

Senate Bill 224

By: Senators Balfour of the 9th and Henson of the 41st

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 revise and clarify definitions  
3 relative to the commission; to change a provision relating to the applicability of the chapter;  
4 to change a provision relating to the term of appointment for members of the commission;  
5 to provide that restrictions on members and employees of the commission apply to martial  
6 arts and wrestling in addition to boxing; to provide for the offense of promotion of unarmed  
7 combat; to provide for penalties; to revise provisions relating to taxation of promoters' gross  
8 receipts; to change a provision relating to service charges for tickets sold by an authorized  
9 ticket agent; to provide for the commission's authority relative to licensure of organizations  
10 that govern and authorize matches, contests, and exhibitions of martial arts and wrestling,  
11 licensure of promoters of martial arts matches, contests, and exhibitions, and permitting of  
12 such matches, contests, and exhibitions; to provide for fees and exceptions; to provide for  
13 requirements for such matches, contests, and exhibitions; to prohibit licensure in certain  
14 circumstances; to provide for exceptions; to provide for fines and for suspension, revocation,  
15 and denial of licenses and permits; to provide for exemptions; to provide for related matters;  
16 to repeal conflicting laws; and for other purposes.

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

18 **SECTION 1.**

19 Chapter 4B of Title 43 of the Official Code of Georgia Annotated, relating to the Georgia  
20 Athletic and Entertainment Commission, is amended by striking Code Section 43-4B-1,  
21 relating to definitions relative to the commission, and inserting in lieu thereof the following:

22 "43-4B-1.

23 As used in this chapter, the term:

24 (1) 'Amateur,' when applied to a person engaged in boxing, wrestling, or a martial art,  
25 means a person who engages in a match, contest, or exhibition of boxing, wrestling, or  
26 a martial art that ~~which~~ is governed or authorized by:

- 1 (A) U.S.A. Boxing;
- 2 (B) The Georgia High School Athletic Association;
- 3 (C) The National Collegiate Athletic Association;
- 4 (D) Amateur Athletic Union;
- 5 (E) Golden Gloves; or
- 6 (F) Team Georgia Amateur Wrestling;
- 7 (G) USA Wrestling;
- 8 (H) National High School Coaches Association;
- 9 (I) North American Sport Karate Association;
- 10 (J) International Sport Kick Boxing/Karate Association;
- 11 (K) World Kick Boxing Association;
- 12 (L) United States Kick Boxing Association;
- 13 (M) International Kick Boxing Federation; or
- 14 (N) The local affiliate of any organization listed in this paragraph.
- 15 (2) 'Boxing match' means a contest between two individuals in which contestants score
- 16 points in rounds of two or three minutes by striking with padded fists the head and upper
- 17 torso of the opponent or by knocking the opponent down and rendering the opponent
- 18 unconscious or incapable of continuing the contest by such blows, which contest is held
- 19 in a square ring supervised by a referee and scored by three judges.
- 20 (3) 'Boxing registry' means a registry created or designated pursuant to subsection (j) of
- 21 Code Section 43-4B-4.
- 22 (3.1) 'Charitable organization' means an entity described by:
- 23 (A) Section 501(c)(3), Internal Revenue Code of 1986 (26 U.S.C. Section 501(c)(3));
- 24 or
- 25 (B) Section 170(c), Internal Revenue Code of 1986 (26 U.S.C. Section 170(c)).
- 26 (4) 'Commission' means the Georgia Athletic and Entertainment Commission.
- 27 (5) 'Exhibition' means a contest where the participants engage in the use of boxing,
- 28 wrestling, or martial arts skills and techniques and where the objective is to display such
- 29 skills and techniques without striving to win.
- 30 (6) 'Face value' means the dollar value of a ticket or order, which value shall reflect the
- 31 dollar amount that the customer is required to pay or, for complimentary tickets, would
- 32 have been required to pay to purchase a ticket with equivalent seating priority in order
- 33 to view the match, contest, exhibition, or entertainment event. A complimentary ticket
- 34 shall not have a face value of \$0.00. A complimentary ticket shall not have a face value
- 35 of less than that of the least expensive ticket available for sale to the general public. Face
- 36 value shall include any charges or fees, such as dinner, gratuity, parking, surcharges, or
- 37 any other charges or fees which are charged to and must be paid by the customer in order

1 to view the match, contest, exhibition, or entertainment event. It shall exclude any portion  
2 paid by the customer for federal, state, or local taxes.

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

6 (8) 'Gross receipts' means:

7 (A) The gross price charged for the sale or lease of broadcasting, television, pay per  
8 view, closed circuit, or motion picture rights without any deductions for commissions,  
9 brokerage fees, distribution fees, production fees, advertising, or other expenses or  
10 charges; ~~and~~

11 (B) The face value of all tickets sold and complimentary tickets ~~redeemed~~; issued,  
12 provided, or given; and

13 (C) The face value of any seats issued, provided, or given in exchange for advertising,  
14 sponsorships, or anything of value to the promotion of an event.

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

18 (10) 'Manager' means a person who under contract, agreement, or other arrangement with  
19 a boxer, undertakes to control or administer, directly or indirectly, a matter related to  
20 boxing on behalf of a boxer. Such term includes, but is not limited to, a person who  
21 functions as a booking agent, adviser, or consultant.

22 (10.1) 'Martial art' means any form of unarmed combative sport or unarmed combative  
23 entertainment that allows contact striking, except boxing or wrestling.

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

29 (11.1) 'Original purchaser for personal use' means a person who buys one or more tickets  
30 with the intention of using the ticket or tickets solely for the use of the purchaser or the  
31 purchaser's invitees, employees, and agents. An original purchaser who resells more than  
32 six tickets to the same athletic contest or entertainment event and who resells tickets to  
33 an athletic contest or entertainment event for more than 105 percent of their face value  
34 shall be rebuttably presumed to be engaging in the business of a ticket broker in any  
35 criminal prosecution or civil action, order, or penalty by the commission.

36 (11.2) 'Patron boxing,' 'patron wrestling,' or 'patron martial arts' means boxing, wrestling,  
37 or martial arts that is not:

1 (A) Governed or authorized by any organization listed in paragraph (1) of this Code  
 2 section;

3 (B) Governed or authorized by an organization licensed by the commission in  
 4 accordance with this chapter;

5 (C) Governed or authorized by an organization exempted from licensure by the  
 6 commission in accordance with this chapter; and

7 (D) Licensed by the commission in accordance with Article 2 of this chapter.

8 ~~(11.2)~~(11.3) 'Pay per view' means a telecast for which a fee is required in addition to any  
 9 other fee paid by the viewer for any other services of the telecaster.

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

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

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

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

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

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

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

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

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

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

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

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

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

5 (16.1) 'Promotion of unarmed combat' means the organization, promotion, production,  
 6 publicizing, or arranging of, or provision of a venue for, a competition of unarmed  
 7 combat by a person who receives some compensation or commercial benefit from such  
 8 competition.

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

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

15 (19) 'Ticket broker' means:

16 (A) Any person who is involved in the business of reselling tickets of admission to  
 17 athletic contests, concerts, theater performances, amusements, exhibitions, or other  
 18 entertainment events held in this state to which the general public is admitted and who  
 19 charges a premium in excess of the price of the ticket; or

20 (B) Any person who has a permanent office or place of business in this state who is  
 21 involved in the business of reselling tickets of admission to athletic contests, concerts,  
 22 theater performances, amusements, exhibitions, or other entertainment events held  
 23 inside or outside this state to which the general public is admitted and who charges a  
 24 premium in excess of the price of the ticket.

25 The term ticket broker shall not include the owner, operator, lessee, or tenant of the  
 26 property in which an athletic contest or entertainment event is being held or the sponsor  
 27 of such a contest or event or the authorized ticket agent of such persons.

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

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

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

1 (B) Unarmed combat shall include but shall not be limited to: tough man fights, bad  
 2 man fights, nude boxing, ~~and nude wrestling,~~ patron boxing, patron martial arts, and  
 3 patron wrestling.

4 (C) Unarmed combat shall not include:

5 (i) Professional boxing licensed in accordance with this chapter;

6 (ii) Professional wrestling governed or authorized by an organization licensed or  
 7 exempted from licensure in accordance with this chapter;

8 (iii) Amateur boxing governed or authorized by an organization listed in paragraph  
 9 (1) of this Code section;

10 (iv) Amateur wrestling governed or authorized by an organization listed in paragraph  
 11 (1) of this Code section;

12 (v) Any competition displaying the skills of a single form of an Oriental system of  
 13 unarmed ~~self-defense~~ combative sports or unarmed combative entertainment,  
 14 including, but not limited to, kick boxing, karate, or full-contact karate, ~~which that~~ is  
 15 held pursuant to the rules of that form and governed or authorized by ~~a nationally~~  
 16 ~~recognized organization~~ an organization licensed by the commission in accordance  
 17 with Article 4 of this chapter;

18 (vi) Shidokan when the competition is governed by ~~the United States Shidokan of the~~  
 19 ~~World Karate Association~~ or authorized by an organization licensed by the  
 20 commission in accordance with Article 4 of this chapter; or

21 (vii) Mixed martial arts fighting when the competition is ~~sanctioned, approved, or~~  
 22 ~~endorsed by the International Sport Combat Federation (ISCF).~~ governed or  
 23 authorized by an organization licensed by the commission in accordance with Article  
 24 4 of this chapter; or

25 (viii) Other martial arts competitions, when governed or authorized by an  
 26 organization licensed by the commission in accordance with Article 4 of this chapter.

27 (21) 'Wrestling' means:

28 (A) A staged ~~a staged~~ performance of fighting and gymnastic skills and techniques by  
 29 two or more human beings who are not required to use their best efforts in order to win  
 30 and for which the winner may have been selected before the performance commences;

31 or

32 (B) A performance of fighting and gymnastic skills and techniques by two or more  
 33 human beings."

## 34 SECTION 2.

35 Said chapter is further amended by striking Code Section 43-4B-2, relating to the application  
 36 of the chapter, and inserting in lieu thereof the following:

1 "43-4B-2.

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

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

5 (2) Which is governed or authorized by:

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

7 (B) The Georgia High School Athletic Association;

8 (C) The National Collegiate Athletic Association;

9 (D) Amateur Athletic Union;

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

11 (F) Team Georgia Amateur Wrestling;

12 (G) USA Wrestling;

13 (H) National High School Coaches Association;

14 (I) North American Sport Karate Association;

15 (J) International Sport Kick Boxing/Karate Association;

16 (K) World Kick Boxing Association;

17 (L) United States Kick Boxing Association;

18 (M) International Kick Boxing Federation; or

19 (N) The local affiliate of any organization listed in this paragraph."

20 **SECTION 3.**

21 Said chapter is further amended in Code Section 43-4B-3, relating to the membership of the  
22 Georgia Athletic and Entertainment Commission, the commission's medical advisory panel,  
23 and reimbursement of members, by striking subsection (b) and inserting in lieu thereof the  
24 following:

25 "(b) The commission shall be composed of five members appointed by the Governor. ~~All~~  
26 ~~appointments shall be for terms of four years. Each member of the commission shall be~~  
27 appointed for a term of four years and until his or her successor is appointed. Vacancies  
28 shall be filled for the unexpired terms under the same procedures and requirements as  
29 appointments for full terms."

30 **SECTION 4.**

31 Said chapter is further amended by striking Code Section 43-4B-8, relating to prohibited  
32 activities for commission members, and inserting in lieu thereof the following:

33 "43-4B-8.

34 No member or employee of the commission and no person who administers or enforces the  
35 provisions of this chapter or rules promulgated in accordance with this chapter may belong

1 to, contract with, or receive any compensation from any person or organization who  
 2 authorizes, arranges, or promotes professional matches, contests, or exhibitions of boxing,  
 3 martial arts, or wrestling or who otherwise has a financial interest in any activity or  
 4 licensee regulated by this commission. The term 'compensation' does not include funds  
 5 held in escrow for payment to another person in connection with a professional match,  
 6 contest, or exhibition of boxing, martial arts, or wrestling."

#### 7 SECTION 5.

8 Said chapter is further amended by striking Code Section 43-4B-20, relating to required  
 9 reports from promoters, and inserting in lieu thereof the following:

10 "43-4B-20.

11 (a) A promoter holding a match, contest, or exhibition of boxing shall, within ~~72 hours~~  
 12 three business days after the match, file with the commission a written report which  
 13 includes the number of tickets sold, the amount of gross receipts, the amount of gross  
 14 proceeds, and any other facts the commission may require. ~~For the purposes of this chapter,~~  
 15 ~~total gross receipts include:~~

16 ~~(1) The gross price charged for the sale or lease of pay per view telecasting and motion~~  
 17 ~~picture rights without any deductions for commissions, brokerage fees, distribution fees,~~  
 18 ~~advertising, or other expenses or charges;~~

19 ~~(2) The face value of all tickets sold and complimentary tickets issued, provided, or~~  
 20 ~~given; and~~

21 ~~(3) The face value of any seat or seating issued, provided, or given in exchange for~~  
 22 ~~advertising, sponsorships, or anything of value to the promotion of an event. Within ten~~  
 23 ~~days following the match, contest, or exhibition of boxing, the promoter shall remit to the~~  
 24 ~~commission a tax payment in the amount of 5 percent of the gross proceeds exclusive of~~  
 25 ~~any federal taxes.~~

26 ~~(b) Where the rights to telecast by pay per view a match or matches held in this state under~~  
 27 ~~the supervision of the commission are in whole owned by, sold to, acquired by, or held by~~  
 28 ~~any person who intends to or subsequently sells or, in some other manner, extends such~~  
 29 ~~rights in part to another, such person is deemed to be a promoter and must be licensed as~~  
 30 ~~such in this state. Such person shall, A promoter who sells, transfers, or extends to another~~  
 31 ~~the rights to telecast by pay per view for viewing in this state, whether the telecast~~  
 32 ~~originates inside or outside this state, a match, contest, or exhibition of boxing that would~~  
 33 ~~be subject to regulation by the commission in accordance with this chapter if the match,~~  
 34 ~~contest, or exhibition were held in this state, shall, within 72 hours three business days~~  
 35 ~~the sale, transfer, or extension of such rights in whole or in part, file with the commission~~  
 36 ~~a written report that includes the gross price charged for the rights to telecast by pay per~~

1 view, the number of tickets sold, the amount of gross receipts, and any other facts the  
2 commission may require.

3 (c) Any written report required to be filed with the commission under this Code section  
4 shall be postmarked within ~~72 hours~~ three business days after the conclusion of the match  
5 or telecast, if the telecast is later than the match, and an additional five days shall be  
6 allowed for mailing.

7 (d) ~~The written report shall be accompanied by~~ Each promoter subject to subsection (b)  
8 of this Code Section shall remit to the commission within ten days following a match,  
9 contest, or exhibition a tax payment in the amount of 5 percent of ~~the~~ total gross receipts,  
10 as defined in subparagraph (A) of paragraph (8) of Code Section 43-4B-1, exclusive of any  
11 federal taxes, except that the tax payment derived from the gross price charged for the sale  
12 or lease of pay per view telecasting and motion picture rights shall not exceed \$40,000.00  
13 for any single event.

14 (e)(1) Any promoter who willfully makes a false and fraudulent report under this Code  
15 section is guilty of perjury and, upon conviction, is subject to punishment as provided by  
16 law. Such penalty shall be in addition to any other penalties imposed by this chapter.

17 (2) Any promoter who willfully fails, neglects, or refuses to make a report or to pay the  
18 taxes as prescribed or who refuses to allow the commission to examine the books, papers,  
19 and records of any promotion is guilty of a misdemeanor.

20 (f) The commission shall remit all tax payments to the general treasury of the state."

## 21 SECTION 6.

22 Said chapter is further amended in Code Section 43-4B-21, relating to penalties for violations  
23 relative to boxing and fighting, by inserting a new subsection to be designated subsection (d)  
24 to read as follows:

25 "(d) Promotion of unarmed combat, as defined in Code Section 43-4B-1, is a misdemeanor  
26 for the first offense; a high and aggravated misdemeanor for the second offense; and a  
27 felony for the third and subsequent offenses, punishable upon conviction by a fine not to  
28 exceed \$10,000.00 or imprisonment not to exceed two years, or both such fine and  
29 imprisonment."

## 30 SECTION 7.

31 Said chapter is further amended in Code Section 43-4B-25, relating to authority to resell  
32 ticket, by striking subsection (a) and inserting in lieu thereof the following:

33 "(a) Except as otherwise provided in Code Section 43-4B-29, it shall be unlawful for any  
34 person other than a ticket broker licensed in accordance with this article to resell or offer  
35 for resale any ticket of admission or other evidence of the right of entry to any athletic

1 contest, concert, theater performance, amusement, exhibition, or other entertainment event  
 2 to which the general public is admitted for a price in excess of the face value of the ticket.  
 3 Notwithstanding any other provision of this article to the contrary, a service charge not to  
 4 exceed \$3.00 may be charged when tickets or other evidences of the right of entry are sold  
 5 by an authorized ticket agent through places of established business licensed to do business  
 6 by the municipality or county, where applicable, in which such places of business are  
 7 located, provided that there is at least one location in this state or an Internet website at  
 8 which the public may purchase such tickets or other evidences of the right of entry without  
 9 paying a service charge. Such ticket information shall be included in all advertisements for  
 10 each such event. Notwithstanding any other provision of this article to the contrary, the  
 11 owner, operator, lessee, or tenant of the property on which such athletic contest or  
 12 entertainment event is to be held or is being held or the sponsor of such contest or event  
 13 may charge or may authorize, in writing, any person to charge a service charge for the sale  
 14 of such ticket, privilege, or license of admission in addition to the face value of the ticket  
 15 as long as the public may purchase tickets or other evidences of the right of entry at the  
 16 venue of the contest or event without paying a service charge. Such writing granting  
 17 authority to another shall specify the amount of the service charge to be charged for the  
 18 sale of each ticket, privilege, or license of admission."

19 **SECTION 8.**

20 Said chapter is further amended by inserting a new article to be designated Article 4, to read  
 21 as follows:

22 "ARTICLE 4

23 43-4B-50.

24 (a) The commission shall have the sole authority to license organizations that govern and  
 25 authorize matches, contests, and exhibitions of martial arts and wrestling and to exempt  
 26 organizations from licensure in accordance with this article. The commission shall have the  
 27 sole authority to permit and regulate matches, contests, and exhibitions of martial arts and  
 28 wrestling. The commission shall have the sole authority to license promoters of matches,  
 29 contests, and exhibitions of martial arts. The commission shall have the duty to safeguard  
 30 the public health, to protect competitors, and to provide for competitive matches by  
 31 requiring licensed organizations to abide by rules promulgated by the commission for basic  
 32 minimum medical and safety requirements based on the nature of the activity and the  
 33 anticipated level of physical conditioning and training of competitors. The commission  
 34 shall have the authority to inquire as to a licensed organization's plans or arrangements for

1 compliance with such rules. The commission shall have the authority to require annual  
2 fees for licensure and a fee for each such match, contest, or exhibition or for each show and  
3 to penalize licensed organizations, licensed promoters, and the holders of match permits  
4 that violate the provisions of this article or rules of the commission promulgated in  
5 accordance with this article.

6 (b) If requested by a licensed organization, the commission shall have the authority to  
7 provide direct oversight services, including but not limited to on-site inspectors, to a  
8 licensed organization for a fee negotiated between the commission and the licensed  
9 organization.

10 43-4B-51.

11 (a) Except as otherwise provided in subsection (c) of this Code section, the annual fee for  
12 licensure of organizations subject to this article is \$1,000.00.

13 (b) As used in this subsection, the term 'show' includes all matches, contests, or exhibits  
14 held at the same venue on the same date and included in the same admission fee if an  
15 admission fee is charged. Except as otherwise provided in subsection (c) of this Code  
16 section, the maximum permit fee for each show authorized or governed by an organization  
17 licensed in accordance with this article is \$250.00. The maximum permit fee for each  
18 match, contest, or exhibition that is not a component of a show and is authorized by an  
19 organization licensed in accordance with this article is \$250.00, except as otherwise  
20 provided in subsection (c) of this Code section. Such fee shall be paid to the commission  
21 on or before the date of the match, contest, or exhibition. The commission may provide by  
22 rule for a refund of a portion of the fee if the match, contest, or exhibition is not held.

23 (c) For organizations authorizing or governing matches, contests, or exhibitions of  
24 wrestling as defined in subparagraph (A) of paragraph (21) of Code Section 43-4B-1, the  
25 annual fee for licensure is \$100.00. There shall be no permit fee for matches, contests, or  
26 exhibitions of wrestling as defined in such subparagraph. Organizations subject to this  
27 subsection shall make reports to the commission in accordance with rules and regulations  
28 promulgated by the commission.

29 (d) The annual fee for a promoter's license for promoters of martial arts matches, contests,  
30 or exhibitions shall be \$500.00.

31 43-4B-52.

32 (a) A licensed organization shall provide written notice to the commission of a match,  
33 contest, or exhibition authorized and governed by the organization no later than 15 days  
34 before the date of the match, contest, or exhibition. The licensed organization governing  
35 the match, contest, or exhibition shall provide information required by the commission

1 relating to the contestants, venue, rules for the competition, and anticipated level of  
2 physical conditioning and training of the contestants.

3 (b) A licensed organization shall, after a match, contest, or exhibition authorized and  
4 governed by the organization, file with the commission an affidavit that includes the  
5 number of tickets sold, the amount of gross receipts, the amount of sales tax to be paid to  
6 the Department of Revenue, and any other facts the commission may require. Such  
7 affidavit shall be postmarked within three business days after the conclusion of the match,  
8 contest, or exhibition.

9 43-4B-53.

10 (a) Except as otherwise provided by subsection (d) of this Code section, an organization  
11 shall not be eligible for licensure or exemption from licensure in accordance with this  
12 article if an officer, principal, manager, partner, owner, member, shareholder, trustee,  
13 promoter, matchmaker, organizer, or director of the organization has been convicted of,  
14 pleaded guilty to, pleaded nolo contendere to, or been sentenced in accordance with the  
15 provisions of Article 3 of Chapter 8 of Title 42 in connection with a felony involving moral  
16 turpitude within ten years of the date the organization applied for a license or exemption.

17 (b) No individual shall be eligible for licensure as a promoter if the individual has been  
18 convicted of, pleaded guilty to, pleaded nolo contendere to, or been sentenced in  
19 accordance with the provisions of Article 3 of Chapter 8 of Title 42 in connection with a  
20 felony involving moral turpitude within ten years of the date the individual applied for a  
21 license as a promoter.

22 (c) Except as otherwise provided by subsection (d) of this Code section, the commission  
23 shall provide by rule for a penalty for an organization licensed or exempted from licensure  
24 in accordance with this article if such an organization allows a match, contest, or exhibition  
25 authorized or governed by such organization to involve an otherwise independent promoter  
26 or matchmaker who has been convicted of, pleaded guilty to, pleaded nolo contendere to,  
27 or been sentenced in accordance with the provisions of Article 3 of Chapter 8 of Title 42  
28 in connection with a felony involving moral turpitude within ten years of the date of the  
29 match, contest, or exhibition.

30 (d) This Code section shall not apply to wrestling as defined in subparagraph (A) of  
31 paragraph (21) of Code Section 43-4B-1.

32 43-4B-54.

33 (a) The commission is authorized to suspend, revoke, or deny a license or renewal of a  
34 license of an organization or a promoter for violation of this article or rules of the  
35 commission promulgated in accordance with this article. The commission is authorized to

1 fine a licensed organization or promoter for violation of this article or rules of the  
2 commission promulgated in accordance with this article.

3 (b) The commission is authorized to suspend, revoke, or deny issuance of a permit for a  
4 show, match, contest, or exhibition issued in accordance with this article in the interest of  
5 the safety or health of the competitors or public, or for violation of this article or rules of  
6 the commission promulgated in accordance with this article.

7 43-4B-55.

8 (a) Subject to the restriction set forth in Code Section 43-4B-53, the commission is  
9 authorized to exempt organizations from the requirements of licensure and permitting when  
10 the commission, in its discretion, deems the matches, contests, and exhibitions authorized  
11 or governed by the organization present little or no danger to the health and safety of the  
12 competitors and the public.

13 (b) In determining whether to exempt an organization from licensure and permitting  
14 requirements, the commission shall consider the following factors:

15 (1) Whether the matches, contests, and exhibitions are conducted in the course of  
16 teaching wrestling or a martial art and are closely supervised by well-trained teachers;

17 (2) Whether an admission fee is charged for viewing the matches, contests, or  
18 exhibitions;

19 (3) Whether the matches, contests, or exhibitions offer a commercial advantage to the  
20 organization;

21 (4) Whether the matches, contests, or exhibitions are conducted in a manner to minimize  
22 the danger of injury;

23 (5) Whether the commission's information about previous matches, contests, or  
24 exhibitions conducted by the organization indicates that the matches, contests, or  
25 exhibitions are likely to result in injury; and

26 (6) Other factors deemed by the commission as indicia of danger to health or safety and  
27 set out in rules promulgated by the commission."

## 28 **SECTION 9.**

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