

2 **SSB 5553 - H COMM AMD ADOPTED 04/16/99**
3 By Committee on Commerce & Labor

4

5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. Sec. 1. A new section is added to chapter 67.08
8 RCW to read as follows:

9 The department shall set license and renewal fees by rule, but
10 the fees collected do not have to offset the cost of the program as
11 required under RCW 43.24.086.

12 **Sec. 2.** RCW 67.08.002 and 1997 c 205 s 1 are each amended to
13 read as follows:

14 Unless the context clearly requires otherwise, the definitions in
15 this section apply throughout this chapter.

16 (1) "Amateur" means a person who engages in athletic activities
17 as a pastime and not as a professional.

18 (2) "Boxing" means a contest in which the contestants exchange
19 blows with their fists, but does not include professional wrestling.

20 (3) "Department" means the department of licensing.

21 (4) "Director" means the director of the department of licensing
22 or the director's designee.

23 (5) "Event" includes, but is not limited to, a boxing, wrestling,
24 or martial arts contest, sparring, fisticuffs, match, show, or
25 exhibition.

26 (6) "Event physician" means the physician licensed under RCW
27 67.08.100 and who is responsible for the activities described in RCW
28 67.08.090.

29 (7) "Face value" means the dollar value of a ticket or order,
30 which value must reflect the dollar amount that the customer is
31 required to pay or, for a complimentary ticket, would have been
32 required to pay to purchase a ticket with equivalent seating
33 priority, in order to view the event.

34 ~~((+7))~~ (8) "Gross receipts" means ~~((+))~~ the amount received from
35 ~~((the sale of souvenirs, programs, and other concessions received by~~

1 ~~the promoter; and~~) the face value of all tickets sold and
2 complimentary tickets redeemed.

3 ~~((+8+))~~ (9) "Kickboxing" means a type of boxing in which blows
4 are delivered with the hand and any part of the leg below the hip,
5 including the foot.

6 ~~((+9+))~~ (10) "Martial arts" means a type of boxing including
7 sumo, judo, karate, kung fu, tae kwon do, pankration, muay thai, or
8 other forms of full-contact martial arts or self-defense conducted on
9 a full-contact basis.

10 ~~((+10+))~~ (11) "Physician" means a person licensed under chapter
11 18.57, 18.36A, or 18.71 RCW as a physician or a person holding an
12 osteopathic or allopathic physician license under the laws of any
13 jurisdiction in which the person resides.

14 (12) "Professional" means a person who has received or competed
15 for money or other articles of value for participating in an event.

16 ~~((+11+))~~ (13) "Promoter" means a person, and includes any
17 officer, director, employee, or stockholder of a corporate promoter,
18 who produces, arranges, stages, holds, or gives an event in this
19 state involving a professional boxing, martial arts, or wrestling
20 event, or shows or causes to be shown in this state a closed circuit
21 telecast of a match involving a professional participant whether or
22 not the telecast originates in this state.

23 ~~((+12+))~~ "Tough man/rough man contest or competition" means an
24 event that utilizes unlicensed, untrained, or otherwise licensed
25 participants who engage in unsanctioned activities that do not comply
26 with this chapter, including a full-contact, tournament-style martial
27 arts contest, match, show, or exhibition in which contestants compete
28 more than once per day.

29 ~~(+13+))~~ (14) "Wrestling exhibition" or "wrestling show" means a
30 form of sports entertainment in which the participants display their
31 skills in a physical struggle against each other in the ring and
32 either the outcome may be predetermined or the participants do not
33 necessarily strive to win, or both.

34 **Sec. 3.** RCW 67.08.015 and 1997 c 205 s 3 are each amended to
35 read as follows:

36 (1) In the interest of ensuring the safety and welfare of the
37 participants, the department shall have power and it shall be its
38 duty to direct, supervise, and control all boxing, martial arts, and

1 wrestling events conducted within this state and an event may not be
2 held in this state except in accordance with the provisions of this
3 chapter. The department may, in its discretion, issue and for cause
4 deny, revoke, or suspend a license to promote, conduct, or hold
5 boxing, kickboxing, martial arts, or wrestling events where an
6 admission fee is charged by any person, club, corporation,
7 organization, association, or fraternal society.

8 (2) All boxing, kickboxing, martial arts, or wrestling events
9 that:

10 (a) Are conducted by any common school, college, or university,
11 whether public or private, or by the official student association
12 thereof, whether on or off the school, college, or university
13 grounds, where all the participating contestants are bona fide
14 students enrolled in any common school, college, or university,
15 within or without this state; or

16 (b) Are entirely amateur events promoted on a nonprofit basis or
17 for charitable purposes;

18 are not subject to the licensing provisions of this chapter. A
19 boxing, martial arts, kickboxing, or wrestling event may not be
20 conducted within the state except under a license issued in
21 accordance with this chapter and the rules of the department except
22 as provided in this section.

23 (3) The director shall prohibit events unless all of the
24 contestants are either licensed under this chapter or trained by an
25 amateur or professional sanctioning body recognized by the
26 department.

27 **Sec. 4.** RCW 67.08.050 and 1997 c 205 s 6 are each amended to
28 read as follows:

29 (1) Any promoter shall within seven days prior to the holding of
30 any event file with the department a statement setting forth the name
31 of each licensee who is a potential participant, his or her manager
32 or managers, and such other information as the department may
33 require. Participant changes regarding a wrestling event may be
34 allowed after notice to the department, if the new participant holds
35 a valid license under this chapter. The department may stop any
36 wrestling event in which a participant is not licensed under this
37 chapter.

1 (2) Upon the termination of any event the promoter shall file
2 with the designated department representative a written report, duly
3 verified as the department may require showing the number of tickets
4 sold for the event, the price charged for the tickets and the gross
5 proceeds thereof, and such other and further information as the
6 department may require. The promoter shall pay to the department at
7 the time of filing the report under this section a tax equal to five
8 percent of such gross receipts. However, the tax may not be less
9 than twenty-five dollars. The five percent of such gross receipts
10 shall be immediately paid by the department into the state general
11 fund.

12 (3) A complimentary ticket may not have a face value of less than
13 the least expensive ticket available for sale to the general public.
14 (~~It must include charges and fees, such as dinner, gratuity,~~
15 ~~parking, surcharges, or other charges or fees that are charged to and~~
16 ~~must be paid by the customer in order to view the event.)) The
17 number of untaxed complimentary tickets shall be limited to five
18 percent of the total tickets sold per event location, not to exceed
19 three hundred tickets. All complimentary tickets exceeding this
20 exemption shall be subject to taxation.~~

21 **Sec. 5.** RCW 67.08.080 and 1997 c 205 s 8 are each amended to
22 read as follows:

23 A boxing(~~, kickboxing, or martial art[s]~~) event held in this
24 state may not be for more than ten rounds and no one round of any
25 bout shall be scheduled for longer than three minutes and there shall
26 be not less than one minute intermission between each round. In the
27 event of bouts involving state, regional, national, or world
28 championships the department may grant an extension of no more than
29 two additional rounds to allow total bouts of twelve rounds. A
30 contestant in any boxing event under this chapter may not be
31 permitted to wear gloves weighing less than eight ounces. The
32 director shall adopt rules to assure clean and sportsmanlike conduct
33 on the part of all contestants and officials, and the orderly and
34 proper conduct of the event in all respects, and to otherwise make
35 rules consistent with this chapter, but such rules shall apply only
36 to events held under the provisions of this chapter. The director
37 may adopt rules with respect to round and bout limitations and clean

1 and sportsmanlike conduct for kickboxing, martial arts, or wrestling
2 events.

3 **Sec. 6.** RCW 67.08.090 and 1997 c 205 s 9 are each amended to
4 read as follows:

5 (1) Each contestant for boxing, kickboxing, or martial arts
6 events shall be examined within twenty-four hours before the contest
7 by ~~((a competent))~~ an event physician ~~((appointed))~~ licensed by the
8 department. The event physician shall report in writing and over his
9 or her signature before the event the physical condition of each and
10 every contestant to the inspector present at such contest. No
11 contestant whose physical condition is not approved by the
12 ~~((examining))~~ event physician shall be permitted to participate in
13 any event. Blank forms ~~((of))~~ for event physicians' reports shall be
14 provided by the department and all questions upon such blanks shall
15 be answered in full. The ~~((examining))~~ event physician shall be paid
16 a fee and travel expenses by the promoter.

17 (2) The department may require that ~~((a))~~ an event physician be
18 present at a wrestling event. The promoter shall pay ~~((any))~~ the
19 event physician present at a wrestling event. A boxing, kickboxing,
20 or martial arts event may not be held unless ~~((a licensed))~~ an event
21 physician ~~((of))~~ licensed by the department ~~((or his or her duly~~
22 ~~appointed representative))~~ is present throughout the event.

23 (3) Any ~~((practicing))~~ physician ~~((and surgeon))~~ licensed under
24 RCW 67.08.100 may be selected by the department as the ~~((examining))~~
25 event physician. ~~((Such))~~ The event physician present at ~~((such))~~
26 any contest shall have authority to stop any event when in the event
27 physician's opinion it would be dangerous to a contestant to
28 continue, and in such event it shall be the event physician's duty to
29 stop the event.

30 (4) The department may have a participant in a wrestling event
31 examined by ~~((a))~~ an event physician ~~((appointed))~~ licensed by the
32 department prior to the event. A participant in a wrestling event
33 whose condition is not approved by the ~~((examining))~~ event physician
34 shall not be permitted to participate in the event.

35 (5) Each contestant for boxing, kickboxing, martial arts, or
36 wrestling events may be subject to a random urinalysis or chemical
37 test within twenty-four hours before or after a contest. An
38 applicant or licensee who refuses or fails to submit to the

1 urinalysis or chemical test is subject to disciplinary action under
2 RCW 67.08.240. If the urinalysis or chemical test is positive for
3 substances prohibited by rules adopted by the director, disciplinary
4 action shall be taken under RCW 67.08.240.

5 **Sec. 7.** RCW 67.08.100 and 1997 c 205 s 10 and 1997 c 58 s 864
6 are each reenacted and amended to read as follows:

7 (1) The department upon receipt of a properly completed
8 application and payment of a nonrefundable fee, may grant an annual
9 license to an applicant for the following: (a) Promoter; (b)
10 manager; (c) boxer; (d) second; (e) wrestling participant; (f)
11 inspector(~~(s)~~); (g) judge; (h) timekeeper; (i) announcer(~~(s)~~);
12 (~~and~~) (j) event physician(~~(s)~~); (k) referee; (l) matchmaker; (m)
13 kickboxer; and (n) martial arts participant.

14 (2) The application for the following types of licenses shall
15 include a physical performed by a physician, as defined in RCW
16 67.08.002, which was performed by the physician with a time period
17 preceding the application as specified by rule: (a) Boxer; (b)
18 wrestling participant; (c) kickboxer; (d) martial arts participant;
19 and (e) referee.

20 (3) Any license may be revoked, suspended, or denied by the
21 director for a violation of this chapter or a rule adopted by the
22 director.

23 (~~(+3)~~) (4) No person shall participate or serve in any of the
24 above capacities unless licensed as provided in this chapter.

25 (~~(+4)~~) (5) The referees, judges, timekeepers, event physicians,
26 and inspectors for any boxing event shall be designated by the
27 department from among licensed officials.

28 (~~(+5)~~) (6) The referee for any wrestling event shall be provided
29 by the promoter and shall be licensed as a wrestling participant.

30 (~~(+6)~~) (7) The department shall immediately suspend the license
31 or certificate of a person who has been certified pursuant to RCW
32 74.20A.320 by the department of social and health services as a
33 person who is not in compliance with a support order (~~or a~~
34 ~~residential or visitation order~~). If the person has continued to
35 meet all other requirements for reinstatement during the suspension,
36 reissuance of the license or certificate shall be automatic upon the
37 department's receipt of a release issued by the department of social

1 and health services stating that the licensee is in compliance with
2 the order.

3 ~~((+7))~~ (8) A person may not be issued a license if the person
4 has an unpaid fine outstanding to the department.

5 ~~((+8))~~ (9) A person may not be issued a license unless they are
6 at least eighteen years of age.

7 ~~((+9))~~ (10) This section shall not apply to contestants or
8 participants in events at which only amateurs are engaged in contests
9 and/or fraternal organizations and/or veterans' organizations
10 chartered by congress or the defense department or any recognized
11 amateur sanctioning body recognized by the department, holding and
12 promoting athletic events and where all funds are used primarily for
13 the benefit of their members. Upon request of the department, a
14 promoter, contestant, or participant shall provide sufficient
15 information to reasonably determine whether this chapter applies.

16 **Sec. 8.** RCW 67.08.110 and 1997 c 205 s 11 are each amended to
17 read as follows:

18 (1) Any person or any member of any group of persons or
19 corporation promoting boxing events who shall participate directly or
20 indirectly in the purse or fee of any manager of any boxers or any
21 boxer and any licensee who shall conduct or participate in any sham
22 or fake boxing event shall be subject to license suspension,
23 revocation, or fine and such revoked, suspended, or fined licensee
24 shall not be entitled to receive any license issued under this
25 chapter.

26 (2) A manager of any boxer, kickboxer, or martial arts
27 participant who allows any person or any group of persons or
28 corporation promoting boxing, kickboxing, or martial arts events to
29 participate directly or indirectly in the purse or fee, or any boxer,
30 kickboxer, or martial arts participant or other licensee who conducts
31 or participates in any sham or fake boxing, kickboxing, or martial
32 arts event is subject to disciplinary action under RCW 67.08.240.

33 **Sec. 9.** RCW 67.08.120 and 1997 c 205 s 12 are each amended to
34 read as follows:

35 Any ~~((unlicensed participant contestant))~~ applicant or licensee
36 who violates any rule of the department shall be fined, suspended,
37 revoked, or any combination thereof, by order of the director.

1 Assessed fines shall not exceed five (~~hundred~~) thousand dollars for
2 each violation of this chapter or any rule of the department.

3 **Sec. 10.** RCW 67.08.160 and 1989 c 127 s 2 are each amended to
4 read as follows:

5 A promoter shall have an ambulance or paramedical unit present at
6 the (~~arena in case a serious injury occurs unless an ambulance or~~
7 ~~paramedical unit is located within five miles of the arena and that~~
8 ~~unit is on call for such an occurrence~~) event location."

9 Correct the title.

EFFECT OF HOUSE AMENDMENT: (1) Permits naturopaths to examine a
wrestling, kickboxing, boxing, or martial arts participant 24 hours
before a fight, monitor fights, and perform physicals prior to
licensing.

(2) Retains the department of licensing's authority to hire
inspectors and preserves their duties in statute.

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