

MICHIGAN UNARMED COMBAT REGULATORY ACT (EXCERPT)
Act 403 of 2004
CHAPTER 2

338.3620 Michigan unarmed combat commission; creation; membership; appointment; qualifications; terms; quorum; approval of proposed action; promotion or sponsorship of contest or event prohibited; meetings; disclosure of records; meetings subject to open meetings act.

Sec. 20.

(1) The Michigan unarmed combat commission is created in the department. The commission shall consist of 11 voting members, appointed by the governor with the advice and consent of the senate, as follows:

- (a) Four members who have experience, knowledge, or background in boxing.
- (b) Four members who have experience, knowledge, or background in mixed martial arts.
- (c) Three members who are members of the general public.

(2) The department shall provide the budgeting, procurement, human resources, information technology, and related management functions of the commission.

(3) Except as otherwise provided in this subsection, members of the commission shall serve a term of 4 years. However, of the initial members appointed under this act, the governor shall appoint 2 of the members to terms of 4 years, 2 of the members to terms of 2 years, and 3 of the members to terms of 1 year. Members appointed by the governor serve at the pleasure of the governor.

(4) Subject to subsections (5) and (6), 7 members of the commission constitute a quorum of the commission under this act. Subject to subsections (5) and (6), approval by at least 4 of the members, or by a majority of those members who have not participated in an investigation or administrative hearing regarding a matter before the commission, is necessary for action by the commission.

(5) All of the following apply if a proposed action of the commission is designated by the director as related only to boxing:

(a) The proposed action shall only be considered by the commission members described in subsection (1)(a) and (c).

(b) The quorum requirement for consideration of the proposed action is 4 members who are eligible to consider the action under subdivision (a), 2 of whom are members described in subsection (1)(a).

(c) Approval by at least 3 of the members who are eligible to consider the action under subdivision (a) is required for the commission to take that action.

(6) All of the following apply if a proposed action of the commission is designated by the director as related only to mixed martial arts:

(a) The proposed action shall only be considered by the commission members described in subsection (1)(b) and (c).

(b) The quorum requirement for consideration of the proposed action is 4 members who are eligible to consider the action under subdivision (a), 2 of whom are members described in subsection (1)(b).

(c) Approval by at least 3 of the members who are eligible to consider the action under subdivision (a) is required for the commission to take that action.

(7) While serving as a member of the commission, an individual shall not promote or sponsor any contest or event of any unarmed combat, or a combination of those contests or events, or have any financial interest in the promotion or sponsorship of those contests or events. The commission shall meet not less than 4 times per year. The chair in his or her discretion may cancel 1 or more of these meetings if he or she determines that there is no business to conduct at a meeting. If requested by the chair, the department may schedule additional interim meetings.

(8) Except as otherwise provided in sections 33(9) and 61a, the records of the commission are subject to disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(9) Meetings of the commission are subject to the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

History: 2004, Act 403, Eff. Feb. 20, 2005 ;-- Am. 2007, Act 196, Eff. Mar. 27, 2008 ;-- Am. 2012, Act 546, Imd. Eff. Jan. 2, 2013 ;-- Am. 2015, Act 183, Eff. Feb. 10, 2016 ;-- Am. 2017, Act 146, Eff. Jan. 31, 2018

Compiler's Notes: For creation of the Michigan unarmed combat commission within the department of licensing and regulatory affairs as type I agency, and the transfer of powers and duties of the department of licensing and regulatory affairs to the Michigan unarmed combat commission, see E.R.O. No. 2019-2, compiled at MCL 333.27001. For the transfer of powers and duties of the director of the department of licensing and regulatory affairs under the Michigan unarmed combat regulatory act, 2004 PA 403, to the chairperson of the Michigan unarmed combat commission, see E.R.O. No. 2019-2, compiled at MCL 333.27001.

338.3621 Appointment of individual with financial interest; prohibition.

Sec. 21.

An individual who has a material financial interest in a club, corporation, or other organization is not eligible for appointment to the commission if the primary purpose of that organization is to conduct unarmed combat contests or events.

History: 2004, Act 403, Eff. Feb. 20, 2005 ;-- Am. 2007, Act 196, Eff. Mar. 27, 2008 ;-- Am. 2015, Act 183, Eff. Feb. 10, 2016

338.3622 Chairperson; rules; Michigan unarmed combat fund; creation; compensation; affiliation with other commissions or athletic authorities; duties of commission and department.

Sec. 22.

(1) The commission shall elect 1 of its members as the chair of the commission.

(2) The director shall review the rules of the Association of Boxing Commissions before he or she promulgates rules for the administration of this act and may adopt by reference any of the rules of the Association of Boxing Commissions that are not inconsistent with this act.

(3) The director shall consult with the commission before he or she promulgates rules for the administration of this act. The commission may request that the department promulgate a rule under section 38 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.238. Notwithstanding the time limit provided for in section 38 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.238, the department shall respond in writing to any request from the commission under this subsection within 30 calendar days after the request. The response shall include a reason and explanation for agreeing to or denying the request.

(4) The director shall promulgate rules to establish all of the following and may establish any additional rules the director considers are necessary to administer and enforce this act:

(a) Number and qualifications of ring officials required at any event or contest.

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

(c) Qualifications, activities, and responsibilities of licensees.

(d) License fees not otherwise provided under this act.

(e) Any necessary standards designed to accommodate federally imposed mandates that do not directly conflict with this act.

(f) A list of enhancers and prohibited substances, the presence of which in a contestant is grounds for suspension or revocation of the license or other sanctions.

(g) Standards to protect the health and safety of contestants participating in contests and events.

(5) The Michigan unarmed combat fund is created in the state treasury. All of the following apply to the fund:

(a) The director is the administrator of the fund, including for auditing purposes.

(b) The department shall use the money in the fund, on appropriation, only for the costs of administration and enforcement of this act and for any costs associated with the administration of this act, including, but not limited to, reimbursing the department of attorney general for the reasonable costs of services provided to the department under this act.

(c) The state treasurer shall direct the investment of the fund. The state treasurer shall credit to the fund interest and earnings from fund investments.

(d) Money in the fund at the close of the fiscal year shall remain in the fund and shall not lapse to the general fund.

(e) The department shall deposit into the fund all money received from the regulatory and enforcement fee, license fees, event fees, and administrative fines imposed under this act, and from any other source.

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

(7) The department and commission may affiliate with any other state or national boxing, mixed martial arts, or unarmed combat commission or athletic authority. The commission, with the approval of the director, may enter into any appropriate reciprocity agreements.

(8) The commission and department are vested with management, control, and jurisdiction over all professional

boxing, professional or amateur mixed martial arts, or unarmed combat contests or events conducted in this state. Except for a contest or event that is exempt under this act, a person shall not conduct a contest or event in this state except in compliance with this act.

History: 2004, Act 403, Eff. Feb. 20, 2005 ;-- Am. 2007, Act 196, Eff. Mar. 27, 2008 ;-- Am. 2010, Act 100, Imd. Eff. June 22, 2010 ;-- Am. 2015, Act 183, Eff. Feb. 10, 2016

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