, and 48 as amended by 2007 PA 196, section 22 as amended by 2010 PA 100, and section 33 as amended and section 61a as added by 2012 PA 546, by amending the headings for chapters 1 to 6, and by adding sections 2, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, and 87 and

headings for articles 1, 2, and 3; and to repeal acts and parts of acts.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1

**TITLE**

2

An act to regulate ~~certain forms of boxing, to create certain~~

3

~~commissions and to provide certain powers and duties for~~ **THE**

4

**CONDUCT OF CERTAIN BOXING, MIXED MARTIAL ARTS, AND OTHER UNARMED**

5

**COMBAT EVENTS, CONTESTS, AND EXHIBITIONS; TO CREATE THE MICHIGAN**

6

**UNARMED COMBAT COMMISSION AND ESTABLISH ITS POWERS AND DUTIES; TO**

7

**PROVIDE FOR THE POWERS AND DUTIES OF** certain state agencies and

8

departments; to license and regulate ~~certain~~ **PROMOTERS,**

9

**CONTESTANTS, AND OTHER** persons engaged in boxing, ~~certain persons~~

10

~~connected to~~ **OR** the business of boxing, ~~and certain persons~~

11

~~conducting certain contests and exhibitions;~~ **AND MIXED MARTIAL ARTS**

12

**OR THE BUSINESS OF MIXED MARTIAL ARTS;** to confer immunity under

13

certain circumstances; to provide for the conducting of certain

14

tests; to assess ~~certain~~ fees; to create ~~certain~~ funds; ~~to~~

15

~~promulgate~~ **THE MICHIGAN UNARMED COMBAT FUND AND PROVIDE FOR THE USE**

16

**OF MONEY IN THE FUND; TO PROVIDE FOR THE PROMULGATION OF** rules; to

17

provide for penalties and remedies; and to repeal acts and parts of

18

acts.

19

**ARTICLE 1**

20

**SEC. 2. AS USED IN THIS ACT:**

21

(A) "COMMISSION" MEANS THE MICHIGAN UNARMED COMBAT COMMISSION

22

CREATED IN SECTION 20.

23

(B) "DEPARTMENT" MEANS THE DEPARTMENT OF LICENSING AND

24

REGULATORY AFFAIRS.

1 (C) "DIRECTOR" MEANS THE DIRECTOR OF THE DEPARTMENT OR HIS OR  
2 HER DESIGNEE.

3 (D) "MIXED MARTIAL ARTS" MEANS THE GENERAL TERM THAT DESCRIBES  
4 THE CONVERGENCE OF TECHNIQUES FROM A VARIETY OF COMBATIVE SPORTS  
5 DISCIPLINES. THE TERM INCLUDES BOXING, WRESTLING, JUDO, JUJITSU,  
6 KICKBOXING, AND OTHER COMBINATIONS OF TECHNIQUES FROM DIFFERENT  
7 DISCIPLINES OF THE MARTIAL ARTS.

8 (E) "PROFESSIONAL" MEANS AN INDIVIDUAL WHO IS COMPETING OR HAS  
9 COMPETED IN THE PAST FOR A PRIZE IN ANY SPORT REGULATED UNDER THIS  
10 ACT.

11 (F) "RULE" MEANS A RULE PROMULGATED UNDER THE ADMINISTRATIVE  
12 PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.201 TO 24.328.

13 ARTICLE 2

14 ~~CHAPTER PART 1~~

15 Sec. 10. As used in this ~~act~~ **ARTICLE:**

16 (a) "Amateur" means ~~a person~~ **AN INDIVIDUAL** who is not  
17 competing and has never competed for a money prize or who is not  
18 competing and has not competed with or against a professional for a  
19 prize. For a boxing contest, amateur is a person who is required to  
20 be registered by USA ~~boxing~~ **BOXING**.

21 ~~— (b) "Commission" means the Michigan unarmed combat commission~~  
22 ~~created in section 20.~~

23 (B) ~~(c)~~ "Complainant" means a person ~~who has filed~~ **THAT FILES**  
24 a complaint with the department alleging that a person has violated  
25 this ~~act~~ **ARTICLE** or a rule promulgated or an order issued under  
26 this ~~act~~ **ARTICLE**. If a complaint is made by the department, ~~the~~  
27 ~~director shall designate~~ **THE TERM MEANS** 1 or more employees of the

1 department **DESIGNATED BY THE DIRECTOR** to act as the complainant.

2 ~~—— (d) "Department" means the department of labor and economic~~  
3 ~~growth.~~

4 ~~—— (e) "Director" means the director of the department or his or~~  
5 ~~her designee.~~

6 (C) ~~(f)~~—"Employee of the department" means an individual **WHO**  
7 **IS** employed by the department or a person **THAT IS** under contract to  
8 the department whose duty it is to enforce the provisions of this  
9 ~~act~~**ARTICLE** or rules promulgated or orders issued under this  
10 ~~act~~**ARTICLE**.

11 (D) ~~(g)~~—"Fund" means the Michigan unarmed combat fund created  
12 in section 22.

13 (E) ~~(h)~~—"Good moral character" means good moral character as  
14 determined and defined in 1974 PA 381, MCL 338.41 to 338.47.

15 ~~—— (i) "Mixed martial arts" means unarmed combat involving the~~  
16 ~~use of a combination of techniques from different disciplines of~~  
17 ~~the martial arts and includes grappling, kicking, jujitsu, and~~  
18 ~~striking, subject to limitations contained in this act and rules~~  
19 ~~promulgated under this act.~~

20 Sec. 11. As used in this ~~act~~**ARTICLE**:

21 (a) "Physician" means that term as defined in section 17001 or  
22 17501 of the public health code, 1978 PA 368, MCL 333.17001 and  
23 333.17501.

24 (b) "Prize" means something offered or given of present or  
25 future value to a participant in a contest, exhibition, or match.

26 ~~—— (c) "Professional" means a person who is competing or has~~  
27 ~~competed in boxing or mixed martial arts for a money prize.~~

1           (C) ~~(d)~~—"Promoter" means ~~any~~ **A** person ~~who~~ **THAT** produces or  
 2 stages any professional contest or exhibition of boxing or mixed  
 3 martial arts, or both, but does not include the venue where the  
 4 exhibition or contest is being held unless the venue contracts with  
 5 the individual promoter to be a ~~co-promoter~~ **COPROMOTER**.

6           (D) ~~(e)~~—"Purse" means the financial guarantee or any other  
 7 remuneration for which professionals are participating in a contest  
 8 or exhibition and includes the professional's share of any payment  
 9 received for radio, television, or motion picture rights.

10           (E) ~~(f)~~—"Respondent" means a **LICENSEE OR OTHER** person against  
 11 ~~whom~~ **WHICH** a complaint ~~has been~~ **IS** filed ~~who may be a person who is~~  
 12 ~~or is required to be licensed under this act~~ **ARTICLE**.

13           ~~(g) "Rule" means a rule promulgated under the administrative~~  
 14 ~~procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.~~

15           (F) ~~(h)~~—"School", "college", or "university" does not include  
 16 an institution formed or operated principally to provide  
 17 instruction in boxing and other sports.

18           Sec. 12. This ~~act~~ **ARTICLE** does not apply to any of the  
 19 following:

20           (a) Professional or amateur wrestling.

21           (b) Amateur martial arts sports or activities.

22           (c) Contests or exhibitions conducted by or participated in  
 23 exclusively by an agency of the United States government or by a  
 24 school, college, or university or an organization composed  
 25 exclusively of those entities if each participant is an amateur.

26           (d) Amateur boxing regulated by the amateur sports act of  
 27 1978, 36 USC 371.

1 (e) Boxing elimination contests regulated by section 50.

2 (f) Amateur mixed martial arts.

3 ~~CHAPTER~~ **PART 2**

4 Sec. 22. (1) The commission shall elect 1 of its members as  
 5 the chair of the commission. The commission may purchase and use a  
 6 seal. The director may promulgate rules for the administration of  
 7 this ~~act~~ **ARTICLE** but only after first consulting with the  
 8 commission. The commission may request the department to promulgate  
 9 a rule under section 38 of the administrative procedures act of  
 10 1969, 1969 PA 306, MCL 24.238. Notwithstanding the time limit  
 11 provided for in section 38 of the administrative procedures act of  
 12 1969, 1969 PA 306, MCL 24.238, the department shall respond in  
 13 writing to any request for rule promulgating by the commission  
 14 within 30 calendar days after a request. The response shall include  
 15 a reason and explanation for acceptance or denial of the request.

16 (2) The department shall promulgate rules to include all of  
 17 the following:

18 (a) Number and qualifications of ring officials required at  
 19 any exhibition or contest.

20 (b) Powers, duties, and compensation of ring officials.

21 (c) Qualifications of licensees.

22 (d) License fees not otherwise provided under this  
 23 ~~act~~ **ARTICLE**.

24 (e) Any necessary standards designed to accommodate federally  
 25 imposed mandates that do not directly conflict with this  
 26 ~~act~~ **ARTICLE**.

27 (f) A list of enhancers and prohibited substances, the

1 presence of which in a contestant is grounds for suspension or  
2 revocation of the license or other sanctions.

3 (3) An unarmed combat fund is created as a revolving fund in  
4 the state treasury and administered by the director. The money in  
5 the fund is to be only used for the costs of administration and  
6 enforcement of this ~~act~~**ARTICLE** and for any costs associated with  
7 the administration of this ~~act~~**ARTICLE**, including, but not limited  
8 to, reimbursing the department of attorney general for the  
9 reasonable costs of services provided to the department under this  
10 ~~act~~**ARTICLE**. Money remaining in the fund at the end of the fiscal  
11 year and interest earned shall be carried forward into the next  
12 fiscal year and shall not revert to the general fund. The  
13 department shall deposit into the fund all money received from the  
14 regulatory and enforcement fee, license fees, event fees, and  
15 administrative fines imposed under this ~~act~~**ARTICLE**, and from any  
16 other source.

17 (4) Annually, the legislature shall fix the per diem  
18 compensation of the members of the commission. Travel or other  
19 expenses incurred by a commission member in the performance of an  
20 official function shall be payable by the department under the  
21 standardized travel regulations of the department of management and  
22 budget.

23 (5) The commission may affiliate with any other state or  
24 national boxing or mixed martial arts commission or athletic  
25 authority. The commission, upon approval of the director, may enter  
26 into any appropriate reciprocity agreements.

27 (6) The commission and department are vested with management,

1 control, and jurisdiction over all professional boxing and  
 2 professional mixed martial arts contests or exhibitions to be  
 3 conducted, held, or given ~~within the~~ **IN THIS** state. ~~of Michigan.~~  
 4 Except for any contests or exhibitions exempt from this ~~act,~~  
 5 **ARTICLE**, a contest or exhibition shall not be conducted, held, or  
 6 given ~~within~~ **IN** this state except in compliance with this  
 7 ~~act.~~ **ARTICLE.**

8 (7) The requirements and standards contained in standards  
 9 adopted by the New Jersey ~~state athletic control board,~~ **STATE**  
 10 **ATHLETIC CONTROL BOARD**, N.J.A.C. 13:46-24A and 24B, as they may  
 11 exist on February 20, 2005, entitled the mixed martial arts unified  
 12 rules, dated 2000, except for the license fees described in those  
 13 rules, are incorporated by reference. Any requirements and  
 14 standards incorporated by reference in this subsection that are in  
 15 conflict with the requirements and standards of this ~~act~~ **ARTICLE**  
 16 are considered superseded by the provisions of this ~~act.~~ **ARTICLE.**  
 17 The director, in consultation with the commission, may promulgate  
 18 rules consistent with section 35 to alter, supplement, update, or  
 19 amend the standards incorporated by reference under this  
 20 subsection. Any references to the commission in the mixed martial  
 21 arts unified rules shall mean the department. The standards  
 22 contained in 13:46-24B.3 are not incorporated by reference.

23 ~~CHAPTER~~ **PART 3**

24 Sec. 30. (1) A person shall not engage in or attempt to engage  
 25 in an activity regulated under this ~~act~~ **ARTICLE** unless the person  
 26 possesses a license issued by the department or unless the person  
 27 is exempt from licensure under this ~~act.~~ **ARTICLE.**



1           (2) A person ~~who~~**THAT** violates subsection (1) is guilty of a  
2 misdemeanor punishable by a fine of not more than \$500.00 or  
3 imprisonment for not more than 90 days, or both.

4           (3) A person ~~who~~**THAT** violates subsection (1) a second or any  
5 subsequent time is guilty of a misdemeanor punishable by a fine of  
6 not more than \$1,000.00 or imprisonment for not more than 1 year,  
7 or both.

8           (4) Notwithstanding the existence and pursuit of any other  
9 remedy, an affected person may maintain injunctive action in a  
10 court of competent jurisdiction to restrain or prevent a person  
11 from violating subsection (1). If successful in obtaining  
12 injunctive relief, the affected person ~~shall be~~**IS** entitled to  
13 actual costs and attorney fees. As used in this subsection,  
14 "affected person" means a person **THAT IS** directly affected by the  
15 actions of a person suspected of violating subsection (1) and  
16 includes, but is not limited to, the commission, the department, or  
17 a member of the general public.

18           (5) An investigation may be conducted by the department to  
19 enforce this section. A person ~~who~~**THAT** violates this section is  
20 subject to the strictures prescribed in this section and section  
21 43.

22           (6) The remedies under this section are independent and  
23 cumulative. The use of 1 remedy by a person ~~shall~~**DOES** not bar the  
24 use of other lawful remedies by that person or the use of a lawful  
25 remedy by another person.

26           Sec. 32. A contest or exhibition regulated ~~by this act~~**UNDER**  
27 **THIS ARTICLE** and not exempt from this act~~ARTICLE~~ shall be held or

1 conducted in this state only under a promoter's license issued by  
2 the department ~~as provided for in~~ **UNDER** section 33.

3 Sec. 33. (1) An application for a promoter's license must be  
4 in writing and shall include the legal name, street address, and  
5 telephone number of the applicant.

6 (2) An applicant for a promoter's license must demonstrate  
7 good moral character. If an applicant for a promoter's license is  
8 denied a license due to lack of good moral character, the applicant  
9 may petition the commission for a review of the decision under  
10 section 46.

11 (3) Before the department grants an approval for a contest or  
12 exhibition, the promoter must file a bond with the department in an  
13 amount fixed by the department but not less than \$20,000.00 or more  
14 than \$50,000.00. The applicant shall execute the bond as principal,  
15 and the bond shall be issued by a corporation qualified under the  
16 laws of this state as surety, payable to the state of Michigan, and  
17 conditioned on the faithful performance by the applicant of the  
18 provisions of this ~~act.~~ **ARTICLE**. The bond must be purchased at  
19 least 5 days before the contest or exhibition and may be used to  
20 satisfy payment for the professionals, costs to the department for  
21 ring officials and physicians, and drug tests.

22 (4) A promoter must apply for and obtain an annual license  
23 from the department in order to present a program of contests or  
24 exhibitions regulated under this ~~act.~~ **ARTICLE**. The annual license  
25 fee is \$250.00. The department shall request, and the applicant  
26 shall provide, any information that the department determines is  
27 necessary to ascertain the financial stability of the applicant.

1 Section 61a applies to any information provided by an applicant  
2 under this subsection.

3 (5) A boxing promoter shall pay an event fee of \$125.00. A  
4 mixed martial arts promoter shall pay an event fee of \$125.00.

5 (6) Each promoter shall pay a regulatory and enforcement fee  
6 to assure the integrity of the sports of boxing and mixed martial  
7 arts, the public interest, and the welfare and safety of the  
8 professionals. The amount of the fee is 3% of the total gross  
9 receipts from the sale, lease, or other exploitation of  
10 broadcasting, television, and motion picture rights for an event,  
11 or \$25,000.00, whichever is less, for a boxing or mixed martial  
12 arts event to which any of the following apply:

13 (a) If the event is a boxing event, the event is located in a  
14 venue with a seating capacity of more than 5,000.

15 (b) The promoter proposes to televise or broadcast the event  
16 over any medium for viewing by spectators who are not present in  
17 the venue.

18 (c) The event is designed to promote professional boxing or  
19 mixed martial arts contests in this state.

20 (7) For purposes of subsection (6), at least 10 days before  
21 the boxing or mixed martial arts event, the promoter shall submit  
22 the contract subject to the regulatory and enforcement fee to the  
23 department, stating the amount of the probable total gross receipts  
24 from the sale, lease, or other exploitation of broadcasting,  
25 television, and motion picture rights for the event. However, this  
26 subsection does not apply to a promoter that agrees to pay a  
27 regulatory and enforcement fee for the event in the amount of

1 \$25,000.00, and the department receives that payment from the  
2 promoter at least 1 business day before the event.

3 (8) The department shall deposit the money received from the  
4 proceeds of the regulatory and enforcement fee into the fund  
5 created in section 22 and use those proceeds for the purposes  
6 described in that section.

7 (9) Within 1 business day before a boxing or mixed martial  
8 arts contest or exhibition, the promoter shall deliver to the  
9 department an executed copy of all of the executed contracts  
10 between the promoter and the professionals participating in that  
11 contest or exhibition. The copies of the contracts are exempt from  
12 disclosure under the freedom of information act, 1976 PA 442, MCL  
13 15.231 to 15.246, except that the department may disclose  
14 statistical information on the number, types, and amounts of  
15 contracts if information regarding identifiable individuals or  
16 categories is not revealed.

17 (10) The commission or department may perform drug testing on  
18 a professional before or after a contest or exhibition to detect  
19 the presence of alcohol, stimulants, or drugs, including, but not  
20 limited to, performance enhancing drugs. A professional shall  
21 submit to a urinalysis or chemical test before or after a contest  
22 or exhibition if the commission, the department, or a designated  
23 representative of the commission or department directs him or her  
24 to do so. If a professional fails or refuses to submit to a  
25 urinalysis or chemical test under this subsection, or the results  
26 of the urinalysis or chemical test confirm or demonstrate the  
27 professional has violated this act, ~~ARTICLE~~, he or she is subject



1 the complaint. If the complaint is made by the department, the  
2 director shall designate 1 or more employees of the department to  
3 act as the person making the complaint.

4 (2) The department shall conduct the investigation required  
5 under subsection (1). In furtherance of that investigation, the  
6 department may request that the attorney general petition a court  
7 of competent jurisdiction to issue a subpoena requiring a person to  
8 appear before the department and be examined with reference to a  
9 matter within the scope of the investigation and to produce books,  
10 papers, or documents pertaining to the investigation.

11 (3) The investigative unit of the department, within 30 days  
12 after the department receives the complaint, shall report to the  
13 director on the status of the investigation. If, for good cause  
14 shown, an investigation cannot be completed within 30 days, the  
15 director may extend the time in which a report may be filed.

16 (4) If the report of the investigative unit of the department  
17 does not disclose a violation of this ~~aet~~**ARTICLE** or a rule  
18 promulgated or an order issued under this ~~aet~~,**ARTICLE**, the  
19 complaint shall be closed by the department. The reasons for  
20 closing the complaint shall be forwarded to the respondent and  
21 complainant, who then may provide additional information to reopen  
22 the complaint.

23 (5) If the report of the investigative unit made pursuant to  
24 subsection (3) discloses evidence of a violation of this ~~aet~~  
25 **ARTICLE** or a rule promulgated or an order issued under this ~~aet~~,  
26 **ARTICLE**, the department or the department of attorney general shall  
27 prepare the appropriate action against the respondent which may be

1 any of the following:

2 (a) A formal complaint.

3 (b) A cease and desist order.

4 (c) A notice of summary suspension subject to sections 42 and  
5 48(7).

6 (6) At any time during its investigation or after the issuance  
7 of a formal complaint, the department may bring together the  
8 complainant and the respondent for an informal conference. At the  
9 informal conference, the department shall attempt to resolve issues  
10 raised in the complaint and may attempt to aid the parties in  
11 reaching a formal settlement or stipulation.

12 Sec. 42. (1) After an investigation ~~has been~~**IS** conducted, the  
13 department may issue an order summarily suspending a license based  
14 on an affidavit by a person familiar with the facts set forth in  
15 the affidavit, or, if appropriate, based ~~upon~~**ON** an affidavit on  
16 information and belief, that an imminent threat to the integrity of  
17 the sport, the public interest, and the welfare and safety of a  
18 professional exists. ~~Thereafter,~~**AFTER AN ORDER IS ISSUED**, the  
19 proceedings described in this ~~chapter~~**PART** shall be promptly  
20 commenced and decided.

21 (2) A person whose license ~~has been~~**IS** summarily suspended  
22 under this section may petition the department to dissolve the  
23 order. Upon receiving a petition, the department immediately shall  
24 schedule a hearing to decide whether to grant or deny the requested  
25 relief.

26 (3) An administrative law hearings examiner shall grant the  
27 requested relief dissolving the summary suspension order, unless

1 sufficient evidence is presented that an imminent threat to the  
2 integrity of the sport, the public interest, and the welfare and  
3 safety of a professional exists that requires emergency action and  
4 continuation of the department's summary suspension order.

5 (4) The record created at the hearing to dissolve a summary  
6 suspension order shall become part of the record on the complaint  
7 at a subsequent hearing in a contested case.

8 (5) A summary suspension of a professional for refusal or  
9 failure to submit to a drug test or for the presence of controlled  
10 substances, enhancers, prohibited drugs, or other prohibited  
11 substances, as described in section ~~48(7)~~, **48(6)**, shall proceed  
12 under this section.

13 Sec. 43. (1) After an investigation has been conducted, the  
14 director may order a person to cease and desist from a violation of  
15 this ~~act~~-**ARTICLE** or a rule promulgated or an order issued under  
16 this ~~act~~-**ARTICLE**.

17 (2) A person ordered to cease and desist may request a hearing  
18 before the department if a written request for a hearing is filed  
19 within 30 days after the effective date of the order.

20 (3) ~~Upon a violation of~~-**IF A PERSON VIOLATES** a cease and  
21 desist order issued under this ~~act~~, **ARTICLE**, the department of  
22 attorney general may apply to a court of competent jurisdiction to  
23 restrain and enjoin, temporarily or permanently, or both, a person  
24 from further violating a cease and desist order.

25 Sec. 44. (1) A summary suspension order, cease and desist  
26 order, or injunctive relief issued or granted in relation to a  
27 license is in addition to and not in place of an informal



1 conference; criminal prosecution; ~~or~~ proceeding to deny, revoke, or  
2 suspend a license; or any other action authorized by this  
3 ~~act.~~ **ARTICLE.**

4 (2) After an investigation ~~has been~~ **IS** conducted and a formal  
5 complaint prepared, the department shall serve the formal complaint  
6 ~~upon~~ **ON** the respondent and the complainant. At the same time, the  
7 department shall serve the respondent with a notice describing the  
8 compliance conference and hearing process and offering the  
9 respondent a choice of 1 of the following opportunities:

10 (a) An opportunity to meet with the department to negotiate a  
11 settlement of the matter.

12 (b) If the respondent is a licensee or registrant under this  
13 ~~act,~~ **ARTICLE,** an opportunity to demonstrate compliance ~~prior to~~  
14 ~~holding~~ **BEFORE** a contested case hearing **IS HELD.**

15 (c) An opportunity to proceed to a contested case hearing.

16 (3) A respondent upon ~~whom~~ **WHICH** service of a formal complaint  
17 has been made ~~pursuant to~~ **UNDER** this section may select, within 15  
18 days after the receipt of notice, 1 of the options described in  
19 subsection (2). If a respondent does not select 1 of those options  
20 within the time period described in this section, then the  
21 department shall proceed to a contested case hearing as described  
22 in subsection (2)(c).

23 (4) An informal conference may be attended by a member of the  
24 commission, at the discretion of ~~that~~ **THE** commission, and may  
25 result in a settlement, consent order, waiver, default, or other  
26 method of settlement agreed ~~upon~~ **ON** by the parties and the  
27 department. A settlement may include the revocation or suspension

1 of a license; censure; probation; restitution; or a penalty  
2 provided for in section 48. The commission may reject a settlement  
3 and require a contested case hearing.

4 (5) An employee of the department may represent the department  
5 in any contested case hearing.

6 (6) This ~~chapter~~**PART** does not prevent a person against ~~whom~~  
7 **WHICH** a complaint has been filed from showing compliance with this  
8 ~~act~~**ARTICLE** or a rule promulgated or an order promulgated or issued  
9 under this ~~act~~**ARTICLE**.

10 (7) If an informal conference is not held or does not result  
11 in a settlement of a complaint, the department shall allow the  
12 respondent an administrative hearing. A hearing under this section  
13 may be attended by a member of the commission.

14 (8) The department or the department of the attorney general  
15 may petition a court of competent jurisdiction to issue a subpoena  
16 which shall require the person subpoenaed to appear or testify or  
17 produce relevant documentary material for examination at a  
18 proceeding.

19 Sec. 46. (1) A person **THAT IS** seeking a license or renewal  
20 under this ~~act~~**ARTICLE** may petition the department and the  
21 commission for a review if that person does not receive a license  
22 or renewal.

23 (2) A petition submitted under subsection (1) shall be in  
24 writing and shall set forth the reasons the petitioner feels the  
25 licensure or renewal should be issued.

26 (3) In considering a petition submitted under subsection (1),  
27 the department and the commission may administer an alternative

1 form of testing to the petitioner or conduct a personal interview  
2 with the petitioner, or both.

3 (4) The department may issue a license or renewal if, based on  
4 a review of the qualifications of the person ~~who~~**THAT** submitted a  
5 petition under subsection (1), the department and the commission  
6 determine that the person could perform the licensed activity with  
7 competence.

8 (5) Notwithstanding any other provision of this ~~act~~**ARTICLE**,  
9 if a written grievance was lodged before the effective date of this  
10 act against a person licensed under an act repealed by this act,  
11 the proceedings on that grievance shall be conducted in the manner  
12 prescribed in the repealed act.

13 Sec. 47. (1) The department shall initiate an action under  
14 this ~~chapter~~**PART** against an applicant or take any other allowable  
15 action against the license of any contestant, promoter, or other  
16 participant who the department determines ~~has done~~**DOES** any of the  
17 following:

18 (a) Enters into a contract for a contest or exhibition in bad  
19 faith.

20 (b) Participates in any sham or fake contest or exhibition.

21 (c) Participates in a contest or exhibition pursuant to a  
22 collusive understanding or agreement in which the contestant  
23 competes or terminates the contest or exhibition in a manner that  
24 is not based ~~upon~~**ON** honest competition or the honest exhibition of  
25 the skill of the contestant.

26 (d) Is determined to have failed to give his or her best  
27 efforts, failed to compete honestly, or failed to give an honest

1 exhibition of his or her skills in a contest or exhibition.

2 (e) Is determined to have performed an act or engaged in  
3 conduct that is detrimental to a contest or exhibition, including,  
4 but not limited to, any foul or unsportsmanlike conduct in  
5 connection with a contest or exhibition.

6 (f) Gambles on the outcome of a contest or exhibition in which  
7 he or she is a contestant, promoter, matchmaker, ring official, or  
8 second.

9 (g) Assaults another licensee, commission member, or  
10 department employee while not involved in or while outside the  
11 normal course of a contest or exhibition.

12 (h) Practices fraud or deceit in obtaining a license.

13 (2) The department, in consultation with the commission, shall  
14 promulgate rules to provide for both of the following:

15 (a) The timing of drug tests for contestants.

16 (b) Specific summary suspension procedures for contestants and  
17 participants who test positive for drugs or **WHO** fail to submit to a  
18 drug test ~~—~~under section 48(4). The rules shall include the  
19 following:

20 (i) A procedure to allow the department to place the licensee  
21 ~~upon~~**ON** the national suspension list.

22 (ii) An expedited appeal process for the summary suspension.

23 (iii) A relicensing procedure following summary suspension.

24 (3) An employee of the department must be present at all  
25 weigh-ins, medical examinations, contests, exhibitions, and matches  
26 to ensure that this ~~act~~**ARTICLE** and rules are strictly enforced.

27 (4) Each promoter shall furnish each member of the commission

1 present at a contest or exhibition a seat in the area immediately  
2 adjacent to the contest or exhibition. An additional seat shall be  
3 provided in the venue.

4 (5) The commission chair, a commission member assigned by the  
5 chair, or a department official designated by the commission chair  
6 shall have final authority involving any conflict at a contest,  
7 exhibition, or match and shall advise the chief inspector in charge  
8 accordingly. In the absence of the chair, an assigned member, or a  
9 department official designated by the commission chair, the chief  
10 inspector in charge ~~shall be~~ **IS** the final decision-making  
11 authority.

12 Sec. 48. (1) ~~Upon receipt of~~ **IF IT RECEIVES** an application for  
13 reinstatement and the payment of an administrative fine prescribed  
14 by the commission, the commission may reinstate a revoked license  
15 or lift a suspension. If disciplinary action is taken against a  
16 person under this ~~act~~ **ARTICLE** that does not relate to a contest or  
17 exhibition, the commission may, in lieu of suspending or revoking a  
18 license, prescribe an administrative fine not to exceed \$10,000.00.  
19 If disciplinary action is taken against a person under this ~~act~~  
20 **ARTICLE** that relates to the preparation for a contest or an  
21 exhibition, the occurrence of a contest or an exhibition, or any  
22 other action taken in conjunction with a contest or an exhibition,  
23 the commission may prescribe an administrative fine in an amount  
24 not to exceed 100% of the share of the purse to which the holder of  
25 the license is entitled for the contest or exhibition or an  
26 administrative fine not to exceed \$100,000.00 in the case of any  
27 other person. This administrative fine may be imposed in addition

1 to, or in lieu of, any other disciplinary action that is taken  
2 against the person by the commission.

3 (2) If an administrative fine is imposed under this section,  
4 the commission may recover the costs of the proceeding, including  
5 investigative costs and attorney fees. The department or the  
6 attorney general may bring an action in a court of competent  
7 jurisdiction to recover any administrative fines, investigative and  
8 other allowable costs, and attorney fees. The filing of an action  
9 to recover fines and costs does not bar the imposition of other  
10 sanctions under this ~~act~~-**ARTICLE**.

11 (3) An employee of the department, in consultation with any  
12 commission member present, may issue an order to withhold the purse  
13 for 3 business days due to a violation of this ~~act~~-**ARTICLE** or a  
14 rule promulgated under this ~~act~~-**ARTICLE**. During that 72-hour time  
15 period, the commission may convene a special meeting to determine  
16 if the action of the employee of the department was warranted. If  
17 the commission determines that the action was warranted, the  
18 department shall offer to hold an administrative hearing as soon as  
19 practicable but within at least 7 calendar days.

20 (4) A professional or participant in a professional contest or  
21 exhibition shall submit to a postexhibition test of body fluids to  
22 determine the presence of controlled substances, prohibited  
23 substances, or enhancers. The department shall promulgate rules to  
24 set requirements regarding preexhibition tests of body fluids to  
25 determine the presence of controlled substances, prohibited  
26 substances, or enhancers.

27 (5) The promoter is responsible for the cost of the testing

1 performed under this section.

2 (6) Either of the following is grounds for summary suspension  
3 of the individual's license in the manner provided for in section  
4 42:

5 (a) A test resulting in a finding of the presence of  
6 controlled substances, enhancers, or other prohibited substances as  
7 determined by rule of the commission.

8 (b) The refusal or failure of a contestant to submit to the  
9 drug testing ordered by an authorized person.

10 ~~CHAPTER~~ **PART 5**

11 Sec. 50. (1) Boxing elimination contests in which all of the  
12 following apply are exempt from this ~~act~~: **ARTICLE:**

13 (a) The contestants compete for prizes only in elimination  
14 contests and are not also professional boxers competing in 4 or  
15 more rounds of nonelimination boxing.

16 (b) Each bout is scheduled to consist of 3 or fewer 1-minute  
17 rounds, with contests conducted on no more than 2 consecutive  
18 calendar days.

19 (c) Competing contestants are prohibited from boxing for more  
20 than 12 minutes on each contest day.

21 (d) The contestants participating in the elimination contest  
22 are insured by the promoter for all medical and hospital expenses  
23 to be paid to the contestants to cover injuries sustained in the  
24 contest.

25 (e) A physician is in attendance at ringside and the physician  
26 has authority to stop the contest for medical reasons.

27 (f) All contestants pass a physical examination given by a

1 physician, a licensed physician's assistant, or a certified nurse  
2 practitioner before the contest.

3 (g) A preliminary breath test is administered to each  
4 contestant which indicates a blood alcohol content of .02% or less.

5 (h) The promoter conducts the elimination contest in  
6 compliance with the following:

7 (i) A contestant who has lost by a technical knockout is not  
8 permitted to compete again for a period of 30 calendar days or  
9 until the contestant has submitted to the promoter the results of a  
10 physical examination equivalent to that required of professional  
11 boxers.

12 (ii) The ringside physician examines a contestant who has been  
13 knocked out in an elimination contest or whose fight has been  
14 stopped by the referee because he or she received hard blows to the  
15 head that made him or her defenseless or incapable of continuing  
16 immediately after the knockout or stoppage. The ringside physician  
17 may recommend post-fight neurological examinations, which may  
18 include computerized axial tomography (CAT) scans or magnetic  
19 resonance imaging (MRI), to be performed on the contestant  
20 immediately after the contestant leaves the location of the  
21 contest. The promoter shall not permit the contestant to compete  
22 until a physician has certified that the contestant is fit to  
23 compete. If the physician recommended further neurological  
24 examinations, the promoter shall not permit the contestant to  
25 compete until the promoter receives copies of examination reports  
26 demonstrating that the contestant is fit to compete.

27 (iii) The promoter requires that a contestant who has sustained



1 a severe injury or knockout in an elimination contest be examined  
2 by a physician. The promoter shall not permit the contestant to  
3 compete until the physician has certified that the contestant has  
4 fully recovered.

5 (iv) The promoter does not permit a contestant to compete in an  
6 elimination contest for a period of not less than 60 days if he or  
7 she has been knocked out or has received excessive hard blows to  
8 the head that required the fight to be stopped.

9 (v) A contestant who has been knocked out twice in a period of  
10 3 months or who has had excessive head blows causing a fight to be  
11 stopped is not permitted by a promoter to participate in an  
12 elimination contest for a period of not less than 120 days from the  
13 second knockout or stoppage.

14 (vi) A contestant who has been knocked out or had excessive  
15 hard blows to the head causing a fight to be stopped 3 times  
16 consecutively in a period of 12 months is not permitted by a  
17 promoter to participate in an elimination contest for a period of 1  
18 year from the third knockout.

19 (vii) Before resuming competition after any of the periods of  
20 rest prescribed in subparagraphs (iv), (v), and (vi), a promoter  
21 requires the contestant to produce a certification by a physician  
22 stating that the contestant is fit to take part in an elimination  
23 contest.

24 (2) As part of the physical examination given before the  
25 boxing elimination contest, the physician, licensed physician's  
26 assistant, certified nurse practitioner, or other trained person  
27 shall administer a preliminary breath test in compliance with



1 information, or other data received, prepared, used, or retained by  
2 the department or commission under this ~~act~~**ARTICLE** that includes a  
3 trade secret or commercial, financial, or proprietary information  
4 of a licensee or license applicant, and that the licensee or  
5 applicant requests in writing be treated as confidential by the  
6 department or commission, is not subject to the freedom of  
7 information act, 1976 PA 442, MCL 15.231 to 15.246. As used in this  
8 section, "trade secret or commercial, financial, or proprietary  
9 information" means information that has not been publicly  
10 disseminated or that is unavailable from other sources, the release  
11 of which might cause the licensee or applicant significant  
12 competitive harm.

13 **ARTICLE 3**

14 **SEC. 71. AS USED IN THIS ARTICLE:**

15 (A) "AMATEUR" MEANS AN INDIVIDUAL MIXED MARTIAL ARTIST WHO IS  
16 NOT COMPETING AND HAS NEVER COMPETED IN A MIXED MARTIAL ARTS  
17 CONTEST FOR A PRIZE OR WHO IS NOT COMPETING AND HAS NEVER COMPETED  
18 WITH OR AGAINST A PROFESSIONAL IN A MIXED MARTIAL ARTS CONTEST FOR  
19 A PRIZE.

20 (B) "APPLICANT" MEANS AN INDIVIDUAL WHO APPLIES FOR A LICENSE  
21 UNDER THIS ARTICLE.

22 (C) "CONTEST" DOES NOT INCLUDE A MIXED MARTIAL ARTS  
23 EXHIBITION.

24 (D) "CONTESTANT" MEANS AN INDIVIDUAL WHO COMPETES IN AN  
25 AMATEUR MIXED MARTIAL ARTS CONTEST OR EVENT.

26 (E) "EVENT" MEANS A PROGRAM OF 1 OR MORE INDIVIDUAL AMATEUR  
27 MIXED MARTIAL ARTS CONTESTS.

1 (F) "FUND" MEANS THE AMATEUR MIXED MARTIAL ARTS FUND CREATED  
2 IN SECTION 74.

3 (G) "LICENSE" MEANS THE DOCUMENT ISSUED TO AN INDIVIDUAL UNDER  
4 THIS ARTICLE THAT ENABLES HIM OR HER TO ENGAGE IN AN ACTIVITY THAT  
5 WOULD OTHERWISE BE PROHIBITED UNDER THIS ARTICLE. THE TERM INCLUDES  
6 AN INITIAL LICENSE AND ANY RENEWAL LICENSE ISSUED TO AN INDIVIDUAL.

7 (H) "MEDICAL PROFESSIONAL" MEANS A PHYSICIAN AS DEFINED IN  
8 SECTION 17001 OR 17501 OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL  
9 333.17001 AND 333.17501.

10 (I) "MIXED MARTIAL ARTS EXHIBITION" MEANS A PERFORMANCE OR  
11 DEMONSTRATION OF MIXED MARTIAL ARTS THAT MEETS ALL OF THE  
12 FOLLOWING:

13 (i) THE PERFORMANCE OR DEMONSTRATION IS HELD AT A PROMOTER'S  
14 GYM, DOJO, OR SIMILAR TRAINING FACILITY OR AT A TRAINING CENTER.

15 (ii) PARTICIPANTS IN THE PERFORMANCE OR DEMONSTRATION DO NOT  
16 PAY A FEE TO PARTICIPATE.

17 (iii) SPECTATORS DO NOT PAY A FEE TO ATTEND THE PERFORMANCE OR  
18 DEMONSTRATION.

19 (J) "PRIZE" MEANS MONEY OR ANOTHER FORM OF COMPENSATION OR  
20 REWARD OFFERED OR GIVEN TO A CONTESTANT. THE TERM DOES NOT INCLUDE  
21 A WATCH, MEDAL, ARTICLE OF JEWELRY, TROPHY, OR ORNAMENT THAT IS  
22 SUITABLY INSCRIBED TO SHOW THAT IT IS GIVEN FOR PARTICIPATION IN A  
23 CONTEST OR EVENT AND COSTS \$200.00 OR LESS.

24 (K) "PROMOTER" MEANS AN INDIVIDUAL WHO PRODUCES OR STAGES AN  
25 AMATEUR MIXED MARTIAL ARTS CONTEST OR EVENT. THE TERM DOES NOT  
26 INCLUDE THE VENUE WHERE A CONTEST OR EVENT IS HELD UNLESS THE VENUE  
27 CONTRACTS WITH THE INDIVIDUAL PROMOTER TO BE A COPROMOTER.

1 (l) "PROPER MEDICAL CLEARANCE" MEANS A CERTIFICATION BY A  
2 MEDICAL PROFESSIONAL THAT A CONTESTANT IS FIT TO COMPETE IN A  
3 CONTEST.

4 (M) "TRAINING CENTER" MEANS AN INSTITUTION FORMED OR OPERATED  
5 PRINCIPALLY TO PROVIDE INSTRUCTION IN MIXED MARTIAL ARTS.

6 SEC. 72. THIS ARTICLE DOES NOT APPLY TO ANY OF THE FOLLOWING:

7 (A) AMATEUR WRESTLING.

8 (B) AMATEUR MARTIAL ARTS SPORTS OR ACTIVITIES HELD BY AND AT A  
9 PUBLIC OR PRIVATE TRAINING CENTER.

10 (C) A MIXED MARTIAL ARTS EXHIBITION.

11 (D) A CONTEST OR EVENT CONDUCTED BY OR PARTICIPATED IN  
12 EXCLUSIVELY BY AN AGENCY OF THE UNITED STATES GOVERNMENT, BY A  
13 SCHOOL, COLLEGE, OR UNIVERSITY, OR BY AN ORGANIZATION COMPOSED  
14 EXCLUSIVELY OF THOSE ENTITIES, IF EACH CONTESTANT IS AN AMATEUR.

15 SEC. 73. (1) THE COMMISSION SHALL ESTABLISH APPROPRIATE  
16 DISCIPLINARY SANCTIONS AGAINST LICENSEES OR OTHER INDIVIDUALS WHO  
17 VIOLATE THIS ARTICLE OR RULES PROMULGATED UNDER THIS ARTICLE.

18 (2) THE COMMISSION SHALL MEET AS OFTEN AS NECESSARY TO FULFILL  
19 ITS DUTIES UNDER THIS ARTICLE.

20 (3) WHILE SERVING AS A MEMBER OF THE COMMISSION, AN INDIVIDUAL  
21 SHALL NOT PROMOTE OR SPONSOR ANY CONTEST OR EVENT OF AMATEUR MIXED  
22 MARTIAL ARTS OR HAVE ANY FINANCIAL INTEREST IN AN ENTITY THAT  
23 PROMOTES OR SPONSORS ANY AMATEUR MIXED MARTIAL ARTS CONTESTS OR  
24 EVENTS.

25 SEC. 74. (1) EXCEPT AS PROVIDED IN SECTION 73(1) CONCERNING  
26 THE AUTHORITY OF THE COMMISSION, THE DEPARTMENT IS RESPONSIBLE FOR  
27 ADMINISTERING AND ENFORCING THIS ARTICLE. ALL OF THE FOLLOWING

1 APPLY TO THE DEPARTMENT'S ENFORCEMENT OF THIS ARTICLE:

2 (A) IN ENFORCING THIS ARTICLE, THE DEPARTMENT MAY INITIATE AN  
3 ADMINISTRATIVE OR COURT ACTION AGAINST AN APPLICANT OR LICENSEE OR  
4 TAKE ANY OTHER ACTION AGAINST A LICENSEE OR HIS OR HER LICENSE THAT  
5 IS AUTHORIZED UNDER THIS ARTICLE FOR A VIOLATION OF THIS ARTICLE.

6 (B) THE DEPARTMENT SHALL NOT TAKE ANY ACTION AGAINST AN  
7 APPLICANT, LICENSEE, OR LICENSE UNDER SUBDIVISION (A) MORE THAN 1  
8 YEAR AFTER THE OCCURRENCE OF THE VIOLATION OF THIS ARTICLE THAT IS  
9 THE SUBJECT OF THE DEPARTMENT'S ACTION.

10 (2) THE AMATEUR MIXED MARTIAL ARTS FUND IS CREATED IN THE  
11 STATE TREASURY. ALL OF THE FOLLOWING APPLY TO THE FUND:

12 (A) THE DEPARTMENT SHALL DEPOSIT INTO THE FUND ALL MONEY  
13 RECEIVED FROM APPLICATION FEES, REGISTRATION FEES, LICENSE FEES,  
14 AND ADMINISTRATIVE FINES IMPOSED UNDER THIS ARTICLE.

15 (B) THE STATE TREASURER SHALL DIRECT THE INVESTMENT OF THE  
16 FUND. THE STATE TREASURER SHALL CREDIT TO THE FUND INTEREST AND  
17 EARNINGS FROM FUND INVESTMENTS.

18 (C) MONEY IN THE FUND AT THE CLOSE OF THE FISCAL YEAR SHALL  
19 REMAIN IN THE FUND AND SHALL NOT LAPSE TO THE GENERAL FUND.

20 (D) THE DEPARTMENT IS THE ADMINISTRATOR OF THE FUND FOR  
21 AUDITING PURPOSES.

22 (E) THE DEPARTMENT SHALL EXPEND MONEY FROM THE FUND, UPON  
23 APPROPRIATION, TO ADMINISTER AND ENFORCE THIS ARTICLE AND FOR ITS  
24 EXPENDITURES UNDER THIS ARTICLE.

25 (3) THE DIRECTOR SHALL PROMULGATE RULES TO SET STANDARDS FOR  
26 MIXED MARTIAL ARTS EXHIBITIONS AND TO PROTECT THE HEALTH AND SAFETY  
27 OF CONTESTANTS PARTICIPATING IN CONTESTS AND EXHIBITIONS. THE

1 DIRECTOR MAY PROMULGATE ANY ADDITIONAL RULES HE OR SHE CONSIDERS  
2 NECESSARY TO ADMINISTER AND ENFORCE THIS ARTICLE. THE DIRECTOR  
3 SHALL PROMULGATE ANY RULES DESCRIBED IN THIS SUBSECTION UNDER THE  
4 ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.201 TO  
5 24.328.

6 SEC. 75. (1) AN INDIVIDUAL SHALL NOT HOLD OR CONDUCT AN  
7 AMATEUR MIXED MARTIAL ARTS CONTEST OR EVENT IN THIS STATE OR ENGAGE  
8 IN ANY OTHER ACTIVITY REGULATED UNDER THIS ARTICLE UNLESS THE  
9 INDIVIDUAL HOLDS A PROMOTER'S LICENSE UNDER THIS ARTICLE OR THE  
10 INDIVIDUAL IS EXEMPT FROM LICENSURE UNDER THIS ARTICLE.

11 (2) AN INDIVIDUAL SEEKING A LICENSE UNDER THIS ARTICLE SHALL  
12 SUBMIT A LICENSE APPLICATION TO THE DEPARTMENT, IN WRITING AND  
13 UNDER OATH, ACCOMPANIED BY A NONREFUNDABLE APPLICATION PROCESSING  
14 FEE AND AN ANNUAL LICENSE FEE. THE APPLICATION SHALL BE MADE ON A  
15 FORM PROVIDED BY THE DEPARTMENT AND SHALL INCLUDE THE LEGAL NAME,  
16 STREET ADDRESS, AND TELEPHONE NUMBER OF THE APPLICANT AND ANY OTHER  
17 INFORMATION REASONABLY REQUIRED BY THE DEPARTMENT.

18 (3) AN ANNUAL LICENSE UNDER THIS ARTICLE SHALL EXPIRE ON  
19 SEPTEMBER 30 OF THE CALENDAR YEAR FOLLOWING THE YEAR THE LICENSE  
20 WAS ISSUED.

21 (4) BEGINNING ON THE EFFECTIVE DATE OF THIS ARTICLE, THE  
22 NONREFUNDABLE APPLICATION FEE REQUIRED UNDER THIS SECTION IS  
23 \$100.00 AND THE ANNUAL LICENSE FEE REQUIRED UNDER THIS SECTION IS  
24 \$300.00. BEGINNING 1 YEAR AFTER THE EFFECTIVE DATE OF THIS ARTICLE,  
25 THE DIRECTOR MAY BIANNUALLY ADJUST THE AMOUNT OF THE FEES DESCRIBED  
26 IN THIS SECTION BASED ON THE INCREASE OR DECREASE FOR THE  
27 IMMEDIATELY PRECEDING 6-MONTH PERIOD IN THE DETROIT CONSUMER PRICE

1 INDEX AS REPORTED BY THE UNITED STATES DEPARTMENT OF LABOR.

2 SEC. 76. BY FILING AN APPLICATION FOR A LICENSE UNDER THIS  
3 ARTICLE, AN APPLICANT DOES BOTH OF THE FOLLOWING:

4 (A) CERTIFIES HIS OR HER GENERAL SUITABILITY, CHARACTER,  
5 INTEGRITY, AND ABILITY TO PARTICIPATE IN, ENGAGE IN, OR BE  
6 ASSOCIATED WITH AMATEUR MIXED MARTIAL ARTS CONTESTS OR EVENTS. THE  
7 BURDEN OF PROOF IS ON THE APPLICANT TO ESTABLISH THAT THE APPLICANT  
8 POSSESSES SUITABILITY, CHARACTER, AND INTEGRITY AND IS QUALIFIED TO  
9 PROMOTE AND PARTICIPATE IN MIXED MARTIAL ARTS AMATEUR CONTESTS OR  
10 EVENTS.

11 (B) ACCEPTS THE RISK OF ADVERSE PUBLIC NOTICE, EMBARRASSMENT,  
12 CRITICISM, FINANCIAL LOSS, OR OTHER ACTION WITH RESPECT TO HIS OR  
13 HER APPLICATION AND EXPRESSLY WAIVES ANY CLAIM FOR DAMAGES AS A  
14 RESULT OF ANY ADVERSE PUBLIC NOTICE, EMBARRASSMENT, CRITICISM,  
15 FINANCIAL LOSS, OR OTHER ACTION.

16 SEC. 77. (1) AN APPLICANT IS INELIGIBLE TO RECEIVE A  
17 PROMOTER'S LICENSE UNDER THIS ARTICLE IF HE OR SHE MEETS ANY OF THE  
18 FOLLOWING:

19 (A) HE OR SHE WAS CONVICTED OF A FELONY THAT INVOLVED  
20 VIOLENCE, THEFT, FRAUD, OR AN ELEMENT OF FINANCIAL DISHONESTY UNDER  
21 THE LAWS OF THIS STATE OR ANY OTHER JURISDICTION IN THE UNITED  
22 STATES IN THE 5-YEAR PERIOD PRECEDING THE APPLICATION.

23 (B) HE OR SHE HAS AN UNSATISFIED TAX LIEN IN THE AMOUNT OF AT  
24 LEAST \$5,000.00 UNDER ANY FEDERAL, STATE, OR LOCAL LAW AT THE TIME  
25 OF THE APPLICATION.

26 (C) HE OR SHE SUBMITTED AN APPLICATION FOR A LICENSE UNDER  
27 THIS ARTICLE THAT CONTAINED FALSE INFORMATION.



1           (2) IF THE DEPARTMENT DOES NOT ISSUE AN INITIAL OR RENEWAL  
2 LICENSE TO AN INDIVIDUAL UNDER THIS ARTICLE, HE OR SHE MAY PETITION  
3 THE DEPARTMENT AND THE COMMISSION FOR A REVIEW. THE PETITION MUST  
4 BE IN WRITING AND SET FORTH THE REASONS THE PETITIONER BELIEVES  
5 THAT THE DEPARTMENT SHOULD ISSUE A LICENSE TO HIM OR HER. THE  
6 DEPARTMENT MAY ISSUE A LICENSE TO THE PETITIONER IF, BASED ON A  
7 REVIEW OF THE QUALIFICATIONS OF THE INDIVIDUAL WHO SUBMITTED THE  
8 PETITION, THE DEPARTMENT AND THE COMMISSION DETERMINE THAT THE  
9 INDIVIDUAL COULD PERFORM AS A PROMOTER WITH COMPETENCE.

10           SEC. 78. (1) AN INDIVIDUAL WHO FAILS TO RENEW A LICENSE ON OR  
11 BEFORE ITS EXPIRATION DATE SHALL NOT HOLD OR CONDUCT AN AMATEUR  
12 MIXED MARTIAL ARTS CONTEST OR EVENT OR ADVERTISE, OPERATE, OR USE  
13 THE TITLE "PROMOTER" OR "AMATEUR PROMOTER" AFTER THE EXPIRATION  
14 DATE PRINTED ON THE LICENSE.

15           (2) AN INDIVIDUAL WHO FAILS TO RENEW A LICENSE ON OR BEFORE  
16 ITS EXPIRATION DATE IS PERMITTED TO RENEW THE LICENSE WITHIN 60  
17 DAYS AFTER THE EXPIRATION DATE BY MEETING ALL REQUIREMENTS FOR  
18 LICENSURE UNDER THIS ARTICLE, PAYING THE REQUIRED LICENSE FEE, AND  
19 PAYING A LATE RENEWAL FEE IN THE AMOUNT OF \$30.00. AFTER THAT 60-  
20 DAY PERIOD, THE INDIVIDUAL MAY ONLY OBTAIN A LICENSE UNDER THIS  
21 ARTICLE BY COMPLYING WITH THE REQUIREMENTS OF SECTION 75.

22           (3) EXCEPT AS PROVIDED IN SUBSECTION (4) OR OTHERWISE PROVIDED  
23 IN THIS ARTICLE, AN INDIVIDUAL MAY SEEK REINSTATEMENT OF A LICENSE  
24 UNDER THIS ARTICLE BY FILING AN APPLICATION ON A FORM PROVIDED BY  
25 THE DEPARTMENT, PAYING THE APPLICATION PROCESSING FEE AND ANNUAL  
26 LICENSE FEE, AND FILING A PETITION WITH THE DEPARTMENT THAT STATES  
27 THE REASONS REINSTATEMENT IS APPROPRIATE AND INCLUDES EVIDENCE THAT

1 THE INDIVIDUAL CAN AND IS LIKELY TO SERVE THE PUBLIC IN THE  
2 REGULATED ACTIVITY WITH COMPETENCE AND IN CONFORMANCE WITH ALL  
3 OTHER REQUIREMENTS PRESCRIBED BY LAW, RULE, OR AN ORDER OF THE  
4 DEPARTMENT.

5 (4) IF A LICENSE IS REVOKED OR SUSPENDED BY THE DEPARTMENT  
6 UNDER THIS ARTICLE, THE DEPARTMENT MAY REINSTATE THE REVOKED  
7 LICENSE OR LIFT A SUSPENSION IF IT RECEIVES AN APPLICATION FOR  
8 REINSTATEMENT AND IS PAID ANY ADMINISTRATIVE FINE ASSESSED BY THE  
9 COMMISSION.

10 SEC. 79. (1) IN ADDITION TO THE FEES DESCRIBED IN SECTION 75,  
11 A LICENSEE SHALL PAY A REGULATORY AND ENFORCEMENT FEE OF \$200.00  
12 FOR EACH AMATEUR MIXED MARTIAL ARTS EVENT PRESENTED BY THE  
13 PROMOTER. THE DEPARTMENT SHALL DEPOSIT REGULATORY AND ENFORCEMENT  
14 FEES IT RECEIVES UNDER THIS SECTION IN THE FUND. BY DECEMBER 1 OF  
15 EACH YEAR, THE DEPARTMENT SHALL REPORT TO THE LEGISLATURE THE  
16 AMOUNT OF REVENUE GENERATED BY THE REGULATORY AND ENFORCEMENT FEE  
17 IN THE PRECEDING STATE FISCAL YEAR.

18 (2) A LICENSEE WHO PRESENTS AN AMATEUR MIXED MARTIAL ARTS  
19 EVENT IN THIS STATE MUST COMPLY WITH ALL OF THE FOLLOWING:

20 (A) AT LEAST 5 BUSINESS DAYS BEFORE THE EVENT, PAY THE  
21 REGULATORY AND ENFORCEMENT FEE DESCRIBED IN SUBSECTION (1) AND  
22 PROVIDE NOTICE TO THE DEPARTMENT THAT DESCRIBES THE EVENT. THE  
23 DEPARTMENT SHALL PRESCRIBE THE FORM AND CONTENTS OF THE NOTICE  
24 DESCRIBED IN THIS SUBDIVISION.

25 (B) PAY ALL OBLIGATIONS RELATED TO THE NORMAL COURSE OF  
26 PROMOTING AN AMATEUR MIXED MARTIAL ARTS EVENT, INCLUDING, BUT NOT  
27 LIMITED TO, VENUE RENT AND JUDGE, MEDICAL PROFESSIONAL, REFEREE,

1 AND TIMEKEEPER FEES.

2 (C) ARRANGE FOR A MEDICAL PROFESSIONAL TO ATTEND THE EVENT FOR  
3 PURPOSES OF SUBSECTION (3) (K), AND ARRANGE FOR AN ALTERNATE MEDICAL  
4 PROFESSIONAL TO ATTEND THE EVENT IF THE ORIGINAL MEDICAL  
5 PROFESSIONAL IS UNABLE TO ATTEND THE EVENT. THE LICENSEE SHALL  
6 INCLUDE THE NAME OF THE MEDICAL PROFESSIONAL AND ALTERNATE MEDICAL  
7 PROFESSIONAL DESCRIBED IN THIS SUBDIVISION IN THE NOTICE PROVIDED  
8 TO THE DEPARTMENT UNDER SUBDIVISION (A).

9 (D) MAINTAIN RECORDS OF THE AMATEUR MIXED MARTIAL ARTS EVENT  
10 FOR AT LEAST 1 YEAR AFTER THE DATE OF THE SCHEDULED EVENT AND MAKE  
11 THOSE RECORDS AVAILABLE TO THE DEPARTMENT OR LAW ENFORCEMENT  
12 OFFICIALS ON REQUEST.

13 (3) A LICENSEE PRESENTING AN AMATEUR MIXED MARTIAL ARTS EVENT  
14 IN THIS STATE SHALL ENSURE THAT ALL OF THE FOLLOWING ARE MET IN THE  
15 CONDUCT OF THE EVENT:

16 (A) EXCEPT AS PROVIDED IN SUBDIVISION (B), EACH INDIVIDUAL  
17 CONTEST CONSISTS OF NOT MORE THAN 3 ROUNDS, OF NOT MORE THAN 3  
18 MINUTES' DURATION, WITH AT LEAST A 1-MINUTE REST PERIOD BETWEEN  
19 EACH ROUND.

20 (B) EACH INDIVIDUAL NATIONAL OR INTERNATIONAL CHAMPIONSHIP  
21 CONTEST CONSISTS OF NOT MORE THAN 5 ROUNDS, OF NOT MORE THAN 5  
22 MINUTES' DURATION, WITH AT LEAST A 1-MINUTE REST PERIOD BETWEEN  
23 EACH ROUND.

24 (C) EACH CONTESTANT WEARS GLOVES, SUPPLIED BY THE PROMOTER,  
25 THAT WEIGH AT LEAST 4 OUNCES AND NOT MORE THAN 8 OUNCES.

26 (D) THE REFEREE EXAMINES THE GLOVES WORN BY EACH CONTESTANT  
27 BEFORE AND DURING A CONTEST. IF THE REFEREE FINDS THAT A GLOVE IS

1 MISPLACED, LUMPY, BROKEN, ROUGHED, OR OTHERWISE UNFIT, THE  
2 CONTESTANT MUST CHANGE THE GLOVE BEFORE THE START OF THE CONTEST.

3 (E) BEFORE A CONTESTANT PARTICIPATES IN A CONTEST, HE OR SHE  
4 IS WEIGHED AND PLACED IN THE APPROPRIATE WEIGHT CLASS. AS USED IN  
5 THIS SUBDIVISION AND SUBDIVISION (F), "WEIGHT CLASS" MEANS 1 OF THE  
6 FOLLOWING:

7 (i) FLYWEIGHT, IF HE OR SHE WEIGHS 125.9 POUNDS OR LESS.

8 (ii) BANTAMWEIGHT, IF HE OR SHE WEIGHS 126 POUNDS OR MORE AND  
9 NOT MORE THAN 135 POUNDS.

10 (iii) FEATHERWEIGHT, IF HE OR SHE WEIGHS 135.1 POUNDS OR MORE  
11 AND NOT MORE THAN 145 POUNDS.

12 (iv) LIGHTWEIGHT, IF HE OR SHE WEIGHS 145.1 POUNDS OR MORE AND  
13 NOT MORE THAN 155 POUNDS.

14 (v) WELTERWEIGHT, IF HE OR SHE WEIGHS 155.1 POUNDS OR MORE AND  
15 NOT MORE THAN 170 POUNDS.

16 (vi) MIDDLEWEIGHT, IF HE OR SHE WEIGHS 170.1 POUNDS OR MORE AND  
17 NOT MORE THAN 185 POUNDS.

18 (vii) LIGHT HEAVYWEIGHT, IF HE OR SHE WEIGHS 185.1 POUNDS OR  
19 MORE AND NOT MORE THAN 205 POUNDS.

20 (viii) HEAVYWEIGHT, IF HE OR SHE WEIGHS 205.1 POUNDS OR MORE AND  
21 NOT MORE THAN 265 POUNDS.

22 (ix) SUPER HEAVYWEIGHT, IF HE OR SHE WEIGHS MORE THAN 265  
23 POUNDS.

24 (F) A CONTESTANT ONLY PARTICIPATES IN A CONTEST WITH ANOTHER  
25 CONTESTANT WHO MEETS 1 OF THE FOLLOWING:

26 (i) THE SECOND CONTESTANT IS IN THE SAME WEIGHT CLASS.

27 (ii) THE SECOND CONTESTANT IS IN THE NEXT HIGHER WEIGHT CLASS,

1 IF THE FIRST CONTESTANT AGREES TO PARTICIPATE WITH THAT HEAVIER  
2 CONTESTANT.

3 (G) PROFESSIONAL MIXED MARTIAL ARTISTS WHO ARE SUBJECT TO THE  
4 MICHIGAN UNARMED COMBAT REGULATORY ACT, 2004 PA 403, MCL 338.3601  
5 TO 338.3663, DO NOT PARTICIPATE AS CONTESTANTS IN A CONTEST.

6 (H) A CONTESTANT DOES NOT PARTICIPATE IN A CONTEST UNLESS THE  
7 CONTESTANT HAS SUBMITTED MEDICAL CERTIFICATION OF NEGATIVE RESULTS  
8 FOR HEPATITIS B AND C AND HIV TESTS CONDUCTED WITHIN THE 180-DAY  
9 PERIOD PRECEDING THE SCHEDULED CONTEST OR EVENT.

10 (I) A FEMALE CONTESTANT DOES NOT PARTICIPATE IN A CONTEST  
11 UNLESS THE CONTESTANT HAS SUBMITTED THE RESULTS OF A PREGNANCY TEST  
12 PERFORMED ON THE CONTESTANT WITHIN THE 7-DAY PERIOD PRECEDING THE  
13 EVENT AND THE RESULTS OF THAT PREGNANCY TEST ARE NEGATIVE.

14 (J) AN INDIVIDUAL IS NOT ALLOWED TO PARTICIPATE AS A  
15 CONTESTANT WITHOUT PROPER MEDICAL CLEARANCE.

16 (K) THE EVENT DOES NOT TAKE PLACE OR CONTINUE WITHOUT A  
17 MEDICAL PROFESSIONAL AND AN AMBULANCE AT THE EVENT.

18 (L) THE EVENT DOES NOT TAKE PLACE OR CONTINUE WITHOUT A TRAINED  
19 AND COMPETENT REFEREE.

20 (M) AN INDIVIDUAL IS NOT ALLOWED TO PARTICIPATE IN A CONTEST  
21 IF THERE IS ANY REASON TO SUSPECT THAT HE OR SHE IS IMPAIRED OR HAS  
22 USED OR USES PERFORMANCE-ENHANCING DRUGS. AS USED IN THIS  
23 SUBDIVISION:

24 (i) "IMPAIRED" MEANS THE INABILITY OR IMMEDIATELY IMPENDING  
25 INABILITY OF AN INDIVIDUAL TO SAFELY PARTICIPATE IN AN AMATEUR  
26 MIXED MARTIAL ARTS CONTEST OR EVENT DUE TO HIS OR HER SUBSTANCE  
27 ABUSE, CHEMICAL DEPENDENCY, OR USE OF DRUGS OR ALCOHOL THAT DOES

1 NOT CONSTITUTE SUBSTANCE ABUSE OR CHEMICAL DEPENDENCY.

2 (ii) "CHEMICAL DEPENDENCY" MEANS THAT TERM AS DEFINED IN  
3 SECTION 16106A OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL  
4 333.16106A.

5 (iii) "SUBSTANCE ABUSE" MEANS THAT TERM AS DEFINED IN SECTION  
6 16106A OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.16106A.

7 (N) A PROFESSIONAL IS NOT ALLOWED TO PARTICIPATE AS A  
8 CONTESTANT IN THE EVENT.

9 (O) IF AN INDIVIDUAL LOST A MIXED MARTIAL ARTS CONTEST OR  
10 EXHIBITION BY A TECHNICAL KNOCKOUT IN THE 30-DAY PERIOD PRECEDING  
11 THE EVENT, HE OR SHE IS NOT ALLOWED TO PARTICIPATE AS A CONTESTANT  
12 UNLESS HE OR SHE SUBMITS THE RESULTS OF A PHYSICAL EXAMINATION TO  
13 THE PROMOTER THAT INDICATE THAT HE OR SHE IS FIT TO COMPETE.

14 (P) THE MEDICAL PROFESSIONAL AT THE EVENT DETERMINES THE  
15 STATUS OF A CONTESTANT WHO IS KNOCKED OUT IN AN AMATEUR MIXED  
16 MARTIAL ARTS CONTEST OR WHOSE FIGHT IS STOPPED BY THE REFEREE  
17 BECAUSE HE OR SHE RECEIVED HARD BLOWS TO THE HEAD THAT MADE HIM OR  
18 HER DEFENSELESS OR INCAPABLE OF CONTINUING IMMEDIATELY AFTER THE  
19 KNOCKOUT OR STOPPAGE. THE MEDICAL PROFESSIONAL MAY RECOMMEND POST-  
20 FIGHT NEUROLOGICAL EXAMINATIONS, WHICH MAY INCLUDE PERFORMING  
21 COMPUTERIZED AXIAL TOMOGRAPHY (CAT) SCANS OR MAGNETIC RESONANCE  
22 IMAGING (MRI) ON THE CONTESTANT IMMEDIATELY AFTER THE CONTESTANT  
23 LEAVES THE EVENT VENUE.

24 (Q) A CONTESTANT DESCRIBED IN SUBDIVISION (P) DOES NOT COMPETE  
25 IN ANOTHER CONTEST WITHOUT PROPER MEDICAL CLEARANCE.

26 (R) IF A MEDICAL PROFESSIONAL RECOMMENDED FURTHER NEUROLOGICAL  
27 EXAMINATIONS OF A CONTESTANT UNDER SUBDIVISION (P), THE CONTESTANT

1 DOES NOT COMPETE IN ANOTHER CONTEST UNTIL THE PROMOTER RECEIVES  
2 COPIES OF THE EXAMINATION REPORTS AND THE REPORTS DEMONSTRATE THAT  
3 THE CONTESTANT IS FIT TO COMPETE.

4 (S) A CONTESTANT WHO SUSTAINS A SEVERE INJURY OR KNOCKOUT IN A  
5 CONTEST IS EXAMINED BY A MEDICAL PROFESSIONAL AND IS NOT PERMITTED  
6 TO COMPETE IN ANOTHER CONTEST UNTIL A MEDICAL PROFESSIONAL  
7 CERTIFIES THAT THE CONTESTANT IS FULLY RECOVERED.

8 (T) AN INDIVIDUAL WHO MEETS ALL OF THE FOLLOWING DOES NOT  
9 PARTICIPATE AS A CONTESTANT:

10 (i) HE OR SHE PARTICIPATED IN A CONTEST OR EXHIBITION IN THE  
11 60-DAY PERIOD PRECEDING THE EVENT.

12 (ii) IN THE CONTEST OR EXHIBITION DESCRIBED IN SUBPARAGRAPH  
13 (I), HE OR SHE WAS KNOCKED OUT OR THE CONTEST OR EXHIBITION WAS  
14 STOPPED BECAUSE HE OR SHE RECEIVED EXCESSIVE HARD BLOWS TO THE  
15 HEAD.

16 (U) AN INDIVIDUAL WHO MEETS ALL OF THE FOLLOWING DOES NOT  
17 PARTICIPATE AS A CONTESTANT:

18 (i) HE OR SHE PARTICIPATED IN MULTIPLE CONTESTS OR EXHIBITIONS  
19 BEFORE THE EVENT.

20 (ii) IN ANY 90-DAY PERIOD, HE OR SHE WAS KNOCKED OUT TWICE OR 2  
21 OF HIS OR HER CONTESTS OR EXHIBITIONS WERE STOPPED BECAUSE HE OR  
22 SHE RECEIVED EXCESSIVE HARD BLOWS TO THE HEAD.

23 (iii) THE SECOND KNOCKOUT OR STOPPAGE DESCRIBED IN SUBPARAGRAPH  
24 (II) OCCURRED IN THE 120-DAY PERIOD PRECEDING THE EVENT.

25 (V) AN INDIVIDUAL WHO MEETS ALL OF THE FOLLOWING DOES NOT  
26 PARTICIPATE AS A CONTESTANT:

27 (i) HE OR SHE PARTICIPATED IN MULTIPLE CONTESTS OR EXHIBITIONS

1 BEFORE THE EVENT.

2 (ii) IN ANY 12-MONTH PERIOD, HE OR SHE WAS KNOCKED OUT IN 3  
3 CONSECUTIVE CONTESTS OR EXHIBITIONS OR 3 CONSECUTIVE CONTESTS OR  
4 EXHIBITIONS WERE STOPPED BECAUSE HE OR SHE RECEIVED EXCESSIVE HARD  
5 BLOWS TO THE HEAD.

6 (iii) THE THIRD KNOCKOUT OR STOPPAGE DESCRIBED IN SUBPARAGRAPH  
7 (II) OCCURRED IN THE 1-YEAR PERIOD PRECEDING THE EVENT.

8 (W) IF AN INDIVIDUAL WAS NOT ALLOWED TO PARTICIPATE AS A  
9 CONTESTANT IN AN EARLIER EVENT BECAUSE HE OR SHE MET THE  
10 REQUIREMENTS OF SUBDIVISION (T), (U), OR (V) AT THE TIME OF THAT  
11 EARLIER EVENT, HE OR SHE DOES NOT PARTICIPATE AS A CONTESTANT  
12 UNLESS HE OR SHE PROVIDES THE PROMOTER WITH PROPER MEDICAL  
13 CLEARANCE.

14 (X) EACH CONTESTANT IS INSURED FOR AT LEAST \$10,000.00 FOR ANY  
15 MEDICAL AND HOSPITAL EXPENSES, INCLUDING DEDUCTIBLES PAID BY THE  
16 CONTESTANT, TO COVER INJURIES SUSTAINED IN A CONTEST AND FOR AT  
17 LEAST \$10,000.00 TO BE PAID IN ACCORDANCE WITH THE STATUTES OF  
18 DESCENT AND DISTRIBUTION OF INDIVIDUAL PROPERTY IF THE CONTESTANT  
19 DIES AS A RESULT OF INJURIES RECEIVED IN A CONTEST.

20 (Y) EACH CONTESTANT IS AT LEAST 18 YEARS OF AGE.

21 (Z) A CONTESTANT DOES NOT PARTICIPATE AT MORE THAN 1 CONTEST  
22 AT AN EVENT.

23 (AA) EACH CONTESTANT IN A CONTEST IS THE SAME SEX.

24 (BB) AN INDIVIDUAL DOES NOT PARTICIPATE AS A CONTESTANT IF HE  
25 OR SHE PARTICIPATED IN ANOTHER CONTEST IN THE 7-DAY PERIOD  
26 PRECEDING THE EVENT.

27 (CC) THE RESULTS OF EACH CONTEST ARE REPORTED TO THE



1 DEPARTMENT WITHIN 48 HOURS AFTER THE CONCLUSION OF THE EVENT.

2 SEC. 80. (1) BEFORE HE OR SHE PARTICIPATES IN A CONTEST OR  
3 EXHIBITION, A CONTESTANT SHALL REGISTER WITH THE DEPARTMENT BY  
4 SUBMITTING A REGISTRATION FORM WITH THE DEPARTMENT, THAT INCLUDES  
5 HIS OR HER NAME, ADDRESS, DATE OF BIRTH, AND SOCIAL SECURITY  
6 NUMBER, ACCOMPANIED BY A NONREFUNDABLE REGISTRATION PROCESSING FEE  
7 IN THE AMOUNT OF \$25.00 AND AN ANNUAL REGISTRATION FEE IN THE  
8 AMOUNT OF \$25.00. A REGISTRATION UNDER THIS SECTION EXPIRES AT THE  
9 END OF THE CALENDAR YEAR IN WHICH THE CONTESTANT SUBMITTED THE  
10 REGISTRATION FORM. THE DEPARTMENT MAY PRESCRIBE THE FORM AND  
11 CONTENTS OF THE REGISTRATION FORM.

12 (2) THE DEPARTMENT SHALL ASSIGN A REGISTRATION NUMBER TO EACH  
13 CONTESTANT THAT SUBMITS A REGISTRATION FORM UNDER SUBSECTION (1).

14 (3) IN ANY NOTICE, REPORT, OR OTHER COMMUNICATION WITH THE  
15 DEPARTMENT OR COMMISSION THAT IDENTIFIES OR REFERS TO A SPECIFIC  
16 CONTESTANT, INCLUDING, BUT NOT LIMITED TO, THE REPORT OF THE  
17 RESULTS OF EACH CONTEST UNDER SECTION 79(3)(CC), A LICENSEE SHALL  
18 INCLUDE THE REGISTRATION NUMBER OF THAT CONTESTANT ASSIGNED UNDER  
19 SUBSECTION (2).

20 (4) THE DEPARTMENT MAY REVOKE A CONTESTANT'S REGISTRATION IF  
21 HE OR SHE VIOLATES THIS SECTION OR PROVIDES FALSE INFORMATION IN  
22 HIS OR HER REGISTRATION FORM.

23 SEC. 81. (1) AN INDIVIDUAL WHO DOES ANY OF THE FOLLOWING IS  
24 SUBJECT TO THE REMEDIES AND PENALTIES DESCRIBED IN THIS SECTION:

25 (A) VIOLATES THIS ARTICLE OR A RULE PROMULGATED OR ORDER  
26 ISSUED UNDER THIS ARTICLE.

27 (B) PRACTICES FRAUD OR DECEIT IN OBTAINING A LICENSE.

1 (C) PRACTICES FRAUD, DECEIT, OR DISHONESTY IN PERFORMING HIS  
2 OR HER DUTIES AS A PROMOTER.

3 (D) PRACTICES FALSE ADVERTISING.

4 (E) FAILS TO COMPLY WITH A SUBPOENA ISSUED UNDER THIS ARTICLE.

5 (F) FAILS TO PROVIDE REQUESTED DOCUMENTS OR RECORDS TO THE  
6 DEPARTMENT.

7 (G) VIOLATES OR FAILS TO COMPLY WITH A STIPULATION OR  
8 SETTLEMENT AGREEMENT WITH OR A FINAL ORDER ISSUED BY THE DEPARTMENT  
9 OR COMMISSION.

10 (H) AIDS OR ABETS ANOTHER INDIVIDUAL IN PROMOTING AN AMATEUR  
11 MIXED MARTIAL ARTS CONTEST WITHOUT A LICENSE.

12 (I) FAILS TO PAY ANY OBLIGATION RELATED TO THE NORMAL COURSE  
13 OF PROMOTING AN AMATEUR MIXED MARTIAL ARTS EVENT, INCLUDING, BUT  
14 NOT LIMITED TO, VENUE RENT OR JUDGE, MEDICAL PROFESSIONAL, REFEREE,  
15 OR TIMEKEEPER FEES.

16 (J) ENTERS INTO A CONTRACT FOR AN AMATEUR MIXED MARTIAL ARTS  
17 CONTEST OR EVENT IN BAD FAITH.

18 (K) GAMBLES ON THE OUTCOME OF AN AMATEUR MIXED MARTIAL ARTS  
19 CONTEST OR EVENT OF WHICH HE OR SHE IS A PROMOTER.

20 (L) FAILS TO FILE CURRENT ADDRESS INFORMATION WITH THE  
21 DEPARTMENT.

22 (M) ASSAULTS ANOTHER LICENSEE, A COMMISSION MEMBER, OR AN  
23 EMPLOYEE OF THE DEPARTMENT.

24 (N) TAMPERS WITH OR COERCES ANOTHER PROMOTER'S CONTESTANTS.

25 (2) IF A LICENSEE VIOLATES THIS ARTICLE OR A RULE OR ORDER  
26 PROMULGATED OR ISSUED UNDER THIS ARTICLE, THE DEPARTMENT MAY TAKE 1  
27 OR MORE OF THE FOLLOWING ACTIONS:

- 1 (A) PLACE A LIMITATION ON HIS OR HER LICENSE.  
2 (B) SUSPEND HIS OR HER LICENSE.  
3 (C) DENY HIM OR HER A LICENSE OR RENEWAL OF A LICENSE.  
4 (D) REVOKE HIS OR HER LICENSE.  
5 (E) ASSESS AN ADMINISTRATIVE FINE UNDER SECTION 87.  
6 (F) CENSURE THE LICENSEE.  
7 (G) REQUIRE THAT HE OR SHE PAY RESTITUTION, BASED ON PROOFS  
8 SUBMITTED TO AND FINDINGS MADE BY THE HEARINGS EXAMINER AFTER A  
9 CONTESTED CASE. IF RESTITUTION IS REQUIRED AND THE INDIVIDUAL IS A  
10 LICENSEE, THE DEPARTMENT MAY SUSPEND HIS OR HER LICENSE UNTIL THE  
11 RESTITUTION IS PAID.
- 12 (3) AN INDIVIDUAL WHO VIOLATES THIS ARTICLE IS GUILTY OF A  
13 MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 93 DAYS OR  
14 A FINE OF NOT MORE THAN \$500.00, OR BOTH.
- 15 (4) AN INDIVIDUAL WHO VIOLATES THIS ARTICLE A SECOND OR ANY  
16 SUBSEQUENT TIME IS GUILTY OF A MISDEMEANOR PUNISHABLE BY  
17 IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR A FINE OF NOT MORE THAN  
18 \$1,000.00, OR BOTH.
- 19 (5) AN INDIVIDUAL WHO KNOWINGLY ALLOWS A PROFESSIONAL TO  
20 PARTICIPATE AS A CONTESTANT IN AN AMATEUR MIXED MARTIAL ARTS  
21 CONTEST WITH AN AMATEUR IS GUILTY OF A FELONY PUNISHABLE BY  
22 IMPRISONMENT FOR NOT MORE THAN 3 YEARS OR A FINE OF \$10,000.00 PER  
23 INCIDENT, OR BOTH.
- 24 (6) THE DEPARTMENT MAY BRING AN INJUNCTIVE ACTION IN A COURT  
25 OF COMPETENT JURISDICTION TO RESTRAIN OR PREVENT AN INDIVIDUAL FROM  
26 VIOLATING THIS ARTICLE. IF SUCCESSFUL IN OBTAINING INJUNCTIVE  
27 RELIEF, THE DEPARTMENT IS ENTITLED TO ITS COSTS AND REASONABLE

1 ATTORNEY FEES.

2 (7) THE DEPARTMENT MAY CONDUCT AN INVESTIGATION TO ENFORCE  
3 THIS ARTICLE. AN INDIVIDUAL WHO VIOLATES THIS ARTICLE IS SUBJECT TO  
4 THE PENALTIES AND REMEDIES DESCRIBED IN THIS SECTION.

5 (8) THE PENALTIES AND REMEDIES UNDER THIS SECTION ARE  
6 INDEPENDENT AND CUMULATIVE. THE IMPOSITION OF A REMEDY OR PENALTY  
7 AGAINST AN INDIVIDUAL UNDER THIS SECTION DOES NOT BAR THE PURSUIT  
8 OF ANY LAWFUL REMEDY BY THAT INDIVIDUAL OR THE PURSUIT OF A LAWFUL  
9 REMEDY BY ANY OTHER PERSON AGAINST THAT INDIVIDUAL.

10 SEC. 82. (1) ANY PERSON MAY FILE A WRITTEN COMPLAINT WITH THE  
11 DEPARTMENT ALLEGING THAT AN INDIVIDUAL HAS VIOLATED THIS ARTICLE OR  
12 A RULE PROMULGATED OR AN ORDER ISSUED UNDER THIS ARTICLE.

13 (2) IF THE DEPARTMENT RECEIVES A COMPLAINT DESCRIBED IN  
14 SUBSECTION (1), THE DEPARTMENT IMMEDIATELY SHALL BEGIN AND PURSUE  
15 AN INVESTIGATION OF THE ALLEGATIONS OF THE COMPLAINT. THE  
16 DEPARTMENT SHALL ACKNOWLEDGE THE COMPLAINT IN WRITING WITHIN 15  
17 DAYS AFTER IT RECEIVES THE COMPLAINT.

18 (3) FOR PURPOSES OF ITS INVESTIGATION UNDER THIS SECTION, THE  
19 DEPARTMENT MAY ADMINISTER OATHS; TAKE TESTIMONY UNDER OATH; REQUIRE  
20 THE APPEARANCE AND TESTIMONY OF WITNESSES, INCLUDING THE PRODUCTION  
21 OF BOOKS, RECORDS, OR OTHER DOCUMENTS; OR REQUEST THAT THE ATTORNEY  
22 GENERAL PETITION A COURT OF COMPETENT JURISDICTION TO ISSUE A  
23 SUBPOENA REQUIRING A PERSON TO APPEAR BEFORE THE DEPARTMENT AND BE  
24 EXAMINED WITH REFERENCE TO ANY MATTER WITHIN THE SCOPE OF THE  
25 INVESTIGATION AND TO PRODUCE BOOKS, PAPERS, OR DOCUMENTS PERTAINING  
26 TO THE INVESTIGATION.

27 (4) IF THE DEPARTMENT DETERMINES AFTER CONDUCTING AN

1 INVESTIGATION UNDER THIS SECTION THAT THERE IS NOT SUFFICIENT  
2 EVIDENCE THAT THERE WAS A VIOLATION OF THIS ARTICLE OR A RULE  
3 PROMULGATED OR AN ORDER ISSUED UNDER THIS ARTICLE BY THE  
4 RESPONDENT, THE DEPARTMENT SHALL CLOSE THE COMPLAINT. THE  
5 DEPARTMENT SHALL PROVIDE ITS REASONS FOR CLOSING THE COMPLAINT TO  
6 THE COMPLAINANT, WHO THEN MAY PROVIDE ADDITIONAL INFORMATION TO  
7 REOPEN THE COMPLAINT, AND TO THE RESPONDENT.

8 (5) IF THE DEPARTMENT DETERMINES AFTER CONDUCTING AN  
9 INVESTIGATION UNDER THIS SECTION THAT THERE IS SUFFICIENT EVIDENCE  
10 THAT THERE WAS A VIOLATION OF THIS ARTICLE OR A RULE PROMULGATED OR  
11 AN ORDER ISSUED UNDER THIS ARTICLE BY THE RESPONDENT, THE  
12 DEPARTMENT OR THE DEPARTMENT OF ATTORNEY GENERAL SHALL TAKE  
13 APPROPRIATE ACTION AGAINST THE RESPONDENT, WHICH MAY INCLUDE ANY OF  
14 THE FOLLOWING:

15 (A) ISSUING A FORMAL COMPLAINT.

16 (B) OBTAINING A CEASE AND DESIST ORDER.

17 (C) ISSUING AN ORDER OF SUMMARY SUSPENSION UNDER SECTION 83.

18 (D) SEEKING INJUNCTIVE RELIEF UNDER SECTION 81(6).

19 (6) AT ANY TIME DURING ITS INVESTIGATION OR AFTER IT ISSUES A  
20 FORMAL COMPLAINT, THE DEPARTMENT MAY MEET WITH THE COMPLAINANT AND  
21 THE RESPONDENT FOR AN INFORMAL CONFERENCE. AT THE MEETING, THE  
22 DEPARTMENT SHALL ATTEMPT TO RESOLVE ISSUES RAISED IN THE COMPLAINT  
23 AND MAY ATTEMPT TO AID THE PARTIES IN REACHING A FORMAL SETTLEMENT  
24 OR STIPULATION.

25 SEC. 83. (1) AFTER IT CONDUCTS AN INVESTIGATION UNDER SECTION  
26 82, THE DEPARTMENT MAY ISSUE AN ORDER SUMMARILY SUSPENDING A  
27 LICENSE BASED ON AN AFFIDAVIT BY A PERSON FAMILIAR WITH THE FACTS

1 SET FORTH IN THE AFFIDAVIT OR, IF APPROPRIATE, BASED ON AN  
2 AFFIDAVIT ON INFORMATION AND BELIEF THAT AN IMMINENT THREAT TO THE  
3 INTEGRITY OF THE SPORT OF AMATEUR MIXED MARTIAL ARTS, THE PUBLIC  
4 INTEREST, OR THE WELFARE AND SAFETY OF A CONTESTANT EXISTS.

5 (2) IF A PROMOTER'S LICENSE IS SUMMARILY SUSPENDED UNDER THIS  
6 SECTION, THE PROMOTER MAY PETITION THE DEPARTMENT TO DISSOLVE THE  
7 SUSPENSION ORDER. AFTER RECEIVING A PETITION TO DISSOLVE A  
8 SUSPENSION ORDER, THE DEPARTMENT SHALL IMMEDIATELY SCHEDULE A  
9 HEARING TO DECIDE WHETHER TO GRANT OR DENY THE REQUESTED RELIEF.

10 (3) AFTER THE HEARING CONCERNING A PETITION TO DISSOLVE A  
11 SUSPENSION ORDER UNDER SUBSECTION (2), THE ADMINISTRATIVE LAW  
12 HEARINGS EXAMINER SHALL DISSOLVE THE SUMMARY SUSPENSION ORDER  
13 UNLESS SUFFICIENT EVIDENCE IS PRESENTED THAT AN IMMINENT THREAT TO  
14 THE INTEGRITY OF THE SPORT, THE PUBLIC INTEREST, OR THE WELFARE AND  
15 SAFETY OF A CONTESTANT EXISTS THAT REQUIRES EMERGENCY ACTION AND  
16 CONTINUATION OF THE DEPARTMENT'S SUMMARY SUSPENSION ORDER.

17 (4) THE RECORD CREATED AT A HEARING TO DISSOLVE A SUMMARY  
18 SUSPENSION ORDER IS CONSIDERED PART OF THE RECORD OF THE COMPLAINT  
19 AT ANY SUBSEQUENT HEARING IN A CONTESTED CASE.

20 SEC. 84. (1) IF THE DEPARTMENT CONDUCTS AN INVESTIGATION UNDER  
21 SECTION 82, THE DEPARTMENT AFTER THE INVESTIGATION MAY ORDER A  
22 PERSON TO CEASE AND DESIST VIOLATING THIS ARTICLE OR A RULE  
23 PROMULGATED OR ORDER ISSUED UNDER THIS ARTICLE.

24 (2) A PERSON ORDERED TO CEASE AND DESIST UNDER SUBSECTION (1)  
25 MAY REQUEST A HEARING ON THAT ORDER BY FILING A WRITTEN REQUEST FOR  
26 A HEARING WITH THE DEPARTMENT WITHIN 30 DAYS AFTER THE EFFECTIVE  
27 DATE OF THE ORDER.

1           (3) IF A PERSON VIOLATES A CEASE AND DESIST ORDER ISSUED UNDER  
2 THIS ARTICLE, THE DEPARTMENT OF ATTORNEY GENERAL MAY APPLY TO A  
3 COURT OF COMPETENT JURISDICTION TO RESTRAIN AND ENJOIN, TEMPORARILY  
4 OR PERMANENTLY, OR BOTH, THE PERSON FROM FURTHER VIOLATING THE  
5 CEASE AND DESIST ORDER.

6           SEC. 85. (1) A SUMMARY SUSPENSION ORDER UNDER SECTION 83, A  
7 CEASE AND DESIST ORDER UNDER SECTION 84, OR INJUNCTIVE RELIEF  
8 ISSUED OR GRANTED IN AN ACTION UNDER SECTION 81(6) CONCERNING A  
9 LICENSE IS IN ADDITION TO AND NOT IN PLACE OF AN INFORMAL  
10 CONFERENCE; CRIMINAL PROSECUTION; PROCEEDING TO IMPOSE A REMEDY  
11 DESCRIBED IN SECTION 81(2); OR ANY OTHER ACTION AUTHORIZED UNDER  
12 THIS ARTICLE.

13           (2) IF THE DEPARTMENT CONDUCTS AN INVESTIGATION AND PREPARES  
14 OR RECEIVES A FORMAL COMPLAINT UNDER SECTION 82, THE DEPARTMENT  
15 SHALL SERVE THE FORMAL COMPLAINT ON THE RESPONDENT AND THE  
16 COMPLAINANT. AT THE SAME TIME, THE DEPARTMENT SHALL SERVE THE  
17 RESPONDENT WITH A NOTICE DESCRIBING THE COMPLIANCE CONFERENCE AND  
18 HEARING PROCESS AND OFFERING THE RESPONDENT A CHOICE OF 1 OF THE  
19 FOLLOWING OPTIONS:

20           (A) AN OPPORTUNITY TO MEET WITH THE DEPARTMENT TO NEGOTIATE A  
21 SETTLEMENT OF THE MATTER.

22           (B) IF THE RESPONDENT IS A LICENSEE UNDER THIS ARTICLE, AN  
23 OPPORTUNITY TO DEMONSTRATE COMPLIANCE BEFORE THE DEPARTMENT HOLDS A  
24 CONTESTED CASE HEARING.

25           (C) AN OPPORTUNITY TO PROCEED TO A CONTESTED CASE HEARING.

26           (3) A RESPONDENT WHO IS SERVED WITH A FORMAL COMPLAINT UNDER  
27 THIS SECTION MAY SELECT, WITHIN 15 DAYS AFTER RECEIVING THE NOTICE,

1 1 OF THE OPTIONS DESCRIBED IN SUBSECTION (2). IF THE RESPONDENT  
2 DOES NOT NOTIFY THE DEPARTMENT OF THE SELECTION OF 1 OF THOSE  
3 OPTIONS WITHIN THE TIME PERIOD DESCRIBED IN THIS SUBSECTION, THE  
4 DEPARTMENT SHALL PROCEED WITH A CONTESTED CASE HEARING AS DESCRIBED  
5 IN SUBSECTION (2) (C).

6 (4) AT THE DISCRETION OF THE DEPARTMENT, A MEMBER OF THE  
7 COMMISSION MAY ATTEND AN INFORMAL CONFERENCE DESCRIBED IN  
8 SUBSECTION (2) (A). THE CONFERENCE MAY RESULT IN A SETTLEMENT,  
9 CONSENT ORDER, WAIVER, DEFAULT, OR OTHER METHOD OF SETTLEMENT  
10 AGREED ON BY THE PARTIES AND THE DEPARTMENT. A SETTLEMENT MAY  
11 INCLUDE ANY REMEDY UNDER SECTION 81(2) OR ANY OTHER REMEDY  
12 AUTHORIZED UNDER THIS ARTICLE. THE COMMISSION MAY REJECT A  
13 SETTLEMENT AND REQUIRE A CONTESTED CASE HEARING.

14 (5) AN EMPLOYEE OF THE DEPARTMENT MAY REPRESENT THE DEPARTMENT  
15 IN ANY CONTESTED CASE HEARING.

16 (6) THIS SECTION DOES NOT PREVENT A PERSON AGAINST WHOM A  
17 COMPLAINT IS FILED FROM SHOWING COMPLIANCE WITH THIS ARTICLE OR A  
18 RULE PROMULGATED OR ORDER ISSUED UNDER THIS ARTICLE.

19 (7) THE DEPARTMENT OR THE DEPARTMENT OF THE ATTORNEY GENERAL  
20 MAY PETITION A COURT OF COMPETENT JURISDICTION TO ISSUE A SUBPOENA  
21 TO REQUIRE THE PERSON SUBPOENAED TO APPEAR OR TESTIFY OR PRODUCE  
22 RELEVANT DOCUMENTARY MATERIAL FOR EXAMINATION AT A PROCEEDING.

23 SEC. 86. (1) AT THE CONCLUSION OF A CONTESTED CASE HEARING  
24 CONDUCTED UNDER SECTION 85, THE ADMINISTRATIVE LAW HEARINGS  
25 EXAMINER SHALL SUBMIT A HEARING REPORT THAT INCLUDES FINDINGS OF  
26 FACT AND CONCLUSIONS OF LAW TO THE DEPARTMENT, THE DEPARTMENT OF  
27 ATTORNEY GENERAL, AND THE COMMISSION. THE EXAMINER MAY RECOMMEND IN



1 THE HEARING REPORT THE ASSESSMENT OF A PENALTY OR REMEDY UNDER THIS  
2 ARTICLE.

3 (2) AN ADMINISTRATIVE LAW HEARINGS EXAMINER SHALL SUBMIT A  
4 COPY OF A HEARING REPORT PREPARED UNDER SUBSECTION (1) TO THE  
5 COMPLAINANT AND TO THE RESPONDENT.

6 (3) WITHIN 60 DAYS AFTER IT RECEIVES AN ADMINISTRATIVE LAW  
7 HEARINGS EXAMINER'S HEARING REPORT, THE COMMISSION SHALL MEET AND  
8 DETERMINE WHAT PENALTY OR REMEDY IS APPROPRIATE. THE COMMISSION  
9 SHALL MAKE ITS DETERMINATION BASED ON THE ADMINISTRATIVE LAW  
10 HEARINGS EXAMINER'S REPORT. THE EXAMINER SHALL MAKE A TRANSCRIPT OF  
11 A HEARING OR A PORTION OF THE TRANSCRIPT AVAILABLE TO THE  
12 COMMISSION ON REQUEST. IF A TRANSCRIPT OR A PORTION OF THE  
13 TRANSCRIPT IS REQUESTED, THE COMMISSION SHALL MAKE ITS  
14 DETERMINATION OF THE PENALTY OR REMEDY TO ASSESS UNDER THIS ARTICLE  
15 AT A MEETING HELD WITHIN 60 DAYS AFTER IT RECEIVES THE TRANSCRIPT  
16 OR PORTION OF THE TRANSCRIPT.

17 (4) IF THE COMMISSION DOES NOT DETERMINE WHICH PENALTY OR  
18 REMEDY TO ASSESS WITHIN THE TIME PERIOD DESCRIBED IN SUBSECTION  
19 (3), THE DIRECTOR MAY DETERMINE THE APPROPRIATE REMEDY OR PENALTY  
20 AND ISSUE A FINAL ORDER.

21 (5) A MEMBER OF THE COMMISSION WHO HAS PARTICIPATED IN AN  
22 INVESTIGATION OR ADMINISTRATIVE HEARING ON A COMPLAINT FILED WITH  
23 THE DEPARTMENT OR WHO HAS ATTENDED AN INFORMAL CONFERENCE SHALL NOT  
24 PARTICIPATE IN MAKING A FINAL DETERMINATION IN A PROCEEDING ON THAT  
25 COMPLAINT.

26 SEC. 87. (1) IF A LICENSEE VIOLATES THIS ARTICLE OR A RULE OR  
27 ORDER PROMULGATED OR ISSUED UNDER THIS ARTICLE, THE DEPARTMENT MAY

1 IMPOSE AN ADMINISTRATIVE FINE ON THE LICENSEE, IN AN AMOUNT OF NOT  
2 MORE THAN \$10,000.00 PER VIOLATION. THE COMMISSION MAY IMPOSE THE  
3 ADMINISTRATIVE FINE IN ADDITION TO, OR IN LIEU OF, ANY OTHER  
4 PENALTY OR REMEDY UNDER THIS ARTICLE, INCLUDING, BUT NOT LIMITED  
5 TO, THE PENALTIES AND REMEDIES DESCRIBED IN SECTION 81, BASED ON  
6 PROOFS SUBMITTED TO AND FINDINGS MADE BY THE HEARINGS EXAMINER  
7 AFTER A CONTESTED CASE.

8 (2) IF THE DEPARTMENT IMPOSES AN ADMINISTRATIVE FINE UNDER  
9 THIS SECTION, THE DEPARTMENT MAY ALSO RECOVER THE COSTS OF THE  
10 PROCEEDING, INCLUDING INVESTIGATIVE COSTS, COURT COSTS, AND  
11 REASONABLE ATTORNEY FEES. THE DEPARTMENT OR THE ATTORNEY GENERAL  
12 MAY BRING AN ACTION IN A COURT OF COMPETENT JURISDICTION TO RECOVER  
13 ANY ADMINISTRATIVE FINES, INVESTIGATIVE AND OTHER ALLOWABLE COSTS,  
14 COURT COSTS, AND REASONABLE ATTORNEY FEES. THE FILING OF AN ACTION  
15 TO RECOVER ADMINISTRATIVE FINES AND COSTS DOES NOT BAR THE  
16 IMPOSITION OF OTHER PENALTY OR REMEDY UNDER THIS ARTICLE.

17 Enacting section 1. Sections 62 and 63 of the Michigan unarmed  
18 combat regulatory act, 2004 PA 403, MCL 338.3662 and 338.3663, are  
19 repealed.

20 Enacting section 2. This amendatory act takes effect 90 days  
21 after the date it is enacted into law.