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HOUSE BILL 1786
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Short Title: Regulate Mixed Martial Arts/Fees.

(Public)

Sponsors:

Referred to:

April 19, 2007

A BILL TO BE ENTITLED

AN ACT TO DEFINE AND REGULATE MIXED MARTIAL ARTS, AND TO
AUTHORIZE THE ALCOHOL LAW ENFORCEMENT DIVISION OF THE
DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY TO
ESTABLISH AND RAISE CERTAIN FEES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 143-651 reads as rewritten:

"§ 143-651. Definitions.

The following definitions apply in this Article:

- (1) Amateur. – A person who is not receiving or competing for and has never received or competed for any purse or other article or thing of value for participating in a match.
- (2) Announcer. – Any person who engages in the act of announcing a ~~boxing~~ match.
- (3) Boxer. – Any person who engages as a participant in a boxing match.
- (4) Boxing match. – A match where the participants engage in the use of full contact boxing techniques (using the fist only), and where the object of a match is to win by decision, knockout (KO), or technical knockout (TKO).
- (5) Repealed by Session Laws 2004-124, s. 18.2.(a), effective July 1, 2004.
- (6) Contest. – A ~~boxing~~ match in which the participants strive to win.
- (7) Contestant. – Any person who engages as a participant in a ~~boxing~~ boxing, kickboxing, or mixed martial arts match, or toughman event.
- (7a) Division. – The Alcohol Law Enforcement Division of the Department of Crime Control and Public Safety.

- 1 (8) Exhibition. – A ~~boxing~~ match where the participants display their
2 ~~boxing~~ skills and technique without necessarily striving to win.
- 3 (9) Judge. – A person who has a vote in determining the winner of any
4 match or contest.
- 5 (10) Kickboxer. – Any person who engages as a participant in a kickboxing
6 match.
- 7 (11) Kickboxing match. – A match in which the participants engage in full
8 contact martial arts fighting techniques using the hands and the feet,
9 and where the object of the match is to win by decision, knockout
10 (KO), or technical knockout (TKO).
- 11 (12) Licensee. – Any person, club, corporation, organization, or association
12 to whom a license has been issued pursuant to the provisions of this
13 Article.
- 14 (13) Manager. – Any person who controls or administers the ~~boxing~~ affairs
15 of any contestant, and who:
- 16 a. By contract, agreement, or other arrangement with any person
17 undertakes or has undertaken to represent in any way the
18 interest of the contestant in any professional ~~boxing~~ contest in
19 which the ~~boxer-contestant~~ is to participate as a ~~contestant~~, and
20 is entitled under that contract, agreement, or arrangement to
21 receive monetary or other compensation for his or her services,
22 without regard to the sources of the compensation. The term
23 "manager" shall not be construed to mean any attorney licensed
24 to practice in this State whose participation in the activities is
25 restricted solely to representing the interests of a professional
26 ~~boxer-contestant~~ as a client.
- 27 b. Directs or controls the professional ~~boxing~~ activities of any
28 professional ~~boxer-contestant~~.
- 29 c. Receives or is entitled to receive a percentage of the gross purse
30 or gross income of any professional ~~boxing~~ contest.
- 31 (14) Match. – Any ~~boxing or kickboxing~~ boxing, kickboxing, or mixed
32 martial arts contest or exhibition, or toughman event, and includes any
33 event, engagement, sparring or practice session, show or program
34 where the public is admitted and in which there is intended to be
35 physical contact, whether an exhibition or contest. This definition does
36 not include training or practice sessions when no admission is charged.
- 37 (15) Matchmaker. – A person through whom matches are arranged for
38 participants and who otherwise assists participants in procuring
39 engagement ~~dates for boxing~~ dates.
- 40 (15a) Mixed martial artist. – Any person who engages as a participant in a
41 mixed martial arts match.
- 42 (15b) Mixed martial arts. – A form of sporting martial arts that uses a variety
43 of martial arts techniques to deliver blows with the hands, elbows, and

- 1 any part of the leg below the hip, including the knee and foot, and also
2 uses boxing, wrestling, and grappling techniques.
- 3 (16) Natural person. – An individual.
- 4 (17) Participant. – Any person who engages in a match or exhibition and
5 performs as a ~~boxer~~boxer, kickboxer, or mixed martial artist.
- 6 (18) Person. – An individual, group of individuals, business, corporation,
7 limited liability company, partnership, or any other individual or
8 collective entity.
- 9 (19) Physician. – An individual licensed to practice medicine in this State.
- 10 (20) Professional. – Any person who is licensed as a ~~professional boxer~~
11 ~~under the federal Professional Boxing Safety Act of 1996~~contestant
12 and receives compensation for participating in matches.
- 13 (21) Promoter. – Any person who produces, arranges, stages, holds, or
14 gives any match in North Carolina involving a professional participant.
- 15 (22) Referee. – The official who shall enter and remain in the ring for the
16 duration of a match and shall enforce the rules and maintain order in
17 the ring.
- 18 (23) Ring official. – Any person who performs an official function for the
19 duration of a match.
- 20 (23a) Sanctioned amateur. – A person who competes in a sanctioned amateur
21 match.
- 22 (23b) Sanctioned amateur match. – Any ~~boxing or kickboxing~~ match
23 regulated by an amateur sports organization that has been recognized
24 and approved by the Division.
- 25 (24) Second. – Any person who will work or be present in the corner of a
26 participant for the duration of a match.
- 27 (25) Timekeeper. – Any person who will operate the clock or watch for the
28 duration of a match for the purpose of keeping the official time of the
29 match.
- 30 (25a) Toughman contestant. – Any person who competes in a toughman
31 event.
- 32 (25b) Toughman event. – An elimination program of matches in which (i)
33 the contestants are not professional boxers, (ii) the finalist receives a
34 purse or other article of value, (iii) the participants engage in the use of
35 full contact boxing techniques, and (iv) the object of each match is to
36 win by decision, knockout (KO), or technical knockout (TKO).
- 37 ~~(26) Ultimate warrior match. — A match where the participants use any~~
38 ~~combination of boxing, kicking, wrestling, hitting, punching, or other~~
39 ~~combative, contact techniques and which combination of techniques is~~
40 ~~not specifically authorized by and conducted pursuant to this Article.~~
- 41 (27) Unarmed combat. – A match consisting of any combination of boxing,
42 kicking, wrestling, hitting, punching, or other combative contact
43 techniques which may reasonably be expected to inflict injury to
44 opponents."

1 **SECTION 2.** G.S. 143-652.1 reads as rewritten:

2 "**§ 143-652.1. Regulation of ~~Boxing~~boxing, kickboxing, mixed martial arts, and**
3 **toughman events.**

4 The Alcohol Law Enforcement Division of the Department of Crime Control and
5 Public Safety shall regulate live ~~boxing and kickboxing~~boxing, kickboxing, and mixed
6 martial arts matches, whether professional, amateur, or sanctioned amateur, or
7 toughman events, in which admission is charged for viewing, or the contestants compete
8 for a purse or prize of value greater than twenty-five dollars (\$25.00). The Division
9 shall have the exclusive authority to approve and issue rules for the regulation of the
10 conduct, promotion, and performances of live boxing, kickboxing, and mixed martial
11 arts sanctioned amateur, amateur, and toughman matches and exhibitions~~exhibitions,~~
12 whether professional, amateur, or sanctioned amateur, and toughman events in this
13 State. The rules shall be issued pursuant to the provisions of Chapter 150B of the
14 General Statutes and may include, without limitation, the following subjects:

- 15 (1) Requirements for issuance of licenses and permits required by this
16 Article.
- 17 (2) Regulation of ticket sales.
- 18 (3) Physical requirements for contestants, including classification by
19 weight and skill.
- 20 (4) Supervision of matches and exhibitions by licensed physicians and
21 referees.
- 22 (5) Insurance and bonding requirements.
- 23 (6) Compensation of participants and licensees.
- 24 (7) Contracts and financial arrangements.
- 25 (8) Prohibition of dishonest, unethical, and injurious practices.
- 26 (9) Facilities.
- 27 (10) Approval of sanctioning amateur sports organizations.
- 28 (11) Procedures and requirements for compliance with the Professional
29 Boxing Safety Act of 1996."

30 **SECTION 3.** G.S. 143-653 reads as rewritten:

31 "**§ 143-653. ~~Ultimate warrior~~Unauthorized matches prohibited.**

32 ~~Ultimate warrior matches, whether the participants are professionals or amateurs, are~~
33 ~~prohibited.~~ No person shall promote, conduct, or engage in ~~ultimate warrior matches~~an
34 unarmed combat match, whether the participants are professional or amateur, except as
35 authorized by this Article. This section shall not preclude ~~boxing and kickboxing as~~
36 ~~regulated in this Article or professional wrestling.~~"

37 **SECTION 4.** G.S. 143-654(c) reads as rewritten:

38 "(c) Surety Bond. – An applicant for a promoter's license must submit, in addition
39 to any other forms, documents, or exhibits requested by the Division, a surety bond
40 payable to the Division for the benefit of any person injured or damaged by (i) the
41 promoter's failure to comply with any provision of this Article or any rules adopted by
42 the Division or (ii) the promoter's failure to fulfill the obligations of any contract related
43 to the holding of a ~~boxing event match.~~ The surety bond shall be issued in an amount to
44 be no less than ~~five ten~~ ten thousand dollars ~~(\$5,000).~~(\$10,000). The amount of the surety

1 bond shall be negotiable upon the sole discretion of the Division. All surety bonds shall
 2 be upon forms approved by the Secretary of Crime Control and Public Safety and
 3 supplied by the Division."

4 **SECTION 5.** G.S. 143-655 reads as rewritten:

5 "**§ 143-655. Fees; State Boxing Revenue Account.**

6 (a) License Fees. – The Division shall collect the following license fees:

| | | |
|----|------------|-------------------------------------|
| 7 | | |
| 8 | Announcer | \$50.00 <u>\$75.00</u> |
| 9 | Contestant | \$25.00 <u>\$37.50</u> |
| 10 | Judge | \$50.00 <u>\$75.00</u> |
| 11 | Manager | \$100.00 <u>\$150.00</u> |
| 12 | Matchmaker | \$200.00 <u>\$300.00</u> |
| 13 | Promoter | \$300.00 <u>\$450.00</u> |
| 14 | Referee | \$50.00 <u>\$75.00</u> |
| 15 | Timekeeper | \$50.00 <u>\$75.00</u> |
| 16 | Second | \$25.00 <u>\$37.50</u> |

17 The annual license renewal fees shall not exceed the initial license fees.

18 (b) Permit Fees. – The Division may establish a fee schedule for permits issued
 19 under this Article. The fees may vary depending on the seating capacity of the facility to
 20 be used to present a match. The fee may not exceed the following amounts:

| | | |
|----|------------------|-------------------------------------|
| 21 | | |
| 22 | Seating Capacity | Fee Amount |
| 23 | Less than 2,000 | \$100.00 <u>\$150.00</u> |
| 24 | 2,000 – 5,000 | \$200.00 <u>\$300.00</u> |
| 25 | Over 5,000 | \$300.00 <u>\$450.00</u> |

26 (b1) Admission Fees. – The Division shall collect a fee in the amount of one dollar
 27 and fifty cents (\$1.50) per each ticket sold to attend events regulated in this Article.

28 (c) State Boxing Revenue Account. – There is created the State Boxing Revenue
 29 Account within the Department of Crime Control and Public Safety. Monies [~~monies~~]
 30 collected pursuant to the provisions of this Article shall be credited to the Account and
 31 applied to the administration of the Article."

32 **SECTION 6.** G.S. 143-656 reads as rewritten:

33 "**§ 143-656. Contracts and financial arrangements.**

34 Any contract between licensees and related to a ~~boxing~~-match or exhibition held or
 35 to be held in this State must meet the requirements of administrative rules as set forth by
 36 the Division. Any contract which does not satisfy the requirements of the administrative
 37 rules shall be void and unenforceable. All contracts shall be in writing."

38 **SECTION 7.** G.S. 143-657.1 reads as rewritten:

39 "**§ 143-657.1. Sanctioned amateur matches.**

40 In addition to the other applicable provisions of this Article, a sanctioned amateur
 41 match shall be conducted pursuant to the rules of the sports organization sanctioning the
 42 ~~boxing~~-match or exhibition."

1 **SECTION 8.** The Alcohol Law Enforcement Division of the Department of
2 Crime Control and Public Safety shall, as soon as practicable, adopt permanent rules to
3 regulate mixed martial arts, as authorized by this act.

4 **SECTION 9.** This act is effective when it becomes law and applies to
5 matches held, and licenses and permits issued, on or after that date, except that no
6 license or permit for mixed martial arts shall be issued by the Division until the rules
7 required under Section 8 of this act become effective.