

REVISIONS TO UNARMED COMBAT ACT

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Senate Bill 370 as reported by House committee w/o amendment

Sponsor: Sen. Dave Robertson

House Committee: Regulatory Reform

Senate Committee: Regulatory Reform

Complete to 10-9-17

Analysis available at
<http://www.legislature.mi.gov>

(Enacted as Public Act 146 of 2017)

BRIEF SUMMARY: The bill would amend the Michigan Unarmed Combat Regulatory Act, which regulates events and contests involving boxing or professional or amateur mixed martial arts (MMA), to do the following:

- Require inspectors to also weigh in contestants, tabulate contestant scores, approve hand wraps, and monitor the actions of those assisting contestants.
- Require an individual to be at least 18 years of age to receive a contestant license.
- Establish an administrative fine for disciplinary actions against a person relating to an amateur contest or event to no more than \$10,000.
- Require a licensed promoter to submit a request for departmental approval of an event 30 days, rather than 5 days, before the event.
- Require LARA to establish weight classes for contestants by rule and eliminate the current weight class provisions in the act.
- Require the results of certain medical tests to be submitted to LARA, rather than to the promoter, and allow submission of an eye test performed in the preceding 12 months rather than 180 days.

FISCAL IMPACT: The bill would have an indeterminate fiscal impact on LARA, as detailed later in the analysis.

THE APPARENT PROBLEM:

As mixed martial arts (MMA) continues to grow in popularity, it has become apparent that several corrections and changes to the state's Michigan Unarmed Combat Regulatory Act, which regulates boxing and both professional and amateur MMA contests, are needed. For instance, when weight classes for MMA participants were placed in statute, they did not follow the national standards. Further, the statute allows professional MMA fighters to be sanctioned by the Department of Licensing and Regulatory Affairs (LARA) for failure to comply with regulations (e.g., using illegal drugs before a contest), but LARA has no statutory authority to sanction amateur MMA participants for similar bad conduct. To increase the safety of the sport and adhere to national standards, legislation has been offered to make numerous revisions to the boxing and MMA law

THE CONTENT OF THE BILL:

Senate Bill 370, which would take effect 90 days after enactment, would make the following changes to the Michigan Unarmed Combat Regulatory Act.

Inspector duties and qualifications

Among other duties currently required under the act, an inspector would have to do the following:

- Weigh in each contestant.
- Tabulate the scores of each contest.
- Approve each contestant's hand wraps before a contest.
- Monitor the actions of each individual who assists a contestant during the contest.

To the list of criteria that an individual must meet to be an inspector, the bill would add the requirement that the person had been previously approved as an inspector by the Department of Licensing and Regulation (LARA) and that he or she has the approval of the department.

Contestant requirements for licensure for boxing or MMA

The bill would add that an individual could not receive a contestant license unless he or she were at least 18 years of age.

License sanctions by LARA

In addition to other actions allowed by the act, LARA may currently take an action against an applicant or the license of a contestant, promoter, or participant if the applicant or licensee fails to file current address information with the department. *The bill* would specify that the department could initiate an action if the applicant or licensee failed to provide the required information within 30 days after a change occurred.

Disciplinary action by the Michigan Unarmed Combat Commission

Currently, if disciplinary action is taken against a person under the act relating to preparation for a contest or event, occurrence of a contest or event, or any other action in conjunction with a contest or event, the commission may assess an administrative fine of not more than 100 percent of the share of the purse to which the holder of the license is entitled for the contest or event. *The bill* would limit the applicability of this fine to *professional contests or events*. For an *amateur contest or event*, the bill would allow the commission to assess an administrative fine not to exceed \$10,000.

Duties of licensed promoters; elimination of weight classes in statute

Currently, the act requires a promoter who is presenting an unarmed combat event to submit a request for approval of the event to LARA at least 5 days before the event; *the bill* would require the request to be submitted at least 30 days before the event.

A promoter would no longer have to provide the names of the emergency medical technicians that accompany an ambulance provider in the request for event approval; only the name of the ambulance provider and the alternate ambulance provider would have to be provided.

Currently, for an amateur or professional MMA event or professional boxing event, a licensed promoter must weigh a contestant before he or she participates in a contest and

place the contestant in the appropriate weight class. *The bill* would delete the weight classes, such as flyweight and featherweight classifications, and *instead* provide that LARA by rule would establish weight classes for contestants.

Currently, the act restricts a contestant to participating in a contest only with another contestant who is in the same weight class or who meets at least 1 of several listed criteria pertaining to the allowable weight difference between contestants who are in different classes. *The bill* would eliminate this provision.

Instead of requiring an individual prior to competing as a contestant to submit a medical certification of negative results for hepatitis B and C and HIV tests to a promoter, *the bill* would require the test results to be submitted to LARA. Similarly, instead of prohibiting an individual from competing until the results of an ophthalmologic (eye) exam that had been performed within 180 days prior to the contest had been submitted to the promoter and then submitted to LARA, *the bill* would require the individual to submit to LARA the results of the eye exam performed by a licensed optometrist or ophthalmologist within the 12-month period preceding the contest or event indicating that the contestant is medically cleared to fight. The results would have to be submitted on a form prescribed by the department.

The results of a pregnancy test performed on a female prior to competing as a contestant performed within the 7-day period preceding the contest or event would have to be submitted to LARA rather than to the promoter as current law requires.

MCL 338.3620 et al.

HOUSE COMMITTEE ACTION:

No changes were made to the bill by the House Regulatory Reform Committee.

FISCAL INFORMATION:

Senate Bill 370 would have an indeterminate fiscal impact on the Department of Licensing and Regulatory Affairs and no fiscal impact on other units of state or local government. Under current law, disciplinary actions taken against persons preparing for contests or events can incur an administrative fine that does not exceed 100% of the share of the purse to which the licensee is entitled. The bill stipulates that disciplinary actions taken by the Michigan Unarmed Combat Commission relating to preparation for professional fights could continue to have an assessed administrative fine of 100% of the share of the purse to which the licensee is entitled to for the event or contest. However, disciplinary actions taken by the commission in relation to the preparation for amateur contests could have an administrative fine not to exceed \$10,000. The direction and magnitude of the impact of this change would depend upon several variables, including how much the average prize purse was for licensees subject to administrative fines for amateur fights.

ARGUMENTS:

For:

One of the more important changes the bill would make would be to conform the weight classes for MMA contests to national standards. Currently, Michigan has many more classes than the rest of the country, meaning that out-of-state fighters may be used to opponents having a wider weight range. As training may vary based on the expected weight of an opponent, assigning participants to weight classes based on how the rest of the country does it would increase safety and help those who wish to advance in the sport move up the ranks in amateur and professional MMA.

Another important change is allowing LARA to sanction amateurs who break the rules. Currently, violations such as testing positive for drugs can cost a professional fighter his or her entire purse. The wording of the statute, however, doesn't allow LARA to fine an amateur for fighting under the influence as amateurs do not compete for a purse. The bill would fix this loophole.

Other changes LARA indicated were important include restricting a contestant license for amateur or professional boxing or MMA to adults (at least 18 years of age) and increasing the responsibilities of inspectors to include weighing in contestants, tabulating the scores of each contest, and approving hand wraps before a contest. The bill would also give LARA flexibility to approve some persons as inspectors who have experience and demonstrated they do a good job but who do not otherwise meet all the criteria to be an inspector. These changes are expected to increase the safety of both boxing and MMA.

Against:

No arguments in opposition to the proposed amendments were raised.

POSITIONS:

A representative of the Department of Licensing and Regulatory Reform testified in support of the bill. (9-20-17)

Legislative Analyst: Susan Stutzky
Fiscal Analyst: Marcus Coffin

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.