

House Bill 1592

By: Representative Poag of the 6th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 4B of Title 43 of the Official Code of Georgia Annotated, relating to the
2 Georgia Athletic and Entertainment Commission, so as to broaden the regulatory powers of
3 the commission to include jurisdiction over all professional athletics; to provide for
4 definitions; to provide for licensing and regulation of professional athletes and other persons
5 and organizations involved in professional athletics; to provide for rules and regulations,
6 administrative procedure, and related matters; to reconstitute the membership of the
7 commission; to provide for sanctions for violations; to provide for other related matters; to
8 provide for an effective date and for applicability; to repeal conflicting laws; and for other
9 purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 style="text-align:center">**SECTION 1.**

12 Chapter 4B of Title 43 of the Official Code of Georgia Annotated, relating to the Georgia
13 Athletic and Entertainment Commission, is amended by striking Article 1, relating to general
14 provisions, and Article 2, relating to licensing and participatory provisions, and inserting in
15 their place new articles to read as follows:

16 style="text-align:center">"ARTICLE 1

17 43-4B-1.

18 As used in this chapter, the term:

19 (1) 'Amateur' means a person who engages in a an athletic match, contest, or exhibition
20 ~~of boxing~~ which is ~~governed or authorized by:~~ not a professional athletic match, contest,
21 or exhibition.

22 (A) ~~U.S.A. Boxing;~~

23 (B) ~~The Georgia High School Athletic Association;~~

24 (C) ~~The National Collegiate Athletic Association;~~

1 ~~(D) Amateur Athletic Union;~~

2 ~~(E) Golden Gloves; or~~

3 ~~(F) The local affiliate of any organization listed in this paragraph.~~

4 (2) Reserved. ~~'Boxing match' means a contest between two individuals in which~~
 5 ~~contestants score points in rounds of two or three minutes by striking with padded fists~~
 6 ~~the head and upper torso of the opponent or by knocking the opponent down and~~
 7 ~~rendering the opponent unconscious or incapable of continuing the contest by such blows,~~
 8 ~~which contest is held in a square ring supervised by a referee and scored by three judges.~~

9 (3) 'Boxing registry' means a boxing registry created or designated pursuant to subsection
 10 (j) of Code Section 43-4B-4.

11 (3.1) 'Charitable organization' means an entity described by:

12 (A) Section 501(c)(3), Internal Revenue Code of 1986 (26 U.S.C. Section 501(c)(3));
 13 or

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

15 (4) 'Commission' means the Georgia Athletic and Entertainment Commission.

16 (5) 'Exhibition' means a contest where the participants engage in the use of boxing
 17 athletic skills and techniques and where the objective is to display such skills and
 18 techniques without striving to win.

19 (6) 'Face value' means the dollar value of a ticket or order, which value shall reflect the
 20 dollar amount that the customer is required to pay or, for complimentary tickets, would
 21 have been required to pay to purchase a ticket with equivalent seating priority in order
 22 to view the match, contest, exhibition, or entertainment event. A complimentary ticket
 23 shall not have a face value of \$0.00. A complimentary ticket shall not have a face value
 24 of less than that of the least expensive ticket available for sale to the general public. Face
 25 value shall include any charges or fees, such as dinner, gratuity, parking, surcharges, or
 26 any other charges or fees which are charged to and must be paid by the customer in order
 27 to view the match, contest, exhibition, or entertainment event. It shall exclude any
 28 portion paid by the customer for federal, state, or local taxes.

29 (7) 'Gross proceeds' means the total revenue received solely from the sale of tickets used
 30 or intended to be used by the audience physically attending any event required to be
 31 licensed under this chapter.

32 (8) 'Gross receipts' means:

33 (A) The gross price charged for the sale or lease of broadcasting, television, closed
 34 circuit, or motion picture rights without any deductions for commissions, brokerage
 35 fees, distribution fees, production fees, advertising, or other expenses or charges; and

36 (B) The face value of all tickets sold and complimentary tickets redeemed.

1 (9) 'Local tax' means any occupation tax or other tax owed to a county or municipality
 2 in order to hold a professional athletic match, contest, or exhibition ~~of boxing~~ or to carry
 3 on a business as a ticket broker within such county or municipality.

4 (10) 'Manager' means a person who under contract, agreement, or other arrangement with
 5 a ~~boxer~~ professional athlete, undertakes to control or administer, directly or indirectly,
 6 a matter related to ~~boxing~~ professional athletics on behalf of a ~~boxer~~ professional athlete.
 7 Such term includes, but is not limited to, a person who functions as a booking agent,
 8 adviser, or consultant but does not include a person separately licensed as an athlete agent
 9 under Chapter 4A of this title.

10 (11) 'Matchmaker' means a person who is employed by or associated with a promoter in
 11 the capacity of booking and arranging professional athletic matches, contests, or
 12 exhibitions ~~of boxing~~ between opponents or who proposes professional athletic matches,
 13 contests, or exhibitions ~~of boxing~~ and selects and arranges for the participants in such
 14 events and for whose activities in this regard the promoter is legally responsible.

15 (12) 'Person' means any individual, partnership, firm, association, corporation, or
 16 combination of individuals of whatever form or character.

17 (13) 'Physician' means a doctor of medicine or other medical professional legally
 18 authorized by any state to practice medicine.

19 (14) 'Professional athlete' means a person who is participating or has participated in a
 20 professional athletic match, contest, or exhibition and has received, will receive, or is
 21 competing to receive any cash as a salary, purse, or prize for participating in or winning
 22 such event. ~~of boxing which is not governed or authorized by one or more of the~~
 23 ~~organizations listed in paragraph (1) of this Code section and:~~

24 (A) ~~Has received or competed for or is receiving or competing for any cash as a salary,~~
 25 ~~purse, or prize for participating in any professional athletic match, contest, or exhibition~~
 26 ~~of boxing;~~

27 (B) ~~Is participating or has participated in any match, contest, or exhibition of boxing~~
 28 ~~to which admission is granted upon payment of any ticket for admission or other~~
 29 ~~evidence of the right of entry;~~

30 (C) ~~Is participating or has participated in any match, contest, or exhibition of boxing~~
 31 ~~which is or was filmed, broadcast, or transmitted for viewing; or~~

32 (D) ~~Is participating or has participated in any match, contest, or exhibition of boxing~~
 33 ~~which provides a commercial advantage by attracting persons to a particular place or~~
 34 ~~promoting a commercial product or enterprise.~~

35 (15) 'Professional athletic match, contest, or exhibition ~~of boxing~~' means a boxing an
 36 athletic match, contest, or exhibition ~~which is not governed or authorized by one or more~~
 37 ~~of the organizations listed in paragraph (1) of this Code section and:~~

1 ~~(A) Rewards a boxer~~ rewards one or more athletes participating with cash as a salary,
2 purse, or prize for ~~such participation;~~ participating in or winning such event and which:

3 ~~(B)(A)~~ Requires for admission payment of a ticket for admission or other evidence of
4 the right of entry;

5 ~~(C)(B)~~ Is filmed, broadcast, or transmitted for viewing; or

6 ~~(D)(C)~~ Provides a commercial advantage by attracting persons to a particular place or
7 promoting a commercial product or enterprise.

8 (15.1) 'Professional athletic team owner' means any person or organization which owns
9 or operates a team of one or more professional athletes.

10 (16) 'Promoter' means the person primarily responsible for organizing, promoting, and
11 producing a professional athletic match, contest, or exhibition ~~of boxing~~ and who is
12 legally responsible for the lawful conduct of such professional athletic match, contest, or
13 exhibition ~~of boxing~~.

14 (17) 'Purse' or 'ring event earnings' means the financial guarantee or any other
15 remuneration, or part thereof, for which professional ~~boxers~~ athletes are participating in
16 a professional athletic match, contest, or exhibition and includes the ~~boxer's~~ professional
17 athlete's share of any payment received for radio broadcasting, television, or motion
18 picture rights.

19 (17.1) 'Registry' means a registry created or designated pursuant to subsection (j) of Code
20 Section 43-4B-4.

21 (18) 'State' means any of the 50 states, Puerto Rico, the District of Columbia, and any
22 territory or possession of the United States.

23 (19) 'Ticket broker' means any person who is involved in the business of reselling tickets
24 of admission to athletic contests, concerts, theater performances, amusements,
25 exhibitions, or other entertainment events to which the general public is admitted and
26 who charges a premium in excess of the price of the ticket. The term ticket broker shall
27 not include the owner, operator, lessee, or tenant of the property in which an athletic
28 contest or entertainment event is being held or the sponsor of such a contest or event or
29 the authorized ticket agent of such persons.

30 (20)(A) 'Unarmed combat' means any form of competition between human beings or
31 one or more human beings and one or more animals in which:

32 (i) One or more blows are struck which may reasonably be expected to inflict injury
33 on a human being; and

34 (ii) There is some compensation or commercial benefit arising from such
35 competition, whether in the form of cash or noncash payment to the competitors or
36 the person arranging the competition; the sale of the right to film, broadcast, transmit,
37 or view the competition; or the use of the competition to attract persons to a particular

1 location for some commercial advantage or to promote a commercial product or
2 commercial enterprise.

3 (B) Unarmed combat shall include but shall not be limited to: tough man fights, bad
4 man fights, nude boxing, and nude wrestling.

5 (C) Unarmed combat shall not include:

6 (i) Professional boxing;

7 (ii) Professional wrestling;

8 (iii) Amateur boxing;

9 (iv) Amateur wrestling;

10 (v) Any competition displaying the skills of a single form of an Oriental system of
11 unarmed self-defense, including, but not limited to, kick boxing, karate, or
12 full-contact karate, which is held pursuant to the rules of that form and governed or
13 authorized by a nationally recognized organization; or

14 (vi) Mixed martial arts fighting when the competition is sanctioned, approved, or
15 endorsed by the International Sport Combat Federation (ISCF).

16 (21) 'Wrestling' means a staged performance of fighting and gymnastic skills and
17 techniques by two or more human beings who are not required to use their best efforts in
18 order to win and for which the winner may have been selected before the performance
19 commences.

20 43-4B-2.

21 The provisions of this chapter shall not be construed to apply to any athletic match, contest,
22 or exhibition of ~~boxing~~:

23 ~~(1) In in which the contestants are all amateurs; and~~

24 ~~(2) Which is governed or authorized by:~~

25 ~~(A) U.S.A. Boxing;~~

26 ~~(B) The Georgia High School Athletic Association;~~

27 ~~(C) The National Collegiate Athletic Association;~~

28 ~~(D) Amateur Athletic Union;~~

29 ~~(E) Golden Gloves; or~~

30 ~~(F) The local affiliate of any organization listed in this paragraph.~~

31 43-4B-3.

32 (a) The ~~State Boxing Commission~~ Georgia Athletic and Entertainment Commission in
33 existence immediately prior to July 1, ~~2001~~ 2002, is continued in existence subject to the
34 provisions of this chapter. ~~On and after July 1, 2001, the name of such commission shall~~
35 ~~be the Georgia Athletic and Entertainment Commission. The membership of the~~

1 ~~commission shall continue unchanged except as otherwise expressly provided by this~~
 2 ~~chapter, but the Governor shall be authorized at any time prior to July 1, 2002, to~~
 3 ~~reconstitute the membership of the commission to reflect the increased responsibility of the~~
 4 ~~commission with respect to all types of professional athletics.~~

5 (b) The commission shall be composed of five members appointed by the Governor. All
 6 appointments shall be for terms of four years except appointments made to fill vacancies
 7 and appointments made prior to July 1, 2002, to reconstitute the membership of the
 8 commission, which appointments shall be. ~~Vacancies shall be filled for the remainder of~~
 9 ~~the unexpired terms under the same procedures and requirements as appointments for full~~
 10 terms.

11 (c) The commission shall elect a chairperson from among its membership for a term of one
 12 year. The commission may elect a vice chairperson from its membership for a term of one
 13 year. Any member serving as chairperson shall be eligible for successive election to such
 14 office by the commission.

15 (d) The commission's medical advisory panel, appointed by the Governor, shall consist
 16 of four persons licensed to practice medicine in Georgia pursuant to the provisions of
 17 Chapter 34 of this title. They shall represent the specialties of neurology, ophthalmology,
 18 sports medicine, and general medicine. The medical advisory panel shall advise and assist
 19 the commission and its staff regarding issues and questions concerning the medical safety
 20 of applicants or licensees, including, but not limited to, matters relating to medical
 21 suspensions. The medical advisory panel may meet separately from the commission to
 22 discuss and formulate recommendations for the commission in connection with medical
 23 safety. Members of the medical advisory panel shall not be counted in determining a
 24 quorum of the commission and shall not vote as commission members.

25 (e) Each member of the commission and the medical advisory panel shall be reimbursed
 26 for expenses and travel as provided for members of various professional licensing boards
 27 in subsection (f) of Code Section 43-1-2.

28 43-4B-4.

29 (a) The commission is the sole regulator of professional ~~boxing~~ athletics in Georgia,
 30 except with respect to the licensing of athletic agents under Chapter 4A of this title, and
 31 shall have authority to protect the physical safety and welfare of professional ~~boxers~~
 32 athletes and serve the public interest by closely supervising all professional ~~boxing~~ athletics
 33 in Georgia.

34 (b) The commission shall have the sole jurisdiction to license the promotion or holding of
 35 each professional athletic match, contest, or exhibition ~~of boxing~~ promoted or held within
 36 this state.

- 1 (c) The commission shall have the sole authority to license participants in any professional
2 athletic match, contest, or exhibition of boxing held in this state.
- 3 (d) The commission has the authority to direct, manage, control, and supervise all
4 professional athletic matches, contests, or exhibitions of boxing held in this state. It may
5 adopt bylaws for its own management and promulgate and enforce rules and regulations
6 consistent with this chapter.
- 7 (e) The commission may appoint one or more inspectors as duly authorized representatives
8 of the commission to ensure that the rules are strictly observed. Such inspectors ~~shall~~ may
9 be present at all professional athletic matches, contests, or exhibitions of boxing and shall
10 be admitted thereto without charge.
- 11 (f) The commission may designate physicians as duly authorized representatives of the
12 commission to conduct physical examinations of ~~boxers~~ professional athletes licensed
13 under this chapter and shall designate a roster of physicians authorized to conduct ~~prefight~~
14 physicals and serve as ~~ringside~~ physicians in ~~all~~ any professional ~~boxing matches~~ athletic
15 match, contest, or exhibition held in this state.
- 16 (g) The commission or any agent duly designated by the commission may make
17 investigations. The commission may hold hearings; issue subpoenas to compel the
18 attendance of witnesses and the production of books, papers, and records; and administer
19 oaths to and examine any witnesses for the purpose of determining any question coming
20 before it under this chapter or under the rules and regulations adopted pursuant to this
21 chapter. During an investigation of any allegation which, if proven, would result in
22 criminal or civil sanctions as provided in this chapter, the commission may withhold all or
23 a portion of the gross receipts to which the person under investigation is entitled until such
24 time as the matter has been resolved.
- 25 (h) The commission shall be authorized to engage in activities which promote ~~amateur~~
26 ~~boxing~~ athletics in this state and to contract with any nonprofit organization which is
27 exempted from the taxation of income pursuant to Code Section 48-7-25 for the provision
28 of services related to the promotion of ~~amateur boxing~~ athletics in this state. To support
29 ~~amateur boxing~~ athletics in this state, the commission may promote voluntary contributions
30 through the application process or through any fund raising or other promotional technique
31 deemed appropriate by the commission.
- 32 (i) ~~Pursuant to 15 U.S.C.A. Section 6301, et seq., the~~ The commission is authorized to
33 issue to ~~each boxer~~ any or all professional athletes who ~~is a resident~~ are residents of this
34 state ~~an identification card~~ cards bearing the ~~boxer's photograph~~ professional athletes'
35 photographs and in such form and containing such information as the commission deems
36 necessary and appropriate. The commission is expressly authorized to ensure that the form
37 and manner of issuance of such identification cards comply with any applicable federal law

1 or regulation. The commission is authorized to charge an amount not to exceed \$100.00
2 per card for the issuance or replacement of each identification card.

3 (j) The commission is authorized to create ~~a boxing registry~~ one or more professional
4 athletics registries, which may include without limitation a separate boxing registry, or to
5 designate ~~a nationally recognized boxing registry~~ one or more nationally recognized
6 registries and to register each ~~boxer~~ professional athlete who is a resident of this state or
7 who is a resident of another state which has no ~~boxing~~ registry.

8 (k) The commission is authorized to inquire into the financial backing of any professional
9 athletic match, contest, or exhibition ~~of boxing~~ and obtain answers to written or oral
10 questions propounded to all persons associated with such professional event.

11 43-4B-5.

12 The Secretary of State shall designate the secretary of the commission, who shall issue
13 licenses and identification cards and perform such other duties as the commission may
14 direct to carry out the provisions of this chapter.

15 43-4B-6.

16 (a) The commission shall meet upon the call of the chairperson or upon the call of any two
17 members. The business of the commission shall be conducted by a majority vote of the
18 members present. A majority of the commission members shall constitute a quorum.

19 (b) The chairperson, if necessary, may within ten days of receiving an application and
20 license fee call a meeting of the commission for the purpose of approving or rejecting an
21 application for a license or match permit which has been submitted to the commission. The
22 meeting shall be held within 20 days of the chairperson's call at a place designated by the
23 chairperson.

24 43-4B-7.

25 The commission shall adopt rules and regulations governing professional ~~boxing~~ athletics
26 to establish the following:

- 27 (1) Procedures to evaluate the professional records and physicians' certifications of each
28 ~~boxer~~ professional athlete participating in a professional athletic match, contest, or
29 exhibition ~~of boxing~~ and to deny authorization for a professional ~~boxer to fight~~ athlete to
30 compete where appropriate or to the extent deemed appropriate to delegate such medical
31 evaluation to a professional athletic team or professional athletic league or sanctioning
32 body where such team, league, or sanctioning body demonstrates to the satisfaction of the
33 commission that it carries out appropriate procedures to protect the physical safety of its
34 professional athletes;

1 (2) Procedures to ensure that, except as otherwise provided in subsection (c) of Code
 2 Section 43-4B-13, no professional ~~boxer~~ athlete is permitted to ~~box~~ compete while under
 3 suspension from any state ~~boxing~~ athletic commission because of:

4 (A) A recent knockout, ~~technical knockout, or series of consecutive losses~~ or other
 5 similar event or events;

6 (B) An injury, requirement for a medical procedure, or physician's denial of
 7 certification;

8 (C) Failure of a drug test; or

9 (D) The use of false aliases or falsifying official identification cards or documents; and

10 (3) Procedures to report to the ~~boxing~~ appropriate registry the results of all professional
 11 athletic matches, contests, or exhibitions ~~of boxing~~ held in this state or being supervised
 12 by the commission and any related suspensions.

13 43-4B-8.

14 No member or employee of the commission and no person who administers or enforces the
 15 provisions of this chapter or rules promulgated in accordance with this chapter may belong
 16 to, contract with, or receive any compensation from any person or organization who
 17 authorizes, arranges, or promotes professional athletic matches, contests, or exhibitions ~~of~~
 18 ~~boxing~~ or who otherwise has a financial interest in any activity or licensee regulated by this
 19 commission. The term 'compensation' does not include funds held in escrow for payment
 20 to another person in connection with a professional athletic match, contest, or exhibition
 21 ~~of boxing~~.

22 ARTICLE 2

23 43-4B-10.

24 (a) No person shall promote or hold a professional athletic match, contest, or exhibition
 25 ~~of boxing~~ within this state without first applying for and obtaining a promoter's license
 26 from the commission, except that the commission may by rule provide for the issuance of
 27 season or annual licenses to professional athletic team owners. Licenses shall be issued
 28 annually and shall expire on December 31 of each calendar year.

29 (b) Promoters and professional athletic team owners shall apply to the commission for a
 30 license required by subsection (a) of this Code section on a form provided by the
 31 commission. The application shall be accompanied by a nonrefundable fee not to exceed
 32 \$250.00 in the form of a cashier's check made out to the commission. The application
 33 shall also be accompanied by a performance bond in an amount and under such conditions
 34 as the commission may require.

1 (c) No person shall promote or hold a professional athletic match, contest, or exhibition
 2 ~~of boxing~~ within this state without first applying for and obtaining a match or season or
 3 annual permit from the commission for such professional athletic match, contest, or
 4 exhibition ~~of boxing~~ in addition to the license required by subsection (a) of this Code
 5 section. Each application for a match or season or annual permit shall be on a form
 6 provided by the commission and shall be accompanied by a nonrefundable application fee
 7 not to exceed \$250.00 in the form of a cashier's check made out to the commission. The
 8 commission may charge an additional match or season or annual fee in accordance with
 9 rules and regulations promulgated by the commission to implement the provisions of this
 10 article.

11 (d) The commission may, prior to issuing any match or season or annual permit, require
 12 a performance bond in addition to that required in subsection (b) of this Code section.

13 (e) The commission may refund any portion of the match permit fee in excess of \$250.00
 14 to any person who paid such excess fee in the event the professional athletic match, contest,
 15 or exhibition ~~of boxing~~ for which such fees were paid is not held.

16 43-4B-11.

17 (a) Prior to participating in a professional athletic match, contest, or exhibition ~~of boxing~~
 18 supervised by the commission, referees, judges, timekeepers, matchmakers, ~~boxers~~ athletes,
 19 managers, and trainers, ~~and each person who assists a boxer immediately before and after~~
 20 ~~a match, contest, or exhibition of boxing and between rounds during a match, contest, or~~
 21 ~~exhibition of boxing~~ shall apply for and be issued licenses. Licenses shall be issued
 22 annually and shall expire on December 31 of each calendar year. Each applicant shall
 23 make application on a form provided by the commission and pay an annual license fee not
 24 to exceed \$250.00.

25 (b) The commission shall issue a license under this Code section only if:

26 (1) The commission has determined to the best of its ability that the applicant has the
 27 training or skills necessary to perform in a manner appropriate to the license;

28 (2) The applicant has complied with all applicable requirements of this chapter and any
 29 rules and regulations promulgated pursuant to this chapter; and

30 (3) The commission or its designated representative has determined from information
 31 provided by the applicant and from any medical evaluation required by the commission
 32 that the health, welfare, and physical safety of the applicant will not be unduly
 33 jeopardized by the issuance of the license.

1 43-4B-12.

2 In addition to the license required in Code Section 43-4B-11, each professional ~~boxer~~
 3 athlete who is a resident of this state or another state which has no ~~state boxing~~ comparable
 4 licensing commission is required to register with a ~~boxing~~ registry created or designated
 5 by the commission and renew his or her registration as prescribed by rules of the
 6 commission. At the time of registration and renewal, the ~~boxer~~ professional athlete shall
 7 provide the ~~boxing~~ registry with a recent photograph of the ~~boxer~~ professional athlete and
 8 the social security number of the ~~boxer~~ professional athlete or, in the case of a foreign
 9 ~~boxer~~ professional athlete, any similar citizen identification number or ~~boxer~~ professional
 10 athlete number from the country of residence of the ~~boxer~~ professional athlete, along with
 11 any other information the commission requires. The ~~boxing~~ registry shall issue a personal
 12 identification number to each ~~boxer~~ professional athlete and such number shall appear on
 13 the identification card issued to the ~~boxer~~ professional athlete as a result of registration.
 14 Each ~~boxer~~ professional athlete may be required to present to the ~~boxing~~ commission an
 15 identification card issued by the state in which he or she resides not later than the time of
 16 ~~the weigh-in for~~ a professional athletic match, contest, or exhibition or such earlier time as
 17 may be prescribed by rule of the commission. The commission may charge a registration
 18 fee in an amount calculated to cover the administrative expense of such registration.

19 43-4B-13.

20 (a) The commission shall have the authority to refuse to grant a license to an applicant
 21 upon a finding by a majority of the entire commission that the applicant has failed to
 22 demonstrate the qualifications or standards for a license contained in this Code section or
 23 under the laws, rules, and regulations under which licensure is sought. It shall be
 24 incumbent upon the applicant to demonstrate to the satisfaction of the commission that he
 25 or she meets all the requirements for the issuance of a license, and, if the commission is not
 26 satisfied as to the applicant's qualifications, it may deny a license without a prior hearing;
 27 provided, however, that the applicant shall be allowed to appear before the commission if
 28 he or she so desires.

29 (b) The commission may, by majority vote, after prior notice to the holder of any state
 30 license and after affording such a holder an opportunity to be heard, fine the license holder,
 31 revoke or suspend a state license, or take other disciplinary action against the licensee, and:

32 (1) The commission shall, upon the recommendation of any officially designated
 33 representative for reasons involving the medical or physical safety of any professional
 34 ~~boxer~~ athlete licensed by the commission, summarily suspend any license previously
 35 issued by the commission or take other disciplinary action against any licensee; provided,
 36 however, that such licensee shall, after such summary suspension, be afforded an

1 opportunity to be heard, in accordance with the rules of the commission and Chapter 13
 2 of Title 50, the 'Georgia Administrative Procedure Act.' Any such summary suspension
 3 imposed against such a licensee may include, but shall not be limited to:

4 (A) Prohibiting any ~~boxer~~ professional athlete from competing, appearing in, or
 5 participating in any professional athletic match, contest, or exhibition within 60 days
 6 of having suffered a knockout or other similar event or events; or

7 (B) Prohibiting any ~~boxer~~ professional athlete from competing, appearing in, or
 8 participating in any professional athletic match, contest, or exhibition within 30 days
 9 of having suffered a ~~technical knockout where evidence of head trauma has been~~
 10 ~~determined by the attending ringside physician.~~

11 The length of any summary suspension invoked pursuant to subparagraph (A) or (B) of
 12 this paragraph, upon recommendation of ~~the ringside~~ a physician designated by the
 13 commission, may be extended to any number of days. Terms and conditions of the
 14 suspension or revocation may require that the ~~boxer~~ athlete submit to further medical
 15 evaluation ~~as determined by the ringside physician~~; and

16 (2) The commission, its secretary, or its duly authorized representative may, at any time
 17 prior to the completion of a permitted professional athletic match, contest, or exhibition
 18 ~~of boxing~~, summarily suspend or revoke the ~~match~~ permit or the license of any specific
 19 ~~boxer~~ professional athlete should it be determined by such person that the continuation
 20 of said professional athletic match, contest, or exhibition ~~of boxing~~ may jeopardize the
 21 health, welfare, morals, or safety of the citizens of this state or may jeopardize the health
 22 or personal safety of any participant of such professional athletic match, contest, or
 23 exhibition ~~of boxing~~; provided, however, that such licensee shall, after such summary
 24 suspension, be afforded an opportunity to be heard, in accordance with the rules of the
 25 commission and Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.'

26 (c) The commission may revoke a suspension of a ~~boxer~~ professional athlete if:

27 (1) The ~~boxer~~ professional athlete was suspended pursuant to rules and regulations
 28 adopted pursuant to subparagraph (A) or (B) of paragraph (2) of Code Section 43-4B-7
 29 and has furnished proof of a sufficiently improved medical or physical condition; or

30 (2) The ~~boxer~~ professional athlete furnishes proof that a suspension pursuant to
 31 subparagraph (D) of paragraph (2) of Code Section 43-4B-7 was not or is no longer
 32 merited by the facts.

33 43-4B-14.

34 No person may arrange, promote, organize, produce, or participate in a professional athletic
 35 match, contest, or exhibition ~~of boxing~~ without meeting the following requirements:

1 (1) Each ~~boxer~~ professional athlete must be examined by a physician who must then
 2 certify that the ~~boxer~~ professional athlete is physically fit to compete safely. Copies of
 3 each such certificate shall be provided to the commission prior to the professional athletic
 4 match, contest, or exhibition ~~of boxing~~. The commission is authorized at any time to
 5 require a ~~boxer~~ professional athlete to undergo a physical examination, including
 6 neurological or neuropsychological tests and procedures;

7 (2) A physician approved by the commission must be continuously present at ringside
 8 during every professional boxing match, contest, or exhibition ~~of boxing~~ and may be
 9 present at any other professional athletic match, contest, or exhibition. The physician
 10 shall observe the physical condition of the ~~boxers~~ professional athletes and advise the
 11 referee with ~~regards~~ regard thereto;

12 (3) One or more inspectors appointed by the commission as duly authorized
 13 representatives of the commission ~~shall~~ may be present at each professional athletic
 14 match, contest, or exhibition ~~of boxing~~ to ensure that the rules are strictly observed. ~~An~~
 15 ~~inspector or other duly authorized representative of the commission must be present at~~
 16 ~~the weigh-in and at the ring during the conduct of the professional match, contest, or~~
 17 ~~exhibition of boxing~~. Inspectors and other duly authorized representatives of the
 18 commission shall have free access to the dressing rooms of the ~~boxers~~ professional
 19 athletes;

20 (4) Each ~~boxer~~ professional athlete shall be covered by health insurance which will cover
 21 injuries sustained during the professional athletic match, contest, or exhibition ~~of boxing~~;
 22 and

23 (5) An ambulance and medical personnel with appropriate resuscitation equipment must
 24 be continuously present at the site during any professional boxing match, contest, or
 25 exhibition ~~of boxing~~ and may be present at any other professional athletic match, contest,
 26 or exhibition.

27 43-4B-15.

28 It shall be unlawful for any ~~boxer~~ professional athlete to participate or attempt to
 29 participate in a professional athletic match, contest, or exhibition ~~of boxing~~ while under the
 30 influence of alcohol or any drug. A ~~boxer~~ professional athlete shall be deemed under the
 31 influence of alcohol or a drug for the purposes of this Code section if a physical
 32 examination made during a period of time beginning not more than six hours prior to the
 33 beginning of the professional athletic match, contest, or exhibition ~~of boxing~~ and ending
 34 ~~not more than one hour~~ after the completion of the professional athletic match, contest, or
 35 exhibition ~~of boxing~~ reveals that the ~~boxer's~~ athlete's mental or physical ability is impaired
 36 in any way as a direct result of the use of alcohol or a drug.

1 43-4B-16.

2 All buildings or structures used or intended to be used for holding or giving professional
3 athletic matches, contests, or exhibitions ~~of boxing~~ shall be safe and shall in all manner
4 conform to the laws, ordinances, and regulations pertaining to buildings in the city or
5 unincorporated area of the county where the building or structure is situated.

6 43-4B-17.

7 No person under the age of 18 years shall participate as a contestant in any professional
8 boxing match, contest, or exhibition, and the commission may by rule establish minimum
9 ages for participation in any other professional athletic match, contest, or exhibition ~~of~~
10 ~~boxing~~.

11 43-4B-18.

12 The commission shall have jurisdiction over any professional boxing match, contest, or
13 exhibition ~~of boxing~~ which occurs or is held within this state, is filmed in this state, or is
14 broadcast or transmitted from this state and shall have jurisdiction over any other
15 professional athletic match, contest, or exhibition which occurs or is held within this state."

16 **SECTION 2.**

17 Said chapter is further amended by striking Code Section 43-4B-40, relating to sanctions for
18 violations, and inserting in its place a new Code section to read as follows:

19 "43-4B-40.

20 (a) Whenever the Attorney General has reasonable cause to believe that a person is
21 engaged in a violation of Article 2 of this chapter, the Attorney General may bring a civil
22 action requesting such relief, including a permanent or temporary injunction, restraining
23 order, or other order against such person as the Attorney General determines to be
24 necessary to restrain the person from continuing to engage in, sanction, promote, or
25 otherwise participate in a professional athletic match, contest, or exhibition ~~of boxing~~ in
26 violation of Article 2 of this chapter.

27 (b)(1) Any manager, promoter, matchmaker, or licensee who knowingly violates or
28 coerces or causes any other person to violate any provision of Article 2 of this chapter
29 shall, upon conviction, be imprisoned for not more than one year or fined not more than
30 \$20,000.00, or both.

31 (2) Any member or employee of the commission or any person who administers or
32 enforces this chapter or rules and regulations promulgated pursuant to this chapter who
33 knowingly violates Code Section 43-4B-14 or Code Section 43-4B-15 shall, upon

1 conviction, be imprisoned for not more than one year or fined not more than \$20,000.00,
2 or both.

3 (3) Any professional ~~boxer~~ athlete who knowingly violates any provision of this chapter
4 except Code Section 43-4B-15 shall, upon conviction, be fined not more than \$1,000.00
5 for each violation.

6 (4) Any professional ~~boxer~~ athlete who violates the provisions of Code Section 43-4B-15
7 may be punished by a fine not to exceed \$25,000.00 together with a percentage of the
8 purse or event earnings not to exceed 15 percent for each violation.

9 (c) Unarmed combat, as defined in Code Section 43-4B-1, is a misdemeanor of a high and
10 aggravated nature."

11 **SECTION 3.**

12 This Act shall become effective January 1, 2003, except that the provisions of this Act
13 authorizing the Governor to reconstitute the commission shall become effective upon its
14 approval by the Governor or upon its becoming law without such approval.

15 **SECTION 4.**

16 All laws and parts of laws in conflict with this Act are repealed.