

Act No. 187
Public Acts of 2004
Approved by the Governor
July 8, 2004
Filed with the Secretary of State
July 8, 2004
EFFECTIVE DATE: July 8, 2004

**STATE OF MICHIGAN
92ND LEGISLATURE
REGULAR SESSION OF 2004**

Introduced by Senators Patterson, Kuipers, Goschka, Leland, Schauer and Hardiman

ENROLLED SENATE BILL No. 988

AN ACT to amend 1980 PA 299, entitled "An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending sections 805a, 806, 806b, and 810 (MCL 339.805a, 339.806, 339.806b, and 339.810), sections 805a, 806, and 810 as amended and section 806b as added by 1995 PA 217, and by adding section 806e.

The People of the State of Michigan enact:

Sec. 805a. (1) This article does not apply to boxing elimination contests in which all of the following apply:

- (a) The contestants compete for prizes only in elimination contests and are not also professional boxers competing in 4 or more rounds of nonelimination boxing.
- (b) Each bout is scheduled to consist of 3 or fewer 1-minute rounds, with contests conducted on no more than 2 consecutive calendar days.
- (c) Competing contestants are prohibited from boxing for more than 12 minutes on each contest day.
- (d) The contestants participating in the elimination contest are insured by the promoter for all medical and hospital expenses to be paid to the contestants to cover injuries sustained in the contest.
- (e) A licensed physician is in attendance at ringside and the physician has authority to stop the contest for medical reasons.
- (f) All contestants pass a physical examination given by a licensed physician, a licensed physician's assistant, or a certified nurse practitioner before the contest.
- (g) A preliminary breath test is administered to each contestant which indicates a blood alcohol content of .02% or less.

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

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

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

(iii) The promoter shall require that a contestant who has sustained a severe injury or knockout in an elimination contest be examined by a physician. The promoter shall not permit the contestant to compete until the physician has certified that the contestant has fully recovered.

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

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

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

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

(2) As part of the physical examination given before the contest, the licensed physician, licensed physician's assistant, certified nurse practitioner, or other trained person shall administer a preliminary breath test in compliance with standards imposed in rules promulgated by the department of state police regarding equipment calibration and methods of administration.

(3) The promoter shall keep a log of preliminary breath test results of contestants on file at its place of business for at least 3 years after the date of administration of the test. These results shall be made available to law enforcement officials upon request.

(4) An elimination contest held pursuant to this section is not considered to be in violation of the law.

Sec. 806. (1) A promoter, boxing club, physician, physician's assistant, nurse practitioner, referee, judge, matchmaker, timekeeper, announcer, professional boxer, or a manager, or second of those persons shall obtain a license from the department before participating either directly or indirectly in a boxing contest.

(2) A person shall not profit directly or indirectly from a boxing contest or participate directly or indirectly in the contest or in the receipts from a contest unless that contest is licensed by the department in advance under the classifications designated in this article.

(3) Each application for a license shall be in writing, shall be verified by the applicant, and shall set forth those facts requested by and conform to the rules promulgated by the department, jointly with the board.

(4) The department shall issue a passport with each professional boxer's license.

(5) Each applicant for a license as a promoter, referee, or judge shall be of good moral character.

Sec. 806b. (1) A person seeking a license under this article as a judge or referee may be required to satisfactorily pass an examination acceptable to the board and the department.

(2) A person seeking a license under this article as a judge, referee, or boxer shall pass a physical examination, which is performed by a licensed physician, a licensed physician's assistant, or a certified nurse practitioner, acceptable to the board and present evidence of passage to the department.

(3) The department shall issue a license without an examination to a person who is licensed under this article on December 1, 1995 upon application on a form provided by the department.

Sec. 806e. This article does not require new or additional third party reimbursement or worker's compensation benefits for services rendered.

Sec. 810. (1) A professional boxing contest shall be of not more than 10 rounds in length, except a contest which involves a national or international championship may last not more than 20 rounds in the determination of the department. The contestants shall wear during a contest gloves weighing at least 6 ounces each. Rounds shall be not longer than 3 minutes, with not less than 1-minute rest between rounds.

(2) A contestant in a professional or amateur boxing contest shall be certified to be in proper physical condition by a licensed physician, licensed physician's assistant, or certified nurse practitioner before participating in a boxing contest.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Sam E. Randall

Clerk of the House of Representatives

Approved _____

Governor