

SUBSTITUTE FOR
SENATE BILL NO. 152

A bill to amend 2004 PA 403, entitled
"Michigan unarmed combat regulatory act,"
by amending the title and sections 10, 11, 12, 20, 21, 22, 30, 31,
33, 34, 35, 40, 41, 42, 44, 45, 47, 48, 55, 57, and 58 (MCL
338.3610, 338.3611, 338.3612, 338.3620, 338.3621, 338.3622,
338.3630, 338.3631, 338.3633, 338.3634, 338.3635, 338.3640,
338.3641, 338.3642, 338.3644, 338.3645, 338.3647, 338.3648,
338.3655, 338.3657, and 338.3658), sections 10, 11, 12, 21, 31, 34,
35, 47, 48, 55, 57, and 58 as amended by 2007 PA 196, sections 20
and 33 as amended by 2012 PA 546, and section 22 as amended by 2010
PA 100, and by adding sections 33a, 33b, 33c, 33d, 49, 49a, and
54a; 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,~~ **THE CONDUCT OF**

1 ~~CERTAIN UNARMED COMBAT EVENTS AND CONTESTS;~~ to create ~~certain~~
2 ~~commissions and to provide certain~~ **THE MICHIGAN UNARMED COMBAT**
3 **COMMISSION AND ESTABLISH ITS POWERS AND DUTIES; TO PROVIDE FOR THE**
4 powers and duties ~~for~~ **OF** certain state agencies and departments; to
5 license and regulate ~~certain~~ **PROMOTERS, CONTESTANTS, AND OTHER**
6 persons engaged in ~~boxing, certain persons connected to the~~
7 business of boxing ~~, and certain persons conducting certain~~
8 ~~contests and exhibitions;~~ **AND MIXED MARTIAL ARTS;** to confer
9 immunity under certain circumstances; to provide for the conducting
10 of certain tests; to assess ~~certain fees; to create certain funds,~~
11 ~~to promulgate~~ **ESTABLISH THE MICHIGAN UNARMED COMBAT FUND AND**
12 **PROVIDE FOR THE USE OF THE MONEY IN THE FUND; TO AUTHORIZE THE**
13 **PROMULGATION OF** rules; to provide for penalties and remedies; and
14 to repeal acts and parts of acts.

15 Sec. 10. As used in this act:

16 (a) "Amateur" means ~~a person~~ **ANY OF FOLLOWING:**

17 (i) **AN INDIVIDUAL** who is not competing and has never competed
18 for a ~~money~~ prize or who is not competing and has not competed with
19 or against a professional for a prize.

20 (ii) For a boxing contest, ~~amateur is a person~~ **AN INDIVIDUAL**
21 who is required to ~~be registered by USA boxing.~~ **REGISTER WITH USA**
22 **BOXING, OR ANY OTHER AMATEUR BOXING ORGANIZATION RECOGNIZED BY THE**
23 **DEPARTMENT TO PARTICIPATE.**

24 (B) "BOXER" MEANS AN INDIVIDUAL WHO IS LICENSED TO ENGAGE IN
25 BOXING.

26 (C) "BOXING" MEANS THE SPORT OF ATTACK AND DEFENSE WITH FISTS,
27 USING PADDED GLOVES, IN A SQUARE RING.

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

4 (E) ~~(b)~~ "Commission" means the Michigan unarmed combat
5 commission created in section 20.

6 (F) ~~(c)~~ "Complainant" means a person ~~who has filed~~ **THAT FILES**
7 a complaint with the department alleging that a person has violated
8 this act or a rule promulgated or an order issued under this act.
9 If a complaint is made by the department, ~~the director shall~~
10 ~~designate~~ **COMPLAINANT MEANS** 1 or more employees of the department
11 ~~to~~ **WHO** act as the complainant.

12 (G) "CONTEST" MEANS AN INDIVIDUAL BOUT BETWEEN 2 BOXERS, 2
13 MIXED MARTIAL ARTISTS, OR 2 INDIVIDUALS ENGAGED IN OTHER UNARMED
14 COMBAT THAT IS SUBJECT TO THIS ACT.

15 (H) "CONTESTANT" MEANS AN INDIVIDUAL WHO COMPETES IN AN
16 UNARMED COMBAT CONTEST OR EVENT.

17 (I) ~~(d)~~ "Department" means the department of ~~labor and~~
18 ~~economic growth.~~ **LICENSING AND REGULATORY AFFAIRS.**

19 (J) ~~(e)~~ "Director" means the director of the department or his
20 or her designee.

21 (K) "EMERGENCY MEDICAL TECHNICIAN" MEANS THAT TERM AS DEFINED
22 IN SECTION 20904 OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL
23 333.20904.

24 (L) ~~(f)~~ "Employee of the department" means an individual **WHO IS**
25 employed by the department, or a person **THAT IS** under contract to
26 the department, whose duty it is to enforce the provisions of this
27 act or rules promulgated or orders issued under this act.

1 (M) "EVENT" MEANS A PROGRAM OF UNARMED COMBAT THAT IS PLANNED
 2 FOR A SPECIFIC DATE AND TIME BY A PROMOTER AND IS SUBJECT TO THE
 3 APPROVAL OF THE DEPARTMENT UNDER THIS ACT.

4 (N) ~~(g)~~ "Fund" means the Michigan unarmed combat fund created
 5 in section 22.

6 (O) ~~(h)~~ "Good moral character" means good moral character as
 7 determined and defined in ~~in~~ UNDER 1974 PA 381, MCL 338.41 to 338.47.

8 (P) "IMPAIRED" MEANS THE INABILITY OR IMMEDIATELY IMPENDING
 9 INABILITY OF AN INDIVIDUAL TO SAFELY PARTICIPATE IN A CONTEST OR
 10 EVENT DUE TO HIS OR HER SUBSTANCE ABUSE, CHEMICAL DEPENDENCY, OR
 11 USE OF DRUGS OR ALCOHOL THAT DOES NOT CONSTITUTE SUBSTANCE ABUSE OR
 12 CHEMICAL DEPENDENCY.

13 (Q) "MATCHMAKER" MEANS AN INDIVIDUAL WHO IS RESPONSIBLE FOR
 14 ARRANGING INDIVIDUAL CONTESTS OF UNARMED COMBAT.

15 (R) "MEDICAL CLEARANCE" MEANS A DETERMINATION BY A PHYSICIAN,
 16 MADE WITH REASONABLE MEDICAL CERTAINTY, THAT A CONTESTANT DOES NOT
 17 HAVE A MEDICAL CONDITION THAT WOULD PREVENT HIM OR HER FROM BEING
 18 ABLE TO PARTICIPATE IN AN EVENT OR CONTEST.

19 (S) "MIXED MARTIAL ARTIST" MEANS AN INDIVIDUAL WHO IS LICENSED
 20 TO COMPETE IN A MIXED MARTIAL ARTS EVENT OR CONTEST.

21 (T) ~~(i)~~ "Mixed martial arts" means ~~unarmed~~ A FORM OF combat,
 22 ~~involving~~ EITHER AMATEUR OR PROFESSIONAL, THAT INVOLVES the use of
 23 a combination of techniques from different disciplines of the
 24 martial arts, ~~and includes~~ INCLUDING grappling, kicking, ~~jujitsu,~~
 25 and striking, subject to THE limitations contained in this act and
 26 rules promulgated under this act.

27 Sec. 11. As used in this act:

1 (A) "PARTICIPANT" MEANS A REFEREE, JUDGE, MATCHMAKER,
2 TIMEKEEPER, CONTESTANT, OR PROMOTER.

3 (B) "PERSON" MEANS ANY OF THE FOLLOWING:

4 (i) AN INDIVIDUAL, CORPORATION, LIMITED LIABILITY COMPANY,
5 PARTNERSHIP, ASSOCIATION, OR OTHER LEGAL ENTITY.

6 (ii) A DEPARTMENT, BOARD, COMMISSION, AGENCY, OR AUTHORITY OF
7 THE UNITED STATES, THIS STATE, OR A POLITICAL SUBDIVISION OF THIS
8 STATE OR A PUBLIC SCHOOL, COMMUNITY COLLEGE, OR UNIVERSITY.

9 (iii) A TRAINING CENTER OR A SCHOOL OR OTHER EDUCATIONAL
10 INSTITUTION.

11 (iv) A COMBINATION OF PERSONS DESCRIBED IN SUBPARAGRAPHS (i) TO
12 (iii) .

13 (C) ~~(a)~~ "Physician" means that term as defined in section
14 17001 or 17501 of the public health code, 1978 PA 368, MCL
15 333.17001 and 333.17501.

16 (D) ~~(b)~~ "Prize" means ~~something offered or given of present or~~
17 ~~future value to a participant in a contest, exhibition, or~~
18 ~~match.~~ CURRENCY OR ANY OTHER VALUABLE COMPENSATION OR REWARD OFFERED
19 OR GIVEN TO A CONTESTANT. THE TERM DOES NOT INCLUDE A WATCH, MEDAL,
20 ARTICLE OF JEWELRY, TROPHY, OR ORNAMENT THAT IS SUITABLY INSCRIBED
21 TO SHOW THAT IT IS GIVEN FOR PARTICIPATION IN A CONTEST AND COSTS
22 \$200.00 OR LESS.

23 (E) ~~(c)~~ "Professional" means ~~a person~~ AN INDIVIDUAL who is
24 competing or has competed in ~~boxing or mixed martial arts~~ UNARMED
25 COMBAT for a ~~money~~ prize.

26 (F) ~~(d)~~ "Promoter" means ~~any~~ A person ~~who~~ THAT produces or
27 stages, ~~any professional contest or exhibition of boxing or mixed~~

~~martial arts, or both, but does not include the venue where the exhibition or contest is being held unless the venue contracts with the individual promoter to be a co-promoter.~~ **IN WHOLE OR IN PART, AN UNARMED COMBAT CONTEST OR EVENT.**

(G) ~~(e)~~ "Purse" means ~~the financial guarantee~~ **A PRIZE** or any other remuneration for which professionals are participating in a contest or exhibition and includes the professional's share of any payment received for radio, television, or motion picture rights.

OFFERED TO CONTESTANTS TO COMPETE IN A CONTEST OR EVENT. THE TERM INCLUDES A PROFESSIONAL'S SHARE OF ANY PAYMENT RECEIVED FOR RADIO, TELEVISION, MOTION PICTURE RIGHTS, OR OTHER MEDIA.

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

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

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

(J) "SETTLEMENT" MEANS AN AGREEMENT, STIPULATION, CONSENT ORDER, WAIVER, DEFAULT, OR OTHER METHOD OF SETTLEMENT OF A COMPLAINT THAT IS AGREED TO BY THE PARTIES AND THE DEPARTMENT.

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

(L) "TRAINING CENTER" MEANS AN INSTITUTION THAT IS FORMED OR OPERATED PRINCIPALLY TO PROVIDE INSTRUCTION IN BOXING, MIXED

1 MARTIAL ARTS, OR OTHER SPORTS.

2 (M) "UNARMED COMBAT" MEANS ANY OF THE FOLLOWING:

3 (i) PROFESSIONAL BOXING.

4 (ii) PROFESSIONAL OR AMATEUR MIXED MARTIAL ARTS.

5 (iii) ANY OTHER FORM OF COMPETITION IN WHICH A BLOW IS USUALLY
6 STRUCK OR ANOTHER FIGHTING TECHNIQUE IS APPLIED THAT MAY REASONABLY
7 BE EXPECTED TO INFLICT INJURY.

8 Sec. 12. (1) This act does not apply to any of the following:

9 (a) Professional or amateur wrestling.

10 ~~—— (b) Amateur martial arts sports or activities.~~

11 (B) ~~(c) Contests or exhibitions~~ **AN EVENT THAT IS** conducted by
12 or participated in exclusively by an agency of the United States
13 government or by a school, college, or university or an
14 organization **THAT IS** composed exclusively of those entities if each
15 ~~participant~~ **CONTESTANT** is an amateur.

16 (C) ~~(d) Amateur boxing regulated by the amateur sports act of~~
17 ~~1978, 36 USC 371.~~ **AN EVENT THAT IS SPONSORED BY OR UNDER THE**
18 **SUPERVISION OF THE UNITED STATES OLYMPIC COMMITTEE IN WHICH ALL OF**
19 **THE CONTESTANTS ARE AMATEUR BOXERS.**

20 ~~—— (e) Boxing elimination contests regulated by section 50.~~

21 ~~—— (f) Amateur mixed martial arts.~~

22 (D) **AN AMATEUR BOXING EVENT THAT IS SPONSORED BY OR UNDER THE**
23 **SUPERVISION OF USA BOXING OR ANY OF THE FOLLOWING ORGANIZATIONS**
24 **AFFILIATED WITH USA BOXING:**

25 (i) GOLDEN GLOVES ASSOCIATION OF AMERICA INC.

26 (ii) NATIONAL ASSOCIATION OF POLICE ATHLETIC LEAGUE.

27 (iii) NATIONAL COLLEGIATE BOXING ASSOCIATION.

1 (iv) NATIVE AMERICAN SPORTS COUNCIL.

2 (v) SILVER GLOVES ASSOCIATION.

3 (2) BOXING ELIMINATION CONTESTS REGULATED UNDER SECTION 50 ARE
4 NOT SUBJECT TO THE OTHER PROVISIONS OF THIS ACT.

5 Sec. 20. (1) The Michigan unarmed combat commission is created
6 in the department. The commission shall consist of ~~the director,~~
7 ~~serving as a nonvoting ex officio member of the commission, and~~ 11
8 voting members, appointed by the governor with the advice and
9 consent of the senate, as follows:

10 (a) Four members who have experience, knowledge, or background
11 in boxing.

12 (b) Four members who have experience, knowledge, or background
13 in mixed martial arts.

14 (c) Three members who are members of the general public.

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

18 (3) Except as otherwise provided in this subsection, ~~the 11~~
19 ~~members appointed by the governor~~ **OF THE COMMISSION** shall serve a
20 term of 4 years. However, of the initial members appointed under
21 this act, the governor shall appoint 2 of the members to terms of 4
22 years, 2 of the members to terms of 2 years, and 3 of the members
23 to terms of 1 year. Members appointed by the governor serve at the
24 pleasure of the governor.

25 (4) Subject to ~~subsection~~ **SUBSECTIONS (5) AND (6)**, 7 members
26 of the commission constitute a quorum ~~for the exercise of the~~
27 ~~authority conferred on~~ **OF** the commission under this act. Subject to

~~subsection~~**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

1 commission to take that action.

2 (7) While serving as a member of the commission, an individual
 3 shall not promote or sponsor any contest or ~~exhibition~~**EVENT** of
 4 ~~boxing,~~**ANY UNARMED COMBAT**, or a combination of those **CONTESTS OR**
 5 events, or have any financial interest in the promotion or
 6 sponsorship of those contests or ~~exhibitions.~~**EVENTS**. The
 7 commission shall meet not less than 4 times per year. ~~and on the~~
 8 ~~request and at the discretion of~~**THE CHAIR IN HIS OR HER DISCRETION**
 9 **MAY CANCEL 1 OR MORE OF THESE MEETINGS IF HE OR SHE DETERMINES THAT**
 10 **THERE IS NO BUSINESS TO CONDUCT AT A MEETING. IF REQUESTED BY** the
 11 chair, the department ~~shall~~**MAY** schedule additional interim
 12 meetings.

13 (8) Except as otherwise provided in sections ~~33(9)~~**33(10)** and
 14 61a, the records of the commission are subject to disclosure under
 15 the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

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

18 Sec. 21. ~~A person~~**AN INDIVIDUAL** who has a material financial
 19 interest in ~~any~~**A club, CORPORATION, OR OTHER** organization ~~, or~~
 20 ~~corporation, the main object of which is the holding or giving of~~
 21 ~~boxing or mixed martial arts contests or exhibitions~~ is not
 22 eligible for appointment to the commission **IF THE PRIMARY PURPOSE**
 23 **OF THAT ORGANIZATION IS TO CONDUCT UNARMED COMBAT CONTESTS OR**
 24 **EVENTS**.

25 Sec. 22. (1) The commission shall elect 1 of its members as
 26 the chair of the commission. ~~The commission may purchase and use a~~
 27 ~~seal.~~

1 (2) THE DIRECTOR SHALL REVIEW THE RULES OF THE ASSOCIATION OF
2 BOXING COMMISSIONS BEFORE HE OR SHE PROMULGATES RULES FOR THE
3 ADMINISTRATION OF THIS ACT AND MAY ADOPT BY REFERENCE ANY OF THE
4 RULES OF THE ASSOCIATION OF BOXING COMMISSIONS THAT ARE NOT
5 INCONSISTENT WITH THIS ACT.

6 (3) The director ~~may promulgate~~ **SHALL CONSULT WITH THE**
7 **COMMISSION BEFORE HE OR SHE PROMULGATES** rules for the
8 administration of this act. ~~but only after first consulting with~~
9 ~~the commission.~~ The commission may request **THAT** the department ~~to~~
10 promulgate a rule under section 38 of the administrative procedures
11 act of 1969, 1969 PA 306, MCL 24.238. Notwithstanding the time
12 limit provided for in section 38 of the administrative procedures
13 act of 1969, 1969 PA 306, MCL 24.238, the department shall respond
14 in writing to any request ~~for rule promulgating by the commission~~
15 **FROM THE COMMISSION UNDER THIS SUBSECTION** within 30 calendar days
16 after ~~a~~ **THE** request. The response shall include a reason and
17 explanation for ~~acceptance or denial of~~ **AGREEING TO OR DENYING** the
18 request.

19 (4) ~~(2) The department~~ **DIRECTOR** shall promulgate rules to
20 ~~include~~ **ESTABLISH** all of the following **AND MAY ESTABLISH ANY**
21 **ADDITIONAL RULES THE DIRECTOR CONSIDERS ARE NECESSARY TO ADMINISTER**
22 **AND ENFORCE THIS ACT:**

23 (a) Number and qualifications of ring officials required at
24 any ~~exhibition~~ **EVENT** or contest.

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

26 (c) Qualifications, **ACTIVITIES, AND RESPONSIBILITIES** of
27 licensees.

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

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

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

7 **(G) STANDARDS TO PROTECT THE HEALTH AND SAFETY OF CONTESTANTS**
8 **PARTICIPATING IN CONTESTS AND EVENTS.**

9 (5) ~~(3) An~~ **THE MICHIGAN** unarmed combat fund is created ~~as a~~
10 ~~revolving fund in the state treasury. and administered by the~~
11 ~~director. The~~ **ALL OF THE FOLLOWING APPLY TO THE FUND:**

12 **(A) THE DIRECTOR IS THE ADMINISTRATOR OF THE FUND, INCLUDING**
13 **FOR AUDITING PURPOSES.**

14 **(B) THE DEPARTMENT SHALL USE THE** money in the fund, ~~is to be~~
15 **ON APPROPRIATION,** only ~~used~~ for the costs of administration and
16 enforcement of this act and for any costs associated with the
17 administration of this act, including, but not limited to,
18 reimbursing the department of attorney general for the reasonable
19 costs of services provided to the department under this act. ~~Money~~
20 ~~remaining in the fund at the end of the fiscal year and interest~~
21 ~~earned shall be carried forward into the next fiscal year and shall~~
22 ~~not revert to the general fund.~~

23 **(C) THE STATE TREASURER SHALL DIRECT THE INVESTMENT OF THE**
24 **FUND. THE STATE TREASURER SHALL CREDIT TO THE FUND INTEREST AND**
25 **EARNINGS FROM FUND INVESTMENTS.**

26 **(D) MONEY IN THE FUND AT THE CLOSE OF THE FISCAL YEAR SHALL**
27 **REMAIN IN THE FUND AND SHALL NOT LAPSE TO THE GENERAL FUND.**

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

5 **(6)** ~~(4)~~ Annually, the legislature shall fix the per diem
 6 compensation of the members of the commission. Travel or other
 7 expenses incurred by a commission member in the performance of an
 8 official function shall be payable by the department under the
 9 standardized travel regulations of the department of **TECHNOLOGY**,
 10 management, and budget.

11 **(7)** ~~(5)~~ The **DEPARTMENT AND** commission may affiliate with any
 12 other state or national boxing, ~~or~~ mixed martial arts, **OR UNARMED**
 13 **COMBAT** commission or athletic authority. The commission, ~~upon~~ **WITH**
 14 **THE** approval of the director, may enter into any appropriate
 15 reciprocity agreements.

16 **(8)** ~~(6)~~ The commission and department are vested with
 17 management, control, and jurisdiction over all professional boxing,
 18 ~~and~~ professional **OR AMATEUR** mixed martial arts, **OR UNARMED COMBAT**
 19 contests or ~~exhibitions to be~~ **EVENTS** conducted, ~~held, or given~~
 20 ~~within the~~ **IN THIS** state. ~~of Michigan.~~ Except for ~~any contests or~~
 21 ~~exhibitions~~ **A CONTEST OR EVENT THAT IS** exempt ~~from~~ **UNDER** this act,
 22 a **PERSON SHALL NOT CONDUCT A** contest or ~~exhibition shall not be~~
 23 ~~conducted, held, or given within~~ **EVENT IN** this state except in
 24 compliance with this act.

25 ~~(7) The requirements and standards contained in standards~~
 26 ~~adopted by the New Jersey state athletic control board, N.J.A.C.~~
 27 ~~13:46-24A and 24B, as they may exist on February 20, 2005, entitled~~

~~the mixed martial arts unified rules, dated 2000, except for the license fees described in those rules, are incorporated by reference. Any requirements and standards incorporated by reference in this subsection that are in conflict with the requirements and standards of this act are considered superseded by the provisions of this act. The director, in consultation with the commission, may promulgate rules consistent with section 35 to alter, supplement, update, or amend the standards incorporated by reference under this subsection. Any references to the commission in the mixed martial arts unified rules shall mean the department. The standards contained in 13:46-24B.3 are not incorporated by reference.~~

Sec. 30. (1) A person shall not **CONDUCT A CONTEST OR EVENT THAT IS REGULATED UNDER THIS ACT WITHOUT A PROMOTER'S LICENSE UNDER THIS ACT**, OR engage in or attempt to engage in ~~an~~ **ANY OTHER** activity regulated under this act ~~unless the person possesses a~~ **WITHOUT THE APPLICABLE** license issued by the department ~~or~~ **UNDER THIS ACT**, unless the person is exempt from licensure under this act.

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

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

~~—— (4) Notwithstanding the existence and pursuit of any other remedy, an affected person may maintain injunctive action in a~~

~~court of competent jurisdiction to restrain or prevent a person from violating subsection (1). If successful in obtaining injunctive relief, the affected person shall be entitled to actual costs and attorney fees. As used in this subsection, "affected person" means a person directly affected by the actions of a person suspected of violating subsection (1) and includes, but is not limited to, the commission, the department, or a member of the general public.~~

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

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

(2) AN ANNUAL LICENSE ISSUED UNDER THIS ACT EXPIRES ON AUGUST 31 OF THE CALENDAR YEAR FOLLOWING THE YEAR IN WHICH THE LICENSE WAS ISSUED.

Sec. 31. By filing an application for a license, an applicant does both of the following:

(a) Certifies ~~his or her~~ **THE APPLICANT'S** general suitability, character, integrity, and ability to participate, engage in, or be associated with boxing or mixed martial arts contests or ~~exhibitions.~~ **EVENTS.** The burden of proof is on the applicant to establish to the satisfaction of the commission and the department that the applicant is qualified to receive a license.

(b) Accepts the risk of adverse public notice, embarrassment,

1 criticism, financial loss, or other action with respect to ~~his or~~
 2 ~~her~~ **THE** application and expressly waives any claim for damages as a
 3 result of any adverse public notice, embarrassment, criticism,
 4 financial loss, or other action. Any written or oral statement made
 5 by any member of the commission or any witness testifying under
 6 oath that is relevant to the application and investigation of the
 7 applicant is immune from civil liability for libel, slander, or any
 8 other tort.

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

12 (2) An applicant for a promoter's license must demonstrate
 13 good moral character. If an applicant for a promoter's license is
 14 denied a license ~~due to~~ **BECAUSE OF A** lack of good moral character,
 15 the applicant may petition the commission for a review of the
 16 decision under section 46.

17 (3) Before the department grants an approval for a contest or
 18 ~~exhibition, EVENT~~, the promoter must ~~file~~ **SUBMIT** a bond ~~with~~ **TO** the
 19 department **THAT MEETS ALL OF THE FOLLOWING:**

20 **(A) IS** in an amount fixed by the department but not less than
 21 \$20,000.00 or more than \$50,000.00. ~~The applicant shall execute the~~
 22 ~~bond~~

23 **(B) IS EXECUTED BY THE PROMOTER** as principal. ~~and the bond~~
 24 ~~shall be~~

25 **(C) IS** issued by a corporation **THAT IS** qualified under the
 26 laws of this state as **A** surety. ~~and~~

27 **(D) IS** payable to the state of Michigan. ~~and~~

1 ~~conditioned on the faithful performance by the applicant of the~~
2 ~~provisions of this act. The bond must be~~

3 (E) IS purchased at least 5 days before the contest. ~~or~~
4 ~~exhibition and may be used to satisfy payment for the~~
5 ~~professionals, costs to the department for ring officials and~~
6 ~~physicians, and drug tests.~~

7 (F) IS CONDITIONED ON THE FAITHFUL DISTRIBUTION OF ALL MONEY
8 OWED BY THE PROMOTER AS A RESULT OF THE EVENT.

9 (G) IS FOR THE BENEFIT OF ANY PERSON THAT IS DAMAGED BY THE
10 PROMOTER'S NONPAYMENT OF ANY LIABILITIES ASSOCIATED WITH THE EVENT.

11 (H) ALLOWS ANY AFFECTED PERSON TO BRING AN ACTION ON THE BOND.

12 (I) REMAINS IN EFFECT UNTIL ALL COMPLAINTS PROPERLY FILED WITH
13 THE DEPARTMENT FOR NONPAYMENT OF OBLIGATIONS COVERED BY THE BOND
14 ARE FULLY ADJUDICATED. A COMPLAINT IS NOT PROPERLY FILED IF IT IS
15 NOT FILED WITHIN 30 BUSINESS DAYS FOLLOWING THE EVENT COVERED BY
16 THE BOND.

17 (4) A promoter must apply for and obtain an annual license
18 from the department in order to present a program of contests or
19 ~~exhibitions~~ **EVENTS** regulated under this act. The annual license fee
20 is ~~\$250.00.~~ **\$300.00.** The department shall request, and the
21 applicant shall provide, any information that the department
22 determines is necessary to ascertain the financial stability of the
23 applicant. Section 61a applies to any information provided by an
24 applicant under this subsection.

25 (5) A ~~boxing~~ promoter **THAT CONDUCTS AN EVENT IN THIS STATE**
26 shall pay an event fee of ~~\$125.00.~~ ~~A mixed martial arts promoter~~
27 ~~shall pay an event fee of \$125.00.~~ **\$500.00.**

1 ~~(6) Each promoter shall pay a regulatory and enforcement fee~~
2 ~~to~~ **TO** assure the integrity of the sports of boxing and mixed
3 martial arts, the public interest, and the welfare and safety of
4 ~~the professionals. The amount of the fee is~~ **CONTESTANTS, EACH**
5 **PROMOTER THAT CONDUCTS AN EVENT IN THIS STATE SHALL PAY A**
6 **REGULATORY AND ENFORCEMENT FEE FOR THAT EVENT IN AN AMOUNT EQUAL TO**
7 3% of the total gross receipts from **ANY CONTRACTS FOR** the sale,
8 lease, or other exploitation of broadcasting, television, and
9 motion picture rights **OR OTHER MEDIA** for ~~an~~ **THE** event, or
10 \$25,000.00, whichever is less, ~~for a boxing or mixed martial arts~~
11 ~~event to which any of the following apply:~~ **IF EITHER OF THE**
12 **FOLLOWING IS MET:**

13 ~~(a) If the~~ **THE** event is a ~~boxing event, the event is located~~
14 in a 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~~ **ANY** contract **THAT IS** subject to the regulatory and enforcement
23 fee to the department, stating the amount of the probable total
24 gross receipts from the sale, lease, or other exploitation of
25 broadcasting, television, ~~and~~ motion picture rights, **OR OTHER MEDIA**
26 for the event. However, this subsection does not apply to a
27 promoter that agrees to pay a regulatory and enforcement fee ~~for~~

~~the event in the amount~~ **UNDER SUBSECTION (6)** of \$25,000.00, and the department receives that payment from the promoter at least ~~1-3~~ business ~~day~~ **DAYS** before the event.

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

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

(10) The commission or department may ~~perform~~ **REQUIRE THAT A PROMOTER ENSURE THAT A CONTESTANT IS AVAILABLE FOR** drug testing ~~on a professional before or after a contest or exhibition to detect the presence of alcohol, stimulants, or drugs, including, but not limited to, performance enhancing drugs.~~ **CONTROLLED SUBSTANCES, ALCOHOL, ENHANCERS, STIMULANTS, PERFORMANCE ENHANCING DRUGS, OR OTHER DRUGS OR SUBSTANCES PROHIBITED BY RULES PROMULGATED BY THE DEPARTMENT, OR DERIVATIVES OR METABOLITES OF CONTROLLED SUBSTANCES, ALCOHOL, ENHANCERS, STIMULANTS, PERFORMANCE ENHANCING DRUGS, OR OTHER DRUGS OR SUBSTANCES PROHIBITED BY RULES PROMULGATED BY THE**

1 **DEPARTMENT.** A ~~professional-CONTESTANT~~ shall submit to a urinalysis
2 or chemical test before or after a contest ~~or exhibition~~ if the
3 commission, the department, ~~or a~~ designated representative of the
4 commission or department, **OR AN INSPECTOR DESCRIBED IN SUBSECTION**
5 **(11)** directs him or her to do so. If a ~~professional-CONTESTANT~~
6 fails or refuses to submit to a urinalysis or chemical test under
7 this subsection, or the results of the urinalysis or chemical test
8 confirm or demonstrate **THAT** the ~~professional-CONTESTANT~~ has
9 violated this act, he or she is subject to disciplinary action by
10 the commission under this act. In addition to any other
11 disciplinary action by the commission, if the ~~professional~~
12 **CONTESTANT** won the contest ~~or exhibition~~ or the contest ~~or~~
13 ~~exhibition~~ was a draw, the commission may change the result of that
14 contest ~~or exhibition~~ to a no decision. The department may
15 promulgate rules to define the terms "stimulants" or "performance
16 enhancing drugs."

17 **(11) A PROMOTER SHALL NOT CONDUCT A PROFESSIONAL BOXING,**
18 **PROFESSIONAL MIXED MARTIAL ARTS, OR AMATEUR MIXED MARTIAL ARTS**
19 **EVENT IN THIS STATE UNLESS AT LEAST 1 INSPECTOR IS PRESENT AT THE**
20 **EVENT. ALL OF THE FOLLOWING APPLY TO AN INSPECTOR:**

21 **(A) AN INSPECTOR SHALL NOT HAVE ANY RELATIONSHIP OR BUSINESS**
22 **INTEREST WITH A LICENSEE INVOLVED IN AN EVENT FOR WHICH HE OR SHE**
23 **IS THE INSPECTOR.**

24 **(B) AN INSPECTOR SHALL COLLECT AND SUBMIT ALL CONTESTANT DRUG**
25 **TESTS AS REQUIRED BY THE DEPARTMENT TO ENSURE THE CHAIN OF CUSTODY**
26 **OF THOSE TESTS.**

27 **(C) AN INSPECTOR MUST BE AN INDIVIDUAL WHO MEETS ANY OF THE**

Senate Bill No. 152 as amended October 20, 2015

1 FOLLOWING:

2 (i) IS CERTIFIED[, OR WAS PREVIOUSLY CERTIFIED,] BY THE COMMISSION
ON LAW ENFORCEMENT STANDARDS

3 UNDER THE COMMISSION ON LAW ENFORCEMENT STANDARDS ACT, 1965 PA 203,
4 MCL 28.601 TO 28.616.

5 (ii) IS LICENSED BY THE DEPARTMENT AS A PRIVATE SECURITY GUARD
6 OR SECURITY GUARD AGENCY.

7 (iii) IS EMPLOYED BY A SECURITY GUARD AGENCY THAT IS LICENSED BY
8 THE DEPARTMENT.

9 (D) THE DEPARTMENT MAY PROMULGATE RULES UNDER THE
10 ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.201 TO
11 24.328, TO ESTABLISH ADDITIONAL DUTIES OF INSPECTORS.

12 (E) AN INSPECTOR SHALL RECEIVE REASONABLE COMPENSATION, AND
13 REIMBURSEMENT OF HIS OR HER ACTUAL AND NECESSARY TRAVEL EXPENSES,
14 FOR ATTENDING AN EVENT.

15 (F) THE PROMOTER OF AN EVENT IS RESPONSIBLE FOR PAYMENT OF AN
16 INSPECTOR FOR THAT EVENT UNDER SUBDIVISION (E).

17 SEC. 33A. (1) BEFORE AN INDIVIDUAL PARTICIPATES IN A CONTEST,
18 HE OR SHE SHALL OBTAIN A CONTESTANT LICENSE FROM THE DEPARTMENT. TO
19 OBTAIN A CONTESTANT LICENSE, AN APPLICANT MUST SUBMIT ALL OF THE
20 FOLLOWING TO THE DEPARTMENT:

21 (A) AN APPLICATION THAT INCLUDES HIS OR HER NAME, ADDRESS, AND
22 DATE OF BIRTH. THE DEPARTMENT MAY PRESCRIBE THE FORM AND THE
23 CONTENTS OF THE APPLICATION FORM.

24 (B) WITH THE APPLICATION DESCRIBED IN SUBDIVISION (A), A
25 NONREFUNDABLE APPLICATION PROCESSING FEE IN THE AMOUNT OF \$45.00
26 AND AN ANNUAL LICENSE FEE OF \$45.00.

27 (C) IF HE OR SHE IS APPLYING FOR A LICENSE AS A PROFESSIONAL

1 CONTESTANT IN BOXING, THE IDENTIFICATION NUMBER OF HIS OR HER
2 FEDERAL IDENTIFICATION CARD DESCRIBED IN SECTION 33D(1).

3 (D) IF HE OR SHE IS APPLYING FOR A LICENSE AS A PROFESSIONAL
4 CONTESTANT IN MIXED MARTIAL ARTS, THE IDENTIFICATION NUMBER OF HIS
5 OR HER NATIONAL IDENTIFICATION CARD DESCRIBED IN SECTION 33D(2).

6 (2) EXCEPT AS OTHERWISE PROVIDED IN THIS ACT, THE DEPARTMENT
7 SHALL ISSUE A CONTESTANT LICENSE UNDER THIS SECTION TO AN
8 INDIVIDUAL WHO MEETS THE CONTESTANT LICENSING REQUIREMENTS UNDER
9 THIS ACT AND RULES PROMULGATED UNDER THIS ACT. THE DEPARTMENT SHALL
10 ASSIGN A LICENSE NUMBER TO EACH LICENSE ISSUED UNDER THIS
11 SUBSECTION.

12 (3) IN ANY NOTICE, REPORT, OR OTHER COMMUNICATION WITH THE
13 DEPARTMENT OR COMMISSION THAT IDENTIFIES OR REFERS TO A SPECIFIC
14 CONTESTANT, INCLUDING, BUT NOT LIMITED TO, THE REPORT OF THE
15 RESULTS OF EACH CONTEST UNDER SECTION 54A(2)(BB), A PROMOTER SHALL
16 INCLUDE THE LICENSE NUMBER OF THE CONTESTANT ASSIGNED UNDER
17 SUBSECTION (2).

18 (4) AN INDIVIDUAL SHALL NOT RECEIVE A CONTESTANT LICENSE UNDER
19 THIS SECTION UNLESS HE OR SHE PASSES A PHYSICAL EXAMINATION THAT IS
20 PERFORMED BY A PHYSICIAN AND SUBMITS THE RESULTS OF THAT
21 EXAMINATION TO THE DEPARTMENT ON A FORM PRESCRIBED BY THE
22 DEPARTMENT.

23 SEC. 33B. (1) AN INDIVIDUAL SHALL NOT PARTICIPATE IN A CONTEST
24 OR EVENT AS A REFEREE, JUDGE, MATCHMAKER, OR TIMEKEEPER WITHOUT A
25 PARTICIPANT LICENSE FROM THE DEPARTMENT UNDER THIS SECTION. TO
26 OBTAIN A PARTICIPANT LICENSE, AN APPLICANT MUST SUBMIT ALL OF THE
27 FOLLOWING TO THE DEPARTMENT:

1 (A) AN APPLICATION. THE DEPARTMENT MAY PRESCRIBE THE FORM AND
2 THE CONTENTS OF THE APPLICATION FORM.

3 (B) WITH THE APPLICATION DESCRIBED IN SUBDIVISION (A), A
4 NONREFUNDABLE APPLICATION PROCESSING FEE IN THE AMOUNT OF \$30.00
5 AND 1 OF THE FOLLOWING ANNUAL LICENSE FEES, AS APPLICABLE:

6 (i) REFEREE LICENSE, \$150.00.

7 (ii) JUDGE LICENSE, \$70.00.

8 (iii) MATCHMAKER LICENSE, \$150.00.

9 (iv) TIMEKEEPER LICENSE, \$70.00.

10 (2) AN APPLICANT FOR A REFEREE, JUDGE, MATCHMAKER, OR
11 TIMEKEEPER PARTICIPANT LICENSE MUST DEMONSTRATE TO THE SATISFACTION
12 OF THE DEPARTMENT THAT HE OR SHE MEETS ALL OF THE FOLLOWING TO
13 RECEIVE A LICENSE UNDER THIS SECTION:

14 (A) HAS GOOD MORAL CHARACTER.

15 (B) IS AT LEAST 18 YEARS OF AGE.

16 (C) ANY OTHER REQUIREMENT ESTABLISHED BY RULE.

17 SEC. 33C. (1) A PERSON THAT FAILS TO RENEW A PROMOTER LICENSE
18 THAT IS REQUIRED UNDER THIS ACT ON OR BEFORE ITS EXPIRATION DATE
19 SHALL NOT CONDUCT A CONTEST OR EVENT OR ADVERTISE, OPERATE, OR USE
20 THE TITLE "PROMOTER" AFTER THE LICENSE EXPIRES.

21 (2) AN INDIVIDUAL WHO FAILS TO RENEW A CONTESTANT LICENSE THAT
22 IS REQUIRED UNDER THIS ACT ON OR BEFORE ITS EXPIRATION DATE SHALL
23 NOT PARTICIPATE IN A CONTEST OR EVENT OR USE THE TITLE "CONTESTANT"
24 AFTER HIS OR HER LICENSE EXPIRES.

25 (3) AN INDIVIDUAL WHO FAILS TO RENEW A PARTICIPANT LICENSE
26 THAT IS REQUIRED UNDER THIS ACT ON OR BEFORE ITS EXPIRATION DATE
27 SHALL NOT PARTICIPATE IN AN EVENT OR CONTEST OR USE THE TITLE

1 "REFEREE", "BOXING REFEREE", "MIXED MARTIAL ARTS REFEREE", "JUDGE",
2 "BOXING JUDGE", "MIXED MARTIAL ARTS JUDGE", "MATCHMAKER",
3 "TIMEKEEPER", "BOXING TIMEKEEPER", OR "MIXED MARTIAL ARTS
4 TIMEKEEPER" AFTER HIS OR HER LICENSE EXPIRES.

5 (4) A PERSON THAT DOES NOT RENEW A LICENSE ISSUED UNDER THIS
6 ACT ON OR BEFORE ITS EXPIRATION DATE MAY RENEW THE LICENSE WITHIN
7 60 DAYS AFTER THE EXPIRATION DATE BY PAYING THE REQUIRED LICENSE
8 FEE AND PAYING A LATE RENEWAL FEE IN THE AMOUNT OF \$30.00. AFTER
9 THAT 60-DAY PERIOD, THE PERSON MAY ONLY OBTAIN A LICENSE UNDER THIS
10 ACT BY COMPLYING WITH THE REQUIREMENTS OF THIS CHAPTER FOR
11 OBTAINING A NEW LICENSE, PAYING THE REQUIRED LICENSE FEE, AND
12 PAYING A LATE RENEWAL FEE IN THE AMOUNT OF \$30.00.

13 SEC 33D. (1) AN INDIVIDUAL SHALL NOT RECEIVE A LICENSE AS A
14 PROFESSIONAL CONTESTANT IN BOXING IF HE OR SHE DOES NOT POSSESS A
15 FEDERAL IDENTIFICATION CARD. IF THE INDIVIDUAL DOES NOT HAVE A
16 FEDERAL IDENTIFICATION CARD, AND HE OR SHE IS A RESIDENT OF THIS
17 STATE OR IS NOT A RESIDENT OF ANY STATE OF THE UNITED STATES, HE OR
18 SHE SHALL SUBMIT A SEPARATE REQUEST TO THE DEPARTMENT FOR A FEDERAL
19 IDENTIFICATION CARD. IF THE INDIVIDUAL IS A RESIDENT OF ANOTHER
20 STATE, HE OR SHE MUST APPLY TO THAT STATE FOR A FEDERAL
21 IDENTIFICATION CARD.

22 (2) AN INDIVIDUAL SHALL NOT RECEIVE A LICENSE AS A
23 PROFESSIONAL CONTESTANT IN MIXED MARTIAL ARTS IF HE OR SHE DOES NOT
24 POSSESS A NATIONAL IDENTIFICATION CARD. IF THE INDIVIDUAL DOES NOT
25 HAVE A NATIONAL IDENTIFICATION CARD, HE OR SHE SHALL SUBMIT A
26 SEPARATE REQUEST TO THE DEPARTMENT FOR A NATIONAL IDENTIFICATION
27 CARD.

(3) TO OBTAIN A FEDERAL OR NATIONAL IDENTIFICATION CARD FROM THE DEPARTMENT, AN APPLICANT MUST DO ALL OF THE FOLLOWING:

(A) SUBMIT AN APPLICATION THAT INCLUDES HIS OR HER NAME, ADDRESS, DATE OF BIRTH, AND ANY OTHER INFORMATION REQUIRED BY THE DEPARTMENT. THE DEPARTMENT MAY PRESCRIBE THE FORM AND THE CONTENTS OF THE APPLICATION FORM.

(B) WITH THE APPLICATION DESCRIBED IN SUBDIVISION (A), A NONREFUNDABLE APPLICATION PROCESSING FEE IN THE AMOUNT OF \$20.00.

(4) THE DEPARTMENT SHALL TRANSMIT THE INFORMATION ABOUT AN APPLICANT DESCRIBED IN SUBSECTION (3) TO A FEDERAL OR NATIONAL RECORDKEEPER DESIGNED BY THE DEPARTMENT AND, WHEN APPROVED BY THAT RECORDKEEPER, SHALL ISSUE A FEDERAL OR NATIONAL IDENTIFICATION CARD THAT INCLUDES AN IDENTIFICATION NUMBER ASSIGNED BY THAT RECORDKEEPER.

Sec. 34. (1) The director, in consultation with the commission, may promulgate rules for the application and approval process for promoters. Until the rules are promulgated, the applicant shall comply with the standards described in subsection (2).

(2) The rules regarding the application process **DESCRIBED IN SUBSECTION (1)** shall include at least the following:

(a) An initial application processing fee **IN AN AMOUNT** sufficient to cover the costs of processing a ~~boxing or mixed martial arts~~ promoter's license, but not less than \$250.00.

(b) A requirement that **THE APPLICANT PROVIDE** background information ~~be disclosed by~~ **CONCERNING** the applicant, ~~who~~ **IF THE APPLICANT** is an individual, or ~~by~~ **CONCERNING** the principal officers

1 or members ~~and individuals having~~ **OF, AND EACH INDIVIDUAL WHO HAS**
 2 at least a 10% ownership interest in the ~~case of any other legal~~
 3 ~~entity,~~ **APPLICANT IF THE APPLICANT IS NOT AN INDIVIDUAL**, with
 4 emphasis on ~~the applicant's~~ **HIS OR HER** business experience.

5 (c) Information from the applicant concerning past and present
 6 civil lawsuits, judgments, and filings under the bankruptcy code
 7 that are not more than 7 years old.

8 (d) Any other relevant and material information considered
 9 necessary by the director ~~upon~~ **AFTER** consultation with the
 10 commission.

11 (3) The department may consult with the commission on issues
 12 related to the determination of an applicant's financial stability
 13 and shall refer the application to the commission if clear and
 14 convincing grounds for approval of the financial stability aspect
 15 of the application do not exist.

16 (4) As part of the approval process for promoters, the
 17 commission may require **THAT** the applicant or ~~his or her~~ **A**
 18 representative ~~to be~~ **OF THE APPLICANT IS** present at a ~~THE~~
 19 commission meeting ~~in~~ **AT** which the application is considered.

20 Sec. 35. The director, ~~in~~ **AFTER** consultation with the
 21 commission, ~~shall~~ **MAY** promulgate rules to set standards for ~~boxing~~
 22 ~~and mixed martial arts exhibitions~~ **UNARMED COMBAT EVENTS** and
 23 participants, ~~and to provide for license fees for all participants~~
 24 ~~in the~~ **TO ESTABLISH TRAINING REQUIREMENTS FOR PROMOTERS,**
 25 **CONTESTANTS, AND PARTICIPANTS REGULATED UNDER THIS ACT, OR TO**
 26 **ESTABLISH LICENSE FEES OR TRAINING REQUIREMENTS FOR OTHER**
 27 **INDIVIDUALS WHO ARE ENGAGED IN** activities regulated by this act not

1 otherwise provided for in this act. ~~, including, but not limited~~
2 ~~to, license fees for a physician, physician's assistant, nurse~~
3 ~~practitioner, referee, judge, matchmaker, timekeeper, professional,~~
4 ~~contestant, or manager or a second of those persons.~~

5 Sec. 40. A complaint ~~which~~ **THAT** alleges that a person has
6 violated this act or a rule promulgated or an order issued under
7 this act shall be ~~lodged with~~ **SUBMITTED TO** the department. The
8 department of attorney general, the department, the commission, or
9 any other person may file a complaint.

10 Sec. 41. (1) ~~The~~ **WHEN IT RECEIVES A COMPLAINT UNDER SECTION**
11 **40, THE** department ~~, upon receipt of a complaint,~~ **SHALL** immediately
12 ~~shall begin its~~ **AN** investigation of the allegations of the
13 complaint and shall open a correspondence file. The department
14 shall make a written acknowledgment of the complaint within 15 days
15 after ~~receipt of the~~ **IT RECEIVES A** complaint to the person ~~making~~
16 **THAT MADE** the complaint. If ~~the~~ **A** complaint is made by the
17 department, the director shall designate 1 or more employees of the
18 department to act as the person ~~making~~ **THAT MADE** the complaint.

19 (2) The department shall conduct ~~the~~ **AN** investigation required
20 under subsection (1). ~~In furtherance of~~ **AS PART OF** that
21 investigation, the department may request that the attorney general
22 petition a court of competent jurisdiction to issue a subpoena
23 requiring a person to appear before the department and be examined
24 with reference to a matter within the scope of the investigation
25 and to produce books, papers, or documents pertaining to the
26 investigation.

27 ~~— (3) The investigative unit of the department, within 30 days~~

~~after the department receives the complaint, shall report to the director on the status of the investigation. If, for good cause shown, an investigation cannot be completed within 30 days, the director may extend the time in which a report may be filed.~~

(3) ~~(4) If the report of the investigative unit of~~ **AFTER CONDUCTING AN INVESTIGATION UNDER SUBSECTION (1), IF** the department does not ~~disclose~~ **FIND THAT** a violation of this act or a rule promulgated or an order issued under this act **OCCURRED**, the **DEPARTMENT SHALL CLOSE THE** complaint. ~~shall be closed by the department. The~~ **DEPARTMENT SHALL NOTIFY THE COMPLAINANT AND RESPONDENT OF ITS** reasons for closing the complaint, ~~shall be forwarded to the respondent and complainant, who then may~~ **AND THE COMPLAINANT OR RESPONDENT MAY THEN** provide additional information to reopen the complaint.

(4) ~~(5) If the report of the investigative unit made pursuant to subsection (3) discloses~~ **DEPARTMENT INVESTIGATION UNDER SUBSECTION (1) REVEALS** evidence of a violation of this act or a rule promulgated or an order issued under this act, the department or the department of attorney general shall prepare the appropriate action against the respondent, which may be any of the following:

(a) A formal complaint.

(b) A cease and desist order.

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

(5) ~~(6) At any time during its investigation or after the issuance of a formal complaint~~ **IS ISSUED**, the department may bring together the complainant and the respondent for an informal

1 conference. At the informal conference, the department shall
 2 attempt to resolve issues raised in the complaint and may attempt
 3 to aid the parties in reaching a ~~formal settlement. or stipulation.~~

4 Sec. 42. (1) After **IT CONDUCTS** an investigation, ~~has been~~
 5 ~~conducted,~~ the department may issue an order summarily suspending a
 6 license based on an affidavit by ~~a person~~ **AN INDIVIDUAL WHO IS**
 7 familiar with the facts set forth in the affidavit, or, if
 8 appropriate, based ~~upon~~ **ON** an affidavit **MADE** on information and
 9 belief, that an imminent threat to the integrity of the sport, the
 10 public interest, ~~and~~ **OR** the welfare and safety of a ~~professional~~
 11 **CONTESTANT** exists. ~~Thereafter, the proceedings described in this~~
 12 ~~chapter shall be promptly commenced and decided.~~

13 (2) A person whose license ~~has been~~ **IS** summarily suspended
 14 under this section may petition the department to dissolve the
 15 order. ~~Upon receiving~~ **IF IT RECEIVES** a petition **TO DISSOLVE A**
 16 **SUMMARY SUSPENSION ORDER UNDER THIS SUBSECTION,** the department **MAY**
 17 **DENY THE REQUEST TO DISSOLVE THE ORDER, GRANT THE REQUEST TO**
 18 **DISSOLVE THE ORDER, OR** immediately ~~shall~~ schedule a hearing to
 19 decide whether to grant or deny the ~~requested relief.~~ **REQUEST TO**
 20 **DISSOLVE THE ORDER.**

21 (3) ~~An~~ **AT A HEARING DESCRIBED IN SUBSECTION (2), AN**
 22 administrative law hearings examiner shall ~~grant the requested~~
 23 ~~relief dissolving~~ **DISSOLVE** the summary suspension order, unless
 24 sufficient evidence is presented that an imminent threat to the
 25 integrity of the sport, the public interest, ~~and~~ **OR** the welfare and
 26 safety of a ~~professional~~ **CONTESTANT** exists that requires emergency
 27 action and continuation of the department's summary suspension

1 order.

2 (4) The record created at ~~the~~**A** hearing **DESCRIBED IN**
3 **SUBSECTION (2)** to dissolve a summary suspension order shall become
4 part of the record on the complaint at ~~a~~**ANY** subsequent hearing in
5 a contested case **ON THE COMPLAINT**.

6 (5) A summary suspension of a ~~professional~~**CONTESTANT UNDER**
7 **SECTION 48 (5)** for refusal or failure to submit to a drug test or
8 for the presence of controlled substances, ~~enhancers, prohibited~~
9 ~~drugs, or other prohibited substances, as described in section~~
10 ~~48(7), shall proceed under this section.~~**ALCOHOL, ENHANCERS,**
11 **STIMULANTS, PERFORMANCE ENHANCING DRUGS, OR OTHER DRUGS OR**
12 **SUBSTANCES PROHIBITED BY RULES PROMULGATED BY THE DEPARTMENT, OR**
13 **DERIVATIVES OR METABOLITES OF CONTROLLED SUBSTANCES, ALCOHOL,**
14 **ENHANCERS, STIMULANTS, PERFORMANCE ENHANCING DRUGS, OR OTHER DRUGS**
15 **OR SUBSTANCES PROHIBITED BY RULES PROMULGATED BY THE DEPARTMENT,**
16 **SHALL PROCEED UNDER THIS SECTION.**

17 Sec. 44. (1) A summary suspension order, cease and desist
18 order, or injunctive relief issued or granted in relation to a
19 license is in addition to and not in place of an informal
20 conference; criminal prosecution; or proceeding to deny, revoke, or
21 suspend a license; or any other action authorized ~~by~~**UNDER** this
22 act.

23 (2) After an investigation ~~has been~~**IS** conducted and a formal
24 complaint **IS** prepared, the department shall serve the formal
25 complaint ~~upon~~**ON** the respondent and the complainant. At the same
26 time, the department shall serve the respondent with a notice
27 describing the compliance conference and hearing process and

1 offering the respondent a choice of 1 of the following
2 opportunities:

3 (a) An opportunity to meet with the department to negotiate a
4 settlement of the matter.

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

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

9 (3) A respondent upon ~~whom~~ **WHICH** service of a formal complaint
10 ~~has been~~ **IS** made ~~pursuant to~~ **UNDER** this section may select, within
11 15 days after the receipt of notice, 1 of the options described in
12 subsection (2). If a respondent does not select 1 of those options
13 within the time period described in this section, then the
14 department shall proceed to a contested case hearing as described
15 in subsection (2)(c).

16 (4) An informal conference may be attended by a member of the
17 commission, at the discretion of that commission, and may result in
18 **THE AGREEMENT OF THE PARTIES AND THE DEPARTMENT TO** a settlement. ~~7~~
19 ~~consent order, waiver, default, or other method of settlement~~
20 ~~agreed upon by the parties and the department.~~ A settlement may
21 include the revocation or suspension of a license; censure;
22 probation; restitution; or a penalty ~~provided for in~~ **UNDER** section
23 48. The commission may reject a settlement and require a contested
24 case hearing.

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

27 (6) This chapter does not prevent a person against ~~whom~~ **WHICH**

1 a complaint ~~has been~~ **IS** filed from showing compliance with this act
2 or a rule promulgated or an order promulgated or issued under this
3 act.

4 (7) If an informal conference is not held or does not result
5 in a settlement, ~~of a complaint,~~ the department shall allow the
6 respondent an administrative hearing. A **MEMBER OF THE COMMISSION**
7 **MAY ATTEND A** hearing under this section. ~~may be attended by a~~
8 ~~member of the commission.~~

9 (8) The department or the department of the attorney general
10 may petition a court of competent jurisdiction to issue a subpoena
11 ~~which shall require~~ **THAT REQUIRES** the person subpoenaed to appear
12 or testify or produce relevant documentary material for examination
13 at a proceeding.

14 Sec. 45. (1) At the conclusion of a hearing conducted under
15 section 44(7), the administrative law hearings examiner shall
16 submit a determination of findings of fact and conclusions of law
17 to the department and the department of the attorney general and
18 the commission, in a hearing report. The submitted hearing report
19 may recommend the penalties to be assessed ~~as prescribed in~~ **UNDER**
20 section 48.

21 (2) A copy of a hearing report shall be submitted to the
22 person ~~who~~ **THAT** made the complaint and to the person against ~~whom~~
23 **WHICH** the complaint was ~~lodged~~ **FILED**.

24 (3) Within 60 days after ~~receipt of~~ **IT RECEIVES** an
25 administrative law hearings examiner's hearing report, the
26 commission shall meet and make a determination of the penalties to
27 be assessed under section 48. The commission's determination shall

1 be made on the basis of the administrative law hearings examiner's
 2 report. A transcript of a hearing or a portion of the transcript
 3 shall be made available to the commission ~~upon~~ **ON** request. If a
 4 transcript or a portion of the transcript is requested, the
 5 commission's determination of the penalty or penalties to be
 6 assessed under section 48 shall be made at a meeting within 60 days
 7 after ~~receipt of a~~ **THE COMMISSION RECEIVES THE** transcript or
 8 portion of the transcript.

9 **(4) IF THE PARTIES AND THE DEPARTMENT AGREE TO A SETTLEMENT,**
 10 **AND THAT SETTLEMENT REQUIRES IMPOSITION OF A PENALTY UNDER SECTION**
 11 **48 BUT DOES NOT SPECIFY THAT PENALTY, THE COMMISSION SHALL MAKE A**
 12 **DETERMINATION OF THE PENALTIES WITHIN 60 DAYS AFTER IT RECEIVES THE**
 13 **SETTLEMENT. THE COMMISSION SHALL MAKE ITS DETERMINATION OF THE**
 14 **APPROPRIATE PENALTY BASED ON THE TERMS OF THE SETTLEMENT.**

15 (5) ~~(4)~~—If the commission does not determine the appropriate
 16 penalty or penalties to be assessed within the time limits
 17 prescribed ~~by~~ **IN** subsection (3) **OR (4)**, the director may determine
 18 the appropriate penalty and issue a final order.

19 (6) ~~(5)~~—A member of the commission who has participated in an
 20 investigation or administrative hearing on a complaint filed with
 21 the department or who has attended an informal conference shall not
 22 participate in making a final determination in a proceeding on that
 23 complaint.

24 Sec. 47. (1) The department shall initiate an action under
 25 this chapter against an applicant or take any other allowable
 26 action against the license of any contestant, promoter, or ~~other~~
 27 participant ~~who~~ **IF** the department determines ~~has done~~ **THAT THE**

1 APPLICANT OR LICENSEE DOES any of the following:

2 (A) ENGAGES IN FRAUD, DECEIT, OR DISHONESTY IN OBTAINING A
3 LICENSE.

4 (B) ENGAGES IN FRAUD, DECEIT, OR DISHONESTY IN PERFORMING THE
5 DUTIES OF A PROMOTER, IF APPLICABLE, OR OTHERWISE PRACTICING THAT
6 PERSON'S LICENSED OCCUPATION.

7 (C) IF THE LICENSEE OR APPLICANT PAYS A FEE UNDER THIS ACT
8 WITH A CHECK, MONEY ORDER, OR SIMILAR INSTRUMENT OR WITH A CREDIT
9 CARD OR DEBIT CARD AND THAT PAYMENT IS DISHONORED OR OTHERWISE
10 REFUSED WHEN PRESENTED BY THE DEPARTMENT FOR PAYMENT, FAILS TO PAY
11 THAT FEE AND REIMBURSE THE DEPARTMENT FOR ANY CHARGES INCURRED BY
12 THE DEPARTMENT IN CONNECTION WITH THAT DISHONORED OR REFUSED
13 PAYMENT. IF A PAYMENT IS DISHONORED OR REFUSED, THE LICENSE IS
14 IMMEDIATELY SUSPENDED AND REMAINS SUSPENDED UNTIL THE FEE AND THE
15 RELATED CHARGES ARE PAID. AS USED IN THIS SUBDIVISION, "DISHONORED"
16 MEANS THAT TERM AS DESCRIBED IN SECTION 3502 OF THE UNIFORM
17 COMMERCIAL CODE, 1962 PA 174, MCL 440.3502.

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

20 (E) ~~(b)~~ Participates in any sham or fake contest or
21 ~~exhibition~~. EVENT.

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

27 (G) ~~(d)~~ Is determined to have failed to give his or her best

1 efforts, failed to compete honestly, or failed to give an honest
2 exhibition of his or her skills in a contest. ~~or exhibition.~~

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

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

10 (J) ~~(g)~~ Assaults another licensee, **OUTSIDE OF OR WHILE NOT**
11 **INVOLVED IN A CONTEST, A** commission member, or **A** department
12 employee. ~~while not involved in or while outside the normal course~~
13 ~~of a contest or exhibition.~~

14 ~~—— (h) Practices fraud or deceit in obtaining a license.~~

15 (K) **ENGAGES IN FALSE ADVERTISING.**

16 (L) **FAILS TO COMPLY WITH A SUBPOENA ISSUED UNDER THIS ACT.**

17 (M) **FAILS TO PROVIDE A REQUESTED DOCUMENT OR RECORDS TO THE**
18 **DEPARTMENT.**

19 (N) **VIOLATES OR FAILS TO COMPLY WITH A SETTLEMENT WITH OR**
20 **FINAL ORDER ISSUED BY THE DEPARTMENT OR COMMISSION.**

21 (O) **FAILS TO PAY ANY OBLIGATION THAT IS RELATED TO THE NORMAL**
22 **COURSE OF PROMOTING AN EVENT, INCLUDING, BUT NOT LIMITED TO, VENUE**
23 **RENT OR JUDGE, PHYSICIAN, REFEREE, OR TIMEKEEPER FEES.**

24 (P) **ENTERS INTO A CONTRACT FOR A CONTEST OR EVENT IN BAD**
25 **FAITH.**

26 (Q) **GAMBLES ON THE OUTCOME OF A CONTEST OR EVENT OF WHICH THE**
27 **PERSON IS A PROMOTER.**

1 (R) FAILS TO FILE CURRENT ADDRESS INFORMATION WITH THE
2 DEPARTMENT.

3 (S) TAMPERS WITH OR COERCES A CONTESTANT.

4 (T) AIDS OR ABETS ANOTHER PERSON TO ACT AS A PROMOTER,
5 CONTESTANT, OR PARTICIPANT OR CONDUCT AN EVENT WITHOUT A LICENSE
6 UNDER THIS ACT.

7 (U) VIOLATES ANY OTHER PROVISION OF THIS ACT OR A RULE
8 PROMULGATED UNDER THIS ACT FOR WHICH A PENALTY OR REMEDY IS NOT
9 OTHERWISE PRESCRIBED.

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

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

13 (b) ~~Specific summary suspension procedures for contestants and~~
14 ~~participants who test positive for drugs or fail to submit to a~~
15 ~~drug test, under section 48(4).~~ **FOR PURPOSES OF SECTION 48(5),**
16 **SPECIFIC SUMMARY SUSPENSION PROCEDURES FOR CONTESTANTS WHO FAIL TO**
17 **SUBMIT TO A DRUG TEST OR WHO TEST POSITIVE FOR CONTROLLED**
18 **SUBSTANCES, ALCOHOL, ENHANCERS, STIMULANTS, PERFORMANCE ENHANCING**
19 **DRUGS, OR OTHER DRUGS OR SUBSTANCES PROHIBITED BY RULES PROMULGATED**
20 **BY THE DEPARTMENT, OR DERIVATIVES OR METABOLITES OF CONTROLLED**
21 **SUBSTANCES, ALCOHOL, ENHANCERS, STIMULANTS, PERFORMANCE ENHANCING**
22 **DRUGS, OR OTHER DRUGS OR SUBSTANCES PROHIBITED BY RULES PROMULGATED**
23 **BY THE DEPARTMENT.** The rules shall include **ALL OF** the following:

24 (i) A procedure to allow the department to place the licensee
25 ~~upon~~ **ON** the national suspension list **MAINTAINED BY THE DESIGNATED**
26 **RECORD KEEPER AUTHORIZED BY THE ASSOCIATION OF BOXING COMMISSIONS.**

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

(iii) A relicensing procedure following summary suspension.

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

(3) ~~(4)~~ Each promoter shall furnish each member of the commission present at a contest or ~~exhibition~~ **EVENT** a seat in the area immediately adjacent to the contest or ~~exhibition~~ **EVENT**. An additional seat shall be provided in the venue.

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

Sec. 48. (1) ~~Upon receipt of~~ **IF IT RECEIVES** an application for reinstatement and the payment of ~~an~~ **ANY** administrative fine ~~prescribed~~ **ASSESSED** by the commission **UNDER THIS SECTION**, the commission may reinstate a revoked license or lift a suspension. ~~If~~

(2) **ALL OF THE FOLLOWING APPLY IF** disciplinary action is taken against a person under this act: ~~that~~

(A) **IF THE DISCIPLINARY ACTION** does not relate to a contest or ~~exhibition~~ **EVENT**, the commission may, in lieu of suspending or revoking a license, ~~prescribe~~ **ASSESS** an administrative fine ~~not to~~ **IN AN AMOUNT THAT DOES NOT** exceed \$10,000.00.

(B) If disciplinary action is taken against a person under this act that relates to the preparation for a contest or an

1 ~~exhibition, EVENT~~, the occurrence of a contest or an ~~exhibition,~~
 2 **EVENT**, or any other action taken in conjunction with a contest or
 3 an ~~exhibition, EVENT~~, the commission may ~~prescribe~~ **ASSESS** an
 4 administrative fine in an amount ~~not to~~ **THAT DOES NOT** exceed 100%
 5 of the share of the purse to which the holder of the license is
 6 entitled for the contest or ~~exhibition or an administrative fine~~
 7 ~~not to exceed \$100,000.00 in the case of any other person. This~~
 8 ~~administrative fine may be imposed~~ **EVENT**.

9 (C) IF DISCIPLINARY ACTION IS TAKEN AGAINST A PERSON, OTHER
 10 THAN A CONTESTANT, THAT RELATES TO THE PREPARATION FOR A CONTEST OR
 11 EVENT, THE OCCURRENCE OF A CONTEST OR EVENT, OR ANY OTHER ACTION
 12 TAKEN IN CONJUNCTION WITH A CONTEST OR EVENT, THE COMMISSION MAY
 13 ASSESS AN ADMINISTRATIVE FINE IN AN AMOUNT THAT DOES NOT EXCEED
 14 \$100,000.00.

15 (3) THE COMMISSION MAY ASSESS AN ADMINISTRATIVE FINE UNDER
 16 SUBSECTION (2) in addition to, or in lieu of, **TAKING** any other
 17 disciplinary action ~~that is taken against the person. by the~~
 18 ~~commission.~~

19 (4) ~~(2)~~ If an administrative fine is ~~imposed~~ **ASSESSED** under
 20 this section, the commission may recover the costs of the
 21 proceeding, including investigative costs and attorney fees. The
 22 department or the attorney general may bring an action in a court
 23 of competent jurisdiction to recover any administrative fines,
 24 investigative and other allowable costs, and attorney fees. The
 25 filing of an action to recover fines and costs does not bar the
 26 imposition of other ~~sanctions~~ **PENALTIES OR REMEDIES** under this act.

27 ~~(3) An employee of the department, in consultation with any~~

~~commission member present, may issue an order to withhold the purse for 3 business days due to a violation of this act or a rule promulgated under this act. During that 72 hour time period, the commission may convene a special meeting to determine if the action of the employee of the department was warranted. If the commission determines that the action was warranted, the department shall offer to hold an administrative hearing as soon as practicable but within at least 7 calendar days.~~

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

~~—— (5) The promoter is responsible for the cost of the testing performed under this section.~~

(5) ~~(6)~~ Either of the following is grounds for summary suspension of the individual's license ~~in the manner provided for in~~ **UNDER** section 42:

(a) A test resulting in a finding of the presence of controlled substances, ~~enhancers, or other prohibited substances as determined by rule of the commission.~~ **ALCOHOL, ENHANCERS, STIMULANTS, PERFORMANCE ENHANCING DRUGS, OR OTHER DRUGS OR SUBSTANCES PROHIBITED BY RULES PROMULGATED BY THE DEPARTMENT, OR DERIVATIVES OR METABOLITES OF CONTROLLED SUBSTANCES, ALCOHOL, ENHANCERS, STIMULANTS, PERFORMANCE ENHANCING DRUGS, OR OTHER DRUGS**

1 OR SUBSTANCES PROHIBITED BY RULES PROMULGATED BY THE DEPARTMENT.

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

4 SEC. 49. (1) IF A PERSON THAT HOLDS A LICENSE UNDER THIS ACT
5 VIOLATES THIS ACT OR A RULE OR ORDER PROMULGATED OR ISSUED UNDER
6 THIS ACT, THE DEPARTMENT MAY TAKE 1 OR MORE OF THE FOLLOWING
7 ACTIONS:

8 (A) SUSPEND THE PERSON'S LICENSE.

9 (B) DENY THE RENEWAL OF THE PERSON'S LICENSE.

10 (C) REVOKE THE PERSON'S LICENSE.

11 (D) ASSESS AN ADMINISTRATIVE FINE.

12 (E) CENSURE THE LICENSEE.

13 (2) IF THE DEPARTMENT FINDS THAT A PERSON THAT IS SUBJECT TO
14 SUBSECTION (1) HAS VIOLATED THIS ACT OR A RULE PROMULGATED UNDER
15 THIS ACT, THAT PERSON IS RESPONSIBLE FOR THE DEPARTMENT'S EXPENSES
16 THAT ARE RELATED TO THE INVESTIGATION AND ANY DISCIPLINARY
17 PROCEEDING FOR THAT VIOLATION AND SHALL REIMBURSE THE DEPARTMENT
18 FOR THOSE EXPENSES. FOR PURPOSES OF THIS SUBSECTION, THE
19 DEPARTMENT'S EXPENSES INCLUDE, BUT ARE NOT LIMITED TO, SALARIES AND
20 BENEFITS OF PERSONNEL, TRAVEL AND ANY OTHER EXPENSES OF THOSE
21 PERSONNEL, AND ANY OTHER EXPENSES INCURRED BY THE DEPARTMENT IN
22 CONDUCTING THE INVESTIGATION AND ANY DISCIPLINARY PROCEEDING.

23 (3) THE DEPARTMENT MAY BRING AN INJUNCTIVE ACTION IN A COURT
24 OF COMPETENT JURISDICTION TO RESTRAIN OR PREVENT A PERSON FROM
25 VIOLATING THIS ACT. IF SUCCESSFUL IN OBTAINING INJUNCTIVE RELIEF,
26 THE DEPARTMENT IS ENTITLED TO ITS COSTS AND REASONABLE ATTORNEY
27 FEES.

1 (4) THE PENALTIES AND REMEDIES UNDER THIS SECTION AND SECTION
2 49A ARE INDEPENDENT AND CUMULATIVE. THE IMPOSITION OF A REMEDY OR
3 PENALTY AGAINST A PERSON UNDER THIS SECTION OR SECTION 49A DOES NOT
4 BAR THE PURSUIT OF ANY LAWFUL REMEDY BY THAT PERSON OR THE PURSUIT
5 OF A LAWFUL REMEDY BY ANY OTHER PERSON AGAINST THAT PERSON.

6 SEC. 49A. (1) A PERSON THAT ENGAGES IN OR ATTEMPTS TO ENGAGE
7 IN AN ACTIVITY FOR WHICH A LICENSE IS REQUIRED UNDER THIS ACT, OR
8 USES A TITLE DESIGNATED IN THIS ACT, WITHOUT THE APPROPRIATE
9 LICENSE ISSUED BY THE DEPARTMENT UNDER THIS ACT IS GUILTY OF A
10 MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR
11 A FINE OF NOT MORE THAN \$1,000.00, OR BOTH.

12 (2) A PERSON THAT KNOWINGLY ALLOWS A PROFESSIONAL IN MIXED
13 MARTIAL ARTS OR BOXING TO PARTICIPATE AS A CONTESTANT IN AN AMATEUR
14 MIXED MARTIAL ARTS CONTEST WITH AN AMATEUR IS GUILTY OF A FELONY
15 PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 3 YEARS OR A FINE OF
16 \$10,000.00 PER INCIDENT, OR BOTH.

17 (3) IF A COURT FINDS IN AN ACTION UNDER THIS SECTION OR
18 SECTION 49(2) THAT A PERSON HAS VIOLATED THIS ACT OR A RULE
19 PROMULGATED UNDER THIS ACT, THAT PERSON SHALL BE ASSESSED COSTS
20 RELATED TO THE INVESTIGATION OF THE VIOLATION AND COSTS RELATED TO
21 THE PROSECUTION OF THE ACTION. THE COSTS RELATED TO THE
22 INVESTIGATION AND PROSECUTION INCLUDE, BUT ARE NOT LIMITED TO,
23 SALARIES AND BENEFITS OF PERSONNEL, COSTS RELATED TO THE TIME SPENT
24 BY THE ATTORNEY GENERAL'S OFFICE AND OTHER PERSONNEL WORKING ON THE
25 ACTION, AND ANY OTHER EXPENSES INCURRED BY THE DEPARTMENT FOR THE
26 ACTION.

27 SEC. 54A. (1) A LICENSED PROMOTER THAT PRESENTS AN UNARMED

1 COMBAT EVENT IN THIS STATE MUST COMPLY WITH ALL OF THE FOLLOWING:

2 (A) AT LEAST 5 DAYS BEFORE THE EVENT, SUBMIT A REQUEST FOR
3 APPROVAL OF THE EVENT TO THE DEPARTMENT, ON A FORM PRESCRIBED BY
4 THE DEPARTMENT. THE REQUEST SHALL INCLUDE THE NAMES THE PROMOTER IS
5 REQUIRED TO PROVIDE UNDER SUBDIVISIONS (D), (E), (F), AND (G).

6 (B) WITHIN THE 5-DAY PERIOD PRECEDING A PROFESSIONAL BOXING OR
7 PROFESSIONAL MIXED MARTIAL ARTS EVENT, SUBMIT THE FIGHT RECORDS OF
8 EACH CONTESTANT TO THE DEPARTMENT. "FIGHT RECORDS" MEANS THAT TERM
9 AS DEFINED BY THE DEPARTMENT BY RULE.

10 (C) PAY ALL OBLIGATIONS THAT ARE RELATED TO THE NORMAL COURSE
11 OF PROMOTING AN UNARMED COMBAT EVENT, INCLUDING, BUT NOT LIMITED
12 TO, VENUE RENT AND JUDGE, PHYSICIAN, REFEREE, AND TIMEKEEPER FEES.

13 (D) ARRANGE FOR A PHYSICIAN TO ATTEND THE EVENT FOR PURPOSES
14 OF SUBSECTION (2) (I), AND ARRANGE FOR AN ALTERNATE PHYSICIAN TO
15 ATTEND THE EVENT IF THE ORIGINAL PHYSICIAN IS UNABLE TO ATTEND THE
16 EVENT. THE PROMOTER SHALL INCLUDE THE NAME OF THE PHYSICIAN AND THE
17 ALTERNATE PHYSICIAN DESCRIBED IN THIS SUBDIVISION IN THE REQUEST
18 SUBMITTED UNDER SUBDIVISION (A).

19 (E) ARRANGE FOR AN AMBULANCE THAT IS STAFFED BY EMERGENCY
20 MEDICAL TECHNICIANS TO BE ON THE PREMISES TO ATTEND THE EVENT FOR
21 PURPOSES OF SUBSECTION (2) (K), AND ARRANGE FOR AN ALTERNATE
22 AMBULANCE THAT IS STAFFED BY EMERGENCY MEDICAL TECHNICIANS TO BE ON
23 THE PREMISES TO ATTEND THE EVENT IF THE ORIGINAL AMBULANCE AND
24 EMERGENCY MEDICAL TECHNICIANS ARE UNABLE TO ATTEND THE EVENT. THE
25 PROMOTER SHALL INCLUDE THE NAME OF THE AMBULANCE PROVIDER AND THE
26 EMERGENCY MEDICAL TECHNICIANS AND THE ALTERNATE AMBULANCE PROVIDER
27 AND EMERGENCY MEDICAL TECHNICIANS DESCRIBED IN THIS SUBDIVISION IN

1 THE REQUEST SUBMITTED UNDER SUBDIVISION (A) .

2 (F) ARRANGE FOR A REFEREE, JUDGES, AND A TIMEKEEPER TO ATTEND
3 THE EVENT FOR PURPOSES OF SUBSECTION (2) (M) . THE PROMOTER SHALL
4 INCLUDE THE NAMES OF THE REFEREE, JUDGES, AND TIMEKEEPER DESCRIBED
5 IN THIS SUBDIVISION IN THE REQUEST SUBMITTED UNDER SUBDIVISION (A) .

6 (G) ARRANGE FOR AN INSPECTOR WHO MEETS THE REQUIREMENTS OF
7 SECTION 33 (11) TO ATTEND THE EVENT FOR PURPOSES OF SUBSECTION
8 (2) (M) . THE PROMOTER SHALL INCLUDE THE NAME OF THE INSPECTOR, AND
9 ANY OTHER INFORMATION ABOUT THE INSPECTOR THAT IS REQUIRED BY THE
10 DEPARTMENT, IN THE REQUEST SUBMITTED UNDER SUBDIVISION (A) .

11 (H) MAINTAIN RECORDS OF THE EVENT FOR AT LEAST 1 YEAR AFTER
12 THE DATE OF THE SCHEDULED EVENT AND MAKE THOSE RECORDS AVAILABLE TO
13 THE DEPARTMENT OR LAW ENFORCEMENT OFFICIALS ON REQUEST.

14 (2) A LICENSED PROMOTER THAT IS PRESENTING AN AMATEUR MIXED
15 ARTS, PROFESSIONAL MIXED MARTIAL ARTS, OR PROFESSIONAL BOXING EVENT
16 IN THIS STATE SHALL ENSURE THAT ALL OF THE FOLLOWING ARE MET IN THE
17 CONDUCT OF THE EVENT:

18 (A) EXCEPT AS PROVIDED IN SUBDIVISION (B) , EACH INDIVIDUAL
19 MIXED MARTIAL ARTS CONTEST CONSISTS OF NOT MORE THAN 3 ROUNDS, OF
20 NOT MORE THAN 5 MINUTES' DURATION, WITH AT LEAST A 1-MINUTE REST
21 PERIOD BETWEEN EACH ROUND; AND THE LENGTH OF EACH INDIVIDUAL BOXING
22 CONTEST IS DETERMINED BY THE DEPARTMENT BUT DOES NOT EXCEED 10
23 ROUNDS, OF NOT MORE THAN 5 MINUTES' DURATION, WITH AT LEAST A 1-
24 MINUTE REST PERIOD BETWEEN EACH ROUND.

25 (B) EACH INDIVIDUAL NATIONAL OR INTERNATIONAL CHAMPIONSHIP
26 MIXED MARTIAL ARTS CONTEST CONSISTS OF NOT MORE THAN 5 ROUNDS, OF
27 NOT MORE THAN 5 MINUTES' DURATION, WITH AT LEAST A 1-MINUTE REST

1 PERIOD BETWEEN EACH ROUND; AND THE LENGTH OF EACH INDIVIDUAL
2 NATIONAL OR INTERNATIONAL CHAMPIONSHIP BOXING CONTEST IS DETERMINED
3 BY THE DEPARTMENT BUT DOES NOT EXCEED 12 ROUNDS, OF NOT MORE THAN 5
4 MINUTES' DURATION, WITH AT LEAST A 1-MINUTE REST PERIOD BETWEEN
5 EACH ROUND.

6 (C) EACH MIXED MARTIAL ARTS CONTESTANT WEARS GLOVES, SUPPLIED
7 BY THE PROMOTER, THAT WEIGH AT LEAST 4 OUNCES AND NOT MORE THAN 8
8 OUNCES; AND EACH BOXING CONTESTANT WEARS GLOVES THAT EACH WEIGH AT
9 LEAST 8 OUNCES AND NOT MORE THAN 16 OUNCES.

10 (D) THE REFEREE EXAMINES THE GLOVES WORN BY EACH CONTESTANT
11 BEFORE AND DURING A CONTEST. IF THE REFEREE FINDS THAT A GLOVE IS
12 MISPLACED, LUMPY, BROKEN, ROUGHED, OR OTHERWISE UNFIT, THE
13 CONTESTANT MUST CHANGE THE GLOVE BEFORE THE START OF THE CONTEST.

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

18 (i) MINI FLYWEIGHT, IF HE OR SHE WEIGHS 105 POUNDS OR LESS.

19 (ii) LIGHT FLYWEIGHT, IF HE OR SHE WEIGHS 106 TO 108 POUNDS.

20 (iii) FLYWEIGHT, IF HE OR SHE WEIGHS 109 TO 112 POUNDS.

21 (iv) SUPER FLYWEIGHT, IF HE OR SHE WEIGHS 113 TO 115 POUNDS.

22 (v) BANTAMWEIGHT, IF HE OR SHE WEIGHS 116 TO 118 POUNDS.

23 (vi) SUPER BANTAMWEIGHT, IF HE OR SHE WEIGHS 119 TO 122 POUNDS.

24 (vii) FEATHERWEIGHT, IF HE OR SHE WEIGHS 123 TO 126 POUNDS.

25 (viii) SUPER FEATHERWEIGHT, IF HE OR SHE WEIGHS 127 TO 130
26 POUNDS.

27 (ix) LIGHTWEIGHT, IF HE OR SHE WEIGHS 131 TO 135 POUNDS.

(x) SUPER LIGHTWEIGHT, IF HE OR SHE WEIGHS 136 TO 140 POUNDS.

(xi) WELTERWEIGHT, IF HE OR SHE WEIGHS 141 TO 147 POUNDS.

(xii) SUPER WELTERWEIGHT, IF HE OR SHE WEIGHS 148 TO 154
POUNDS.

(xiii) MIDDLEWEIGHT, IF HE OR SHE WEIGHS 155 TO 160 POUNDS.

(xiv) SUPER MIDDLEWEIGHT, IF HE OR SHE WEIGHS 161 TO 168
POUNDS.

(xv) LIGHT HEAVYWEIGHT, IF HE OR SHE WEIGHS 169 TO 175 POUNDS.

(xvi) CRUISERWEIGHT, IF HE OR SHE WEIGHS 176 TO 200 POUNDS.

(xvii) HEAVYWEIGHT, IF HE OR SHE WEIGHS 201 TO 260 POUNDS.

(xviii) SUPER HEAVYWEIGHT, IF HE OR SHE WEIGHS 261 POUNDS OR
MORE.

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

(i) THE OTHER CONTESTANT IS IN THE SAME CLASS AS THE
CONTESTANT.

(ii) IF THE CONTESTANT'S WEIGHT CLASS IS MINI FLYWEIGHT, LIGHT
FLYWEIGHT, FLYWEIGHT, SUPER FLYWEIGHT, OR BANTAMWEIGHT, AND THE
OTHER CONTESTANT IS IN ANOTHER WEIGHT CLASS, THE WEIGHT DIFFERENCE
BETWEEN THE CONTESTANTS IS NOT MORE THAN 3 POUNDS.

(iii) IF THE CONTESTANT'S WEIGHT CLASS IS SUPER BANTAMWEIGHT,
FEATHERWEIGHT, OR SUPER FEATHERWEIGHT, AND THE OTHER CONTESTANT IS
IN ANOTHER WEIGHT CLASS, THE WEIGHT DIFFERENCE BETWEEN THE
CONTESTANTS IS NOT MORE THAN 4 POUNDS.

(iv) IF THE CONTESTANT'S WEIGHT CLASS IS LIGHTWEIGHT OR SUPER
LIGHTWEIGHT, AND THE OTHER CONTESTANT IS IN ANOTHER WEIGHT CLASS,
THE WEIGHT DIFFERENCE BETWEEN THE CONTESTANTS IS NOT MORE THAN 5

1 POUNDS.

2 (v) IF THE CONTESTANT'S WEIGHT CLASS IS WELTERWEIGHT, SUPER
3 WELTERWEIGHT, MIDDLEWEIGHT, SUPER MIDDLEWEIGHT, OR LIGHT
4 HEAVYWEIGHT, AND THE OTHER CONTESTANT IS IN ANOTHER WEIGHT CLASS,
5 THE WEIGHT DIFFERENCE BETWEEN THE CONTESTANTS IS NOT MORE THAN 7
6 POUNDS.

7 (vi) IF THE CONTESTANT'S WEIGHT CLASS IS HEAVYWEIGHT OR SUPER
8 HEAVYWEIGHT, THERE IS NO LIMITATION ON THE WEIGHT DIFFERENCE
9 BETWEEN THE CONTESTANT AND THE OTHER CONTESTANT.

10 (G) AN INDIVIDUAL DOES NOT COMPETE AS A CONTESTANT UNLESS HE
11 OR SHE SUBMITS TO THE PROMOTER A MEDICAL CERTIFICATION OF NEGATIVE
12 RESULTS FOR HEPATITIS B AND C AND HIV TESTS THAT WERE PERFORMED ON
13 THE CONTESTANT IN THE 180-DAY PERIOD THAT PRECEDES THE SCHEDULED
14 CONTEST OR EVENT.

15 (H) AN INDIVIDUAL DOES NOT COMPETE AS A CONTESTANT UNLESS HE
16 OR SHE SUBMITS TO THE PROMOTER THE RESULTS OF AN OPHTHALMOLOGIC
17 EXAM THAT WAS PERFORMED IN THE 180-DAY PERIOD THAT PRECEDES THE
18 CONTEST OR EVENT AND THE RESULTS OF THE EXAM ARE SUBMITTED TO THE
19 DEPARTMENT.

20 (I) A FEMALE INDIVIDUAL DOES NOT COMPETE AS A CONTESTANT
21 UNLESS SHE SUBMITS TO THE PROMOTER THE RESULTS OF A PREGNANCY TEST
22 THAT WAS PERFORMED ON HER IN THE 7-DAY PERIOD THAT PRECEDES THE
23 CONTEST OR EVENT AND THE RESULTS OF THE PREGNANCY TEST ARE
24 NEGATIVE.

25 (J) AN INDIVIDUAL IS NOT ALLOWED TO COMPETE AS A CONTESTANT
26 WITHOUT PROPER MEDICAL CLEARANCE.

27 (K) THE EVENT DOES NOT TAKE PLACE OR CONTINUE WITHOUT AN

1 AMBULANCE THAT IS STAFFED BY AT LEAST 2 EMERGENCY MEDICAL
2 TECHNICIANS ON THE PREMISES OF THE EVENT.

3 (I) THE EVENT DOES NOT TAKE PLACE OR CONTINUE WITHOUT A
4 PHYSICIAN AT THE EVENT.

5 (M) THE EVENT DOES NOT TAKE PLACE OR CONTINUE WITHOUT AN
6 INSPECTOR AND A TRAINED AND COMPETENT REFEREE, JUDGE, AND
7 TIMEKEEPER.

8 (N) AN INDIVIDUAL IS NOT ALLOWED TO COMPETE AS A CONTESTANT IF
9 THERE IS ANY REASON TO SUSPECT THAT HE OR SHE IS IMPAIRED OR HAS
10 USED OR USES PERFORMANCE ENHANCING DRUGS.

11 (O) A PROFESSIONAL IS NOT ALLOWED TO COMPETE AS A CONTESTANT
12 IN AN AMATEUR EVENT.

13 (P) IF AN INDIVIDUAL LOST A CONTEST BY A TECHNICAL KNOCKOUT IN
14 THE 30-DAY PERIOD PRECEDING THE EVENT, HE OR SHE IS NOT ALLOWED TO
15 COMPETE AS A CONTESTANT UNLESS HE OR SHE SUBMITS THE RESULTS OF A
16 PHYSICAL EXAMINATION TO THE DEPARTMENT THAT INDICATE THAT HE OR SHE
17 IS FIT TO COMPETE.

18 (Q) THE PHYSICIAN AT THE EVENT DETERMINES THE STATUS OF A
19 CONTESTANT WHO IS KNOCKED OUT OR WHOSE CONTEST IS STOPPED BY THE
20 REFEREE. THE PHYSICIAN MAY MAKE RECOMMENDATIONS CONCERNING EITHER
21 OF THE FOLLOWING:

22 (i) THE CONTESTANT'S STATUS, INCLUDING, BUT NOT LIMITED TO, A
23 RECOMMENDATION TO THE DEPARTMENT THAT THE CONTESTANT NOT COMPETE
24 FOR A PERIOD OF TIME SPECIFIED BY THE PHYSICIAN.

25 (ii) THE NEED FOR ADDITIONAL TESTING OR EXAMINATION OF THE
26 CONTESTANT, INCLUDING, BUT NOT LIMITED TO, A POSTFIGHT NEUROLOGICAL
27 EXAMINATION, WHICH MAY INCLUDE PERFORMING COMPUTERIZED AXIAL

1 TOMOGRAPHY (CAT) SCANS OR MAGNETIC RESONANCE IMAGING (MRI) ON THE
2 CONTESTANT IMMEDIATELY AFTER THE CONTESTANT LEAVES THE EVENT VENUE.

3 (R) IF A PHYSICIAN RECOMMENDED THAT THE CONTESTANT NOT COMPETE
4 FOR A PERIOD OF TIME UNDER SUBDIVISION (Q) (i), THAT CONTESTANT DOES
5 NOT COMPETE IN ANOTHER CONTEST DURING THAT TIME PERIOD.

6 (S) IF A PHYSICIAN RECOMMENDED FURTHER NEUROLOGICAL
7 EXAMINATION OF A CONTESTANT UNDER SUBDIVISION (Q) (ii), THAT
8 CONTESTANT DOES NOT COMPETE IN ANOTHER CONTEST UNTIL THOSE
9 EXAMINATIONS ARE CONDUCTED, THE PROMOTER AND DEPARTMENT RECEIVE
10 COPIES OF THE EXAMINATION REPORTS, AND THE REPORTS DEMONSTRATE THAT
11 THE CONTESTANT IS FIT TO COMPETE.

12 (T) A CONTESTANT WHO SUSTAINS A SEVERE INJURY OR KNOCKOUT IN A
13 CONTEST IS EXAMINED BY A PHYSICIAN AND IS NOT PERMITTED TO COMPETE
14 IN ANOTHER CONTEST UNTIL A PHYSICIAN CERTIFIES THAT THE CONTESTANT
15 IS FULLY RECOVERED.

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

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

20 (ii) IN ANY 90-DAY PERIOD, HE OR SHE WAS KNOCKED OUT IN 2
21 CONTESTS OR 2 OF HIS OR HER CONTESTS WERE STOPPED AND A PHYSICIAN
22 RECOMMENDED NEUROLOGICAL TESTING UNDER SUBDIVISION (Q) AFTER ANY OF
23 THOSE CONTESTS.

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

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

1 (i) HE OR SHE PARTICIPATED IN MULTIPLE CONTESTS BEFORE THE
2 EVENT.

3 (ii) IN ANY 12-MONTH PERIOD, HE OR SHE WAS KNOCKED OUT IN 3
4 CONSECUTIVE CONTESTS OR 3 CONSECUTIVE CONTESTS WERE STOPPED AND A
5 PHYSICIAN RECOMMENDED NEUROLOGICAL TESTING UNDER SUBDIVISION (Q)
6 AFTER ANY OF THOSE CONTESTS.

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

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

14 (X) EACH CONTESTANT IS AT LEAST 18 YEARS OF AGE.

15 (Y) A CONTESTANT DOES NOT COMPETE IN MORE THAN 1 CONTEST AT AN
16 EVENT.

17 (Z) ALL OF THE CONTESTANTS IN A CONTEST ARE THE SAME GENDER.

18 (AA) AN INDIVIDUAL DOES NOT PARTICIPATE AS A CONTESTANT IF HE
19 OR SHE PARTICIPATED IN ANOTHER CONTEST IN THE 7-DAY PERIOD
20 PRECEDING THE EVENT.

21 (BB) THE RESULTS OF EACH CONTEST ARE REPORTED TO THE
22 DEPARTMENT, ON A FORM PRESCRIBED BY THE DEPARTMENT, WITHIN 48 HOURS
23 AFTER THE CONCLUSION OF THE EVENT. THE REPORT SHALL INCLUDE ANY
24 PHYSICIAN RECOMMENDATIONS UNDER SUBDIVISION (Q). WITHIN 2 BUSINESS
25 DAYS AFTER IT RECEIVES THOSE RESULTS, THE DEPARTMENT SHALL ENTER
26 THOSE RESULTS IN EACH NATIONAL CONTEST RESULTS DATABASE SELECTED BY
27 THE DEPARTMENT.

1 (CC) IN A PROFESSIONAL EVENT, THAT TICKETS SOLD BY CONTESTANTS
2 ARE NOT A FACTOR IN DETERMINING THE AMOUNT OF THE PURSE.

3 (DD) IF A MIXED MARTIAL ARTS CONTEST IS A CAGE FIGHT, THE
4 REFEREE CONDUCTS A SAFETY INSPECTION OF THE CAGE BEFORE THE
5 CONTEST.

6 Sec. 55. (1) A ~~professional participating~~ PROMOTER SHALL
7 INSURE EACH CONTESTANT WHO COMPETES in a contest ~~or exhibition~~
8 ~~shall be insured by the promoter for not less than~~ FOR AT LEAST
9 \$50,000.00 for medical and hospital expenses ~~to be paid~~ RELATED TO
10 INJURIES SUSTAINED IN THE CONTEST OR EVENT, PAYABLE to the
11 contestant, ~~to cover injuries sustained in the contest and for not~~
12 ~~less than~~ AT LEAST \$50,000.00 ~~to be paid in accordance with the~~
13 ~~statutes of descent and distribution of personal property if the~~
14 ~~contestant should die~~ DIES as a result of injuries received in a
15 ~~boxing contest or exhibition.~~ OR EVENT, WITH THE PROCEEDS PAYABLE TO
16 THE CONTESTANT'S ESTATE.

17 (2) A promoter shall pay the policy premium and deductible
18 regarding any medical or hospital expenses for a contestant's
19 injuries.

20 Sec. 57. (1) A licensed physician shall ~~be in attendance at~~
21 ATTEND each contest. ~~or exhibition.~~ The physician shall observe the
22 physical condition of the contestants and advise the referee or
23 judges with regard to the health of those contestants. The
24 physician shall examine each contestant before ~~entering~~ HE OR SHE
25 ENTERS the ring.

26 (2) The ~~licensed~~ physician DESCRIBED IN SUBSECTION (1) shall
27 file with the commission the report of the physical examination of

1 ~~a-EACH~~ contestant ~~not later than~~ **WITHIN** 24 hours after termination
 2 ~~of the contest or exhibition.~~ **EVENT ENDS.**

3 (3) If, in the opinion of ~~the~~ **A** physician **DESCRIBED IN**
 4 **SUBSECTION (1)**, the health or safety of a contestant requires ~~that~~
 5 **THE TERMINATION OF** the contest ~~or exhibition~~ in which he or she is
 6 ~~participating be terminated,~~ **COMPETING**, the physician shall notify
 7 the referee ~~. The~~ **AND THE** referee shall terminate the contest. ~~or~~
 8 ~~exhibition.~~

9 Sec. 58. (1) If a contestant ~~or participant~~ loses
 10 consciousness during or as a result of a contest ~~or exhibition~~ in
 11 which he or she ~~participates,~~ **COMPETES**, he or she ~~shall not again~~
 12 ~~be~~ **IS NOT** eligible to participate in a ~~ANOTHER~~ contest ~~or~~
 13 ~~exhibition~~ in this state ~~unless~~ **UNTIL HE OR SHE IS** examined by a
 14 physician appointed by the commission and ~~unless the~~ **THAT** physician
 15 certifies the contestant's ~~or participant's~~ fitness to participate
 16 **IN THAT CONTEST.**

17 (2) The contestant ~~or participant~~ shall pay the cost of the
 18 examination conducted under subsection (1).

19 Enacting section 1. Sections 32, 51, 52, 53, 54, 56, 60, 61,
 20 62, and 63 of the Michigan unarmed combat regulatory act, 2004 PA
 21 403, MCL 338.3632, 338.3651, 338.3652, 338.3653, 338.3654,
 22 338.3656, 338.3660, 338.3661, 338.3662, and 338.3663, are repealed.

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