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**Business & Financial Services Committee**

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**HB 1062**

**Brief Description:** Concerning athletics, limited to boxing, martial arts, and wrestling that are regulated by the department of licensing.

**Sponsors:** Representatives Green, Appleton and Goodman.

**Brief Summary of Bill**

- Modifies health and safety provisions for boxing and martial arts events.
- Creates two new categories of licenses in professional athletics.
- Modifies exemptions from licensure for boxing and martial arts events.

**Hearing Date:** 1/20/11

**Staff:** Jon Hedegard (786-7127).

**Background:**

The Department of Licensing (DOL) regulates boxing, martial arts, kickboxing, and wrestling events. Federal law requires boxing events, including events on tribal lands, to be supervised by a regulatory entity. Under the federal law, the DOL must have an agreement with a tribe to regulate a tribe's boxing events. A tribe may also have its own regulatory entity if the entity minimum federal standards.

Licensure. Boxers, kickboxers, martial arts participants, promoters, inspectors, and others involved with the events must obtain a license from the DOL unless exempt. The DOL's ability to impose certain sanctions is dependent on whether or not events charge an admission fee.

Existing Licensing Exemptions. There are a number of different exemptions from licensure in statute. All boxing, kickboxing, martial arts, or wrestling events are exempt if the event is:

- conducted by any common school, college, or university and all the participating contestants are bona fide students; or

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- an entirely amateur event, as defined, that is promoted on a nonprofit basis or for charitable purposes;

"Amateur event" is defined as an event in which all the participants are "amateurs" and which is registered and sanctioned by: (1) United States Amateur Boxing, Inc.; (2) Washington Interscholastic Activities Association; (3) National Collegiate Athletic Association; (4) Amateur Athletic Union; (5) Golden Gloves of America; (6) United Full Contact Federation; (7) any similar organization recognized by the DOL as exclusively or primarily dedicated to advancing the sport of amateur boxing, kickboxing, or martial arts; or (8) local affiliate of any above organization.

Licensing requirements also do not apply to contestants or participants in events:

- at which only amateurs are engaged in contests;
- held and promoted by fraternal organizations or veterans' organizations chartered by Congress or the United States Department of Defense or any recognized amateur sanctioning body recognized by the DOL; and
- where all funds are used primarily for the benefit of the members of the promoting organization.

Participants. Seven days before an event, a promoter must submit the names of all potential participants to the DOL. Changes are allowed for wrestling events.

Medical/Safety. Boxing promoters must provide proof of medical insurance to the DOL 72 hours prior to an event. A physician licensed by the DOL must be present throughout a boxing, kickboxing, or martial arts event. Within 24 hours before these events, a physician must conduct a prefight physical. A physician must stop an event when, in the physician's opinion, it would be dangerous for a participant to continue. The DOL may require a physician at a wrestling event. Participants may be subject to random urinalysis or chemical tests within 24 hours before or after an event. An applicant or licensee who refuses to submit to testing is subject to disciplinary action. If the urinalysis or chemical test is positive for substances prohibited by rule, the applicant or licensee is subject to disciplinary action. A promoter must have an ambulance or paramedic unit at an event. The Director of the DOL (Director) must adopt rules to assure clean and sportsmanlike conduct and may adopt rules with respect to round and bout limitations.

Officials. The DOL may appoint official inspectors and the inspectors must carry a card as evidence of their authority. The Director sets a fee for the inspectors that is paid by the promoter. The DOL may also employ inspectors.

Other. The Director or persons acting on the Director's behalf are immune from liability based on official acts.

### **Summary of Bill:**

Several definitions are added. Several existing definitions are modified or repealed.

A number of provisions that applied to boxing are explicitly applied to martial arts; martial arts have been and continue to be defined as a subset of boxing. Kickboxing is no longer a separate category but is defined as a subset of martial arts.

Contestants. Seven days before an event, a promoter must file a preliminary statement listing contestants for a boxing or martial arts event. Changes are allowed upon approval of the DOL.

Licensing. Generally, licenses are required and may be renewed. Applicants for licenses or renewals must meet qualifications established by rule of the DOL. Two new categories of licenses are created: training facilities and instructors. Fees for these licenses must be set by the DOL.

*Training Facilities.* A training facility license or a promoter license may be used to hold or promote events. Many provisions of the chapter are imposed upon a promoter. No promoter license is required if the licensed training facility is in compliance with specific requirements, including various age and safety requirements and prohibitions on certain holds and moves. Licensed training facilities are also required to meet certain standards for any events regarding access, stoppage of contests if a contestant is bleeding for five cumulative minutes, use of trained officials, and other standards adopted by the DOL. Training facilities that don't comply with all applicable standards must comply with additional provisions in the chapter. The DOL may conduct random inspections of facilities. Applications or renewals for a training facility license must include proof of ownership of the business and other information required by DOL. An applicant must have been involved in the business of a training facility for two years prior to being granted a license for a training facility.

*Instructors.* Instructors must meet licensing and renewal qualifications set by the DOL by rule.

*Contestants.* All boxing contestants must present proof of having a federal identification card. All martial contestants must present proof of having a national identification card.

*Officials.* Applicants for a referee, judge, timekeeper, or other official license must be certified as having adequate training, experience and skill by a licensed instructor who instructs in a curriculum approved by the DOL as determined in rule.

*Licensing Exemptions.* The exemption from licensing for amateur events that are promoted on a nonprofit or charitable basis is removed. The definition of amateur event is removed. An exemption for fraternal organizations under specified conditions is removed. Several exemptions from licensing are modified. Language regarding common schools is replaced by elementary or secondary schools. The licensure requirements do not apply to contestants in events that involve only amateurs and are sponsored by veterans organizations chartered by Congress or the United States Department of Defense. Added as an exemption from licensure are events where all participants are amateurs and the event is sponsored by a national governing body or paralympic sports organization recognized by the United States Olympic Committee.

*Event Physicians and Chiropractors.* Event physicians and chiropractors no longer need to be licensed under the chapter.

Medical/Safety. Promoters of martial arts events are also explicitly required to provide proof of medical insurance 72 hours prior to an event. Prefight examination requirements are replaced by fairly similar new provisions. Only contestants and referees need physicals. The preflight physical by a physician must occur within a time-frame established by rule. Boxing contestants

must present federal identification cards. Except as allowed in training facilities, martial arts contestants must present with a national identification card. A form recounting the completed prefight physical must be given to an inspector prior to the beginning of the event. A physician may stop any bout when it would be dangerous; the physician does not need to stop an entire event. The danger that may trigger a stoppage is no longer limited to contestants. The prohibited substances found in a urinalysis or chemical test are specified to be controlled substances. A portable breath test may also be administered 24 hours before or after of an event. No contestant may consume alcohol after a bout until the contestant has completed a postfight physical. A promoter must have an ambulance or paramedical unit with transport and resuscitation capabilities and two paramedics at an event location. The ambulance or paramedical unit and staff must be present at all times until the postfight physicals are completed.

Boxing title eliminator fights may be allowed to go 12 rounds. The existing eight-ounce boxing glove requirement is struck. Language about sportsmanlike conduct for martial arts and wrestling is modified to make it explicit that the Director may adopt rules about boxing, glove weights, weight classes, pads, and safety gear. The striking of anyone other than the approved opponent at a bout or event is prohibited. The prohibition against self-mutilation by a wrestling participant is expanded to mutilation of any person by a wrestling participant.

Officials. The DOL must appoint official inspectors. The Director and inspectors are prohibited from having a direct or indirect interest in the promotion of an event or contestant in the state. A requirement for the presence of inspectors at the counting of gross receipts to immediately transmit a report to the DOL is removed. Contestants, promoters and officials are under the authority of the DOL authority at all times at all events. The DOL must appoint all event officials. The officials must carry a card evidencing that authority. The fee and travel expenses appointed officials receive from promoters are to be paid through the DOL. The DOL may also employ and contract with all appointed officials.

Other. Appointed event officials are also provided immunity from liability. Those officials though are not immune from discipline of the DOL.

Written complaints may be submitted with the DOL. The complaint does not need to allege unprofessional conduct or specify grounds for the complaint. The DOL may investigate if it believes that the complaint merits investigation or if the DOL has reason to believe that there may have been a violation of the statutes.

Promoters have 10 days after an event to file information about the event with the DOL.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect on January 1, 2012.