

The House Committee on Industry offered the following substitute to HB 538:

A BILL TO BE ENTITLED  
AN ACT

1 To provide for regulation of ticket brokers, professional boxing, and professional wrestling  
2 by the Georgia Athletic and Entertainment Commission; to amend Chapter 1 of Title 10 of  
3 the Official Code of Georgia Annotated, relating to selling and other trade practices, and  
4 Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses,  
5 so as to repeal provisions prohibiting the sale or offer for sale of tickets to certain athletic  
6 contests and entertainment events for a price exceeding the face value of the ticket and  
7 providing a penalty for the violation of such prohibition; to delete provisions relating to the  
8 Georgia Boxing Commission from Chapter 8A of Title 43 of the Official Code of Georgia  
9 Annotated; to revise and move such provisions to Chapter 4B of such title; to change the  
10 name of the Georgia Boxing Commission to the Georgia Athletic and Entertainment  
11 Commission; to make editorial changes; to provide definitions; to provide for exemptions  
12 from the chapter; to provide for the commission membership and its appointment, terms,  
13 officers, vacancies, and reimbursement; to provide for the membership of a medical advisory  
14 panel and its qualifications, functions, meetings, and reimbursement; to provide for the  
15 duties, authority, and jurisdiction of the commission; to provide for inspectors and authorized  
16 representatives; to provide for investigations, activities which promote amateur boxing or  
17 amateur wrestling, and contracts; to provide for identification cards and a boxing registry;  
18 to provide for the commission's secretary, meetings, quorum, and rules and regulations; to  
19 prohibit certain relationships with or compensation from promoters or persons with a  
20 financial interest in activities regulated by the commission; to prohibit promoting or holding  
21 a professional match, contest, or exhibition of boxing or wrestling by unlicensed persons or  
22 by persons without a match permit; to provide for licensing of promoters, referees, wrestlers,  
23 managers, judges, timekeepers, matchmakers, boxers, trainers, and certain other persons who  
24 assist boxers and wrestlers; to provide for fees, performance bonds, criteria for determining  
25 whether to issue a license, and authority to refuse to grant a license; to provide for  
26 disciplinary action against licensees and suspension or revocation of licenses or permits; to  
27 provide for safety requirements; to prohibit participation in professional matches, contests,  
28 or exhibitions of boxing or wrestling by persons under 18; to prohibit persons other than  
29 ticket brokers from reselling or offering for resale any ticket for an athletic contest or

1 entertainment event for a price exceeding the face value of the ticket; to provide for  
 2 exceptions; to provide for service charges in certain circumstances; to provide for stating the  
 3 amount of the service charge on advertisements, announcements, or posters for contests or  
 4 events; to provide for requirements for ticket brokers; to prohibit convicted felons from  
 5 engaging in the business of a ticket broker in certain circumstances; to provide for certain  
 6 disclosures by ticket brokers; to prohibit certain practices by ticket brokers; to provide for  
 7 refunds; to restrict the percentage of tickets to a contest or event which may be resold by any  
 8 ticket broker; to provide that a person who is the original purchaser for personal use of one  
 9 or more tickets may sell or offer for resale such tickets at any price under certain  
 10 circumstances; to exempt charitable organizations and their employees and volunteers from  
 11 provisions regulating ticket sales and resales in certain circumstances; to authorize more  
 12 restrictive regulation by ordinance of the applicable local government in certain  
 13 circumstances; to provide a criminal penalty; to provide for rules and regulations; to provide  
 14 for enforcement of provisions relating to ticket brokers by the commission; to provide for  
 15 relief by order of the superior court; to provide for notice and opportunity to execute an  
 16 assurance of voluntary compliance; to provide for procedures; to provide for an effective  
 17 date; to repeal conflicting laws; and for other purposes.

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

19 **SECTION 1.**

20 Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to selling and other  
 21 trade practices, is amended by striking in its entirety Article 12, relating to ticket scalping,  
 22 and inserting in lieu thereof the following:

23 "ARTICLE 12

24 10-1-310.

25 ~~(a) It shall be unlawful for any person to sell or offer for sale any ticket of admission or~~  
 26 ~~other evidence of the right of entry to any football game, basketball game, baseball game,~~  
 27 ~~soccer game, hockey game, or tennis or golf tournament for a price in excess of the price~~  
 28 ~~printed on the ticket; provided, however, that a service charge not to exceed \$3.00 may be~~  
 29 ~~charged when tickets or other evidences of the right of entry are sold by an authorized~~  
 30 ~~ticket agent through places of established business licensed to do business by the~~  
 31 ~~municipality or county, where applicable, in which such places of business are located.~~

32 ~~(b) It shall be unlawful for any person to sell or offer for sale any ticket of admission or~~  
 33 ~~other evidence of the right of entry to any entertainment event not covered by subsection~~

~~(a) of this Code section, including but not limited to, athletic contests, concerts, theater performances, or other entertainments, amusements, or exhibitions to which the general public is admitted, for a price in excess of the price printed on the ticket, provided, however, that the owner, operator, lessee, or tenant of the property on which such entertainment event is to be held or is being held may authorize, in writing, any person to charge a service charge for the sale or selling of such ticket, privilege, or license of admission in addition to the price printed on the ticket. Such writing shall specify the amount of the service charge to be charged for the sale or selling of each ticket, privilege, or license of admission.~~

~~(c) Any advertisement, announcement, or poster for any event covered by this Code section which includes the price of admission shall specify the amount of the service charge to be charged for the sale or selling of each ticket, privilege, or license of admission and such advertisement shall be clearly and conspicuously stated. Reserved.~~

10-1-311.

~~Any person violating Code Section 10-1-310 shall be guilty of a misdemeanor. Reserved.~~

## SECTION 2.

Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses is amended by striking in its entirety Chapter 8A, relating to professional boxing, and inserting a new Chapter 4B between Chapter 4A and Chapter 5 to read as follows:

### "CHAPTER 4B

#### ARTICLE 1

43-4B-1.

As used in this chapter, the term:

(1) 'Amateur' means a person who engages in a match, contest, or exhibition of boxing or wrestling which is governed or authorized by:

(A) U.S.A. Boxing;

(B) U.S.A. Wrestling;

(C) The Georgia High School Athletic Association;

(D) The National Collegiate Athletic Association;

(E) Amateur Athletic Union;

(F) Golden Gloves; or

(G) The local affiliate of any organization listed in this paragraph.

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

6 (3) 'Boxing registry' means a registry created or designated pursuant to subsection (k) of  
7 Code Section 43-4B-4.

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

9 (5) 'Exhibition' means a contest where the participants engage in the use of boxing or  
10 wrestling skills and techniques and where the objective is to display such skills and  
11 techniques without striving to win.

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

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

25 (8) 'Gross receipts' means:

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

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

30 (9) 'Indian tribe' means such term as defined in Section 4(a) of the federal Indian  
31 Self-Determination and Education Assistance Act, 25 U.S.C.A. Section 450b(e).

32 (10) 'Local tax' means any occupation tax or other tax owed to a county or municipality  
33 in order to hold a professional match, contest, or exhibition of boxing or wrestling or to  
34 carry on a business as a ticket broker within such county or municipality.

35 (11) 'Manager' means a person who under contract, agreement, or other arrangement with  
36 a boxer or wrestler, undertakes to control or administer, directly or indirectly, a matter

1 related to boxing or wrestling on behalf of a boxer or wrestler. Such term includes, but  
2 is not limited to, a person who functions as a booking agent, adviser, or consultant.

3 (12) 'Matchmaker' means a person who is employed by or associated with a promoter in  
4 the capacity of booking and arranging professional matches, contests, or exhibitions of  
5 boxing or wrestling between opponents or who proposes professional matches, contests,  
6 or exhibitions of boxing or wrestling and selects and arranges for the participants in such  
7 events and for whose activities in this regard the promoter is legally responsible.

8 (13) 'Person' means any individual, partnership, firm, association, corporation, or  
9 combination of individuals of whatever form or character.

10 (14) 'Physician' means a doctor of medicine or other medical professional legally  
11 authorized by any state to practice medicine.

12 (15) 'Professional' means a person who is participating or has participated in a match,  
13 contest, or exhibition of boxing or wrestling which is not governed or authorized by one  
14 or more of the organizations listed in paragraph (1) of this Code section and:

15 (A) Has received or competed for or is receiving or competing for any cash as a salary,  
16 purse, or prize for participating in any match, contest, or exhibition of boxing or  
17 wrestling;

18 (B) Is participating or has participated in any match, contest, or exhibition of boxing  
19 or wrestling to which admission is granted upon payment of any ticket for admission  
20 or other evidence of the right of entry;

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

23 (D) Is participating or has participated in any match, contest, or exhibition of boxing  
24 or wrestling which provides a commercial advantage by attracting persons to a  
25 particular place or promoting a commercial product or enterprise.

26 (16) 'Professional match, contest, or exhibition of boxing or wrestling' means a boxing  
27 or wrestling match, contest, or exhibition which is not governed or authorized by one or  
28 more of the organizations listed in paragraph (1) of this Code section and:

29 (A) Rewards a boxer or a wrestler participating with cash as a salary, purse, or prize  
30 for such participation;

31 (B) Requires for admission payment of a ticket for admission or other evidence of the  
32 right of entry;

33 (C) Is filmed, broadcast, or transmitted for viewing; or

34 (D) Provides a commercial advantage by attracting persons to a particular place or  
35 promoting a commercial product or enterprise.

1 (17) 'Promoter' means the person primarily responsible for organizing, promoting, and  
2 producing a professional match, contest, or exhibition of boxing or wrestling and who  
3 is legally responsible for the lawful conduct of such professional match, contest, or  
4 exhibition of boxing or wrestling.

5 (18) 'Purse' or 'ring earnings' means the financial guarantee or any other remuneration,  
6 or part thereof, for which professional boxers or wrestlers are participating in a match,  
7 contest, or exhibition and includes the boxer's or wrestler's share of any payment  
8 received for radio broadcasting, television, or motion picture rights.

9 (19) 'Reservation' means the geographically defined area over which a tribal organization  
10 exercises governmental jurisdiction.

11 (20) 'State' means any of the 50 states, Puerto Rico, the District of Columbia, and any  
12 territory or possession of the United States.

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

20 (22) 'Tribal organization' means such term as defined in Section 4(1) of the federal  
21 Indian Self-Determination and Education Assistance Act, 25 U.S.C.A. Section 450b(1).

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

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

26 (ii) There is some compensation or commercial benefit arising from such  
27 competition, whether in the form of cash or noncash payment to the competitors or  
28 the person arranging the competition; the sale of the right to film, broadcast, transmit,  
29 or view the competition; or the use of the competition to attract persons to a particular  
30 location for some commercial advantage or to promote a commercial product or  
31 commercial enterprise.

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

34 (C) Unarmed combat shall not include:

35 (i) Professional boxing;

36 (ii) Professional wrestling;

37 (iii) Amateur boxing;

1 (iv) Amateur wrestling;

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

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

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

12 (25) 'Wrestling match, contest, or exhibition' means a performance of wrestling skills  
13 and techniques by two or more professional wrestlers in which the participating wrestlers  
14 are not required to use their best efforts in order to win and for which the winner may  
15 have been selected before the performance commences.

16 43-4B-2.

17 The provisions of this chapter shall not be construed to apply to any match, contest, or  
18 exhibition of boxing or wrestling:

19 (1) In which the contestants are all amateurs; and

20 (2) Which is governed or authorized by:

21 (A) U.S.A. Boxing;

22 (B) U.S.A. Wrestling;

23 (C) The Georgia High School Athletic Association;

24 (D) The National Collegiate Athletic Association;

25 (E) Amateur Athletic Union;

26 (F) Golden Gloves; or

27 (G) The local affiliate of any organization listed in this paragraph.

28 43-4B-3.

29 (a) The State Boxing Commission in existence immediately prior to the effective date of  
30 this chapter, is continued in existence subject to the provisions of this chapter. On and after  
31 the effective date of this chapter, the name of such commission shall be the Georgia  
32 Athletic and Entertainment Commission. The membership of the commission shall  
33 continue unchanged except as otherwise expressly provided by this chapter.

1 (b) The commission shall be composed of five members appointed by the Governor. All  
2 appointments shall be for terms of four years. Vacancies shall be filled for the unexpired  
3 terms under the same procedures and requirements as appointments for full terms.

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

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

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

21 43-4B-4.

22 (a) The commission is the sole regulator of professional boxing and professional wrestling  
23 in Georgia and shall have authority to protect the physical safety and welfare of  
24 professional boxers and professional wrestlers and serve the public interest by closely  
25 supervising all professional boxing and professional wrestling in Georgia.

26 (b) The commission shall have the sole jurisdiction to license the promotion or holding of  
27 each professional match, contest, or exhibition of boxing or wrestling promoted or held  
28 within this state.

29 (c) The commission shall have the sole authority to license participants in any professional  
30 match, contest, or exhibition of boxing or wrestling held in this state.

31 (d) The commission has the authority to direct, manage, control, and supervise all  
32 professional matches, contests, or exhibitions of boxing or wrestling. It may adopt bylaws  
33 for its own management and promulgate and enforce rules and regulations consistent with  
34 this chapter.

35 (e) The commission may appoint one or more inspectors as duly authorized representatives  
36 of the commission to ensure that the rules are strictly observed. Such inspectors shall be

1 present at all professional matches, contests, or exhibitions of boxing and may be present  
2 at all professional matches, contests, or exhibitions of wrestling.

3 (f) The commission may designate physicians as duly authorized representatives of the  
4 commission to conduct physical examinations of boxers and wrestlers licensed under this  
5 chapter and shall designate a roster of physicians authorized to conduct prefight physicals  
6 and serve as ringside physicians in all professional boxing matches held in this state.

7 (g) The commission or any agent duly designated by the commission may make  
8 investigations. The commission may hold hearings; issue subpoenas to compel the  
9 attendance of witnesses and the production of books, papers, and records; and administer  
10 oaths to and examine any witnesses for the purpose of determining any question coming  
11 before it under this chapter or under the rules and regulations adopted pursuant to this  
12 chapter. During an investigation of any allegation which, if proven, would result in  
13 criminal or civil sanctions as provided in this chapter, the commission may withhold all or  
14 a portion of the gross receipts to which the person under investigation is entitled until such  
15 time as the matter has been resolved.

16 (h) The commission shall be authorized to engage in activities which promote amateur  
17 boxing or amateur wrestling in this state and to contract with any nonprofit organization  
18 which is exempted from the taxation of income pursuant to Code Section 48-7-25 for the  
19 provision of services related to the promotion of amateur boxing or amateur wrestling in  
20 this state. To support amateur boxing and amateur wrestling in this state, the commission  
21 may promote voluntary contributions through the application process or through any fund  
22 raising or other promotional technique deemed appropriate by the commission.

23 (i) The commission may contract with an Indian tribe to supervise, according to the  
24 regulations of the tribal organization, professional matches, contests, or exhibitions of  
25 boxing or wrestling held on reservations but only if the commission is otherwise authorized  
26 by this chapter to carry out the terms of the contract.

27 (j) Pursuant to 15 U.S.C.A. Section 6301, et seq., the commission is authorized to issue to  
28 each boxer who is a resident of this state an identification card bearing the boxer's  
29 photograph and in such form and containing such information as the commission deems  
30 necessary and appropriate. The commission is expressly authorized to ensure that the form  
31 and manner of issuance of such identification cards comply with any applicable federal law  
32 or regulation. The commission is authorized to charge an amount not to exceed \$100.00  
33 per card for the issuance or replacement of each identification card.

34 (k) The commission is authorized to create a boxing registry or to designate a nationally  
35 recognized boxing registry and to register each boxer who is a resident of this state or who  
36 is a resident of another state which has no boxing registry.

1 (l) The commission is authorized to inquire into the financial backing of any professional  
2 match, contest, or exhibition of boxing or wrestling and obtain answers to written or oral  
3 questions propounded to all persons associated with such professional event.

4 43-4B-5.

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

8 43-4B-6.

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

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

17 43-4B-7.

18 The commission shall adopt rules and regulations governing professional boxing to  
19 establish the following:

20 (1) Procedures to evaluate the professional records and physicians' certifications of each  
21 boxer participating in a professional match, contest, or exhibition of boxing and to deny  
22 authorization for a professional boxer to fight where appropriate;

23 (2) Procedures to ensure that, except as otherwise provided in subsection (c) of Code  
24 Section 43-4B-14, no professional boxer is permitted to box while under suspension from  
25 any state boxing commission because of:

26 (A) A recent knockout, technical knockout, or series of consecutive losses;

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

29 (C) Failure of a drug test; or

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

31 (3) Procedures to report to the boxing registry the results of all professional matches,  
32 contests, or exhibitions of boxing held in this state or being supervised by the commission  
33 and any related suspensions.

1 43-4B-8.

2 The commission may adopt rules and regulations governing professional wrestling to  
3 establish the following:

4 (1) Procedures to evaluate the medical fitness of each professional wrestler and to ensure  
5 the general physical safety of each participant and fan in attendance at any professional  
6 match, contest, or exhibition of wrestling;

7 (2) Procedures to deny authorization for any professional wrestler to participate in a  
8 professional match, contest, or exhibition of wrestling where appropriate;

9 (3) Procedures to evaluate skills and techniques proposed for presentation by any  
10 participant during any professional match, contest, or exhibition of wrestling, including,  
11 but not limited to, the sequence of such skills and techniques; and

12 (4) Any enforcement procedure consistent with this chapter.

13 43-4B-9.

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 matches, contests, or exhibitions of boxing  
18 or wrestling or who otherwise has a financial interest in any activity or licensee regulated  
19 by this commission. The term 'compensation' does not include funds held in escrow for  
20 payment to another person in connection with a professional match, contest, or exhibition  
21 of boxing or wrestling.

## 22 ARTICLE 2

23 43-4B-10.

24 (a) No person shall promote or hold a professional match, contest, or exhibition of boxing  
25 or wrestling within this state without first applying for and obtaining a promoter's license  
26 from the commission. Licenses shall be issued annually and shall expire on December 31  
27 of each calendar year.

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

33 (c) No person shall promote or hold a professional match, contest, or exhibition of boxing  
34 or wrestling within this state without first applying for and obtaining a match permit from

1 the commission for such professional match, contest, or exhibition of boxing or wrestling  
2 in addition to the license required by subsection (a) of this Code section. Each application  
3 for a match permit shall be on a form provided by the commission and shall be  
4 accompanied by a nonrefundable application fee not to exceed \$250.00 in the form of a  
5 cashier's check made out to the commission. The commission may charge an additional  
6 match fee in accordance with rules and regulations promulgated by the commission to  
7 implement the provisions of this article.

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

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

13 43-4B-11.

14 (a) Prior to participating in a professional match, contest, or exhibition of wrestling, each  
15 referee, wrestler, manager, and each person who assists a wrestler immediately before,  
16 during, or after a match, contest, or exhibition or between falls during a match, contest, or  
17 exhibition shall apply for and be issued a license from the commission. Licenses shall be  
18 issued annually and shall expire on December 31 of each calendar year. Each applicant  
19 shall make application on a form provided by the commission and shall pay an annual  
20 license fee not to exceed \$250.00.

21 (b) The commission shall issue a license in accordance with this Code section only if:

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

24 (2) The applicant has complied with all applicable requirements of this chapter and any  
25 rules and regulations promulgated in accordance with this chapter; and

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

30 43-4B-12.

31 (a) Prior to participating in a professional match, contest, or exhibition of boxing  
32 supervised by the commission, referees, judges, timekeepers, matchmakers, boxers,  
33 managers, trainers, and each person who assists a boxer immediately before and after a  
34 match, contest, or exhibition of boxing and between rounds during a match, contest, or  
35 exhibition of boxing shall apply for and be issued licenses. Licenses shall be issued

1 annually and shall expire on December 31 of each calendar year. Each applicant shall  
2 make application on a form provided by the commission and pay an annual license fee not  
3 to exceed \$250.00.

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

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

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

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

13 43-4B-13.

14 In addition to the license required in Code Section 43-4B-12, each professional boxer who  
15 is a resident of this state or another state which has no state boxing commission is required  
16 to register with a boxing registry created or designated by the commission and renew his  
17 or her registration as prescribed by rules of the commission. At the time of registration and  
18 renewal, the boxer shall provide the boxing registry with a recent photograph of the boxer  
19 and the social security number of the boxer or, in the case of a foreign boxer, any similar  
20 citizen identification number or boxer number from the country of residence of the boxer,  
21 along with any other information the commission requires. The boxing registry shall issue  
22 a personal identification number to each boxer and such number shall appear on the  
23 identification card issued to the boxer as a result of registration. Each boxer is required to  
24 present to the boxing commission an identification card issued by the state in which he or  
25 she resides not later than the time of the weigh-in for a professional match, contest, or  
26 exhibition. The commission may charge a registration fee in an amount calculated to cover  
27 the administrative expense of such registration.

28 43-4B-14.

29 (a) The commission shall have the authority to refuse to grant a license to an applicant  
30 upon a finding by a majority of the entire commission that the applicant has failed to  
31 demonstrate the qualifications or standards for a license contained in this Code section or  
32 under the laws, rules, and regulations under which licensure is sought. It shall be  
33 incumbent upon the applicant to demonstrate to the satisfaction of the commission that he  
34 or she meets all the requirements for the issuance of a license, and, if the commission is not  
35 satisfied as to the applicant's qualifications, it may deny a license without a prior hearing;

1 provided, however, that the applicant shall be allowed to appear before the commission if  
2 he or she so desires.

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

6 (1) The commission shall, upon the recommendation of any officially designated  
7 representative for reasons involving the medical or physical safety of any professional  
8 boxer or professional wrestler licensed by the commission, summarily suspend any  
9 license previously issued by the commission or take other disciplinary action against any  
10 licensee; provided, however, that such licensee shall, after such summary suspension, be  
11 afforded an opportunity to be heard, in accordance with the rules of the commission and  
12 Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.' Any such summary  
13 suspension imposed against such a licensee may include, but shall not be limited to:

14 (A) Prohibiting any boxer from competing, appearing in, or participating in any  
15 professional match, contest, or exhibition within 60 days of having suffered a knockout;  
16 or

17 (B) Prohibiting any boxer from competing, appearing in, or participating in any  
18 professional match, contest, or exhibition within 30 days of having suffered a technical  
19 knockout where evidence of head trauma has been determined by the attending ringside  
20 physician.

21 The length of any summary suspension invoked pursuant to subparagraph (A) or (B) of  
22 this paragraph, upon recommendation of the ringside physician, may be extended to any  
23 number of days. Terms and conditions of the suspension or revocation may require that  
24 the boxer submit to further medical evaluation as determined by the ringside physician;  
25 and

26 (2) The commission, its secretary, or its duly authorized representative may, at any time  
27 prior to the completion of a permitted professional match, contest, or exhibition of  
28 boxing, summarily suspend or revoke the match permit or the license of any specific  
29 boxer should it be determined by such person that the continuation of said professional  
30 match, contest, or exhibition of boxing may jeopardize the health, welfare, morals, or  
31 safety of the citizens of this state or may jeopardize the health or personal safety of any  
32 participant of such professional match, contest, or exhibition of boxing; provided,  
33 however, that such licensee shall, after such summary suspension, be afforded an  
34 opportunity to be heard, in accordance with the rules of the commission and Chapter 13  
35 of Title 50, the 'Georgia Administrative Procedure Act.'

36 (c) The commission may revoke a suspension of a boxer if:

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

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

6 43-4B-15.

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

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

14 (2) A physician approved by the commission must be continuously present at ringside  
15 during every professional match, contest, or exhibition of boxing. The physician shall  
16 observe the physical condition of the boxers and advise the referee with regards thereto;

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

24 (4) Each boxer shall be covered by health insurance which will cover injuries sustained  
25 during the professional match, contest, or exhibition of boxing; and

26 (5) An ambulance and medical personnel with appropriate resuscitation equipment must  
27 be continuously present at the site during any professional match, contest, or exhibition  
28 of boxing.

29 43-4B-16.

30 It shall be unlawful for any boxer to participate or attempt to participate in a professional  
31 match, contest, or exhibition of boxing while under the influence of alcohol or any drug.  
32 A boxer shall be deemed under the influence of alcohol or a drug for the purposes of this  
33 Code section if a physical examination made during a period of time beginning not more  
34 than six hours prior to the beginning of the professional match, contest, or exhibition of  
35 boxing and ending not more than one hour after the completion of the professional match,

1 contest, or exhibition of boxing reveals that the boxer's mental or physical ability is  
2 impaired in any way as a direct result of the use of alcohol or a drug.

3 43-4B-17.

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

8 43-4B-18.

9 No person under the age of 18 years shall participate as a contestant in any professional  
10 match, contest, or exhibition of boxing or wrestling.

11 43-4B-19.

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

15 ARTICLE 3

16 43-4B-25.

17 (a) Except as otherwise provided in Code Section 43-4B-29, it shall be unlawful for any  
18 person other than a ticket broker to resell or offer for resale any ticket of admission or other  
19 evidence of the right of entry to any athletic contest, concert, theater performance,  
20 amusement, exhibition, or other entertainment event to which the general public is admitted  
21 for a price in excess of the face value of the ticket. Notwithstanding any other provision of  
22 this article to the contrary, a service charge not to exceed \$3.00 may be charged when  
23 tickets or other evidences of the right of entry are sold by an authorized ticket agent  
24 through places of established business licensed to do business by the municipality or  
25 county, where applicable, in which such places of business are located. Notwithstanding  
26 any other provision of this article to the contrary, the owner, operator, lessee, or tenant of  
27 the property on which such athletic contest or entertainment event is to be held or is being  
28 held or the sponsor of such contest or event may charge or may authorize, in writing, any  
29 person to charge a service charge for the sale of such ticket, privilege, or license of  
30 admission in addition to the face value of the ticket. Such writing granting authority to  
31 another shall specify the amount of the service charge to be charged for the sale of each  
32 ticket, privilege, or license of admission.

1 (b) Any advertisement, announcement, or poster for any contest or event covered by this  
2 Code section which includes the price of admission shall specify the amount of the service  
3 charge to be charged for the sale or reselling of each ticket, privilege, or license of  
4 admission, and such advertisement shall be clearly and conspicuously stated.

5 43-4B-26.

6 In order to engage in the practice or business of a ticket broker a person shall be required  
7 to:

8 (1) Maintain a permanent office or place of business in this state, excluding a post office  
9 box, for the purpose of engaging in the business of a ticket broker;

10 (2) Apply to the commission for a ticket broker's license on a form designated by the  
11 commission, pay an annual license fee of \$400.00, and renew the license annually;

12 (3) Pay any local tax required by a local government;

13 (4) Register for sales and use tax purposes pursuant to Article 1 of Chapter 8 of Title 48;  
14 and

15 (5) Provide satisfactory evidence to the commission that the ticket broker has posted or  
16 has made provision for the posting of a bond. The required bond shall be executed in  
17 favor of the state, in the amount of \$100,000.00, with a surety company authorized to do  
18 business in this state and conditioned to pay damages not to exceed the amount of such  
19 bond to any person aggrieved by any act of the principal named in such bond, which act  
20 is in violation of this Code section.

21 43-4B-27.

22 No person shall engage in the practice or business of a ticket broker, or be employed as  
23 general manager for a person engaged in the practice or business of a ticket broker, who  
24 has been convicted of a felony and who has not been pardoned or had his or her civil rights  
25 restored.

26 43-4B-28.

27 (a) The ticket broker shall be required to:

28 (1) Post at its established place of business the terms of the purchaser's right to cancel  
29 the purchase of a ticket from a ticket broker;

30 (2) Disclose to the purchaser the refund policy of the ticket broker should an athletic  
31 contest or entertainment event be canceled;

32 (3) Disclose to the purchaser in writing the difference between the face value of the  
33 ticket and the amount which the ticket broker is charging for such ticket; and

1 (4) Sell tickets only at its permanent office or place of business; provided, however, that  
2 delivery of one or more tickets after the transaction is completed to a place other than the  
3 ticket broker's office or place of business shall not violate this paragraph.

4 (b)(1) A ticket broker shall be prohibited from employing any agent or employee for the  
5 purpose of making future purchases of tickets from the owner, operator, lessee, or tenant  
6 of the property on which an athletic contest or entertainment event is to be held.

7 (2) Each ticket broker, including any affiliated group of ticket brokers, shall be  
8 prohibited from acquiring and reselling in excess of 1 percent of the total tickets allocated  
9 for any contest or event.

10 (3) Unless otherwise provided in a written agreement between a ticket broker and the  
11 purchaser, a ticket broker shall be required to refund any payment received for the  
12 purchase of a ticket under this article if the purchaser returns the ticket and requests a  
13 cancellation of the sale thereof within 36 hours from the time of purchase of the ticket  
14 and if such return is made more than 72 hours preceding the athletic contest or  
15 entertainment event.

16 (4) A ticket broker shall be required to refund any payment received for the purchase of  
17 a ticket under this article if the athletic contest or entertainment event is canceled and not  
18 rescheduled.

19 (5) If a ticket broker guarantees in writing delivery of a ticket or tickets to an athletic  
20 contest or entertainment event as provided under this article to a purchaser and fails to  
21 complete such delivery, the ticket broker shall be required to provide within 15 days a full  
22 refund of any amount paid by the purchaser and, in addition, shall pay the purchaser a  
23 refund fee of three times the amount paid by the purchaser for each such ticket.

24 (c) A ticket broker and its employees, agents, and assigns are prohibited from reselling or  
25 offering for resale any ticket within 2,700 feet from the venue where an event or contest  
26 is to be held or is being held.

27 43-4B-29.

28 (a) No provision of this article or any other provision of law shall prohibit any person who  
29 is the original purchaser for personal use of one or more tickets to an athletic contest or  
30 entertainment event covered under this article from reselling or offering for resale any of  
31 such tickets for any price, provided that such person does not sell or offer to sell such  
32 tickets within 2,700 feet of a ticket office for such a contest or event or a public entrance  
33 to such a contest or event.

34 (b) Charitable organizations and their employees and volunteers shall not be subject to the  
35 provisions of this article when offering for sale any tickets of admission to the highest

1 bidder in a raffle, auction, or similar fund-raising activity for the benefit of the  
2 organization's charitable purposes.

3 43-4B-30.

4 With regard to any single athletic contest or entertainment event which occurs no more  
5 often than once annually and with regard to any series of athletic contests which occur no  
6 more often than once annually and which occur within a time period not exceeding ten  
7 days, the municipal corporation in which such contest, event, or series of contests is to be  
8 held, or if the contest, event, or series of contests is to be held in an unincorporated area,  
9 the county of such unincorporated area, is authorized to enact by ordinance regulations  
10 governing ticket brokers for such contest, event, or series of contests which are more  
11 restrictive than the provisions of this article.

12 43-4B-31.

13 Any person who violates this article is guilty of a misdemeanor of a high and aggravated  
14 nature.

15 43-4B-32.

16 (a) In addition to the powers and duties set out in Code Section 43-4B-3, the commission  
17 is authorized to promulgate rules and regulations to accomplish the purposes of this article  
18 in accordance with Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.'  
19 The commission shall enforce the provisions of this article. The enforcement powers of  
20 the commission set out in this Code section shall be in addition to the criminal penalty  
21 provided by Code Section 43-4B-31.

22 (b) Whenever it may appear to the commission that any person is violating or has violated  
23 any provision of this article and that proceedings would be in the public interest:

24 (1) Subject to notice and opportunity for hearing in accordance with Chapter 13 of Title  
25 50, the 'Georgia Administrative Procedure Act,' unless the right to notice is waived by the  
26 person against whom the sanction is imposed, the commission may:

27 (A) Issue a cease and desist order prohibiting any violation of this article;

28 (B) Issue an order against a person who violates this article, imposing a civil penalty  
29 up to a maximum of \$1,000.00 per violation; or

30 (C) Issue an order suspending or revoking the ticket broker's license; or

31 (2) Upon a showing by the commission in any superior court of competent jurisdiction  
32 that a person has violated or is about to violate this article, a rule promulgated under this  
33 article, or an order of the commission, the court may enter or grant any or all of the  
34 following relief:

1 (A) A temporary restraining order or a temporary or permanent injunction;

2 (B) A civil penalty up to a maximum of \$2,000.00 per violation of this article;

3 (C) A declaratory judgment;

4 (D) Restitution to any person or persons adversely affected by a defendant's action in  
5 violation of this article; or

6 (E) Other relief as the court deems just or reasonable.

7 (c) Unless the commission determines that a person subject to this article intends to depart  
8 quickly from this state or to remove his or her property from this state or to conceal his or  
9 her person or property in this state or that there is immediate danger of harm to citizens of  
10 this state or another state, the commission shall give notice in writing that such proceedings  
11 are contemplated and allow such person a reasonable opportunity to appear before the  
12 commission and execute an assurance of voluntary compliance. The determination of the  
13 commission under this subsection shall be final and not subject to review.

14 (d) Procedures relating to hearings, notice, counsel, subpoenas, records, enforcement  
15 powers, intervention, rules of evidence, decisions, exceptions, review of initial decisions,  
16 final decisions, and judicial review of decisions shall be governed by Chapter 13 of Title  
17 50, the 'Georgia Administrative Procedure Act,' unless the provisions of such chapter are  
18 contrary to the express provisions of this article.

19 ARTICLE 4

20 43-4B-40.

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

28 (b)(1) Any manager, promoter, matchmaker, or licensee who knowingly violates or  
29 coerces or causes any other person to violate any provision of Article 2 of this chapter  
30 shall, upon conviction, be imprisoned for not more than one year or fined not more than  
31 \$20,000.00, or both.

32 (2) Any member or employee of the commission or any person who administers or  
33 enforces this chapter or rules and regulations promulgated pursuant to this chapter who  
34 knowingly violates Code Section 43-4B-15 or Code Section 43-4B-16 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 or wrestler who knowingly violates any provision of this  
4 chapter except Code Section 43-4B-16 shall, upon conviction, be fined not more than  
5 \$1,000.00 for each violation.

6 (4) Any professional boxer who violates the provisions of Code Section 43-4B-16 may  
7 be punished by a fine not to exceed \$25,000.00 together with a percentage of the purse  
8 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 only upon the express and specific appropriation of funds  
13 by the General Assembly to carry out the purposes of this Act.

14 **SECTION 4.**

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