

1 HB457
2 116664-3
3 By Representatives Collier, Allen, Morrow, Guin, Ford,
4 Thigpen, Black, Spicer, Fields, Letson, Rogers, Bentley,
5 Hilliard, Curtis and England
6 RFD: Tourism and Travel
7 First Read: 28-JAN-10

1 ENGROSSED

2
3
4 A BILL
5 TO BE ENTITLED
6 AN ACT
7

8 To amend Sections 1, 2, 4, 5, 9, 10, 11, 13, 14, 15,
9 16, 17, 18, 19, 20, 21, and 22 of Act 2009-622, 2009 Regular
10 Session (Acts 2009, p. 1872), now appearing as Sections
11 41-9-1020, 41-9-1021, 41-9-1023, 41-9-1024, 41-9-1028,
12 41-9-1029, 41-9-1030, 41-9-1032, 41-9-1033, 41-9-1034,
13 41-9-1035, 41-9-1036, 41-9-1037, 41-9-1038, 41-9-1039, and
14 41-9-1040, Code of Alabama 1975, establishing the Alabama
15 Boxing Commission for the regulation of boxing, to rename the
16 commission the Alabama Athletic Commission, to define the term
17 "mixed martial arts"; to provide for the commission to
18 regulate mixed martial arts in the same manner as boxing; to
19 provide penalties; and in connection therewith would have as
20 its purpose or effect the requirement of a new or increased
21 expenditure of local funds within the meaning of Amendment 621
22 of the Constitution of Alabama of 1901, now appearing as
23 Section 111.05 of the Official ReCompilation of the
24 Constitution of Alabama of 1901, as amended.
25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Sections 1, 2, 4, 5, 9, 10, 11, 13, 14,
2 15, 16, 17, 18, 19, 20, 21, and 22 of Act 2009-622, 2009
3 Regular Session (Acts 2009, p. 1872), now appearing as
4 Sections 41-9-1020, 41-9-1021, 41-9-1023, 41-9-1024,
5 41-9-1028, 41-9-1029, 41-9-1030, 41-9-1032, 41-9-1033,
6 41-9-1034, 41-9-1035, 41-9-1036, 41-9-1037, 41-9-1038,
7 41-9-1039, and 41-9-1040, Code of Alabama 1975, are amended to
8 read as follows:

9 "§41-9-1020.

10 "This article shall be known and may be cited as the
11 Alabama Boxing and Mixed Martial Arts Act.

12 "§41-9-1021.

13 "As used in this article, the following terms shall
14 have the following meanings:

15 "(1) AMATEUR. A person who engages in a match,
16 contest, or exhibition of boxing or mixed martial arts which
17 is governed or authorized by any of the following:

18 "a. U.S.A. Boxing.

19 "b. The Alabama High School Athletic Association.

20 "c. The National Collegiate Athletic Association.

21 "d. Amateur Athletic Union.

22 "e. Golden Gloves.

23 "f. The local affiliate of any organization listed
24 in this subdivision.

25 "g. Any organization approved by the commission.

1 "(2) BOXING MATCH. A contest between two individuals
2 in which contestants score points in rounds of two or three
3 minutes by striking with gloved fists the head and upper torso
4 of the opponent or by knocking the opponent down and rendering
5 the opponent unconscious or incapable of continuing the
6 contest by the blows, which contest is held in a square ring
7 supervised by a referee and scored by three judges.

8 "(3) BOXING REGISTRY. A registry created or
9 designated pursuant to subsection (j) of Section 41-9-1024.

10 "(4) CHARITABLE ORGANIZATION. An entity described by
11 either of the following:

12 "a. Section 501(c)(3), Internal Revenue Code of 1986
13 (26 U.S.C. Section 501(c)(3)).

14 "b. Section 170(c), Internal Revenue Code of 1986
15 (26 U.S.C. Section 170(c)).

16 "(5) COMMISSION. Alabama ~~Boxing~~ Athletic Commission.

17 "(6) EXHIBITION. A contest where the participants
18 engage in the use of boxing skills and techniques and where
19 the objective is to display the skills and techniques without
20 striving to win.

21 "(7) FACE VALUE. The dollar value of a ticket or
22 order shall reflect the dollar amount that the customer shall
23 pay ~~or, for complimentary tickets, would have been required to~~
24 ~~pay to purchase a ticket with equivalent seating priority in~~
25 order to view the match, contest, exhibition, or entertainment
26 event. ~~A complimentary ticket shall not have a face value of~~

1 ~~§0.00. A complimentary ticket shall not have a face value of~~
2 ~~less than that of the least expensive ticket available for~~
3 ~~sale to the general public. Face value shall include any~~
4 ~~charges or fees, such as dinner, gratuity, parking,~~
5 ~~surcharges, or any other charges or fees which are charged to~~
6 ~~and must be paid by the customer in order to view the match,~~
7 ~~contest, exhibition, or entertainment event. It shall exclude~~
8 ~~any portion paid by the customer for federal, state, or local~~
9 ~~taxes.~~

10 ~~"(8) GROSS PROCEEDS. The total revenue received~~
11 ~~solely from the sale of tickets used or intended to be used by~~
12 ~~the audience physically attending any event required to be~~
13 ~~licensed under this article.~~

14 ~~"(9)~~ (8) GROSS RECEIPTS. Any of the following:

15 "a. The gross price charged for the sale or lease of
16 broadcasting, television, closed circuit, or motion picture
17 rights without any deductions for commissions, brokerage fees,
18 distribution fees, production fees, advertising, or other
19 expenses or charges.

20 "b. The face value of all tickets sold and
21 ~~complimentary tickets redeemed.~~

22 ~~"(10) LOCAL TAX. An occupation tax or other tax owed~~
23 ~~to a county or municipality in order to hold a professional~~
24 ~~match, contest, or exhibition of boxing or to carry on a~~
25 ~~business as a ticket broker within the county or municipality.~~

1 "~~(11)~~(9) MANAGER. A person who, under contract,
2 agreement, or other arrangement with a boxer or a mixed
3 martial arts competitor, undertakes to control or administer,
4 directly or indirectly, a matter ~~related to boxing~~ on behalf
5 of a boxer or a mixed martial arts competitor. The term
6 includes, but is not limited to, a person who functions as a
7 booking agent, adviser, or consultant.

8 "~~(12)~~(10) MATCHMAKER. A person who is employed by or
9 associated with a promoter in the capacity of booking and
10 arranging professional matches, contests, or exhibitions of
11 boxing or mixed martial arts between opponents or who proposes
12 professional matches, contests, or exhibitions of boxing or
13 mixed martial arts and selects and arranges for the
14 participants in such events and for whose activities in this
15 regard the promoter is legally responsible.

16 "(11) MIXED MARTIAL ARTS. Unarmed combat involving
17 the use of any combination of techniques from different
18 disciplines of the martial arts, including, without
19 limitation, grappling, submission holds, throws, and striking
20 or kicking with the hands, feet, knees, or elbows. The term
21 "mixed martial arts" includes kickboxing.

22 "~~(13)~~(12) PERSON. An individual, partnership, firm,
23 association, corporation, or combination of individuals of
24 whatever form or character.

1 "~~(14)~~(13) PHYSICIAN. A doctor of medicine or doctor
2 of osteopathy licensed to practice medicine in the State of
3 Alabama.

4 "~~(15)~~(14) PROFESSIONAL. A person who is
5 participating or has participated in a match, contest, or
6 exhibition of boxing or mixed martial arts which is not
7 governed or authorized by one or more of the organizations
8 listed in subdivision (1) and any of the following:

9 "a. Has received or competed for or is receiving or
10 competing for any cash as a salary, purse, or prize for
11 participating in any match, contest, or exhibition of boxing
12 or mixed martial arts.

13 "b. Is participating or has participated in any
14 match, contest, or exhibition of boxing or mixed martial arts
15 to which admission is granted upon payment of any ticket for
16 admission or other evidence of the right of entry.

17 "c. Is participating or has participated in any
18 match, contest, or exhibition of boxing or mixed martial arts
19 which is or was filmed, broadcast, or transmitted for viewing.

20 "d. Is participating or has participated in any
21 match, contest, or exhibition of boxing or mixed martial arts
22 which provides a commercial advantage by attracting persons to
23 a particular place or promoting a commercial product or
24 enterprise.

25 "~~(16)~~(15) PROFESSIONAL MATCH, CONTEST, or EXHIBITION
26 OF BOXING or MIXED MARTIAL ARTS.

1 "a. A boxing match, contest, or exhibition, or a
2 mixed martial arts match, contest, or exhibition, which is not
3 governed or authorized by one or more of the organizations
4 listed in subdivision (1) and which does any of the following:

5 "1. Rewards a boxer or mixed martial arts competitor
6 participating with cash as a salary, purse, or prize for such
7 participation.

8 "2. Requires for admission payment of a ticket or
9 other evidence of the right of entry.

10 "3. Is filmed, broadcast, or transmitted for
11 viewing.

12 "4. Provides a commercial advantage by attracting
13 persons to a particular place or promoting a commercial
14 product or enterprise.

15 "b. The term does not include unarmed combat.

16 "~~(17)~~ (16) PROMOTER. The person primarily responsible
17 for organizing, promoting, and producing a professional match,
18 contest, or exhibition of boxing and who is legally
19 responsible for the lawful conduct of such professional match,
20 contest, or exhibition of boxing or mixed martial arts.

21 "~~(18)~~ (17) PURSE or RING EARNINGS. The financial
22 guarantee or any other remuneration, or part thereof, ~~for~~
23 which a professional boxers are boxer or mixed martial arts
24 competitor participating in a match, contest, or exhibition
25 will receive and includes ~~the boxer's~~ any share of any payment

1 received for radio broadcasting, television, or motion picture
2 rights.

3 ~~"(19) TICKET BROKER. Any person who is involved in
4 the business of reselling tickets of admission to athletic
5 contests, concerts, theater performances, amusements,
6 exhibitions, or other entertainment events to which the
7 general public is admitted and who charges a premium in excess
8 of the price of the ticket. The term ticket broker shall not
9 include the owner, operator, lessee, or tenant of the property
10 in which an athletic contest or entertainment event is being
11 held or the sponsor of such a contest or event or the
12 authorized ticket agent of the persons.~~

13 ~~"(20)~~ (18) UNARMED COMBAT.

14 "a. Any form of competition between human beings in
15 which both of the following occurs:

16 "1. One or more blows are struck which may
17 reasonably be expected to inflict injury on a human being.

18 "2. There is some compensation or commercial benefit
19 arising from such competition, whether in the form of cash or
20 non-cash payment to the competitors or the person arranging
21 the competition; the sale of the right to film, broadcast,
22 transmit, or view the competition; or the use of the
23 competition to attract persons to a particular location for
24 some commercial advantage or to promote a commercial product
25 or commercial enterprise.

1 "b. Unarmed combat includes, but is not limited to,
2 tough man fights and bad man fights.

3 "c. Unarmed combat does not include any of the
4 following:

5 "1. Professional boxing.

6 "2. Professional wrestling.

7 "3. Amateur boxing.

8 "4. Amateur wrestling.

9 "5. Any competition displaying the skills of a
10 single form of a system of unarmed self-defense, including,
11 but not limited to, kickboxing, karate, or full-contact
12 karate, which is held pursuant to the rules of that form and
13 governed or authorized by a nationally recognized
14 organization.

15 "6. Mixed martial arts ~~fighting when the competition~~
16 ~~is sanctioned, approved, or endorsed by a nationally~~
17 ~~recognized organization.~~

18 "§41-9-1023.

19 "(a) There is created the Alabama ~~Boxing~~ Athletic
20 Commission composed of five members.

21 "(b) (1) The membership of the commission shall be
22 inclusive and reflect the racial, gender, geographic,
23 urban/rural, and economic diversity of the state. The five
24 initial members shall be as follows:

25 "a. Two members appointed by the Governor.

1 "b. One member appointed by the Alabama Athlete
2 Agents Commission.

3 "c. One member appointed by the Speaker of the House
4 of Representatives.

5 "d. One member appointed by the President of the
6 Senate.

7 "(2) Initial appointments by the Governor shall be
8 for one and three years, the initial appointment by the
9 Speaker of the House of Representatives shall be for four
10 years, and the initial appointment of the President of the
11 Senate shall be for two years. The initial appointment by the
12 commission shall be for four years. All subsequent
13 appointments shall be for terms of four years. Vacancies shall
14 be filled for the unexpired terms under the same procedures
15 and requirements as appointments for full terms. No two
16 members shall be from the same congressional district at the
17 time of appointment.

18 "(c) The commission shall elect a chair from among
19 its membership for a term of one year. The commission may
20 elect a vice chair from its membership for a term of one year.
21 Any member serving as chair shall be eligible for successive
22 election to the office by the commission. The chair may
23 designate another member of the commission to perform the
24 duties of chair in his or her absence. The commission may
25 employ an executive director to manage the day-to-day

1 operations of the commission within the available funds of the
2 commission.

3 "(d) A medical advisory panel of the commission
4 shall be appointed by the Governor and shall consist of four
5 persons licensed to practice medicine in this state,
6 representing the specialties of neurology, ophthalmology,
7 sports medicine, and general medicine. The medical advisory
8 panel shall advise and assist the commission and its staff
9 regarding issues and questions concerning the medical safety
10 of professional boxers and mixed martial arts competitors,
11 including, but not limited to, matters relating to medical
12 suspensions. The medical advisory panel may meet separately
13 from the commission to discuss and formulate recommendations
14 for the commission in connection with medical safety. Members
15 of the medical advisory panel shall not be counted in
16 determining a quorum of the commission and shall not vote as
17 commission members.

18 "(e) Each member of the commission and the medical
19 advisory panel shall be reimbursed for expenses and travel as
20 provided for public officials of this state.

21 "§41-9-1024.

22 "(a) (1) The commission shall be the sole regulator
23 of professional boxing in this state and shall have authority
24 to protect the physical safety and welfare of professional
25 boxers and serve the public interest by closely supervising
26 all professional boxing in this state.

1 "(2) The commission shall be the sole regulator of
2 professional matches, contests, or exhibitions of mixed
3 martial arts and shall have the authority to protect the
4 physical safety and welfare of professional competitors in
5 mixed martial arts and serve the public interest by closely
6 supervising all professional competitors in mixed martial
7 arts. The commission shall regulate mixed martial arts to the
8 same extent as professional boxing unless any rule of the
9 commission is not by its nature applicable to mixed martial
10 arts.

11 "(b) The commission shall have the sole jurisdiction
12 to license the promotion or holding of each professional
13 match, contest, or exhibition of boxing or mixed martial arts
14 promoted or held within this state.

15 "(c) The commission shall have the ~~sole~~ authority to
16 license participants in any professional match, contest, or
17 exhibition of boxing or mixed martial arts held in this state.

18 "(d) The commission shall have the ~~sole~~ authority to
19 direct, manage, control, and supervise all professional
20 matches, contests, or exhibitions of boxing or mixed martial
21 arts. It may adopt bylaws for its own management and
22 promulgate and enforce rules and regulations consistent with
23 this article.

24 "(e) The commission may appoint one or more
25 inspectors as duly authorized representatives of the
26 commission to ensure that the rules are strictly observed. The

1 inspectors shall be present at all professional matches,
2 contests, or exhibitions of boxing or mixed martial arts.

3 "(f) The commission may designate physicians as duly
4 authorized representatives of the commission to conduct
5 physical examinations of boxers or mixed martial arts
6 competitors licensed under this article and shall designate a
7 roster of physicians authorized to conduct prefight physicals
8 and serve as ringside physicians in all professional boxing or
9 mixed martial arts matches held in this state.

10 "(g) (1) The commission or any agent duly designated
11 by the commission may do any of the following:

12 "a. Make investigations.

13 "b. Hold hearings.

14 "c. Issue subpoenas to compel the attendance of
15 witnesses and the production of books, papers, and records.

16 "d. Administer oaths to and examine any witnesses
17 for the purpose of determining any question coming before it
18 under this article or under the rules and regulations adopted
19 pursuant to this article.

20 "(2) During an investigation of any allegation
21 which, if proven, would result in criminal or civil sanctions
22 as provided in this article, the commission may withhold all
23 or a portion of the gross receipts to which the person under
24 investigation is entitled until such time as the matter has
25 been resolved.

1 "(h) The commission may engage in activities which
2 promote amateur boxing in this state and contract with any
3 nonprofit organization which is exempted from the taxation of
4 income. To support amateur boxing in this state, the
5 commission may promote voluntary contributions through the
6 application process or through any fund-raising or other
7 promotional technique deemed appropriate by the commission.

8 "(i) Pursuant to 15 U.S.C. Section 6301, et seq.,
9 the commission may issue to each boxer who is a resident of
10 this state an identification card bearing the photograph of
11 the boxer and in such form and containing such information as
12 the commission deems necessary and appropriate. The commission
13 shall ensure that the form and manner of issuance of the
14 identification cards comply with any applicable federal law or
15 regulation. The commission may charge an amount not to exceed
16 one hundred dollars (\$100) per card for the issuance or
17 replacement of each identification card.

18 "(j) The commission may create a boxing registry or
19 designate a nationally recognized boxing registry and register
20 each boxer who is a resident of this state or who is a
21 resident of another state which has no boxing registry.

22 "(k) The commission may inquire into the financial
23 backing of any professional match, contest, or exhibition of
24 boxing or mixed martial arts and obtain answers to written or
25 oral questions propounded to all persons associated with the
26 professional event.

1 "§41-9-1028.

2 "A member or employee of the commission and any
3 person who administers or enforces this article or rules
4 promulgated in accordance with this article shall not be a
5 member of, contract with, or receive any compensation from any
6 person or organization who authorizes, arranges, or promotes
7 professional matches, contests, or exhibitions of boxing or
8 mixed martial arts or who otherwise has a financial interest
9 in any activity or licensee regulated by this commission. The
10 term compensation does not include funds held in escrow for
11 payment to another person in connection with a professional
12 match, contest, or exhibition of boxing or mixed martial arts.

13 "§41-9-1029.

14 "(a) (1) No person shall promote or hold a
15 professional match, contest, or exhibition of boxing or mixed
16 martial arts within this state without first applying for and
17 obtaining a promoter's license from the commission.

18 "(2) Licenses shall be issued annually and shall
19 expire on December 31 of each calendar year.

20 "(b) Promoters shall apply to the commission for a
21 license required by subsection (a) on a form provided by the
22 commission. The application shall be accompanied by a
23 nonrefundable fee not to exceed two hundred fifty dollars
24 (\$250). The application shall also be accompanied by a
25 performance bond in an amount and under any conditions
26 required by the commission.

1 "(c) (1) In addition to the license required by
2 subsection (a), a professional match, contest, or exhibition
3 of boxing or mixed martial arts within this state shall not be
4 staged unless a match permit has been issued by the commission
5 for the professional match, contest, or exhibition of boxing
6 or mixed martial arts.

7 "(2) Each application for a match permit shall be on
8 a form provided by the commission and shall be accompanied by
9 a nonrefundable application fee not to exceed two hundred
10 fifty dollars (\$250). The commission may charge an additional
11 match fee in accordance with rules and regulations promulgated
12 by the commission.

13 "(d) The commission may, prior to issuing any match
14 permit, require a performance bond in addition to that
15 required in subsection (b).

16 "(e) The commission may refund any portion of the
17 match permit fee in excess of two hundred fifty dollars (\$250)
18 to any person who paid the excess fee if the professional
19 match, contest, or exhibition of boxing or mixed martial arts
20 for which the fees were paid is not held.

21 "§41-9-1030.

22 "(a) Prior to participating in a professional match,
23 contest, or exhibition of boxing or mixed martial arts
24 supervised by the commission, referees, judges, timekeepers,
25 matchmakers, boxers, managers, trainers, and each person who
26 assists a boxer or mixed martial arts competitor immediately

1 before and after a match, contest, or exhibition of boxing or
2 mixed martial arts and between rounds during a match, contest,
3 or exhibition of boxing or mixed martial arts shall apply for
4 and be issued a license. Licenses shall be issued annually and
5 shall expire on December 31 of each calendar year. Each
6 applicant shall make application on a form provided by the
7 commission and pay an annual license fee not to exceed two
8 hundred fifty dollars (\$250).

9 "(b) The commission shall issue a license under this
10 section only if:

11 "(1) The commission has determined to the best of
12 its ability that the applicant has the training or skills
13 necessary to perform in a manner appropriate to the license.

14 "(2) The applicant has complied with all applicable
15 requirements of this article and any rules and regulations
16 promulgated pursuant to this article.

17 "(3) The commission or its designated representative
18 has determined from information provided by the applicant and
19 from any medical evaluation required by the commission that
20 the health, welfare, and physical safety of the applicant will
21 not be unduly jeopardized by the issuance of the license.

22 "§41-9-1032.

23 "(a) The commission may refuse to grant a license to
24 an applicant upon a finding by a majority of the entire
25 commission that the applicant has failed to demonstrate the
26 qualifications or standards for a license contained in this

1 section or under the laws, rules, and regulations under which
2 licensure is sought. The applicant shall demonstrate to the
3 satisfaction of the commission that he or she meets all the
4 requirements for the issuance of a license, and, if the
5 commission is not satisfied as to the qualifications of the
6 applicant, it may deny a license without a prior hearing;
7 however, the applicant shall be allowed to appear before the
8 commission if he or she so desires.

9 " (b) (1) The commission, by majority vote, after
10 prior notice to the holder of a license and after affording
11 such a holder an opportunity to be heard, may fine the license
12 holder, revoke or suspend the license, or take other
13 disciplinary action against the licensee upon the
14 recommendation of any officially designated representative for
15 reasons involving the medical or physical safety of any
16 professional boxer licensed by the commission, summarily
17 suspend any license previously issued by the commission or
18 take other disciplinary action against any licensee. The
19 licensee shall, after the summary suspension, be afforded an
20 opportunity to be heard, in accordance with the rules of the
21 commission and the Alabama Administrative Procedure Act. A
22 summary suspension imposed against such a licensee may
23 include, but shall not be limited to, the following:

24 "a. Prohibiting any boxer from competing, appearing
25 in, or participating in any professional match, contest, or
26 exhibition within 60 days of having suffered a knockout.

1 "b. Prohibiting any boxer from competing, appearing
2 in, or participating in any professional match, contest, or
3 exhibition within 30 days of having suffered a technical
4 knockout where evidence of head trauma has been determined by
5 the attending ringside physician.

6 "(2) The length of any summary suspension invoked
7 pursuant to this subsection, upon the recommendation of the
8 ringside physician, may be extended to any number of days. The
9 terms and conditions of the suspension or revocation may
10 require that the boxer submit to further medical evaluation as
11 determined by the ringside physician.

12 "(c) The commission, its secretary, or its duly
13 authorized representative, at any time prior to the completion
14 of a permitted professional match, contest, or exhibition of
15 boxing or mixed martial arts, may summarily suspend or revoke
16 the match permit or the license of any specific boxer or mixed
17 martial arts competitor should it be determined by such person
18 that the continuation of the professional match, contest, or
19 exhibition of boxing or mixed martial arts may jeopardize the
20 health, welfare, morals, or safety of the citizens of this
21 state or may jeopardize the health or personal safety of any
22 participant of the professional match, contest, or exhibition
23 of boxing or mixed martial arts; provided, however, that the
24 licensee shall, after a summary suspension, be afforded an
25 opportunity to be heard, in accordance with the rules of the
26 commission and the Alabama Administrative Procedure Act.

1 "(d) The commission may revoke a suspension of a
2 boxer if any of the following applies:

3 "(1) The boxer was suspended pursuant to rules and
4 regulations adopted pursuant to Section 41-9-1027 and has
5 furnished proof of a sufficiently improved medical or physical
6 condition.

7 "(2) The boxer furnishes proof that a suspension
8 pursuant to Section 41-9-1027 was not or is no longer merited
9 by the facts.

10 "§41-9-1033.

11 "No person shall arrange, promote, organize,
12 produce, or participate in a professional match, contest, or
13 exhibition of boxing or mixed martial arts unless he or she
14 has complied with the following requirements:

15 "(1) An examination by a physician who has certified
16 that the boxer or mixed martial arts competitor is physically
17 fit to compete safely. Copies of each certificate shall be
18 provided to the commission prior to the professional match,
19 contest, or exhibition of boxing or mixed martial arts. The
20 commission may require a boxer or mixed martial arts
21 competitor to undergo a physical examination, including
22 neurological or neuropsychological tests and procedures.

23 "(2) A physician approved by the commission shall be
24 continuously present at ringside during every professional
25 match, contest, or exhibition of boxing or mixed martial arts.
26 The physician shall observe the physical condition of the

1 boxers or competitors in mixed martial arts and advise the
2 referee with regard to the boxers or competitors.

3 "(3) One or more inspectors appointed by the
4 commission as duly authorized representatives of the
5 commission shall be present at each professional match,
6 contest, or exhibition of boxing or mixed martial arts to
7 ensure that the rules are strictly observed. An inspector or
8 other duly authorized representative of the commission shall
9 be present at the weigh-in and at the ring during the conduct
10 of the professional match, contest, or exhibition of boxing or
11 mixed martial arts. Inspectors and other duly authorized
12 representatives of the commission shall have free access to
13 the dressing rooms of the boxers.

14 "(4) Each boxer or competitor in mixed martial arts
15 shall be covered by health insurance which will cover injuries
16 sustained during the professional match, contest, or
17 exhibition of boxing or mixed martial arts.

18 "(5) An ambulance and medical personnel with
19 appropriate resuscitation equipment shall be continuously
20 present at the site during any professional match, contest, or
21 exhibition of boxing or mixed martial arts.

22 "§41-9-1034.

23 "It shall be unlawful for any boxer or competitor in
24 mixed martial arts to participate or attempt to participate in
25 a professional match, contest, or exhibition of boxing or
26 mixed martial arts while under the influence of alcohol or any

1 drug. A boxer shall be deemed under the influence of alcohol
2 or a drug for the purposes of this section if a physical
3 examination made during a period of time beginning not more
4 than six hours prior to the beginning of the professional
5 match, contest, or exhibition of boxing or mixed martial arts
6 and ending not more than one hour after the completion of the
7 professional match, contest, or exhibition of boxing or mixed
8 martial arts reveals that the mental or physical ability of
9 the boxer is impaired as a direct result of the use of alcohol
10 or a drug.

11 "§41-9-1035.

12 "All buildings or structures used or intended to be
13 used for holding or giving professional matches, contests, or
14 exhibitions of boxing or mixed martial arts shall be safe and
15 shall in all manner conform to the laws, ordinances, and
16 regulations pertaining to buildings in the municipality or
17 unincorporated area of the county where the building or
18 structure is situated.

19 "§41-9-1036.

20 "No person under the age of 18 years shall
21 participate as a contestant in any professional match,
22 contest, or exhibition of boxing or mixed martial arts.

23 "§41-9-1037.

24 "The commission shall have jurisdiction over any
25 professional match, contest, or exhibition of boxing or mixed
26 martial arts which occurs or is held within this state, is

1 filmed in this state, or is broadcast or transmitted from this
2 state.

3 "§41-9-1038.

4 "(a) The Attorney General may bring a civil action
5 requesting relief, including a permanent or temporary
6 injunction, restraining order, or other order, against any
7 person who he or she believes is violating Sections 41-9-1029,
8 41-9-1030, 41-9-1031, 41-9-1032, 41-9-1033, 41-9-1034,
9 41-9-1035, and 41-9-1037.

10 "(b) (1) Any manager, promoter, matchmaker, or
11 licensee who knowingly violates or coerces or causes any other
12 person to violate Sections 41-9-1030, 41-9-1031, 41-9-1032,
13 41-9-1033, 41-9-1034, 41-9-1035, 41-9-1036, and 41-9-1037
14 shall, upon conviction, be guilty of a Class C felony.

15 "(2) Any member or employee of the commission or any
16 person who administers or enforces this article or rules and
17 regulations promulgated pursuant to this article who knowingly
18 violates Sections 41-9-1033 or 41-9-1034 shall, upon
19 conviction, be guilty of a Class C felony.

20 "(3) Any professional boxer or competitor in mixed
21 martial arts who knowingly violates this article, except
22 Section 41-9-1034, shall, upon conviction, be guilty of a
23 Class B misdemeanor.

24 "(4) Any professional boxer or competitor in mixed
25 martial arts who violates Section 41-9-1034 may be punished by
26 a civil fine not to exceed twenty-five thousand dollars

1 (\$25,000) together with a percentage of the purse not to
2 exceed 15 percent for each violation.

3 "(c) A person who participates in or promotes
4 unarmed combat shall be guilty of a Class A misdemeanor.

5 "(d) The criminal penalties in this section shall
6 not be construed to repeal other criminal laws. Whenever
7 conduct prescribed by this article is also prescribed by other
8 provision of law, the provision which carries the more serious
9 penalty shall be applied.

10 "§41-9-1039.

11 "There is established a separate trust fund in the
12 State Treasury to be known as the Alabama ~~Boxing~~ Athletic
13 Commission Fund. All receipts collected by the commission
14 shall be deposited into this fund and used only to carry out
15 the provisions of this article. Monies shall be disbursed only
16 by warrant of the state Comptroller drawn upon the State
17 Treasury supported by itemized vouchers approved by the
18 commission. No funds shall be withdrawn or expended except as
19 budgeted and allotted according to Sections 41-4-80 to
20 41-4-96, inclusive, and 41-19-1 to 41-19-12, inclusive, and
21 only in amounts as stipulated in the general appropriations
22 act or other appropriation acts.

23 "§41-9-1040.

24 "The Alabama ~~Boxing~~ Athletic Commission shall be
25 subject to the Alabama Sunset Law in Chapter 20 of Title 41,
26 as an enumerated agency, and shall have a termination date of

1 October 1, 2011, and every four years thereafter, unless
2 continued as provided in the Alabama Sunset Law."

3 Section 2. Section 21 of Act 2009-622 of the 2009
4 Regular Session (Acts 2009, p. 1872), is amended to read as
5 follows:

6 "There is hereby appropriated an amount as
7 determined necessary by the commission from the Alabama ~~Boxing~~
8 Athletic Commission Fund to the Alabama ~~Boxing~~ Athletic
9 Commission for the fiscal years ending September 30 after the
10 effective date of this act and for the fiscal year beginning
11 October 1, thereafter."

12 Section 3. This act shall become effective
13 immediately following its passage and approval by the
14 Governor, or its otherwise becoming law.

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Tourism and
Travel 28-JAN-10

Read for the second time and placed
on the calendar 04-FEB-10

Read for the third time and passed
as amended 17-FEB-10

Yeas 101, Nays 0, Abstains 0

Greg Pappas
Clerk