

---

**SUBSTITUTE HOUSE BILL 1062**

---

**State of Washington                      62nd Legislature                      2011 Regular Session**

**By** House Business & Financial Services (originally sponsored by Representatives Green, Appleton, and Goodman)

READ FIRST TIME 02/17/11.

1            AN ACT Relating to athletics, limited to boxing, martial arts, and  
2 wrestling that are regulated by the department of licensing; amending  
3 RCW 67.08.002, 67.08.007, 67.08.015, 67.08.017, 67.08.030, 67.08.050,  
4 67.08.055, 67.08.060, 67.08.080, 67.08.130, 67.08.140, 67.08.160,  
5 67.08.170, 67.08.180, 67.08.200, and 67.08.300; reenacting and amending  
6 RCW 67.08.090 and 67.08.100; adding new sections to chapter 67.08 RCW;  
7 creating a new section; repealing RCW 67.08.010, 67.08.040, 67.08.110,  
8 67.08.220, and 67.08.240; prescribing penalties; and providing an  
9 effective date.

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

11            **Sec. 1.** RCW 67.08.002 and 2004 c 149 s 1 are each amended to read  
12 as follows:

13            The definitions in this section apply throughout this chapter  
14 unless the context clearly requires otherwise.

15            (1) "Amateur" means a person who has never received nor competed  
16 for any purse or other article of value, either for expenses of  
17 training or for participating in an event, other than a prize of fifty  
18 dollars in value or less.

1 (2) "Boxing" means the sport of attack and defense which uses the  
2 contestants' fists and where the contestants compete with the intent  
3 not to injure or disable an opponent, but to win by decision, knockout,  
4 or technical knockout(~~(, but does not include professional wrestling)~~)).

5 (3) "Chiropractor" means a person licensed under chapter 18.25 RCW  
6 as a doctor of chiropractic or under the laws of any jurisdiction in  
7 which that person resides, who has certification as a certified  
8 chiropractic sports physician or a diplomate American chiropractic  
9 board of sports physicians by the American chiropractic board of sports  
10 physicians and is working within the person's scope of practice.

11 (4) "Department" means the department of licensing.

12 (5) "Director" means the director of the department of licensing or  
13 the director's designee.

14 (6) "Event" includes, but is not limited to, a boxing, wrestling,  
15 or martial arts contest, sparring, fisticuffs, match, show, or  
16 exhibition, whether amateur or professional.

17 (7) "Event physician" means the physician (~~(licensed under RCW~~  
18 ~~67.08.100 and)~~) who is responsible for the activities described in RCW  
19 67.08.090.

20 (8) "Face value" means the dollar value of a ticket or order, which  
21 value must reflect the dollar amount that the customer is required to  
22 pay or, for a complimentary ticket, would have been required to pay to  
23 purchase a ticket with equivalent seating priority, in order to view  
24 the event.

25 (9) "Gross receipts" means the amount received from the face value  
26 of all tickets sold and complimentary tickets redeemed.

27 (~~(10) ("Kickboxing" means a type of boxing in which blows are~~  
28 ~~delivered with the fist and any part of the leg below the hip,~~  
29 ~~including the foot and where the contestants compete with the intent~~  
30 ~~not to injure or disable an opponent, but to win by decision, knockout,~~  
31 ~~or technical knockout.~~

32 (~~11~~)) "Martial arts" means a type of boxing including kickboxing,  
33 sumo, judo, karate, kung fu, tae kwon do, pankration, muay thai, or  
34 other forms of full-contact martial arts or self-defense conducted on  
35 a full-contact basis where weapons are not used and the participants  
36 utilize kicks, punches, blows, or other techniques with the intent not  
37 to injure or disable an opponent, but to (~~(defeat an opponent or)~~) win  
38 by decision, knockout, technical knockout, or submission.

1        (11) "Mixed martial arts" means a combative sporting contest, the  
2 rules of which allow two mixed martial arts competitors to attempt to  
3 achieve dominance over one another by utilizing a variety of techniques  
4 including, but not limited to, striking, grappling, and the application  
5 of submission holds. "Mixed martial arts" does not include martial  
6 arts such as tae kwon do, karate, judo, sumo, jujitsu, and kung fu.

7        (12) "No holds barred fighting," also known as "frontier fighting"  
8 and "extreme fighting," means a contest, exhibition, or match between  
9 contestants where any part of the contestant's body may be used as a  
10 weapon or any means of fighting may be used with the specific purpose  
11 to intentionally injure the other contestant in such a manner that they  
12 may not defend themselves and a winner is declared. Rules may or may  
13 not be used.

14        (13) "Combative fighting," also known as "toughman fighting,"  
15 "toughwoman fighting," "badman fighting," and "so you think you're  
16 tough," means a contest, exhibition, or match between contestants who  
17 use their fists, with or without gloves, or their feet, or both, and  
18 which allows contestants that are not trained in the sport to compete  
19 and the object is to defeat an opponent or to win by decision,  
20 knockout, or technical knockout.

21        (14) "Physician" means a person licensed under chapter 18.57(~~(~~  
22 ~~18.36A,~~) or 18.71 RCW as a physician or a person holding an  
23 osteopathic or allopathic physician license under the laws of any  
24 jurisdiction in which the person resides.

25        (15) "Professional" means a person who has received or competed for  
26 any purse or other articles of value greater than fifty dollars, either  
27 for the expenses of training or for participating in an event.

28        (16) "Promoter" means a person, and includes any officer, director,  
29 employee, or stockholder of a corporate promoter, who (a) produces,  
30 arranges, stages, or holds(~~(, or gives))~~) an event in this state  
31 (~~(involving a professional boxing, martial arts, or wrestling event,)~~)  
32 other than an event held in compliance with section 4 of this act; or  
33 (b) shows (~~(or causes to be shown))~~) in this state a closed circuit  
34 telecast (~~(of a match involving a professional participant whether or~~  
35 ~~not the telecast originates))~~) event originating in this state.

36        (17) "Wrestling (~~(exhibition" or "wrestling show))~~" means a form of  
37 sports entertainment in which the participants play a role or display

1 their skills in a physical struggle against each other in the ring and  
2 either the outcome may be predetermined or the ((participants))  
3 contestants do not necessarily strive to win, or both.

4 (18) "Amateur event" means an event in which all the participants  
5 are "amateurs" and which is registered and sanctioned by:

6 (a) United States Amateur Boxing, Inc.;

7 (b) Washington Interscholastic Activities Association;

8 (c) National Collegiate Athletic Association;

9 (d) Amateur Athletic Union;

10 (e) Golden Gloves of America; or

11 (f) ((~~United Full Contact Federation;~~

12 ~~(g) Any similar organization recognized by the department as~~  
13 ~~exclusively or primarily dedicated to advancing the sport of amateur~~  
14 ~~boxing, kickboxing, or martial arts, as those sports are defined in~~  
15 ~~this section; or~~

16 ~~(h))~~) Local affiliate of any organization identified in this  
17 subsection.

18 (19) "Elimination tournament" means any contest in which  
19 contestants compete in ((~~a series of matches until not more than one~~  
20 ~~contestant remains in any weight category~~)) more than one bout in any  
21 twenty-four hour period. The term does not include any event that  
22 complies with the provisions of RCW 67.08.015(2) (a) or (b).

23 (20) "Bout" means a contest or match between contestants appearing  
24 at an event.

25 (21) "Event fee" means the fee to be paid by the promoter for an  
26 event.

27 (22) "Training facility" means a business that rents, leases, or  
28 owns a building or structure or portion thereof in the state that is  
29 used for martial arts training.

30 **Sec. 2.** RCW 67.08.007 and 1993 c 278 s 9 are each amended to read  
31 as follows:

32 The department may employ or contract with and fix the compensation  
33 of such ((~~officers,~~) employees((~~,~~)) and ((~~inspectors~~)) appointed  
34 officials as may be necessary to administer the provisions of this  
35 chapter ((~~as amended~~)).

1       **Sec. 3.** RCW 67.08.015 and 2004 c 149 s 2 are each amended to read  
2 as follows:

3       (1) In the interest of ensuring the safety and welfare of the  
4 participants, the department shall have power and it shall be its duty  
5 to direct, supervise, and control all boxing, martial arts, and  
6 wrestling events conducted within this state and an event may not be  
7 held in this state except in accordance with the provisions of this  
8 chapter. The department may, in its discretion, issue and for cause,  
9 which includes concern for the safety and welfare of the participants,  
10 take any of the actions specified in RCW 18.235.110 against a license  
11 to promote, conduct, or hold boxing, (~~(kickboxing,)~~) martial arts, or  
12 wrestling events where an admission fee is charged by any person, club,  
13 corporation, organization, association, or fraternal society.

14       (2) All boxing, (~~(kickboxing,)~~) martial arts, or wrestling events  
15 that:

16       (a) Are conducted by any (~~(common)~~) elementary or secondary school,  
17 college, or university, whether public or private, or by the official  
18 student association thereof, whether on or off the school, college, or  
19 university grounds, where all the (~~(participating)~~) contestants are  
20 (~~(bona fide)~~) students enrolled in any (~~(common)~~) elementary or  
21 secondary school, college, or university, within or without this state;  
22 (~~(or)~~)

23       (b) Are entirely amateur events as defined in RCW 67.08.002(18) and  
24 promoted on a nonprofit basis or for charitable purposes;

25       (c) Do not charge an admission fee; or

26       (d) Are exempted from licensure by rule;

27 are not subject to the licensing provisions of this chapter. A mixed  
28 martial arts event is not exempt from the licensing provisions of this  
29 chapter. The director may adopt rules addressing exemptions regarding  
30 whether or not specific martial arts are mixed martial arts for the  
31 purpose of applying licensing provisions.

32       (3) A boxing, martial arts, (~~(kickboxing,)~~) or wrestling event may  
33 not be conducted within the state except under a license issued in  
34 accordance with this chapter and the rules of the department except as  
35 provided in this (~~(section)~~) chapter.

36       (~~(+3)~~) (4) The director shall prohibit events unless all of the  
37 contestants are licensed or otherwise exempt from licensure as provided  
38 under this chapter.

1       (~~(4) No amateur or professional no holds barred fighting or~~  
2 ~~combative fighting type of contest, exhibition, match, or similar type~~  
3 ~~of event, nor any elimination tournament, may be held in this state.~~  
4 ~~Any person promoting such an event is guilty of a class C felony.~~  
5 ~~Additionally, the director may apply to a superior court for an~~  
6 ~~injunction against any and all promoters of a contest, and may request~~  
7 ~~that the court seize all money and assets relating to the~~  
8 ~~competition.))~~

9       NEW SECTION.   **Sec. 4.** (1) A training facility license allows the  
10 licensee to promote, conduct, and hold mixed martial arts events under  
11 the standards in this section. No promoter license is required to  
12 promote, conduct, or hold an event in compliance with this section.  
13 Contestants and officials are exempt from licensure for participation  
14 in events held in compliance with this section.

15       (2) A training facility licensee must require all mixed martial  
16 arts contestants to:

17       (a) Be amateurs;

18       (b) Be at least ten years of age;

19       (c) Wear full pads, including shin and instep pads, kneepads, and  
20 sparring style gloves weighing a minimum of six ounces per glove; and

21       (d) Comply with the following safety standards:

22       (i) Contestants ages ten through twelve shall not perform elbow  
23 strikes, knee blows to the head, wrist or ankle locks, strikes to an  
24 opponent's head while the opponent is on the ground, lower body  
25 submissions, or throwing or spiking an opponent onto the opponent's  
26 head.

27       (ii) Contestants ages thirteen through fifteen shall not perform  
28 elbow strikes, knee blows to the head, wrist or ankle locks, twisting  
29 leg locks, strikes to an opponent's head while the opponent is on the  
30 ground, or throwing or spiking an opponent onto the opponent's head.

31       (iii) Contestants ages sixteen and seventeen shall not perform  
32 elbow strikes, twisting leg locks, knee blows to the head, or throwing  
33 or spiking an opponent onto the opponent's head.

34       (iv) Contestants age eighteen or older shall not perform elbow  
35 strikes to the head, twisting knee locks, knees to the head of a  
36 grounded opponent, or throwing or spiking an opponent onto the  
37 opponent's head.

1 (3) Training facility licensees must:

2 (a) Hold events only at venues open to all ages, if minors are  
3 allowed to compete;

4 (b) Require an immediate end to any bout during which a wound  
5 sustained by a contestant does not cease bleeding within five  
6 cumulative minutes;

7 (c) Use trained officials; and

8 (d) Meet other standards adopted by the department by rule  
9 including any additional safety standards adopted by rule.

10 (4) RCW 67.08.030, 67.08.050, 67.08.055, 67.08.060, 67.08.090,  
11 67.08.130, 67.08.160, and 67.08.170 do not apply to events held in  
12 compliance with this section.

13 (5) Training facility events not in compliance with this section  
14 are subject to all the requirements of this chapter except for this  
15 section.

16 (6) The department may conduct random inspections of training  
17 facilities and training facility events to assure compliance with this  
18 chapter.

19 NEW SECTION. **Sec. 5.** No amateur or professional no holds barred  
20 fighting or combative fighting contest, exhibition, match, or similar  
21 type of event, nor any elimination tournament, may be held in this  
22 state. Any person promoting such an event is guilty of a class C  
23 felony. Additionally, the director may apply to a superior court for  
24 an injunction against any and all promoters of such contests, and the  
25 court may seize all money and assets relating to the competition at the  
26 request of the director.

27 **Sec. 6.** RCW 67.08.017 and 2002 c 86 s 307 are each amended to read  
28 as follows:

29 In addition to the powers described in RCW 18.235.030 and  
30 18.235.040, the director or the director's designee has the following  
31 authority in administering this chapter:

32 (1) Adopt, amend, and rescind rules as deemed necessary to carry  
33 out this chapter; and

34 (2) Adopt standards of ((professional)) conduct or practice((+)

35 ~~(3) Enter into an assurance of discontinuance in lieu of issuing a~~  
36 ~~statement of charges or conducting a hearing. The assurance shall~~

1 ~~consist of a statement of the law in question and an agreement not to~~  
2 ~~violate the stated provision. The applicant or license holder shall~~  
3 ~~not be required to admit to any violation of the law, and the assurance~~  
4 ~~shall not be construed as such an admission. Violation of an assurance~~  
5 ~~under this subsection is grounds for disciplinary action; and~~

6 ~~(4) Establish and assess fines for violations of this chapter that~~  
7 ~~may be subject to payment from a contestant's purse)).~~

8 **Sec. 7.** RCW 67.08.030 and 1997 c 205 s 5 are each amended to read  
9 as follows:

10 (1) Every promoter, as a condition for receiving a license, shall  
11 file with the department a surety bond in an amount to be determined by  
12 the department, but not less than ten thousand dollars, to cover all of  
13 the event locations applied for within the state during the license  
14 period, conditioned upon the faithful performance by such licensee of  
15 the provisions of this chapter, to ensure the payment of the ~~((taxes))~~  
16 event fee, officials' fee, and contestant contracts as provided for  
17 herein and the observance of all rules of the department.

18 (2) Boxing and martial arts promoters must obtain medical insurance  
19 in an amount set by the director, but not less than fifty thousand  
20 dollars, to cover ~~((any))~~ injuries incurred by ~~((participants))~~  
21 contestants at the time of each event held in this state and provide  
22 proof of insurance to the department seventy-two hours before each  
23 event. The ~~((evidence))~~ proof of insurance must specify, at a minimum,  
24 the name of the insurance company, the insurance policy number, the  
25 effective date of the coverage, the expiration date of the policy, and  
26 ~~((evidence))~~ wording that each ~~((participant))~~ contestant is covered by  
27 the insurance at the time of each event. The promoter must pay any  
28 deductible associated with the insurance policy.

29 (3) In lieu of the insurance requirement of subsection (2) of this  
30 section, a promoter of the boxing or martial arts event who so chooses  
31 may~~((, as a condition for receiving a license under this chapter,))~~  
32 file proof of medical insurance coverage that is in effect for the  
33 entire term of the licensing period.

34 (4) The department shall cancel a boxing or martial arts event if  
35 the promoter fails to provide proof of medical insurance ~~((within the~~  
36 ~~proper time frame))~~ seventy-two hours before each event.



1           **Sec. 8.** RCW 67.08.050 and 2009 c 429 s 1 are each amended to read  
2 as follows:

3           (1) ~~((Any))~~ Ten days prior to the holding of any boxing or martial  
4 arts event, promoters shall ~~((within seven days prior to the holding of~~  
5 ~~any event))~~ file with the department a preliminary statement setting  
6 forth the name of each ~~((licensee who is a))~~ potential ~~((participant,~~  
7 ~~his or her manager or managers,))~~ contestant, and such other  
8 information as the department may require. ~~((Participant))~~ Contestant  
9 changes ~~((regarding a wrestling event))~~ or additions may be allowed  
10 ~~((after notice to the department, if the new participant holds a valid~~  
11 ~~license under this chapter. The department may stop any wrestling~~  
12 ~~event in which a participant is not licensed under this chapter))~~ upon  
13 approval by the department.

14           (2) ~~((Upon the termination))~~ No later than ten days after the end  
15 of any event, the promoter shall file with the ~~((designated))~~  
16 department ~~((representative))~~ a written report, duly verified as the  
17 department may require showing the number of tickets sold for the  
18 event, the price charged for the tickets and the gross ~~((proceeds))~~  
19 receipts thereof, and such other and further information as the  
20 department may require. The promoter shall pay to the department at  
21 the time of filing the report under this section an event fee to be  
22 determined by the director pursuant to RCW 67.08.105. However, the  
23 event fee may not be less than twenty-five dollars. The event fee and  
24 license fees collected under this chapter shall be paid by the  
25 department into the business and professions account under RCW  
26 43.24.150.

27           **Sec. 9.** RCW 67.08.055 and 2009 c 429 s 2 are each amended to read  
28 as follows:

29           Every ~~((licensee))~~ promoter who charges and receives an admission  
30 fee for exhibiting a simultaneous telecast of any live, current, or  
31 spontaneous boxing ~~((or sparring match)),~~ martial arts, or wrestling  
32 ~~((exhibition or show))~~ event on a closed circuit telecast ~~((viewed~~  
33 ~~within))~~ originating in this state shall, within ~~((seventy two hours))~~  
34 ten working days after such event, furnish to the department a verified  
35 written report on a form which is supplied by the department showing  
36 the number of tickets issued or sold, and the gross receipts therefor  
37 without any deductions whatsoever. Such ~~((licensee))~~ promoter shall

1 also, at the same time, pay to the department an event fee to be  
2 determined by the director pursuant to RCW 67.08.105. In no event,  
3 however, shall the event fee be less than twenty-five dollars. The  
4 event fee shall be immediately paid by the department into the business  
5 and professions account under RCW 43.24.150.

6 **Sec. 10.** RCW 67.08.060 and 1997 c 205 s 7 are each amended to read  
7 as follows:

8 (1) The department ((may)) shall appoint official inspectors ((at  
9 least one of which, in the absence of a member of the department,)) who  
10 shall be present at any event held under the provisions of this  
11 chapter. The director and inspectors shall not have any interest or  
12 connection, either direct or indirect, in the promotion of any event or  
13 contestant in this state. Such inspectors shall carry a card signed by  
14 the director evidencing their authority. It shall be their duty to see  
15 that all rules of the department and the provisions of this chapter are  
16 strictly complied with ~~((and to be present at the accounting of the~~  
17 ~~gross receipts of any event, and such inspector is authorized to~~  
18 ~~receive from the licensee conducting the event the statement of~~  
19 ~~receipts herein provided for and to immediately transmit such reports~~  
20 ~~to the department))).~~

21 (2) At all times at all events, contestants, promoters, and all  
22 officials shall be under the direction of the director or its  
23 inspector.

24 (3) The department shall also appoint all other event officials who  
25 shall carry a card evidencing their authority.

26 (4) Each ((inspector)) appointed official shall receive a fee and  
27 travel expenses from the promoter through the department to be set by  
28 the director for each event officially attended.

29 **Sec. 11.** RCW 67.08.080 and 1999 c 282 s 5 are each amended to read  
30 as follows:

31 A boxing event held in this state may not be for more than ten  
32 rounds and no one round of any bout shall be scheduled for longer than  
33 three minutes and there shall be not less than a one minute  
34 intermission between each round. In the event of bouts involving  
35 state, regional, national, title eliminator, or world championships the  
36 department may grant an extension of no more than two additional rounds

1 to allow total bouts of twelve rounds. (~~(A contestant in any boxing~~  
2 ~~event under this chapter may not be permitted to wear gloves weighing~~  
3 ~~less than eight ounces.)~~) The director shall adopt rules to assure  
4 clean and sportsmanlike conduct on the part of all contestants and  
5 officials, and the orderly and proper conduct of the event in all  
6 respects, and to otherwise make rules consistent with this chapter, but  
7 such rules shall apply only to events held under the provisions of this  
8 chapter. The director may adopt rules with respect to round and bout  
9 limitations, glove weights, weight classes, pads, safety gear, and  
10 clean and sportsmanlike conduct for (~~(kickboxing)~~) boxing, martial  
11 arts, or wrestling events.

12 **Sec. 12.** RCW 67.08.090 and 2002 c 147 s 2 and 2002 c 86 s 308 are  
13 each reenacted and amended to read as follows:

14 (1) (~~(Each contestant for boxing, kickboxing, or martial arts~~  
15 ~~events shall be examined within twenty four hours before the contest by~~  
16 ~~an event physician licensed by the department. The event physician~~  
17 ~~shall report in writing and over his or her signature before the event~~  
18 ~~the physical condition of each and every contestant to the inspector~~  
19 ~~present at such contest. No contestant whose physical condition is not~~  
20 ~~approved by the event physician shall be permitted to participate in~~  
21 ~~any event. Blank forms for event physicians' reports shall be provided~~  
22 ~~by the department and all questions upon such blanks shall be answered~~  
23 ~~in full. The event physician shall be paid a fee and travel expenses~~  
24 ~~by the promoter.~~

25 (2) ~~The department may require that an event physician be present~~  
26 ~~at a wrestling event. The promoter shall pay the event physician~~  
27 ~~present at a wrestling event.)~~ A boxing(~~(, kickboxing,)~~) or martial  
28 arts event may not be held unless an event physician (~~(licensed by the~~  
29 ~~department)~~) or chiropractor is present throughout the event. In  
30 addition to the event physician, a chiropractor may be included as (~~(a~~  
31 ~~licensed)~~) an official at a boxing(~~(, kickboxing,)~~) or martial arts  
32 event. (~~(The promoter shall pay the chiropractor present at a boxing,~~  
33 ~~kickboxing, or martial arts event.~~

34 (3)) (2) Any physician (~~(licensed under RCW 67.08.100)~~) or  
35 chiropractor may be selected by the department as the event physician.  
36 The event physician or chiropractor present at any (~~(contest)~~) event  
37 shall have authority to stop any (~~(event)~~) bout when in the event

1 physician's or chiropractor's opinion it would be dangerous (~~(to a~~  
2 ~~contestant))~~ to continue(~~(, and in such event it shall be the event~~  
3 ~~physician's duty to stop the event.~~

4 ~~(4) The department may have a participant in a wrestling event~~  
5 ~~examined by an event physician licensed by the department prior to the~~  
6 ~~event. A participant in a wrestling event whose condition is not~~  
7 ~~approved by the event physician shall not be permitted to participate~~  
8 ~~in the event)).~~

9 ~~((+5))~~ (3) Each contestant for a boxing or martial arts event  
10 shall receive a prefight physical before an event and within a time  
11 frame specified in rule. The prefight physical shall be performed by  
12 the event physician or chiropractor who shall complete and sign a  
13 prefight physical form provided by the department. The completed  
14 prefight physical form must be provided to the inspector prior to the  
15 beginning of the event. A contestant whose physical condition is not  
16 approved by the event physician or chiropractor may not be permitted to  
17 participate in the event.

18 (4) Each contestant for boxing, (~~(kickboxing,)~~ martial arts, or  
19 wrestling events may be subject to a random urinalysis or chemical test  
20 within twenty-four hours before or after (~~(a contest))~~ an event. A  
21 portable breath test may be administered within twenty-four hours  
22 before an event, during an event, or after an event until the postfight  
23 physical has been completed to determine if a contestant has consumed  
24 or is affected by alcoholic beverages. Contestants shall not consume  
25 alcoholic beverages until the postfight physical has been completed by  
26 the event physician. In addition to the unprofessional conduct  
27 specified in RCW 18.235.130, an applicant or licensee who tests  
28 positive for alcohol or who refuses or fails to submit to the portable  
29 breath test, urinalysis, or chemical test is subject to disciplinary  
30 action under RCW 18.235.110. If the urinalysis or chemical test is  
31 positive for (~~(substances prohibited by rules adopted by the director))~~  
32 illegal use of a controlled substance as defined in RCW 69.50.101, the  
33 applicant or licensee has engaged in unprofessional conduct and  
34 disciplinary action may be taken under RCW 18.235.110.

35 (5) The department may require that an event physician or  
36 chiropractor be present at a wrestling event. The department may have  
37 a contestant in a wrestling event examined by the event physician or

1 chiropractor prior to the event. A contestant in a wrestling event  
2 whose condition is not approved by the event physician or chiropractor  
3 shall not be permitted to participate in the event.

4 (6) The event physician and chiropractor shall be paid a fee and  
5 travel expenses by the promoter through the department in an amount to  
6 be set by the director for each event officially attended.

7 **Sec. 13.** RCW 67.08.100 and 2002 c 147 s 3 and 2002 c 86 s 309 are  
8 each reenacted and amended to read as follows:

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

17 (2) ~~((The application for the following types of licenses))~~ With  
18 the application, a contestant and referee shall include a physical  
19 performed by a physician, ~~((as defined in RCW 67.08.002,))~~ which was  
20 performed by the physician ~~((with))~~ within a time period preceding the  
21 application as specified by rule ~~((:- (a) Boxer; (b) wrestling~~  
22 ~~participant; (c) kickboxer; (d) martial arts participant; and (e)~~  
23 ~~referee)).~~ A boxing contestant must present with the application proof  
24 of having a federal identification card. Except for a contestant at a  
25 training facility event, a martial arts contestant must present with  
26 the application proof of having a national identification card.

27 (3) An applicant or licensee upon renewal for the following types  
28 of licenses: Judge; referee; timekeeper; or other official deemed  
29 necessary by the department for the sports of boxing ~~((, kickboxing,))~~  
30 and martial arts shall either:

31 (a)(i) Provide annual proof of training in the subject matter or  
32 the license that is applied for in a curriculum approved by the  
33 department by rule; and

34 (ii) Annual certification as having adequate experience, skill, and  
35 training for the license applied for from an organization that is  
36 approved by the department ~~((-))~~ including, but not limited to, the  
37 association of boxing commissions, the international boxing federation,

1 the international boxing organization, the Washington state association  
2 of professional ring officials, the world boxing association, the world  
3 boxing council, or the world boxing organization for boxing officials,  
4 and the united full contact federation for kickboxing and martial arts  
5 officials(~~(a) Judge; (b) referee; (c) inspector; (d) timekeeper; or~~  
6 ~~(e) other officials deemed necessary by the department~~)); or

7 (b) Provide annual proof of an active license in good standing from  
8 another state or a country in the same category as the license that is  
9 being applied for or renewed.

10 (4) An applicant or licensee upon renewal for an inspector or an  
11 instructor license shall meet qualifications as determined by rule.

12 (5) An applicant or licensee upon renewal for a training facility  
13 license shall be required to provide proof of ownership of the business  
14 and such other information as the department may require. An applicant  
15 must have been engaged in the business of a training facility in the  
16 state for at least two years to be granted a license.

17 (6) No person shall participate or serve in any of the above  
18 capacities unless licensed or exempted as provided in this chapter.

19 (~~(5) The referees, judges, timekeepers, event physicians,~~  
20 ~~chiropractors, and inspectors~~) (7) All officials for any boxing(~~(~~  
21 kickboxing,) or martial arts event other than an event held in  
22 compliance with section 4 of this act and wrestling events shall be  
23 (~~designated~~) appointed by the department (~~from among licensed~~  
24 ~~officials~~)).

25 (~~(6)~~) (8) The referee for any wrestling event shall be provided  
26 by the promoter and shall be licensed as a wrestling (~~participant~~)  
27 contestant.

28 (~~(7)~~) (9) The department shall immediately suspend the license or  
29 certificate of a person who has been certified pursuant to RCW  
30 74.20A.320 by the department of social and health services as a person  
31 who is not in compliance with a support order. If the person has  
32 continued to meet all other requirements for reinstatement during the  
33 suspension, reissuance of the license or certificate shall be automatic  
34 upon the department's receipt of a release issued by the department of  
35 social and health services stating that the licensee is in compliance  
36 with the order.

37 (~~(8)~~) (10) The director shall suspend the license of any person  
38 who has been certified by a lending agency and reported to the director

1 for nonpayment or default on a federally or state-guaranteed  
2 educational loan or service-conditional scholarship. Prior to the  
3 suspension, the agency must provide the person an opportunity for a  
4 brief adjudicative proceeding under RCW 34.05.485 through 34.05.494 and  
5 issue a finding of nonpayment or default on a federally or state-  
6 guaranteed educational loan or service-conditional scholarship. The  
7 person's license shall not be reissued until the person provides the  
8 director a written release issued by the lending agency stating that  
9 the person is making payments on the loan in accordance with a  
10 repayment agreement approved by the lending agency. If the person has  
11 continued to meet all other requirements for licensure during the  
12 suspension, reinstatement shall be automatic upon receipt of the notice  
13 and payment of any reinstatement fee the director may impose.

14 (11) A person may not be issued a license if the person has an  
15 unpaid fine, related to boxing, martial arts, or wrestling, outstanding  
16 to the department.

17 ((+9)) (12) A person may not be issued a license unless they are  
18 at least eighteen years of age.

19 ((+10)) (13)(a) This section shall not apply to contestants ((~~or~~  
20 ~~participants~~)) in events at which only amateurs are engaged in contests  
21 and/or fraternal organizations and/or veterans' organizations chartered  
22 by congress or the defense department or any recognized amateur  
23 sanctioning body recognized by the department, holding and promoting  
24 athletic events and where all funds are used primarily for the benefit  
25 of their members.

26 (b) This section applies to contestants in amateur mixed martial  
27 arts events. Upon request of the department, a promoter, contestant,  
28 or participant shall provide sufficient information to reasonably  
29 determine whether this chapter applies.

30 **Sec. 14.** RCW 67.08.130 and 2002 c 86 s 311 are each amended to  
31 read as follows:

32 Whenever any licensee shall fail to make a report of any event  
33 within the time prescribed by this chapter or when such report is  
34 unsatisfactory to the department, the director may examine the books  
35 and records of such licensee; he or she may subpoena and examine under  
36 oath any officer of such licensee and such other person or persons as  
37 he or she may deem necessary to a determination of the total gross

1 receipts from any event and the amount of ((~~tax~~)) fee thereon. If,  
2 upon the completion of such examination it shall be determined that an  
3 additional ((~~tax~~)) fee is due, notice thereof shall be served upon the  
4 licensee, providing the licensee with an opportunity to request a  
5 hearing under chapter 34.05 RCW. The failure to request a hearing  
6 within twenty days of service of the notice constitutes a default,  
7 whereupon the director will enter a decision on the facts available.  
8 Failure to pay such additional ((~~tax~~)) fee within twenty days after  
9 service of a final order constitutes unprofessional conduct and the  
10 licensee may be subject to disciplinary action against its license and  
11 shall be disqualified from receiving any new license.

12 **Sec. 15.** RCW 67.08.140 and 2002 c 86 s 312 are each amended to  
13 read as follows:

14 Any person(~~(, club, corporation, organization, association,~~  
15 ~~fraternal society, participant, or promoter)~~) conducting or  
16 participating in boxing, martial arts, or wrestling events within this  
17 state without having first obtained ((a)) the applicable license  
18 ((~~therefor in the manner provided by~~)) under this chapter is in  
19 violation of this chapter and shall be guilty of a misdemeanor  
20 excepting the events and persons excluded from the ((~~operation~~))  
21 licensing requirement of this chapter ((~~by RCW 67.08.015~~)).

22 **Sec. 16.** RCW 67.08.160 and 1999 c 282 s 10 are each amended to  
23 read as follows:

24 A promoter shall have an ambulance or a paramedical unit with  
25 transport and resuscitation capabilities and a minimum of two  
26 attendants present at the event location. The ambulance or paramedical  
27 unit, and attendants, must be present for the duration of the event  
28 until the completion of all postfight physicals.

29 **Sec. 17.** RCW 67.08.170 and 1997 c 205 s 15 are each amended to  
30 read as follows:

31 A promoter shall ensure that adequate security personnel are ((~~in~~  
32 ~~attendance~~)) present at ((~~a wrestling or boxing~~)) an event to control  
33 ((~~fans~~)) spectators in attendance. The size of the security force  
34 shall be determined by mutual agreement of the promoter, the person in  
35 charge of operating the arena or other facility, and the department.



1       **Sec. 18.** RCW 67.08.180 and 2002 c 86 s 313 are each amended to  
2 read as follows:

3       In addition to the unprofessional conduct specified in RCW  
4 18.235.130, the following conduct, acts, or conditions constitute  
5 unprofessional conduct for which disciplinary action may be taken:

6       ~~(1) ((Destruction of any ticket or ticket stub, whether sold or  
7 unsold, within three months after the date of any event, by any  
8 promoter or person associated with or employed by any promoter.~~

9       ~~(2))~~ The deliberate cutting ~~((of himself or herself))~~ or other  
10 ~~((self))~~ mutilation of any person by a wrestling ~~((participant))~~  
11 contestant while participating in a wrestling event.

12       ~~((3))~~ (2) A conviction under chapter 69.50 RCW.

13       ~~((4))~~ (3) Testing positive for illegal use of a controlled  
14 substance as defined in RCW 69.50.101.

15       ~~((5))~~ (4) The striking of any person that is not a licensed  
16 participant at a wrestling event.

17       (5) The striking of any person other than the approved bout  
18 opponent at an event.

19       (6) Conducting or participating in any boxing or martial arts sham  
20 or fake event.

21       **Sec. 19.** RCW 67.08.200 and 1997 c 205 s 17 are each amended to  
22 read as follows:

23       A person, including but not limited to a consumer, licensee,  
24 corporation, organization, and state and local governmental agency, may  
25 submit a written complaint to the department ~~((charging a license  
26 holder or applicant with unprofessional conduct and specifying the  
27 grounds for the complaint))~~. If the department determines that the  
28 complaint merits investigation or if the department has reason to  
29 believe, without a formal complaint, that a license holder or applicant  
30 may have engaged in ~~((unprofessional conduct))~~ a violation of this  
31 chapter, the department shall investigate ~~((to determine whether there  
32 has been unprofessional conduct))~~. A person who files a complaint  
33 under this section in good faith is immune from suit in any civil  
34 action related to the filing or contents of the complaint.

35       **Sec. 20.** RCW 67.08.300 and 2002 c 86 s 314 are each amended to  
36 read as follows:

1       The director or individuals acting on the director's behalf and all  
2 appointed event officials are immune from suit in an action, civil or  
3 criminal, based on official acts performed in the course of their  
4 duties in the administration and enforcement of this chapter.  
5 Appointed event officials are not immune from disciplinary actions  
6 brought under this chapter and chapter 18.235 RCW by the department.

7       NEW SECTION.   **Sec. 21.**   The following acts or parts of acts are  
8 each repealed:

9       (1) RCW 67.08.010 (Licenses for boxing, martial arts, and wrestling  
10 events--Telecasts) and 2002 c 86 s 305, 1997 c 205 s 2, 1993 c 278 s  
11 10, 1989 c 127 s 13, 1975-'76 2nd ex.s. c 48 s 2, & 1933 c 184 s 7;

12       (2) RCW 67.08.040 (Issuance of license) and 1993 c 278 s 14, 1975-  
13 '76 2nd ex.s. c 48 s 4, & 1933 c 184 s 10;

14       (3) RCW 67.08.110 (Unprofessional conduct--Sham or fake event) and  
15 2002 c 86 s 310, 1999 c 282 s 8, 1997 c 205 s 11, 1993 c 278 s 21, 1989  
16 c 127 s 11, & 1933 c 184 s 17;

17       (4) RCW 67.08.220 (Unprofessional conduct--Order upon finding--  
18 Penalties--Costs) and 1997 c 205 s 19; and

19       (5) RCW 67.08.240 (Unprofessional conduct--What constitutes) and  
20 1997 c 205 s 21.

21       NEW SECTION.   **Sec. 22.**   If any provision of this act or its  
22 application to any person or circumstance is held invalid, the  
23 remainder of the act or the application of the provision to other  
24 persons or circumstances is not affected.

25       NEW SECTION.   **Sec. 23.**   Sections 4 and 5 of this act are each added  
26 to chapter 67.08 RCW.

27       NEW SECTION.   **Sec. 24.**   Sections 1 through 23 of this act take  
28 effect January 1, 2012.

29       NEW SECTION.   **Sec. 25.**   The director of the department of licensing  
30 may take such steps as are necessary to ensure that this act is  
31 implemented on January 1, 2012.

--- END ---