

SENATE BILL No. 362

May 16, 2013, Introduced by Senator ROBERTSON and referred to the Committee on Regulatory Reform.

A bill to amend 2004 PA 403, entitled "Michigan unarmed combat regulatory act," by amending the title and sections 1, 10, 11, 12, 20, 21, 22, 30, 31, 33, 34, 35, 40, 41, 42, 47, 48, 55, 57, and 58 (MCL 338.3601, 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, 338.3647, 338.3648, 338.3655, 338.3657, and 338.3658), sections 1, 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, 49, 49a, and 54a; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

TITLE

An act to regulate ~~certain forms of boxing~~ **AND MIXED MARTIAL**

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

14 Sec. 1. This act shall be known and may be cited as the
 15 "Michigan ~~unarmed combat~~ **BOXING AND MIXED MARTIAL ARTS** regulatory
 16 act".

17 Sec. 10. As used in this act:

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

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

22 (ii) For a boxing contest, ~~amateur is a person~~ **AN INDIVIDUAL**
 23 who is required to be registered by USA boxing.

24 **(B) "BOXER" MEANS AN INDIVIDUAL WHO IS LICENSED TO ENGAGE IN A**
 25 **MARTIAL ARTS EVENT IN WHICH THE SOLE MARTIAL ART EMPLOYED IS**
 26 **BOXING.**

1 (C) "BOXING" MEANS THE SPORT OF ATTACK AND DEFENSE WITH FISTS,
2 USING PADDED GLOVES.

3 (D) ~~(b)~~-"Commission" means the Michigan ~~unarmed combat~~ **BOXING**
4 **AND MIXED MARTIAL ARTS** commission created in section 20.

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

11 (F) "CONTEST" MEANS AN INDIVIDUAL BOUT BETWEEN 2 BOXERS OR 2
12 MIXED MARTIAL ARTISTS.

13 (G) "CONTESTANT" MEANS AN INDIVIDUAL WHO COMPETES IN A
14 PROFESSIONAL BOXING, AMATEUR MIXED MARTIAL ARTS, PROFESSIONAL MIXED
15 MARTIAL ARTS, OR BOXING ELIMINATION CONTEST.

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

18 (I) ~~(e)~~-"Director" means the director of the department or his
19 or her designee.

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

23 (K) ~~(f)~~-"Employee of the department" means an individual **WHO**
24 **IS** employed by the department or ~~a person~~ **AN INDIVIDUAL WHO IS**
25 under contract to the department ~~whose duty it is to enforce the~~
26 ~~provisions of~~ **WHO IS RESPONSIBLE FOR ENFORCING** this act or rules
27 promulgated or orders issued under this act.

1 (I) "EVENT" MEANS A PROGRAM OF BOXING OR MIXED MARTIAL ARTS
2 THAT IS PLANNED FOR A SPECIFIC DATE AND TIME BY A PROMOTER AND
3 INCLUDES 1 OR MORE CONTESTS.

4 (M) ~~(g)~~ "Fund" means the Michigan ~~unarmed combat~~ BOXING AND
5 MIXED MARTIAL ARTS fund created in section 22.

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

8 (O) "MATCHMAKER" MEANS AN INDIVIDUAL WHO IS RESPONSIBLE FOR
9 ARRANGING BOXING OR MIXED MARTIAL ARTS CONTESTS BETWEEN
10 CONTESTANTS.

11 (P) "MEDICAL CLEARANCE" MEANS A DETERMINATION BY A PHYSICIAN,
12 MADE WITH REASONABLE MEDICAL CERTAINTY, THAT A CONTESTANT DOES NOT
13 HAVE A MEDICAL CONDITION THAT WOULD PREVENT HIM OR HER FROM BEING
14 ABLE TO PARTICIPATE IN A BOXING OR MIXED MARTIAL ARTS EVENT OR
15 CONTEST.

16 (Q) "MIXED MARTIAL ARTIST" MEANS AN INDIVIDUAL WHO IS LICENSED
17 TO COMPETE IN A MIXED MARTIAL ARTS EVENT OR CONTEST.

18 (R) ~~(i)~~ "Mixed martial arts" means unarmed combat ~~involving~~
19 THAT INVOLVES the use of a combination of techniques from different
20 disciplines of the martial arts and ~~includes grappling, kicking,~~
21 ~~jujitsu, and striking,~~ IS subject to **THE** limitations ~~contained~~
22 INCLUDED in this act and rules promulgated under this act. **THE TERM**
23 INCLUDES GRAPPLING, KICKING, JUJITSU, AND STRIKING.

24 Sec. 11. As used in this act:

25 (A) "PARTICIPANT" MEANS A REFEREE, JUDGE, PHYSICIAN,
26 MATCHMAKER, TIMEKEEPER, CONTESTANT, OR PROMOTER.

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

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

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

6 (iii) A TRAINING CENTER OR A SCHOOL OR OTHER EDUCATIONAL
7 INSTITUTION.

8 (iv) A COMBINATION OF PERSONS DESCRIBED IN SUBPARAGRAPHS (i) TO
9 (iii).

10 (C) ~~(a)~~-"Physician" means that term as defined in section
11 17001 or 17501 of the public health code, 1978 PA 368, MCL
12 333.17001 and 333.17501.

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

20 (E) ~~(c)~~-"Professional" means ~~a person~~AN INDIVIDUAL who is
21 competing or has competed in boxing or mixed martial arts for a
22 money prize.

23 (F) ~~(d)~~-"Promoter" means ~~any~~A person ~~who~~THAT produces or
24 stages ~~any~~IN WHOLE OR IN PART A professional contest or exhibition
25 of boxing or mixed martial arts, or both, but does not include the
26 venue where the exhibition or contest is being held unless the
27 venue contracts with the individual promoter to be a co-

1 ~~promoter.~~ **BOXING, AMATEUR MIXED MARTIAL ARTS, OR PROFESSIONAL MIXED**
 2 **MARTIAL ARTS EVENTS.**

3 (G) ~~(e)~~ "Purse" means ~~the financial guarantee~~ **A PRIZE** or any
 4 other remuneration ~~for which professionals are participating in a~~
 5 ~~contest or exhibition and includes the professional's share of any~~
 6 ~~payment received for radio, television, or motion picture~~
 7 ~~rights.~~ **OFFERED TO CONTESTANTS TO COMPETE IN A CONTEST OR EVENT. THE**
 8 **TERM INCLUDES A PROFESSIONAL'S SHARE OF ANY PAYMENT RECEIVED FOR**
 9 **RADIO, TELEVISION, MOTION PICTURE RIGHTS, OR OTHER MEDIA.**

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

13 (I) ~~(g)~~ "Rule" means a rule promulgated under the
 14 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to
 15 24.328.

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

19 (J) **"TRAINING CENTER" MEANS AN INSTITUTION THAT IS FORMED OR**
 20 **OPERATED PRINCIPALLY TO PROVIDE INSTRUCTION IN BOXING, MIXED**
 21 **MARTIAL ARTS, OR OTHER SPORTS.**

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

23 (a) Professional or amateur wrestling.

24 ~~(b) Amateur martial arts sports or activities.~~

25 (B) ~~(c) Contests or exhibitions~~ **AN EVENT THAT IS** conducted by
 26 or participated in exclusively by an agency of the United States
 27 government or by a school, college, or university or an

1 organization **THAT IS** composed exclusively of those entities if each
 2 participant ~~CONTESTANT~~ is an amateur.

3 (C) ~~(d)~~ Amateur boxing regulated by ~~UNDER~~ the amateur sports
 4 act of 1978, ~~36 USC 371~~. **TED STEVENS OLYMPIC AND AMATEUR SPORTS ACT,**
 5 **36 USC 220501 TO 220529.**

6 (D) ~~(e)~~ Boxing elimination contests regulated by ~~UNDER~~ section
 7 50.

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

9 Sec. 20. (1) The Michigan ~~unarmed combat~~ **BOXING AND MIXED**
 10 **MARTIAL ARTS** commission is created in the department. The
 11 commission shall consist of the director, serving as a nonvoting ex
 12 officio member of the commission, and 11 voting members, appointed
 13 by the governor with the advice and consent of the senate, as
 14 follows:

15 (a) Four members who have experience, knowledge, or background
 16 in boxing.

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

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

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

23 (3) Except as otherwise provided in this subsection, the 11
 24 members appointed by the governor shall serve a term of 4 years.
 25 However, of the initial members appointed under this act, the
 26 governor shall appoint 2 of the members to terms of 4 years, 2 of
 27 the members to terms of 2 years, and 3 of the members to terms of 1

1 year. Members appointed by the governor serve at the pleasure of
2 the governor.

3 (4) Subject to ~~subsection~~**SUBSECTIONS (5) AND (6)**, 7 members
4 of the commission constitute a quorum ~~for the exercise of the~~
5 ~~authority conferred on~~**OF** the commission under this act. Subject to
6 ~~subsection~~**SUBSECTIONS (5) AND (6)**, approval by at least 4 of the
7 members, or by a majority of those members who have not
8 participated in an investigation or administrative hearing
9 regarding a matter before the commission, is necessary for action
10 by the commission.

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

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

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

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

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

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

27 (b) The quorum requirement for consideration of the proposed

1 action is 4 members who are eligible to consider the action under
 2 subdivision (a), 2 of whom are members described in subsection
 3 (1)(b).

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

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

18 (8) Except as otherwise provided in sections ~~33(9)~~**33(10)** and
 19 61a, the records of the commission are subject to disclosure under
 20 the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

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

23 Sec. 21. ~~A person~~**AN INDIVIDUAL** who has a material financial
 24 interest in any club, organization, or corporation, the main object
 25 of which is the ~~holding or giving~~**CONDUCTING** of boxing or mixed
 26 martial arts contests or ~~exhibitions~~**EVENTS**, is not eligible for
 27 appointment to the commission.

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

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

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

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

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

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

2 (c) Qualifications of licensees.

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

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

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

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

11 (H) **QUALIFICATIONS AND ACTIVITIES OF MATCHMAKERS.**

12 (5) ~~(3) An unarmed combat~~ **THE BOXING AND MIXED MARTIAL ARTS**
13 ~~fund is created as a revolving fund in the state treasury. and~~
14 ~~administered by the director. The~~ **ALL OF THE FOLLOWING APPLY TO THE**
15 **FUND:**

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

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

27 (C) **THE STATE TREASURER SHALL DIRECT THE INVESTMENT OF THE**

1 FUND. THE STATE TREASURER SHALL CREDIT TO THE FUND INTEREST AND
2 EARNINGS FROM FUND INVESTMENTS.

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

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

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

15 (7) ~~(5)~~—The **DEPARTMENT AND** commission may affiliate with any
16 other state or national boxing or mixed martial arts commission or
17 athletic authority. The commission, upon approval of the director,
18 may enter into any appropriate reciprocity agreements.

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

1 ~~———— (7) The requirements and standards contained in standards~~
2 ~~adopted by the New Jersey state athletic control board, N.J.A.C.~~
3 ~~13:46-24A and 24B, as they may exist on February 20, 2005, entitled~~
4 ~~the mixed martial arts unified rules, dated 2000, except for the~~
5 ~~license fees described in those rules, are incorporated by~~
6 ~~reference. Any requirements and standards incorporated by reference~~
7 ~~in this subsection that are in conflict with the requirements and~~
8 ~~standards of this act are considered superseded by the provisions~~
9 ~~of this act. The director, in consultation with the commission, may~~
10 ~~promulgate rules consistent with section 35 to alter, supplement,~~
11 ~~update, or amend the standards incorporated by reference under this~~
12 ~~subsection. Any references to the commission in the mixed martial~~
13 ~~arts unified rules shall mean the department. The standards~~
14 ~~contained in 13:46-24B.3 are not incorporated by reference.~~

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

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

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

1 or both.

2 ~~—— (4) Notwithstanding the existence and pursuit of any other~~
 3 ~~remedy, an affected person may maintain injunctive action in a~~
 4 ~~court of competent jurisdiction to restrain or prevent a person~~
 5 ~~from violating subsection (1). If successful in obtaining~~
 6 ~~injunctive relief, the affected person shall be entitled to actual~~
 7 ~~costs and attorney fees. As used in this subsection, "affected~~
 8 ~~person" means a person directly affected by the actions of a person~~
 9 ~~suspected of violating subsection (1) and includes, but is not~~
 10 ~~limited to, the commission, the department, or a member of the~~
 11 ~~general public.~~

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

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

19 **(2) AN ANNUAL LICENSE ISSUED UNDER THIS ACT EXPIRES ON AUGUST**
 20 **31 OF THE CALENDAR YEAR FOLLOWING THE YEAR IN WHICH THE LICENSE WAS**
 21 **ISSUED.**

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

24 (a) Certifies ~~his or her~~ **THE APPLICANT'S** general suitability,
 25 character, integrity, and ability to participate, engage in, or be
 26 associated with boxing or mixed martial arts contests or
 27 exhibitions. ~~EVENTS~~. The burden of proof is on the applicant to

1 establish to the satisfaction of the commission and the department
2 that the applicant is qualified to receive a license.

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

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

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

20 (3) Before the department grants an approval for a contest or
21 ~~exhibition,~~**EVENT**, the promoter must ~~file~~**PROVIDE** a bond ~~with~~**TO**
22 the department **THAT MEETS ALL OF THE FOLLOWING:**

23 (A) **IS** in an amount fixed by the department but not less than
24 \$20,000.00 or more than \$50,000.00. ~~The applicant shall execute the~~
25 ~~bond~~

26 (B) **IS EXECUTED BY THE PROMOTER** as principal. ~~, and the bond~~
27 ~~shall be~~

1 (C) IS issued by a corporation **THAT IS** qualified under the
2 laws of this state as **A** surety. ~~7~~

3 (D) IS payable to the state of Michigan. ~~7~~ and

4 (E) IS conditioned on the faithful performance by the
5 applicant ~~PROMOTER~~ of the provisions of this act. ~~The bond must be~~

6 (F) IS purchased at least 5 days before the contest. ~~or~~
7 ~~exhibition and may~~

8 (G) **MAY** be used to satisfy payment for the professionals,
9 costs to the department for ring officials and physicians, and drug
10 tests.

11 (4) **THE DEPARTMENT SHALL REQUIRE THAT A PROMOTER PROVIDE TO**
12 **THE DEPARTMENT AND MAINTAIN IN FORCE FOR EACH APPROVED EVENT A**
13 **SURETY BOND THAT MEETS ALL OF THE FOLLOWING:**

14 (A) IS CONDITIONED ON THE FAITHFUL DISTRIBUTION OF ALL MONEY
15 OWED BY THE PROMOTER AS A RESULT OF THE EVENT.

16 (B) IS IN THE AMOUNT OF \$20,000.00.

17 (C) IS FOR THE BENEFIT OF ANY PERSON THAT IS DAMAGED BY THE
18 PROMOTER'S NONPAYMENT OF ANY LIABILITIES ASSOCIATED WITH THE EVENT,
19 INCLUDING, BUT NOT LIMITED TO, AMOUNTS OWED TO BOXERS, MIXED
20 MARTIAL ARTISTS, JUDGES, REFEREES, TIMEKEEPERS, AND PHYSICIANS.

21 (D) ALLOWS ANY AFFECTED PERSON TO BRING AN ACTION ON THE BOND.

22 (E) REMAINS IN EFFECT UNTIL ALL COMPLAINTS PROPERLY FILED WITH
23 THE DEPARTMENT FOR NONPAYMENT OF OBLIGATIONS COVERED BY THE BOND
24 ARE FULLY ADJUDICATED. A COMPLAINT IS NOT PROPERLY FILED IF IT IS
25 NOT FILED WITHIN 45 DAYS FOLLOWING THE EVENT COVERED BY THE BOND.

26 (5) ~~(4)~~ A promoter must apply for and obtain an annual license
27 from the department in order to present a program of contests or

1 ~~exhibitions~~ **EVENTS** regulated under this act. The annual license fee
 2 is ~~\$250.00.~~ **\$300.00.** The department shall request, and the
 3 applicant shall provide, any information that the department
 4 determines is necessary to ascertain the financial stability of the
 5 applicant. Section 61a applies to any information provided by an
 6 applicant under this subsection.

7 (6) ~~(5) A boxing promoter~~ **THAT CONDUCTS AN EVENT IN THIS STATE**
 8 shall pay an event fee of ~~\$125.00.~~ **A mixed martial arts promoter**
 9 shall ~~pay an event fee of \$125.00.~~ **\$500.00.**

10 (7) ~~(6) Each promoter shall pay a regulatory and enforcement~~
 11 ~~fee to~~ **TO** assure the integrity of the sports of boxing and mixed
 12 martial arts, the public interest, and the welfare and safety of
 13 ~~the professionals. The amount of the fee is~~ **CONTESTANTS, EACH**
 14 **PROMOTER THAT CONDUCTS AN EVENT IN THIS STATE SHALL PAY A**
 15 **REGULATORY AND ENFORCEMENT FEE FOR THAT EVENT IN 1 OF THE FOLLOWING**
 16 **AMOUNTS:**

17 (A) **IF THE EVENT IS AN AMATEUR MIXED MARTIAL ARTS EVENT,**
 18 **\$200.00.**

19 (B) **IF THE EVENT IS NOT AN AMATEUR MIXED MARTIAL ARTS EVENT,**
 20 **AN AMOUNT EQUAL TO 3% of the total gross receipts from ANY**
 21 **CONTRACTS FOR** the sale, lease, or other exploitation of
 22 broadcasting, television, and motion picture rights **OR OTHER MEDIA**
 23 ~~for an~~ **THE** event, or \$25,000.00, whichever is less, for a boxing or
 24 mixed martial arts event to which any of the following apply:

25 (i) ~~(a) If the~~ **THE** event is a **PROFESSIONAL** boxing event ~~,~~ **OR A**
 26 **PROFESSIONAL MIXED MARTIAL ARTS EVENT AND** the event is located in a
 27 venue with a seating capacity of more than 5,000.

1 (ii) ~~(b)~~ The promoter proposes to televise or broadcast the
2 event over any medium for viewing by spectators who are not present
3 in the venue.

4 ~~(c) The event is designed to promote professional boxing or
5 mixed martial arts contests in this state.~~

6 (8) ~~(7)~~ For purposes of subsection ~~(6)~~, ~~(7) (B)~~, at least 10
7 days before the boxing or mixed martial arts event, the promoter
8 shall submit ~~the~~ **ANY** contract **THAT IS** subject to the regulatory and
9 enforcement fee to the department, stating the amount of the
10 probable total gross receipts from the sale, lease, or other
11 exploitation of broadcasting, television, ~~and~~ motion picture
12 rights, **OR OTHER MEDIA** for the event. However, this subsection does
13 not apply to a **ANY OF THE FOLLOWING**:

14 **(A) A PROMOTER PROMOTING AN AMATEUR MIXED MARTIAL ARTS EVENT.**

15 **(B) A promoter that agrees to pay a regulatory and enforcement**
16 ~~fee for the event in the amount~~ **UNDER SUBSECTION (7) (B)** of
17 \$25,000.00, and the department receives that payment from the
18 promoter at least ~~1-5~~ business ~~day~~ **DAYS** before the event.

19 (9) ~~(8)~~ The department shall deposit the money received from
20 the proceeds of the regulatory and enforcement fee into the fund
21 created in section 22 and use those proceeds for the purposes
22 described in that section.

23 (10) ~~(9)~~ Within 1 business day before a boxing or mixed
24 martial arts contest or ~~exhibition,~~ **EVENT**, the promoter shall
25 deliver to the department ~~an executed~~ **A** copy of all of the executed
26 contracts between the promoter and the professionals **WHO ARE**
27 participating in that contest or ~~exhibition.~~ **EVENT**. The copies of

1 the contracts are exempt from disclosure under the freedom of
2 information act, 1976 PA 442, MCL 15.231 to 15.246, except that the
3 department may disclose statistical information on the number,
4 types, and amounts of contracts if information regarding
5 identifiable individuals or categories is not revealed.

6 (11) ~~(10)~~The commission or department may **REQUIRE THE**
7 **PROMOTER TO** perform drug testing on a ~~professional~~**CONTESTANT**
8 before or after a contest ~~or exhibition~~ to detect the presence of
9 alcohol, stimulants, or drugs, including, but not limited to,
10 performance enhancing drugs. A ~~professional~~**CONTESTANT** shall submit
11 to a urinalysis or chemical test before or after a contest ~~or~~
12 ~~exhibition~~ if the commission, the department, ~~or~~ a designated
13 representative of the commission or department, **OR THE PROMOTER**
14 directs him or her to do so. If a ~~professional~~**CONTESTANT** fails or
15 refuses to submit to a urinalysis or chemical test under this
16 subsection, or the results of the urinalysis or chemical test
17 confirm or demonstrate **THAT** the ~~professional~~**CONTESTANT** has
18 violated this act, he or she is subject to disciplinary action by
19 the commission under this act. In addition to any other
20 disciplinary action by the commission, if the ~~professional~~
21 **CONTESTANT** won the contest ~~or exhibition~~ or the contest ~~or~~
22 ~~exhibition~~ was a draw, the commission may change the result of that
23 contest ~~or exhibition~~ to a no decision. The department may
24 promulgate rules to define the terms "stimulants" or "performance
25 enhancing drugs."

26 **SEC. 33A. (1) BEFORE AN INDIVIDUAL PARTICIPATES IN A CONTEST,**
27 **HE OR SHE SHALL OBTAIN A CONTESTANT LICENSE FROM THE DEPARTMENT. TO**

1 OBTAIN A CONTESTANT LICENSE, AN APPLICANT MUST SUBMIT ALL OF THE
2 FOLLOWING TO THE DEPARTMENT:

3 (A) A WRITTEN APPLICATION THAT INCLUDES HIS OR HER NAME,
4 ADDRESS, DATE OF BIRTH, AND SOCIAL SECURITY NUMBER. THE DEPARTMENT
5 MAY PRESCRIBE THE FORM AND THE CONTENTS OF THE APPLICATION FORM.

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

9 (C) IF HE OR SHE IS APPLYING FOR A PROFESSIONAL CONTESTANT
10 LICENSE, HIS OR HER NATIONAL IDENTIFICATION CARD ISSUED BY THE
11 ASSOCIATION OF BOXING COMMISSIONERS OR A FEDERAL IDENTIFICATION
12 CARD ISSUED BY THE DEPARTMENT.

13 (2) EXCEPT AS OTHERWISE PROVIDED IN THIS ACT, THE DEPARTMENT
14 SHALL ISSUE A CONTESTANT LICENSE UNDER THIS SECTION TO AN
15 INDIVIDUAL WHO MEETS THE CONTESTANT LICENSING REQUIREMENTS UNDER
16 THIS ACT AND RULES PROMULGATED UNDER THIS ACT. THE DEPARTMENT SHALL
17 ASSIGN A LICENSE NUMBER TO EACH LICENSE ISSUED UNDER THIS
18 SUBSECTION.

19 (3) IF IT ISSUES A PROFESSIONAL CONTESTANT LICENSE UNDER THIS
20 SECTION, THE DEPARTMENT SHALL PROVIDE THE LICENSEE A NATIONAL
21 IDENTIFICATION CARD ISSUED BY THE ASSOCIATION OF BOXING
22 COMMISSIONERS OR A FEDERAL IDENTIFICATION CARD ISSUED BY THE
23 DEPARTMENT.

24 (4) IN ANY NOTICE, REPORT, OR OTHER COMMUNICATION WITH THE
25 DEPARTMENT OR COMMISSION THAT IDENTIFIES OR REFERS TO A SPECIFIC
26 CONTESTANT, INCLUDING, BUT NOT LIMITED TO, THE REPORT OF THE
27 RESULTS OF EACH CONTEST UNDER SECTION 54A(2)(BB), A PROMOTER SHALL

1 INCLUDE THE LICENSE NUMBER OF THE CONTESTANT ASSIGNED UNDER
2 SUBSECTION (2) .

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

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

13 (A) A WRITTEN APPLICATION. THE DEPARTMENT MAY PRESCRIBE THE
14 FORM AND THE CONTENTS OF THE APPLICATION FORM.

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

18 (i) REFEREE LICENSE, \$150.00.

19 (ii) JUDGE LICENSE, \$70.00.

20 (iii) MATCHMAKER LICENSE, \$150.00.

21 (iv) TIMEKEEPER LICENSE, \$70.00.

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

26 (A) HAS GOOD MORAL CHARACTER.

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

1 (C) ANY OTHER REQUIREMENT ESTABLISHED BY RULE.

2 SEC. 33C. (1) A PERSON THAT FAILS TO RENEW A PROMOTER LICENSE
3 THAT IS REQUIRED UNDER THIS ACT ON OR BEFORE ITS EXPIRATION DATE
4 SHALL NOT CONDUCT A BOXING OR MIXED MARTIAL ARTS CONTEST OR EVENT
5 OR ADVERTISE, OPERATE, OR USE THE TITLE "PROMOTER" AFTER THE
6 LICENSE EXPIRES.

7 (2) AN INDIVIDUAL WHO FAILS TO RENEW A CONTESTANT LICENSE THAT
8 IS REQUIRED UNDER THIS ACT ON OR BEFORE ITS EXPIRATION DATE SHALL
9 NOT PARTICIPATE IN A BOXING OR MIXED MARTIAL ARTS CONTEST OR EVENT
10 OR USE THE TITLE "CONTESTANT" AFTER HIS OR HER LICENSE EXPIRES.

11 (3) AN INDIVIDUAL WHO FAILS TO RENEW A PARTICIPANT LICENSE
12 THAT IS REQUIRED UNDER THIS ACT ON OR BEFORE ITS EXPIRATION DATE
13 SHALL NOT PARTICIPATE IN A BOXING OR MIXED MARTIAL ARTS EVENT OR
14 CONTEST OR USE THE TITLE "REFEREE", "JUDGE", "BOXING PHYSICIAN",
15 "MIXED MARTIAL ARTS PHYSICIAN", "MATCHMAKER", OR "TIMEKEEPER" AFTER
16 HIS OR HER LICENSE EXPIRES.

17 (4) A PERSON THAT DOES NOT RENEW A LICENSE ISSUED UNDER THIS
18 ACT ON OR BEFORE ITS EXPIRATION DATE MAY RENEW THE LICENSE WITHIN
19 60 DAYS AFTER THE EXPIRATION DATE BY PAYING THE REQUIRED LICENSE
20 FEE AND PAYING A LATE RENEWAL FEE IN THE AMOUNT OF \$30.00. AFTER
21 THAT 60-DAY PERIOD, THE PERSON MAY ONLY OBTAIN A LICENSE UNDER THIS
22 ACT BY COMPLYING WITH THE REQUIREMENTS OF THIS CHAPTER FOR
23 OBTAINING A NEW LICENSE, PAYING THE REQUIRED LICENSE FEE, AND
24 PAYING A LATE RENEWAL FEE IN THE AMOUNT OF \$30.00.

25 Sec. 34. (1) The director, in consultation with the
26 commission, may promulgate rules for the application and approval
27 process for promoters. Until the rules are promulgated, the

1 applicant shall comply with the standards described in subsection
2 (2).

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

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

8 (b) A requirement that **THE APPLICANT PROVIDE** background
9 information ~~be disclosed by~~ **CONCERNING** the applicant, ~~who~~ **IF THE**
10 **APPLICANT** is an individual, or ~~by~~ **CONCERNING** the principal officers
11 or members ~~and individuals having~~ **OF, AND EACH INDIVIDUAL WHO HAS**
12 at least a 10% ownership interest in the ~~case of any other legal~~
13 ~~entity,~~ **APPLICANT IF THE APPLICANT IS NOT AN INDIVIDUAL**, with
14 emphasis on ~~the applicant's~~ **HIS OR HER** business experience.

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

18 (d) Any other relevant and material information considered
19 necessary by the director ~~upon~~ **AFTER** consultation with the
20 commission.

21 (3) The department may consult with the commission on issues
22 related to the determination of an applicant's financial stability
23 and shall refer the application to the commission if clear and
24 convincing grounds for approval of the financial stability aspect
25 of the application do not exist.

26 (4) As part of the approval process for promoters, the
27 commission may require **THAT** the applicant or ~~his or her~~ **A**

1 representative ~~to be~~ **OF THE APPLICANT IS** present at a ~~THE~~
2 commission meeting ~~in~~ **AT** which the application is considered.

3 Sec. 35. (1) The director, ~~in~~ **AFTER** consultation with the
4 commission, ~~shall~~ **MAY** promulgate rules to set standards for boxing
5 and mixed martial arts ~~exhibitions~~ **EVENTS** and participants, ~~and to~~
6 ~~provide for license fees for all participants in the~~ **TO ESTABLISH**
7 **TRAINING REQUIREMENTS FOR PROMOTERS, CONTESTANTS, AND PARTICIPANTS**
8 **REGULATED UNDER THIS ACT, OR TO ESTABLISH LICENSE FEES OR TRAINING**
9 **REQUIREMENTS FOR OTHER INDIVIDUALS WHO ARE ENGAGED IN** activities
10 regulated by this act not otherwise provided for in this act. ~~7~~
11 ~~including, but not limited to, license fees for a physician,~~
12 ~~physician's assistant, nurse practitioner, referee, judge,~~
13 ~~matchmaker, timekeeper, professional, contestant, or manager or a~~
14 ~~second of those persons.~~

15 (2) **BEGINNING 1 YEAR AFTER THE EFFECTIVE DATE OF THE**
16 **AMENDATORY ACT THAT ADDED THIS SUBSECTION, THE DIRECTOR MAY**
17 **BIANNUALLY ADJUST THE AMOUNT OF THE FEES DESCRIBED IN THIS ACT BY**
18 **AN AMOUNT DETERMINED BY THE STATE TREASURER TO REFLECT THE**
19 **CUMULATIVE ANNUAL PERCENTAGE INCREASE OR DECREASE FOR THE**
20 **IMMEDIATELY PRECEDING 6-MONTH PERIOD IN THE DETROIT CONSUMER PRICE**
21 **INDEX. A FEE ADJUSTED UNDER THIS SUBSECTION SHALL BE ROUNDED TO THE**
22 **NEAREST \$1.00 INCREMENT. AS USED IN THIS SUBSECTION, "DETROIT**
23 **CONSUMER PRICE INDEX" MEANS THE MOST COMPREHENSIVE INDEX OF**
24 **CONSUMER PRICES AVAILABLE FOR THE DETROIT AREA FROM THE BUREAU OF**
25 **LABOR STATISTICS OF THE UNITED STATES DEPARTMENT OF LABOR.**

26 Sec. 40. A complaint ~~which~~ **THAT** alleges that a person has
27 violated this act or a rule promulgated or an order issued under

1 this act shall be ~~lodged with~~ **SUBMITTED TO** the department. The
2 department of attorney general, the department, the commission, or
3 any other person may file a complaint.

4 Sec. 41. (1) ~~The~~ **WHEN IT RECEIVES A COMPLAINT UNDER SECTION**
5 **40, THE** department, ~~upon receipt of a complaint,~~ **SHALL** immediately
6 ~~shall begin its~~ **AN** investigation of the allegations of the
7 complaint and shall open a correspondence file. The department
8 shall make a written acknowledgment of the complaint within 15 days
9 after ~~receipt of the~~ **IT RECEIVES A** complaint to the person making
10 **THAT MADE** the complaint. If ~~the~~ **A** complaint is made by the
11 department, the director shall designate 1 or more employees of the
12 department to act as the person making **THAT MADE** the complaint.

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

21 ~~— (3) The investigative unit of the department, within 30 days~~
22 ~~after the department receives the complaint, shall report to the~~
23 ~~director on the status of the investigation. If, for good cause~~
24 ~~shown, an investigation cannot be completed within 30 days, the~~
25 ~~director may extend the time in which a report may be filed.~~

26 (3) ~~(4) If the report of the investigative unit of~~ **AFTER**
27 **CONDUCTING AN INVESTIGATION UNDER SUBSECTION (1), IF** the department

1 does not ~~disclose~~ **FIND THAT** a violation of this act or a rule
 2 promulgated or an order issued under this act **OCCURED**, the
 3 **DEPARTMENT SHALL CLOSE THE** complaint. ~~shall be closed by the~~
 4 ~~department.~~ **The DEPARTMENT SHALL NOTIFY THE COMPLAINANT AND**
 5 **RESPONDENT OF ITS** reasons for closing the complaint, ~~shall be~~
 6 ~~forwarded to the respondent and complainant, who then may~~ **AND THE**
 7 **COMPLAINANT OR RESPONDENT MAY THEN** provide additional information
 8 to reopen the complaint.

9 (4) ~~(5)~~ If the ~~report of the investigative unit made pursuant~~
 10 ~~to subsection (3) discloses~~ **DEPARTMENT INVESTIGATION UNDER**
 11 **SUBSECTION (1) REVEALS** evidence of a violation of this act or a
 12 rule promulgated or an order issued under this act, the department
 13 or the department of attorney general shall prepare the appropriate
 14 action against the respondent, which may be any of the following:

15 (a) A formal complaint.

16 (b) A cease and desist order.

17 (c) A notice of summary suspension, subject to sections 42 and
 18 ~~48(7).~~ **48(5)** .

19 (5) ~~(6)~~ At any time during its investigation or after ~~the~~
 20 ~~issuance of a formal complaint~~ **IS ISSUED**, the department may bring
 21 together the complainant and the respondent for an informal
 22 conference. At the informal conference, the department shall
 23 attempt to resolve issues raised in the complaint and may attempt
 24 to aid the parties in reaching a formal settlement or stipulation.

25 Sec. 42. (1) After **IT CONDUCTS** an investigation, ~~has been~~
 26 ~~conducted,~~ the department may issue an order summarily suspending a
 27 license based on an affidavit by ~~a person~~ **AN INDIVIDUAL WHO IS**

1 familiar with the facts set forth in the affidavit, or, if
2 appropriate, based ~~upon~~ **ON** an affidavit **MADE** on information and
3 belief, that an imminent threat to the integrity of the sport, the
4 public interest, ~~and~~ **OR** the welfare and safety of a ~~professional~~
5 **CONTESTANT** exists. ~~Thereafter, the proceedings described in this~~
6 ~~chapter shall be promptly commenced and decided.~~

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

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

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

27 (5) A summary suspension of a ~~professional~~ **CONTESTANT UNDER**

1 SECTION 48(5) for refusal or failure to submit to a drug test or
2 for the presence of controlled substances, enhancers, prohibited
3 drugs, or other prohibited substances ~~, as described in section~~
4 ~~48(7)~~, shall proceed under this section.

5 Sec. 47. (1) The department shall initiate an action under
6 this chapter against an applicant or take any other allowable
7 action against the license of any contestant, promoter, or ~~other~~
8 participant ~~who~~ **IF** the department determines ~~has done~~ **THAT THE**
9 **APPLICANT OR LICENSEE DOES** any of the following:

10 (A) ENGAGES IN FRAUD, DECEIT, OR DISHONESTY IN OBTAINING A
11 LICENSE.

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

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

26 (D) ~~(a)~~ Enters into a contract for a contest or ~~exhibition~~
27 **EVENT** in bad faith.

1 (E) ~~(b)~~ Participates in any sham or fake contest or
2 ~~exhibition.~~ **EVENT.**

3 (F) ~~(c)~~ Participates in a contest or ~~exhibition pursuant to~~
4 **EVENT UNDER** a collusive understanding or agreement in which the
5 contestant competes or terminates the contest or ~~exhibition.~~ **EVENT**
6 in a manner that is not based ~~upon~~ **ON** honest competition or the
7 honest exhibition of the skill of the contestant.

8 (G) ~~(d)~~ Is determined to have failed to give his or her best
9 efforts, failed to compete honestly, or failed to give an honest
10 exhibition of his or her skills in a contest. ~~or exhibition.~~

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

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

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

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

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

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

25 (M) **FAILS TO PROVIDE A REQUESTED DOCUMENT OR RECORDS TO THE**
26 **DEPARTMENT.**

27 (N) **VIOLATES OR FAILS TO COMPLY WITH A STIPULATION OR**

1 SETTLEMENT AGREEMENT WITH OR FINAL ORDER ISSUED BY THE DEPARTMENT
2 OR COMMISSION.

3 (O) AIDS OR ABETS ANOTHER PERSON IN PROMOTING A CONTEST
4 WITHOUT A LICENSE.

5 (P) FAILS TO PAY ANY OBLIGATION THAT IS RELATED TO THE NORMAL
6 COURSE OF PROMOTING AN EVENT, INCLUDING, BUT NOT LIMITED TO, VENUE
7 RENT OR JUDGE, PHYSICIAN, REFEREE, OR TIMEKEEPER FEES.

8 (Q) ENTERS INTO A CONTRACT FOR A CONTEST OR EVENT IN BAD
9 FAITH.

10 (R) GAMBLES ON THE OUTCOME OF A CONTEST OR EVENT OF WHICH THE
11 PERSON IS A PROMOTER.

12 (S) FAILS TO FILE CURRENT ADDRESS INFORMATION WITH THE
13 DEPARTMENT.

14 (T) TAMPERS WITH OR COERCES A CONTESTANT.

15 (U) AIDS OR ABETS ANOTHER PERSON TO ACT AS A PROMOTER,
16 CONTESTANT, OR PARTICIPANT OR CONDUCT AN EVENT WITHOUT A LICENSE
17 UNDER THIS ACT.

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

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

21 (b) Specific summary suspension procedures for contestants ~~and~~
22 ~~participants~~ who test positive for drugs or fail to submit to a
23 drug test, under section ~~48(4)~~ **48(5)**. The rules shall include **ALL**
24 **OF** the following:

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

1 COMMISSIONERS.

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

3 (iii) A relicensing procedure following summary suspension.

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

7 (3) ~~(4)~~ Each promoter shall furnish each member of the
 8 commission present at a contest or ~~exhibition~~ **EVENT** a seat in the
 9 area immediately adjacent to the contest or ~~exhibition~~ **EVENT**. An
 10 additional seat shall be provided in the venue.

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

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

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

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

1 **(B)** If disciplinary action is taken against a ~~person~~
2 **CONTESTANT** under this act that relates to the preparation for a
3 contest or an ~~exhibition, EVENT~~, the occurrence of a contest or an
4 ~~exhibition, EVENT~~, or any other action taken in conjunction with a
5 contest or an ~~exhibition, EVENT~~, the commission may ~~prescribe~~
6 **ASSESS** an administrative fine in an amount ~~not to~~ **THAT DOES NOT**
7 exceed 100% of the share of the purse to which the holder of the
8 license is entitled for the contest or ~~exhibition or an~~
9 ~~administrative fine not to exceed \$100,000.00 in the case of any~~
10 ~~other person. This administrative fine may be imposed~~ **EVENT**.

11 **(C) IF DISCIPLINARY ACTION IS TAKEN AGAINST A PERSON, OTHER**
12 **THAN A CONTESTANT, THAT RELATES TO THE PREPARATION FOR A CONTEST OR**
13 **EVENT, THE OCCURRENCE OF A CONTEST OR EVENT, OR ANY OTHER ACTION**
14 **TAKEN IN CONJUNCTION WITH A CONTEST OR EVENT, THE COMMISSION MAY**
15 **ASSESS AN ADMINISTRATIVE FINE IN AN AMOUNT THAT DOES NOT EXCEED**
16 **\$100,000.00.**

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

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

1 imposition of other ~~sanctions~~ **PENALTIES OR REMEDIES** under this act.

2 ~~—— (3) An employee of the department, in consultation with any~~
3 ~~commission member present, may issue an order to withhold the purse~~
4 ~~for 3 business days due to a violation of this act or a rule~~
5 ~~promulgated under this act. During that 72-hour time period, the~~
6 ~~commission may convene a special meeting to determine if the action~~
7 ~~of the employee of the department was warranted. If the commission~~
8 ~~determines that the action was warranted, the department shall~~
9 ~~offer to hold an administrative hearing as soon as practicable but~~
10 ~~within at least 7 calendar days.~~

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

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

20 (5) ~~(6)~~ Either of the following is grounds for summary
21 suspension of the individual's license ~~in the manner provided for~~
22 ~~in~~ **UNDER** section 42:

23 (a) A test resulting in a finding of the presence of
24 controlled substances, enhancers, or other prohibited substances as
25 determined by rule of the commission.

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

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

5 (A) SUSPEND THE PERSON'S LICENSE.

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

7 (C) REVOKE THE PERSON'S LICENSE.

8 (D) ASSESS AN ADMINISTRATIVE FINE.

9 (E) CENSURE THE LICENSEE.

10 (2) THE DEPARTMENT MAY BRING AN INJUNCTIVE ACTION IN A COURT
11 OF COMPETENT JURISDICTION TO RESTRAIN OR PREVENT A PERSON FROM
12 VIOLATING THIS ACT. IF SUCCESSFUL IN OBTAINING INJUNCTIVE RELIEF,
13 THE DEPARTMENT IS ENTITLED TO ITS COSTS AND REASONABLE ATTORNEY
14 FEES.

15 (3) THE PENALTIES AND REMEDIES UNDER THIS SECTION AND SECTION
16 49A ARE INDEPENDENT AND CUMULATIVE. THE IMPOSITION OF A REMEDY OR
17 PENALTY AGAINST A PERSON UNDER THIS SECTION OR SECTION 49A DOES NOT
18 BAR THE PURSUIT OF ANY LAWFUL REMEDY BY THAT PERSON OR THE PURSUIT
19 OF A LAWFUL REMEDY BY ANY OTHER PERSON AGAINST THAT PERSON.

20 SEC. 49A. (1) A PERSON THAT VIOLATES THIS ACT A SECOND OR
21 SUBSEQUENT TIME IS GUILTY OF A MISDEMEANOR PUNISHABLE BY
22 IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR A FINE OF NOT MORE THAN
23 \$1,000.00, OR BOTH.

24 (2) A PERSON THAT KNOWINGLY ALLOWS A PROFESSIONAL TO
25 PARTICIPATE AS A CONTESTANT IN AN AMATEUR MIXED MARTIAL ARTS
26 CONTEST WITH AN AMATEUR IS GUILTY OF A FELONY PUNISHABLE BY
27 IMPRISONMENT FOR NOT MORE THAN 3 YEARS OR A FINE OF \$10,000.00 PER

1 INCIDENT, OR BOTH.

2 (3) IF A COURT FINDS IN AN ACTION UNDER THIS SECTION OR
3 SECTION 49(2) THAT A PERSON HAS VIOLATED THIS ACT OR A RULE
4 PROMULGATED UNDER THIS ACT, THAT PERSON SHALL BE ASSESSED COSTS
5 RELATED TO THE INVESTIGATION OF THE VIOLATION AND COSTS RELATED TO
6 THE PROSECUTION OF THE ACTION. THE COSTS RELATED TO THE
7 INVESTIGATION AND PROSECUTION INCLUDE, BUT ARE NOT LIMITED TO,
8 SALARIES AND BENEFITS OF PERSONNEL, COSTS RELATED TO THE TIME SPENT
9 BY THE ATTORNEY GENERAL'S OFFICE AND OTHER PERSONNEL WORKING ON THE
10 ACTION, AND ANY OTHER EXPENSES INCURRED BY THE DEPARTMENT FOR THE
11 ACTION.

12 SEC. 54A. (1) A LICENSED PROMOTER THAT PRESENTS A BOXING OR
13 MIXED MARTIAL ARTS EVENT IN THIS STATE MUST COMPLY WITH ALL OF THE
14 FOLLOWING:

15 (A) AT LEAST 5 DAYS BEFORE THE EVENT, SUBMIT A REQUEST FOR
16 APPROVAL OF THE EVENT TO THE DEPARTMENT, ON A FORM PRESCRIBED BY
17 THE DEPARTMENT.

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

22 (C) PAY ALL OBLIGATIONS THAT ARE RELATED TO THE NORMAL COURSE
23 OF PROMOTING A BOXING OR MIXED MARTIAL ARTS EVENT, INCLUDING, BUT
24 NOT LIMITED TO, VENUE RENT AND JUDGE, PHYSICIAN, REFEREE, AND
25 TIMEKEEPER FEES.

26 (D) ARRANGE FOR A PHYSICIAN TO ATTEND THE EVENT FOR PURPOSES
27 OF SUBSECTION (2) (K), AND ARRANGE FOR AN ALTERNATE PHYSICIAN TO

1 ATTEND THE EVENT IF THE ORIGINAL PHYSICIAN IS UNABLE TO ATTEND THE
2 EVENT. THE PROMOTER SHALL INCLUDE THE NAME OF THE PHYSICIAN AND THE
3 ALTERNATE PHYSICIAN DESCRIBED IN THIS SUBDIVISION IN THE NOTICE
4 PROVIDED TO THE DEPARTMENT UNDER SECTION 33.

5 (E) ARRANGE FOR AN AMBULANCE THAT IS STAFFED BY EMERGENCY
6 MEDICAL TECHNICIANS TO BE ON THE PREMISES TO ATTEND THE EVENT FOR
7 PURPOSES OF SUBSECTION (2) (J), AND ARRANGE FOR AN ALTERNATE
8 AMBULANCE THAT IS STAFFED BY EMERGENCY MEDICAL TECHNICIANS TO BE ON
9 THE PREMISES TO ATTEND THE EVENT IF THE ORIGINAL AMBULANCE AND
10 EMERGENCY MEDICAL TECHNICIANS ARE UNABLE TO ATTEND THE EVENT. THE
11 PROMOTER SHALL INCLUDE THE NAME OF THE AMBULANCE PROVIDER AND THE
12 EMERGENCY MEDICAL TECHNICIANS AND THE ALTERNATE AMBULANCE PROVIDER
13 AND EMERGENCY MEDICAL TECHNICIANS DESCRIBED IN THIS SUBDIVISION IN
14 THE NOTICE PROVIDED TO THE DEPARTMENT UNDER SECTION 33.

15 (F) MAINTAIN RECORDS OF THE AMATEUR MIXED MARTIAL ARTS EVENT
16 FOR AT LEAST 1 YEAR AFTER THE DATE OF THE SCHEDULED EVENT AND MAKE
17 THOSE RECORDS AVAILABLE TO THE DEPARTMENT OR LAW ENFORCEMENT
18 OFFICIALS ON REQUEST.

19 (2) A LICENSED PROMOTER THAT IS PRESENTING A BOXING OR MIXED
20 MARTIAL ARTS EVENT IN THIS STATE SHALL ENSURE THAT ALL OF THE
21 FOLLOWING ARE MET IN THE CONDUCT OF THE EVENT:

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

1 MINUTE REST PERIOD BETWEEN EACH ROUND.

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

10 (C) EACH MIXED MARTIAL ARTS CONTESTANT WEARS GLOVES, SUPPLIED
11 BY THE PROMOTER, THAT WEIGH AT LEAST 4 OUNCES AND NOT MORE THAN 8
12 OUNCES; AND EACH BOXING CONTESTANT WEARS GLOVES THAT WEIGH AT LEAST
13 8 OUNCES EACH.

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

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

22 (i) FLYWEIGHT, IF HE OR SHE WEIGHS 125.9 POUNDS OR LESS.

23 (ii) BANTAMWEIGHT, IF HE OR SHE WEIGHS 126 POUNDS OR MORE AND
24 NOT MORE THAN 135 POUNDS.

25 (iii) FEATHERWEIGHT, IF HE OR SHE WEIGHS 135.1 POUNDS OR MORE
26 AND NOT MORE THAN 145 POUNDS.

27 (iv) LIGHTWEIGHT, IF HE OR SHE WEIGHS 145.1 POUNDS OR MORE AND

1 NOT MORE THAN 155 POUNDS.

2 (v) WELTERWEIGHT, IF HE OR SHE WEIGHS 155.1 POUNDS OR MORE AND
3 NOT MORE THAN 170 POUNDS.

4 (vi) MIDDLEWEIGHT, IF HE OR SHE WEIGHS 170.1 POUNDS OR MORE AND
5 NOT MORE THAN 185 POUNDS.

6 (vii) LIGHT HEAVYWEIGHT, IF HE OR SHE WEIGHS 185.1 POUNDS OR
7 MORE AND NOT MORE THAN 205 POUNDS.

8 (viii) HEAVYWEIGHT, IF HE OR SHE WEIGHS 205.1 POUNDS OR MORE AND
9 NOT MORE THAN 265 POUNDS.

10 (ix) SUPER HEAVYWEIGHT, IF HE OR SHE WEIGHS MORE THAN 265
11 POUNDS.

12 (F) A CONTESTANT ONLY PARTICIPATES IN A CONTEST WITH ANOTHER
13 CONTESTANT WHO IS IN THE SAME WEIGHT CLASS.

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

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

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

26 (J) THE EVENT DOES NOT TAKE PLACE OR CONTINUE WITHOUT AN
27 AMBULANCE THAT IS STAFFED BY AT LEAST 2 EMERGENCY MEDICAL

1 TECHNICIANS ON THE PREMISES OF THE EVENT.

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

4 (L) THE EVENT DOES NOT TAKE PLACE OR CONTINUE WITHOUT A TRAINED
5 AND COMPETENT REFEREE, JUDGE, AND TIMEKEEPER.

6 (M) AN INDIVIDUAL IS NOT ALLOWED TO COMPETE AS A CONTESTANT IF
7 THERE IS ANY REASON TO SUSPECT THAT HE OR SHE IS IMPAIRED OR HAS
8 USED OR USES PERFORMANCE ENHANCING DRUGS. AS USED IN THIS
9 SUBDIVISION:

10 (i) "CHEMICAL DEPENDENCY" MEANS THAT TERM AS DEFINED IN SECTION
11 16106A OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.16106A.

12 (ii) "IMPAIRED" MEANS THE INABILITY OR IMMEDIATELY IMPENDING
13 INABILITY OF AN INDIVIDUAL TO SAFELY PARTICIPATE IN A CONTEST OR
14 EVENT DUE TO HIS OR HER SUBSTANCE ABUSE, CHEMICAL DEPENDENCY, OR
15 USE OF DRUGS OR ALCOHOL THAT DOES NOT CONSTITUTE SUBSTANCE ABUSE OR
16 CHEMICAL DEPENDENCY.

17 (iii) "SUBSTANCE ABUSE" MEANS THAT TERM AS DEFINED IN SECTION
18 16106A OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.16106A.

19 (N) A PROFESSIONAL IS NOT ALLOWED TO COMPETE AS A CONTESTANT
20 IN AN AMATEUR EVENT.

21 (O) IF AN INDIVIDUAL LOST A CONTEST BY A TECHNICAL KNOCKOUT IN
22 THE 30-DAY PERIOD PRECEDING THE EVENT, HE OR SHE IS NOT ALLOWED TO
23 COMPETE AS A CONTESTANT UNLESS HE OR SHE SUBMITS THE RESULTS OF A
24 PHYSICAL EXAMINATION TO THE PROMOTER THAT INDICATE THAT HE OR SHE
25 IS FIT TO COMPETE.

26 (P) THE PHYSICIAN AT THE EVENT DETERMINES THE STATUS OF A
27 CONTESTANT WHO IS KNOCKED OUT OR WHOSE FIGHT IS STOPPED BY THE

1 REFEREE BECAUSE HE OR SHE RECEIVED HARD BLOWS TO THE HEAD THAT MADE
2 HIM OR HER DEFENSELESS OR INCAPABLE OF CONTINUING IMMEDIATELY AFTER
3 THE KNOCKOUT OR STOPPAGE. THE PHYSICIAN MAY RECOMMEND POSTFIGHT
4 NEUROLOGICAL EXAMINATIONS, WHICH MAY INCLUDE PERFORMING
5 COMPUTERIZED AXIAL TOMOGRAPHY (CAT) SCANS OR MAGNETIC RESONANCE
6 IMAGING (MRI) ON THE CONTESTANT IMMEDIATELY AFTER THE CONTESTANT
7 LEAVES THE EVENT VENUE.

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

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

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

19 (i) HE OR SHE PARTICIPATED IN A CONTEST IN THE 60-DAY PERIOD
20 PRECEDING THE EVENT.

21 (ii) IN THE CONTEST DESCRIBED IN SUBPARAGRAPH (i), HE OR SHE WAS
22 KNOCKED OUT OR THE CONTEST WAS STOPPED BECAUSE HE OR SHE RECEIVED
23 AN EXCESSIVE NUMBER OF HARD BLOWS TO THE HEAD.

24 (T) AN INDIVIDUAL WHO MEETS ALL OF THE FOLLOWING DOES NOT
25 COMPETE AS A CONTESTANT:

26 (i) HE OR SHE PARTICIPATED IN MULTIPLE CONTESTS BEFORE THE
27 EVENT.

1 (ii) IN ANY 90-DAY PERIOD, HE OR SHE WAS KNOCKED OUT TWICE OR 2
2 OF HIS OR HER CONTESTS WERE STOPPED BECAUSE HE OR SHE RECEIVED AN
3 EXCESSIVE NUMBER OF HARD BLOWS TO THE HEAD.

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

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

8 (i) HE OR SHE PARTICIPATED IN MULTIPLE CONTESTS BEFORE THE
9 EVENT.

10 (ii) IN ANY 12-MONTH PERIOD, HE OR SHE WAS KNOCKED OUT IN 3
11 CONSECUTIVE CONTESTS OR 3 CONSECUTIVE CONTESTS WERE STOPPED BECAUSE
12 HE OR SHE RECEIVED AN EXCESSIVE NUMBER OF HARD BLOWS TO THE HEAD.

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

15 (V) IF AN INDIVIDUAL WAS NOT ALLOWED TO COMPETE AS A
16 CONTESTANT IN AN EARLIER EVENT BECAUSE HE OR SHE MET THE
17 REQUIREMENT OF SUBDIVISION (S), (T), OR (U) AT THE TIME OF THAT
18 EARLIER EVENT, HE OR SHE DOES NOT COMPETE AS A CONTESTANT UNLESS HE
19 OR SHE PROVIDES THE PROMOTER WITH PROPER MEDICAL CLEARANCE.

20 (W) EACH CONTESTANT IS INSURED FOR AT LEAST \$10,000.00 FOR ANY
21 MEDICAL AND HOSPITAL EXPENSES, INCLUDING DEDUCTIBLES PAID BY THE
22 CONTESTANT, TO COVER INJURIES SUSTAINED IN A CONTEST; AND FOR AT
23 LEAST \$10,000.00 IF THE CONTESTANT DIES AS A RESULT OF INJURIES
24 RECEIVED IN A CONTEST, WITH THE PROCEEDS PAYABLE TO THE
25 CONTESTANT'S ESTATE.

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

27 (Y) A CONTESTANT DOES NOT COMPETE IN MORE THAN 1 CONTEST AT AN

1 EVENT.

2 (Z) ALL OF THE CONTESTANTS IN A CONTEST ARE THE SAME SEX.

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

6 (BB) THE RESULTS OF EACH CONTEST ARE REPORTED TO THE
7 DEPARTMENT, ON A FORM PRESCRIBED BY THE DEPARTMENT, WITHIN 48 HOURS
8 AFTER THE CONCLUSION OF THE EVENT. WITHIN 2 BUSINESS DAYS AFTER IT
9 RECEIVES THOSE RESULTS, THE DEPARTMENT SHALL ENTER THOSE RESULTS IN
10 EACH NATIONAL CONTEST RESULTS DATABASE SELECTED BY THE DEPARTMENT.

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

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

24 Sec. 57. (1) A licensed physician shall ~~be in attendance at~~
25 ATTEND each contest. ~~or exhibition.~~ The physician shall observe the
26 physical condition of the contestants and advise the referee or
27 judges with regard to the health of those contestants. The

1 physician shall examine each contestant before ~~entering~~ **HE OR SHE**
2 **ENTERS** the ring.

3 (2) The ~~licensed~~ physician **DESCRIBED IN SUBSECTION (1)** shall
4 file with the commission the report of the physical examination of
5 a ~~EACH~~ contestant ~~not later than~~ **WITHIN** 24 hours after ~~termination~~
6 ~~of the contest or exhibition.~~ **EVENT ENDS.**

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

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

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

23 Enacting section 1. Sections 32, 51, 52, 53, 54, 56, 60, 61,
24 62, and 63 of the Michigan unarmed combat regulatory act, 2004 PA
25 403, MCL 338.3632, 338.3651, 338.3652, 338.3653, 338.3654,
26 338.3656, 338.3660, 338.3661, 338.3662, and 338.3663, are repealed.