

HOUSE BILL No. 6301

June 30, 2010, Introduced by Rep. Robert Jones and referred to the Committee on Regulatory Reform.

A bill to amend 2004 PA 403, entitled "Michigan unarmed combat regulatory act," by amending sections 10, 12, 22, 51, 53, 54, 55, and 56 (MCL 338.3610, 338.3612, 338.3622, 338.3651, 338.3653, 338.3654, 338.3655, and 338.3656), sections 10, 12, 51, 53, 54, 55, and 56 as amended by 2007 PA 196 and section 22 as amended by 2010 PA 100; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 10. As used in this act:

2 (a) "Amateur" means a person who is not competing and has
3 never competed for a money prize or who is not competing and has
4 not competed with or against a professional for a prize. For a
5 boxing contest, amateur is a person who is required to be

1 registered by USA boxing.

2 (b) "Commission" means the Michigan unarmed combat commission
3 created in section 20.

4 (c) "Complainant" means a person who has filed a complaint
5 with the department alleging that a person has violated this act or
6 a rule promulgated or an order issued under this act. If a
7 complaint is made by the department, the director shall designate 1
8 or more employees of the department to act as the complainant.

9 (d) "Department" means the department of **ENERGY**, labor, and
10 economic growth.

11 (e) "Director" means the director of the department or his or
12 her designee.

13 (f) "Employee of the department" means an individual employed
14 by the department or a person under contract to the department
15 whose duty it is to enforce the provisions of this act or rules
16 promulgated or orders issued under this act.

17 (g) "Fund" means the ~~Michigan~~-unarmed combat fund created in
18 section 22.

19 (h) "Good moral character" means good moral character as
20 determined and defined in 1974 PA 381, MCL 338.41 to 338.47.

21 (i) "Mixed martial arts" means **PROFESSIONAL OR AMATEUR** unarmed
22 combat involving the use of a combination of techniques from
23 different disciplines of the martial arts and includes grappling,
24 kicking, jujitsu, and striking, subject to limitations contained in
25 this act and rules promulgated under this act.

26 Sec. 12. This act does not apply to any of the following:

27 (a) Professional or amateur wrestling.

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

2 (B) ~~(e)~~ Contests or exhibitions conducted by or participated
3 in exclusively by an agency of the United States government or by a
4 school, college, or university or an organization composed
5 exclusively of those entities if each participant is an amateur.

6 (C) ~~(d)~~ Amateur boxing regulated by the amateur sports act of
7 1978, 36 USC 371.

8 (D) ~~(e)~~ Boxing elimination contests regulated by section 50.

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

10 Sec. 22. (1) The commission shall elect 1 of its members as
11 the chair of the commission. The commission may purchase and use a
12 seal. The director may promulgate rules for the administration of
13 this act but only after first consulting with the commission. The
14 commission may request the department to promulgate a rule under
15 section 38 of the administrative procedures act of 1969, 1969 PA
16 306, MCL 24.238. Notwithstanding the time limit provided for in
17 section 38 of the administrative procedures act of 1969, 1969 PA
18 306, MCL 24.238, the department shall respond in writing to any
19 request for rule promulgating by the commission within 30 calendar
20 days after a request. The response shall include a reason and
21 explanation for acceptance or denial of the request.

22 (2) The department shall promulgate rules to include all of
23 the following:

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

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

27 (c) Qualifications of licensees.

1 (d) License fees **FOR PARTICIPANTS AS DESCRIBED IN SECTION 51,**
2 **THAT ARE** not otherwise provided under this act. **THE PARTICIPANT**
3 **LICENSE FEES REGARDING AMATEUR MIXED MARTIAL ARTS SHALL BE**
4 **SUBSTANTIALLY THE EQUIVALENT TO PARTICIPANT LICENSE FEES FOR**
5 **PROFESSIONAL MIXED MARTIAL ARTS.**

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

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

11 (3) An unarmed combat fund is created as a revolving fund in
12 the state treasury and administered by the director. The money in
13 the fund is to be only used for the costs of administration and
14 enforcement of this act and for any costs associated with the
15 administration of this act, including, but not limited to,
16 reimbursing the department of attorney general for the reasonable
17 costs of services provided to the department under this act. Money
18 remaining in the fund at the end of the fiscal year and interest
19 earned shall be carried forward into the next fiscal year and shall
20 not revert to the general fund. The department shall deposit into
21 the fund all money received from the regulatory and enforcement
22 fee, license fees, event fees, and administrative fines imposed
23 under this act, and from any other source. **THE DEPARTMENT SHALL BE**
24 **THE ADMINISTRATOR OF THE FUND FOR AUDITING PURPOSES.**

25 (4) Annually, the legislature shall fix the per diem
26 compensation of the members of the commission. Travel or other
27 expenses incurred by a commission member in the performance of an

1 official function shall be payable by the department under the
2 standardized travel regulations of the department of management and
3 budget.

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

8 (6) The commission and department are vested with management,
9 control, and jurisdiction over all professional boxing and
10 ~~professional~~ mixed martial arts contests or exhibitions to be
11 conducted, held, or given within the state of Michigan. Except for
12 any contests or exhibitions exempt from this act, a contest or
13 exhibition shall not be conducted, held, or given within this state
14 except in compliance with this act.

15 (7) ~~The~~ **REGARDING BOTH PROFESSIONAL AND AMATEUR MIXED MARTIAL**
16 **ARTS, THE** requirements and standards contained in standards adopted
17 by the New Jersey state athletic control board, N.J.A.C. 13:46-24A
18 and 24B, as they may exist on February 20, 2005, entitled the mixed
19 martial arts unified rules, dated 2000, except for the license fees
20 described in those rules, are incorporated by reference. Any
21 requirements and standards incorporated by reference in this
22 subsection that are in conflict with the requirements and standards
23 of this act are considered superseded by the provisions of this
24 act. The director, in consultation with the commission, may
25 promulgate rules consistent with section 35 to alter, supplement,
26 update, or amend the standards incorporated by reference under this
27 subsection. Any references to the commission in the mixed martial

1 arts unified rules shall mean the department. The standards
2 contained in 13:46-24B.3 are not incorporated by reference.

3 Sec. 51. (1) A physician, licensed physician's assistant,
4 certified nurse practitioner, referee, judge, matchmaker,
5 timekeeper, professional boxer, contestant, or manager, or a second
6 of those persons, shall obtain a participant license from the
7 department before participating either directly or indirectly in a
8 contest or exhibition.

9 (2) An application for a participant license shall be in
10 writing, shall be verified by the applicant, and shall set forth
11 those facts requested by and conform to the rules promulgated by
12 the department.

13 (3) The department shall issue a passport with each
14 professional **AND AMATEUR** contestant's license.

15 (4) The commission, or a member of the commission, has
16 standing to contest the issuance or nonissuance of an exhibition or
17 other license by written or electronic communication to the
18 department.

19 Sec. 53. (1) In addition to the requirements of section 52, a
20 person seeking a license as a professional referee, judge, or
21 timekeeper shall referee, judge, or keep time for a minimum of 300
22 rounds of amateur competitive boxing. To the extent standards are
23 not contained in the mixed martial arts unified rules incorporated
24 by reference under section 22(7), the department shall promulgate
25 rules establishing standards for a person seeking licensure as a
26 **PROFESSIONAL OR AMATEUR** mixed martial arts ~~professional~~-referee,
27 judge, or timekeeper.

1 (2) After a person has successfully completed the requirements
2 of section 51(2) and subsection (1), the department may issue the
3 person a license.

4 Sec. 54. (1) In addition to the requirements of section 53, a
5 person seeking a license as a professional **BOXING** judge shall
6 score, unofficially, not fewer than 200 rounds of professional
7 boxing. In order to fulfill the requirements of this subsection, an
8 applicant shall only unofficially judge contests that are approved
9 by the commission for that purpose. An applicant shall not receive
10 compensation for judging boxing contests or exhibitions under this
11 subsection. Scorecards shall be transmitted to the department and
12 the commission for review and evaluation.

13 (2) To the extent standards are not contained in the mixed
14 martial arts unified rules incorporated by reference under section
15 22(7), the department shall promulgate rules establishing
16 experience standards for a person seeking licensure as a
17 **PROFESSIONAL AND AMATEUR** mixed martial arts ~~professional judge~~
18 **JUDGES**.

19 (3) An employee authorized by the department or the commission
20 shall complete a standardized evaluation sheet for each contest or
21 exhibition judged by a licensee. The commission shall annually
22 review the evaluation sheets. A commission member attending a
23 contest or exhibition may also submit to the department a
24 standardized evaluation sheet.

25 Sec. 55. (1) A professional **OR AMATEUR THAT IS REGULATED BY**
26 **THIS ACT AND** participating in a contest or exhibition shall be
27 insured by the promoter for not less than \$50,000.00 for medical

1 and hospital expenses to be paid to the contestant to cover
2 injuries sustained in the contest and for not less than \$50,000.00
3 to be paid in accordance with the statutes of descent and
4 distribution of personal property if the contestant should die as a
5 result of injuries received in a boxing **OR MIXED MARTIAL ARTS**
6 contest or exhibition.

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

10 Sec. 56. (1) A professional boxing contest or exhibition shall
11 be of not more than 10 rounds in length, except a boxing contest or
12 exhibition which involves a national or international championship
13 may last not more than 12 rounds in the determination of the
14 department. The contestants shall wear during a contest gloves
15 weighing at least 8 ounces each. Rounds shall be not longer than 3
16 minutes, with not less than 1-minute rest between rounds.

17 (2) A professional, **OR AMATEUR**, or participant in a contest or
18 exhibition shall be certified to be in proper physical condition by
19 a licensed physician, a licensed physician's assistant, or a
20 certified nurse practitioner before participating in a contest or
21 exhibition. The department shall designate any medical test that
22 may be required to determine if the individual is in proper
23 physical condition.

24 Enacting section 1. Sections 60, 62, and 63 of the Michigan
25 unarmed combat regulatory act, 2004 PA 403, MCL 338.3660, 338.3662,
26 and 338.3663, are repealed.