

SENATE BILL REPORT

SB 5754

As Passed Senate, March 19, 1997

Title: An act relating to boxing, kickboxing, martial arts, and wrestling.

Brief Description: Regulating boxing, kickboxing, martial arts, and wrestling.

Sponsors: Senators Horn, Franklin and Newhouse; by request of Department of Licensing.

Brief History:

Committee Activity: Commerce & Labor: 2/28/97, 3/4/97 [DP, DNP].
Passed Senate, 3/19/97, 45-4.

SENATE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass.

Signed by Senators Schow, Chair; Horn, Vice Chair; Franklin and Newhouse.

Minority Report: Do not pass.

Signed by Senator Heavey.

Staff: Aurora Almeda (786-7488)

Background: In 1995, the Department of Licensing (DOL) formed an ad hoc advisory committee to evaluate and propose regulation of boxing, kickboxing, wrestling, and martial arts. The committee compared existing regulations of the various sports with those of other states such as California and Nevada, and recommended changes to clarify the terminology, raise the safety and health standards, and update the administration and regulation of participants and events.

Summary of Bill: Definitions: Kickboxing– and martial arts– are defined and included within the definition of professional boxing. Amateur– and tough man/rough man contest or competitions– are defined.

Penalties: DOL may issue administrative penalties to a licensee in lieu of or in addition to suspension, denial or revocation of a license. The department may also establish and assess penalties for violations of any regulation in the chapter.

Bonds, fees and licenses: A boxing promoter is permitted to file one bond, to be determined by the department, for the license period instead of filing one for each event. The authority to approve bonds is removed from the Attorney General. A promoter must obtain proof of medical insurance for the entire license period, with its amount to be determined by the department but not less than \$50,000. Such proof of medical insurance must be shown to the department at least 72 hours before each event.

The promoter must pay a minimum tax of \$25 for gross receipts from each live event. The number of untaxed complimentary tickets is limited to 5 percent of the total tickets sold per event location, not to exceed 300 tickets.

The promoter is responsible for travel expenses of the inspectors and physicians.

Rules of events, safety and health: Boxing contests are limited to 12 rounds. A physician must conduct a pre-fight physical examination 24 hours before a fight. DOL is authorized to set nonrefundable license fees for wrestling participants, matchmakers, physicians, inspectors, judges, timekeepers and announcers.

DOL has the authority to request further information from participants to ensure the classification of an event is accurate.

DOL may revoke or deny a license to a licensee convicted under the Uniform Controlled Substances Act, or tests positive for illegal use of a controlled substance.

Complaints, investigation, and disciplinary procedures: Written complaints regarding an applicant's or a licensee's unprofessional conduct may be submitted to the department for review and investigation. The complainant is immune from suit in any civil action related to the filing or contents of the complaint. The licensee may request a hearing with the department. If DOL finds that the applicant or licensee has committed unprofessional conduct, then the department may deny, revoke or suspend his or her license; require payment of a fine; or take other corrective action deemed appropriate to the violation. The director of DOL may investigate and issue a cease and desist order to a person who is not licensed to engage in a regulated boxing, kickboxing wrestling, or martial arts event.

Unprofessional conduct is defined to include conviction of a gross misdemeanor, felony or commission of an act involving moral turpitude, acts of misrepresentation in the furnishing of information for a license, and false advertising.

The director and others acting under his or her authority are immune from suit in an action based on disciplinary proceedings or other official acts performed in the course of their duties.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Updating the boxing regulations is necessary to improve the health and safety of participants. Changes to the regulations are also necessary to clarify the Department of Licensing's authority to regulate the various sports and events. Regulation of martial arts events was requested by members of the martial arts community who expressed interest in the possibility of holding professional matches; current martial arts exhibitions, however, remain unregulated since most events are only for the purpose of public demonstrations.–

Testimony Against: None.

Testified: PRO: Pat Brown, Dept. of Licensing; Curtis Leach, WA Association of Professional Ring Officials; Mickey Brasher, WA Association of Professional Ring Officials; Tom Sporar, Boxing Inspector and member, Ad Hoc Boxing Advisory Committee.