

Senate Bill 413

By: Senators Johnson of the 1st, Shafer of the 48th, Tolleson of the 20th, Henson of the 41st
and Stoner of the 6th

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 43 of the Official Code of Georgia Annotated, relating to professions and
2 businesses, so as to substantially and comprehensively revise provisions relating to the
3 licensure and regulation of boxing, wrestling, and martial arts; to provide for the prohibition
4 of certain unarmed combat; to provide for civil regulation and criminal penalties; to provide
5 for the state regulatory body and its officers, agents, and operations; to provide for certain
6 taxes and reporting; to revise provisions relative to ticket brokers and the resale of certain
7 tickets; to provide for other matters related to the foregoing; to repeal conflicting laws; and
8 for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

11 Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses,
12 is amended by revising Chapter 4B, relating to the Georgia Athletic and Entertainment
13 Commission, as follows:

14 style="text-align:center">"CHAPTER 4B
15 style="text-align:center">ARTICLE 1

16 43-4B-1.

17 As used in this chapter, the term:

18 (1) 'Amateur;' means a person who has never received nor competed for any purse or
19 other article of value, either for the expenses of training or for participating in a match,
20 other than a prize of \$100.00 in value or less. ~~when applied to a person engaged in~~
21 boxing, wrestling, or a martial art, means a person who receives no compensation and
22 engages in a match, contest, or exhibition of boxing, wrestling, or a martial art that is
23 governed or authorized by:

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

- 1 ~~(B) The Georgia High School Athletic Association;~~
 2 ~~(C) The National Collegiate Athletic Association;~~
 3 ~~(D) Amateur Athletic Union;~~
 4 ~~(E) Golden Gloves;~~
 5 ~~(F) Team Georgia Amateur Wrestling;~~
 6 ~~(G) USA Wrestling;~~
 7 ~~(H) National High School Coaches Association;~~
 8 ~~(I) North American Sport Karate Association;~~
 9 ~~(J) International Sport Kick Boxing/Karate Association;~~
 10 ~~(K) World Kick Boxing Association;~~
 11 ~~(L) United States Kick Boxing Association;~~
 12 ~~(M) International Sport Combat Federation;~~
 13 ~~(N) Professional Karate Commission;~~
 14 ~~(O) International Kick Boxing Federation; or~~
 15 ~~(P) The local affiliate of any organization listed in this paragraph.~~

16 (2) 'Amateur sanctioning organization' means any business entity organized for
 17 sanctioning and supervising matches involving amateurs.

18 ~~(2)(3) 'Boxing match' means to compete with fists. a contest between two individuals~~
 19 ~~in which contestants score points in rounds of two or three minutes by striking with~~
 20 ~~padded fists the head and upper torso of the opponent or by knocking the opponent down~~
 21 ~~and rendering the opponent unconscious or incapable of continuing the contest by such~~
 22 ~~blows, which contest is held in a square ring supervised by a referee and scored by three~~
 23 ~~judges.~~

24 ~~(3) 'Boxing registry' means a registry created or designated pursuant to subsection (j) of~~
 25 ~~Code Section 43-4B-4.~~

26 ~~(3.1) 'Charitable organization' means an entity described by:~~

27 ~~(A) Section 501(c)(3), Internal Revenue Code of 1986 (26 U.S.C. Section 501(c)(3));~~

28 ~~or~~

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

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

31 (5) 'Exhibition' means a contest where the participants engage in the use of boxing,
 32 kickboxing, professional wrestling, mixed martial arts, or martial arts skills and
 33 techniques and where the objective is to display such skills and techniques without
 34 striving to win and includes but is not necessarily limited to the use of strikes and blows
 35 to the head.

36 (6) 'Face value' means the dollar value of a ticket or order, which value shall reflect the
 37 dollar amount that the customer is required to pay or, for complimentary tickets, would

1 have been required to pay to purchase a ticket with equivalent seating priority in order
 2 to view the match, contest, exhibition, or entertainment event. A complimentary ticket
 3 shall not have a face value of \$0.00. A complimentary ticket shall not have a face value
 4 of less than that of the least expensive ticket available for sale to the general public. Face
 5 value shall include any charges or fees, such as dinner, gratuity, parking, surcharges, or
 6 any other charges or fees which are charged to and must be paid by the customer in order
 7 to view the match, contest, exhibition, or entertainment event. It shall exclude any
 8 portion paid by the customer for federal, state, or local taxes.

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

12 ~~(8) 'Gross receipts' means:~~

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

17 ~~(B) The face value of all tickets sold and complimentary tickets issued, provided, or~~
 18 ~~given; and~~

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

21 ~~(9) 'Local tax' means any occupation tax or other tax owed to a county or municipality~~
 22 ~~in order to hold a match, contest, or exhibition or to carry on a business as a ticket broker~~
 23 ~~within such county or municipality.~~

24 ~~(9.1)(7) 'Kickboxing' means to compete with the fists, feet, legs, or any combination~~
 25 ~~thereof and includes punchkick and other similar competitions. unarmed combat~~
 26 ~~involving the use of striking techniques delivered with the upper and lower body and in~~
 27 ~~which the competitors remain standing while striking.~~

28 ~~(8) 'Local tax' means any occupation tax or other tax owed to a county or municipality~~
 29 ~~in order to hold a match, contest, or exhibition or to carry on a business as a ticket broker~~
 30 ~~within such county or municipality.~~

31 ~~(10)(9) 'Manager' means a any person who, directly or indirectly, controls or administers~~
 32 ~~the boxing, kickboxing, professional wrestling, or mixed martial arts affairs of any~~
 33 ~~participant. under contract, agreement, or other arrangement with a boxer, undertakes to~~
 34 ~~control or administer, directly or indirectly, a matter related to boxing on behalf of a~~
 35 ~~boxer. Such term includes, but is not limited to, a person who functions as a booking~~
 36 ~~agent, adviser, or consultant.~~

1 ~~(10.1) 'Martial art' means any form of unarmed combative sport or unarmed combative~~
 2 ~~entertainment that allows contact striking, except boxing or wrestling.~~

3 ~~(10.2)(10) 'Matchmaker' means a person who brings together professionals or arranges~~
 4 ~~matches for professionals. is employed by or associated with a promoter in the capacity~~
 5 ~~of booking and arranging professional matches, contests, or exhibitions between~~
 6 ~~opponents or who proposes professional matches, contests, or exhibitions and selects and~~
 7 ~~arranges for the participants in such events and for whose activities in this regard the~~
 8 ~~promoter is legally responsible.~~

9 (11) 'Mixed martial arts' means unarmed combat involving the use, subject to the
 10 provisions of this chapter, of a combination of techniques from different disciplines of
 11 the martial arts, including but not limited to grappling, kicking, and striking. ~~submission~~
 12 ~~holds, and strikes with the upper and lower body.~~

13 (11.1) ~~'Original purchaser for personal use' means a person who buys one or more tickets~~
 14 ~~with the intention of using the ticket or tickets solely for the use of the purchaser or the~~
 15 ~~purchaser's invitees, employees, and agents. An original purchaser who resells more than~~
 16 ~~six tickets to the same athletic contest or entertainment event and who resells tickets to~~
 17 ~~an athletic contest or entertainment event for more than 105 percent of their face value~~
 18 ~~shall be rebuttably presumed to be engaging in the business of a ticket broker in any~~
 19 ~~criminal prosecution or civil action, order, or penalty by the commission.~~

20 (11.2) ~~'Patron boxing,' 'patron wrestling,' or 'patron martial arts' means boxing, wrestling,~~
 21 ~~or martial arts that is not:~~

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

24 ~~(B) Governed or authorized by an organization licensed by the commission in~~
 25 ~~accordance with this chapter;~~

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

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

29 (11.3) ~~'Pay per view' means a telecast for which a fee is required in addition to any other~~
 30 ~~fee paid by the viewer for any other services of the telecaster.~~

31 (12) 'Participant' means a professional competing in boxing, kickboxing, professional
 32 wrestling, or mixed martial arts. ~~'Person' means any individual, partnership, firm,~~
 33 ~~association, corporation, or combination of individuals of whatever form or character.~~

34 (13) 'Physician' means an individual licensed to practice medicine or surgery in this state.
 35 ~~a doctor of medicine or other medical professional legally authorized by any state to~~
 36 ~~practice medicine.~~

1 (14) 'Professional' means a person who has received or competed for any purse or other
 2 article of a value greater than \$100.00, either for the expenses of training or for
 3 participating in any match. ~~is participating or has participated in a match, contest, or~~
 4 ~~exhibition which is not governed or authorized by one or more of the organizations listed~~
 5 ~~in paragraph (1) of this Code section and:~~

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

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

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

13 (D) ~~Is participating or has participated in any match, contest, or exhibition which~~
 14 ~~provides a commercial advantage by attracting persons to a particular place or~~
 15 ~~promoting a commercial product or enterprise.~~

16 (15) 'Professional wrestling' means any performance of wrestling skills and techniques
 17 by two or more professional wrestlers to which any admission is charged. Participating
 18 wrestlers may not be required to use their best efforts in order to win; the winner may
 19 have been selected before the performance commences; and contestants compete for
 20 valuable consideration. ~~match, contest, or exhibition' means a match, contest, or~~
 21 ~~exhibition which is not governed or authorized by one or more of the organizations listed~~
 22 ~~in paragraph (1) of this Code section and:~~

23 (A) ~~Rewards a participant with cash as a salary, purse, or prize for such participation;~~

24 (B) ~~Requires for admission payment of a ticket for admission or other evidence of the~~
 25 ~~right of entry;~~

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

27 (D) ~~Provides a commercial advantage by attracting persons to a particular place or~~
 28 ~~promoting a commercial product or enterprise.~~

29 (16) 'Promoter' means any person, including any officer, director, employee, or
 30 stockholder of a corporate promoter, who produces, arranges, or stages any match
 31 involving a professional. ~~the person primarily responsible for organizing, promoting, and~~
 32 ~~producing a professional match, contest, or exhibition and who is legally responsible for~~
 33 ~~the lawful conduct of such professional match, contest, or exhibition.~~

34 (16.1) 'Promotion of unarmed combat' means the organization, promotion, production,
 35 publicizing, or arranging of, or provision of a venue for, a competition of unarmed
 36 combat by a person who receives some compensation or commercial benefit from such
 37 competition.

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

5 (17.1) 'Shidokan' means unarmed combat involving three separate, segregated rounds in
 6 which karate rules and techniques are exclusively used in one round, kickboxing rules
 7 and techniques are exclusively used in one round, and grappling rules and techniques are
 8 exclusively used in one round.

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

11 (19)(18) 'Ticket broker' means:(A) Any any person who is involved in the business of
 12 reselling tickets of admission to athletic contests, concerts, theater performances,
 13 amusements, exhibitions, or other entertainment events held in this state to which the
 14 general public is admitted and who charges a premium in excess of the price of the ticket,
 15 ; or

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

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

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

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

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

34 Such term also means any amateur kickboxing match in which the competitors are not
 35 wearing protective gear.

1 ~~(B) Unarmed combat shall include but shall not be limited to: tough man fights, bad~~
 2 ~~man fights, nude boxing, nude wrestling, patron boxing, patron martial arts, and patron~~
 3 ~~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 combative sports or unarmed combative entertainment, including, but not~~
 14 ~~limited to, kickboxing, karate, or full-contact karate, that is held pursuant to the rules~~
 15 ~~of that form and governed or authorized by an organization licensed by the~~
 16 ~~commission in accordance with Article 4 of this chapter;~~

17 ~~(vi) Shidokan when the competition is governed or authorized by an organization~~
 18 ~~licensed by the commission in accordance with Article 4 of this chapter;~~

19 ~~(vii) Mixed martial arts fighting when the competition is governed or authorized by~~
 20 ~~an organization licensed by the commission in accordance with Article 4 of this~~
 21 ~~chapter; or~~

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

24 ~~(21) 'Wrestling' means:~~

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

28 ~~(B) A performance of fighting and gymnastic skills and techniques by two or more~~
 29 ~~human beings.~~

30 43-4B-2.

31 (a) No match involving amateurs which utilizes, but is not necessarily limited to, strikes
 32 or blows may be held in this state unless it is sanctioned and supervised by an amateur
 33 sanctioning organization approved by the commission. An approved amateur sanctioning
 34 organization may only sanction and supervise the contests or exhibitions in the particular
 35 sport or sports for which it has expertise and for which it is approved by the commission.

1 (b) The commission may not approve any amateur sanctioning organization unless such
2 organization has adopted and agreed to enforce a defined set of standards that applies to
3 all matches which will adequately protect the health and safety of the amateurs
4 participating in the matches and the public and can adequately demonstrate to the
5 satisfaction of the commission that the principals of the organization have sufficient
6 background, training, and experience in sanctioning and supervising matches for which the
7 organization is approved.

8 (c) Periodic compliance checks maybe performed by a representative of the commission
9 designated by the executive director in order to ensure enforcement of approved health and
10 safety standards and supervision of matches by the approved amateur sanctioning
11 organization.

12 (d) Any member of the commission or the executive director may suspend the approval
13 of an amateur sanctioning organization for failure to supervise amateur matches or to
14 enforce the approved health and safety standards required under this chapter, provided that
15 the suspension complies with the summary suspensions pursuant to Code Section
16 43-4B-13. At any amateur boxing, kickboxing, or mixed martial arts contest, any member
17 of the commission or a representative of the commission may immediately suspend one or
18 more matches in an event whenever it appears that the match or matches violate the health
19 and safety standards established by rule as required by this chapter. A law enforcement
20 officer may assist any member of the commission or a representative of the commission
21 to enforce an order to stop a contest if called upon to do so by such member of the
22 commission or a representative of the commission

23 (e) The commission shall review its approval of the amateur sanctioning organization at
24 least biennially, or sooner if determined necessary based upon the periodic compliance
25 checks or complaints to the commission, to determine continuation of approval. The
26 commission may continue approval or may suspend or revoke approval based upon
27 compliance of the organization with the approved sanctioning organization's standards and
28 its ability to supervise matches in the state.

29 (f) This Code section shall not apply to any match conducted or sponsored by a bona fide
30 nonprofit school or education program whose primary purpose is instruction in the martial
31 arts, boxing, or kickboxing if the match held in conjunction with the instruction is limited
32 to amateur participants who are students of the school or instructional program.

33 (g) No match involving amateurs which utilizes, but is not necessarily limited to, strikes
34 or blows may be held in this state unless it is sanctioned and supervised by an amateur
35 sanctioning organization approved by the commission as required by this chapter.

36 (h) Any competition of unarmed combat shall not be permitted, including tough man
37 contests, bad man fights, nude boxing, nude wrestling, patron boxing, patron martial arts,

1 patron mixed martial arts, and patron wrestling, between one or more human beings or
 2 between one or more human beings and one or more animals in which one or more blows
 3 are struck and there is some compensation or benefit arising from the competition, whether
 4 in the form of cash or noncash payment to the competitors or the person arranging the
 5 competition; the sale of the right to film, broadcast, transmit, or view the competition; or
 6 the use of the competition to attract persons to a particular location for some commercial
 7 advantage or to promote a commercial product or commercial enterprise.

8 (i)(1) Any person participating in a match prohibited under this Code section, knowing
 9 the match to be prohibited, commits a misdemeanor and is additionally subject to the civil
 10 enforcement provisions of Code Section 43-4B-19.

11 (2) Any person holding, promoting, or sponsoring a match prohibited under this Code
 12 section commits a crime punishable as provided in Code Section 43-4B-21 and is
 13 additionally subject to the civil enforcement provisions of Code Section 43-4B-19.

14 ~~(a) The provisions of this chapter shall not be construed to apply to any match, contest, or~~
 15 ~~exhibition:~~

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

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

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

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

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

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

22 ~~(E) Golden Gloves;~~

23 ~~(F) Team Georgia Amateur Wrestling;~~

24 ~~(G) USA Wrestling;~~

25 ~~(H) National High School Coaches Association;~~

26 ~~(I) North American Sport Karate Association;~~

27 ~~(J) International Sport Kick Boxing/Karate Association;~~

28 ~~(K) World Kick Boxing Association;~~

29 ~~(L) United States Kick Boxing Association;~~

30 ~~(M) International Sport Combat Federation;~~

31 ~~(N) Professional Karate Commission;~~

32 ~~(O) International Kick Boxing Federation; or~~

33 ~~(P) The local affiliate of any organization listed in this paragraph.~~

34 ~~(b) The provisions of this chapter shall not apply to any matches, contests, or exhibitions~~
 35 ~~of professional wrestling or to a promoter or organization that promotes, organizes, or~~
 36 ~~governs such matches, contests, or exhibitions where such promoter or organization is a~~
 37 ~~corporation that, at the time of such matches, contests, or exhibitions:~~

1 ~~(1) Is registered under the federal Securities Exchange Act of 1934; and~~

2 ~~(2) Has total assets of not less than \$25,000,000.00.~~

3 43-4B-3.

4 (a) ~~The State Boxing~~ Georgia Athletic and Entertainment Commission ~~in existence~~
5 immediately prior to July 1, 2001, is continued in existence subject to the provisions of this
6 chapter. ~~On and after July 1, 2001, the name of such commission shall be the Georgia~~
7 ~~Athletic and Entertainment Commission.~~ The membership of the commission shall
8 continue unchanged except as otherwise expressly provided by this chapter.

9 (b) The commission shall be composed of five members appointed by the Governor. Each
10 member of the commission shall be appointed for a term of four years and until his or her
11 successor is appointed. Vacancies shall be filled for the unexpired terms under the same
12 procedures and requirements as appointments for full terms.

13 (c) Three consecutive unexcused absences or absences constituting 50 percent or more of
14 the commission's meetings within any 12 month period shall cause the commission
15 membership of the member in question to become void, and the position shall be
16 considered vacant. The commission shall, by rule, define unexcused absences.

17 ~~(c)~~(d) The commission shall elect a chairperson from among its membership for a term of
18 one year. The commission may elect a vice chairperson from its membership for a term of
19 one year. Any member serving as chairperson shall be eligible for successive election to
20 such office by the commission.

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

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

35 (g) The commission shall be authorized to join and participate in the activities of the
36 Association of Boxing Commissions.

1 43-4B-4.

2 (a) The commission is shall be the sole regulator of professional boxing, professional
3 kickboxing, professional mixed martial arts, professional wrestling, and ticket brokers in
4 Georgia and shall have authority to protect the physical safety and welfare of professional
5 boxers participants and serve the public interest by closely supervising all professional
6 boxing, professional kickboxing, professional mixed martial arts, professional wrestling,
7 and ticket brokers in Georgia.

8 (b) The commission shall have the sole jurisdiction to license the promotion or holding of
9 each professional match, contest, or exhibition of boxing, kickboxing, mixed martial arts,
10 and professional wrestling promoted or held within this state.

11 (c) The commission shall have the sole authority to license participants in any professional
12 match, contest, or exhibition of boxing, kickboxing, mixed martial arts, and professional
13 wrestling held in this state.

14 (d) The commission ~~has~~ shall have the authority to direct, manage, control, and supervise
15 all professional matches, contests, or exhibitions of boxing, kickboxing, mixed martial arts,
16 and professional wrestling. ~~It may adopt bylaws for its own management and promulgate~~
17 ~~and enforce rules and regulations consistent with this chapter.~~

18 (e) The commission or the executive director may appoint one or more inspectors and one
19 or more chief officials as duly authorized representatives of the commission to ensure that
20 the rules are strictly observed. Such inspectors shall be present at all professional matches,
21 contests, or exhibitions of boxing, kickboxing, mixed martial arts, and professional
22 wrestling.

23 (f) The commission or the executive director shall assign to each match at least one
24 physician who shall observe the physical condition of the participants and advise the
25 commission or commission representative in charge and the referee of the participants´
26 conditions before, during, and after the match. The commission shall establish a schedule
27 of fees for the physician´s services. The physician´s fee shall be paid by the promoter of
28 the match attended by the physician. ~~may designate physicians as duly authorized~~
29 ~~representatives of the commission to conduct physical examinations of boxers licensed~~
30 ~~under this chapter and shall designate a roster of physicians authorized to conduct prefight~~
31 ~~physicals and serve as ringside physicians in all professional boxing matches held in this~~
32 ~~state.~~

33 (g) In addition to any other required examination, each participant shall be examined by
34 the attending physician at the time of weigh-in. If the physician determines that a
35 participant is physically or mentally unfit to proceed, the physician shall notify any
36 commissioner or the commission representative who shall immediately cancel the match.
37 The examination shall conform to rules adopted by the commission. The result of the

1 examination shall be reported in writing signed by the physician and filed with the
 2 commission prior to completion of the weigh-in.

3 (h) The commission may require, by rule, each participant to present to the commission
 4 representative at the time of weigh-in or prior to weigh-in an original copy of blood test
 5 results which demonstrate that the participant is free from any communicable disease. If
 6 required by the commission and the blood test results are not presented as required by the
 7 commission rule or reveal the participant has a communicable disease, the commission
 8 representative shall immediately cancel the match. The commission may adopt, by rule,
 9 protocols and procedures for the blood tests and the cancellation of a match, a list of
 10 communicable diseases covered by this subsection, and a time period within which the
 11 blood test must be taken prior to the match.

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

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

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

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

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

5 ~~(h)~~(m) The commission is authorized to receive tax payments in accordance with Code
 6 Section 43-4B-20, and to remit such tax payments to the general treasury.

7 43-4B-5.

8 The Secretary of State shall designate the ~~secretary~~ executive director of the commission,
 9 who shall issue licenses and identification cards and perform such other duties as the
 10 commission may direct to carry out the provisions of this chapter. The executive director
 11 shall keep a record of all proceedings of the commission; shall preserve all books, papers,
 12 and documents pertaining to the business of the commission; shall prepare any notices and
 13 papers required; shall appoint judges, referees, and other officials as delegated by the
 14 commission and pursuant to this chapter and rules of the commission; and shall perform
 15 such duties as the Secretary of State or commission directs. The executive director may
 16 issue subpoenas and administer oaths.

17 43-4B-6.

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

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

26 43-4B-7.

27 ~~The commission shall adopt rules and regulations governing professional boxing to~~
 28 ~~establish the following:~~

29 The commission shall administer the provisions of this chapter. The commission shall
 30 have the authority to adopt rules pursuant to this chapter to implement each of the duties
 31 and responsibilities conferred upon the commission, including, but not limited to:

32 (1) Developing an ethical code of conduct for commissioners, commission staff, and
 33 commission officials;

34 (2) Establishing duties and responsibilities of all licensees under this chapter;

1 (3) Establishing procedures for hearings and resolution of disputes;

2 (4) Establishing fee and reimbursement schedules for referees and other officials
 3 appointed by the commission or the commission representative;

4 (5) Establishing criteria for approval, disapproval, suspension of approval, and
 5 revocation of approval of amateur sanctioning organizations for amateur boxing,
 6 kickboxing, and mixed martial arts matches held in this state, including, but not limited
 7 to, the health and safety standards the organizations use before, during, and after the
 8 matches to ensure the health, safety, and well-being of the amateurs participating in the
 9 matches, including the qualifications and numbers of health care personnel required to
 10 be present, the qualifications required for referees, and other requirements relating to the
 11 health, safety, and well-being of the amateurs participating in the matches. The
 12 commission may adopt by rule, or incorporate by reference into rule, the health and safety
 13 standards of USA Boxing as the minimum health and safety standards for an amateur
 14 boxing organization and the health and safety standards of the International Sport
 15 Kickboxing Association as the minimum health and safety standards for an amateur
 16 kickboxing and mixed martial arts sanctioning organization. The commission shall
 17 review its rules for necessary revision at least every two years and may adopt by rule, or
 18 incorporate by reference into rule, the then existing current health and safety standards
 19 of USA Boxing and International Sport Kickboxing Association. The commission may
 20 adopt emergency rules to administer this paragraph;

21 ~~(1)~~(6) Establishing procedures Procedures to evaluate the professional records and
 22 physicians' certifications of each ~~boxer participating~~ participant in a professional match,
 23 contest, or exhibition of boxing, kickboxing, mixed martial arts, and professional
 24 wrestling and to deny authorization for a ~~professional boxer~~ participant to fight where
 25 appropriate;

26 ~~(2)~~(7) Establishing procedures Procedures to ensure that, except as otherwise provided
 27 in subsection (c) of Code Section 43-4B-13, no ~~professional boxer~~ participant is
 28 permitted to ~~box~~ compete while under suspension from any state boxing commission
 29 because of:

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

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

33 (C) Failure of a drug test; or

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

35 ~~(3)~~(8) Establishing procedures Procedures to report to ~~the boxing~~ a registry, including
 36 the Association of Boxing Commissions certified registry, the results of all professional
 37 matches, contests, or exhibitions of boxing, kickboxing, mixed martial arts, and

1 professional wrestling held in this state or being supervised by the commission and any
2 related suspensions.

3 43-4B-8.

4 (a) A member of the commission, an employee of the commission, a referee or judge
5 licensed by the commission, or an attending physician shall not have any direct or indirect
6 financial or pecuniary interest in any participant or the outcome of a fight.

7 (b) A manager, trainer, or second of any participant shall not have any direct or indirect
8 financial or pecuniary interest in the opponent in any contest in which his or her own
9 participant participates.

10 (c) A participant shall not have any direct or indirect financial or pecuniary interest in his
11 or her opponent in any contest.

12 (d) A violation of this Code section is a misdemeanor and is additionally subject to the
13 civil enforcement provisions of Code Sections 43-4B-19 and 43-4B-21.

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 ~~martial arts, or wrestling or who otherwise has a financial interest in any activity or~~
19 ~~licensee regulated by this commission. The term 'compensation' does not include funds~~
20 ~~held in escrow for payment to another person in connection with a professional match,~~
21 ~~contest, or exhibition of boxing, martial arts, 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 kickboxing, mixed martial arts, or professional wrestling within this state without first
26 applying for and obtaining a promoter's license from the commission. Licenses shall be
27 issued annually and shall expire on December 31 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 accompanied
30 by a nonrefundable fee not to exceed ~~\$250.00~~ \$1,000.00 in the form of a ~~cashier's~~
31 or money order made out to the commission. The application shall also be accompanied
32 by a performance bond in an amount and under such conditions as the commission may
33 require. Surety bonds shall be required as follows:

1 (1) Before any license is issued or renewed to a promoter and before any permit is issued
 2 to a promoter, he or she must file a surety bond with the commission in such reasonable
 3 amount, but not less than \$50,000.00, as the commission determines;

4 (2) All bonds shall be upon forms approved and supplied by the commission;

5 (3) The sufficiency of any surety is subject to approval of the commission;

6 (4) The surety bond must be conditioned upon the faithful performance by the promoter
 7 of his or her obligations under this chapter and upon the fulfillment of his or her contracts
 8 with any other licensees under this chapter. However, the aggregate annual liability of
 9 the surety for all obligations and fees shall not exceed the amount of the bond; and

10 (5) Recovery may be made against any bond or other security in the same manner as
 11 penalties are recoverable at law.

12 (c) No person shall promote or hold a professional match, contest, or exhibition of boxing,
 13 kickboxing, mixed martial arts, or professional wrestling within this state without first
 14 applying for and obtaining a match permit from the commission for such professional
 15 match, contest, or exhibition of boxing, kickboxing, mixed martial arts, or professional
 16 wrestling in addition to the license required by subsection (a) of this Code section. Each
 17 application for a match permit shall be on a form provided by the commission and shall be
 18 accompanied by a nonrefundable application fee not to exceed ~~\$250.00~~ \$1,000.00 in the
 19 form of a ~~cashier's check~~ or money order made out to the commission. The commission
 20 may charge an additional match fee in accordance with rules and regulations promulgated
 21 by the commission to implement the provisions of this article.

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

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

27 43-4B-11.

28 (a) A participant, manager, trainer, second, timekeeper, referee, judge, announcer,
 29 physician, or matchmaker shall be licensed before directly or indirectly acting in such
 30 capacity in connection with any match involving a participant. A physician must be
 31 licensed and must maintain an unencumbered license in good standing and must
 32 demonstrate satisfactory medical training or experience or a combination of both to the
 33 executive director prior to working as the ringside physician. Each license shall expire on
 34 December 31 next following the date it was issued. The commission shall set fees as
 35 follows:

36 (1) Promoter or matchmaker — not to exceed \$1,000.00; and

1 (2) Any other license — not to exceed \$100.00.

2 ~~Prior to participating in a professional match, contest, or exhibition of boxing supervised~~
3 ~~by the commission, referees, judges, timekeepers, matchmakers, boxers, managers, trainers,~~
4 ~~and each person who assists a boxer immediately before and after a match, contest, or~~
5 ~~exhibition of boxing and between rounds during a match, contest, or exhibition of boxing~~
6 ~~shall apply for and be issued licenses. Licenses shall be issued annually and shall expire~~
7 ~~on December 31 of each calendar year. Each applicant shall make application on a form~~
8 ~~provided by the commission and pay an annual license fee not to exceed \$250.00. Any~~
9 ~~boxer who has been licensed by the commission during a previous year shall be deemed~~
10 ~~to be an applicant for a license in any year for which such boxer has entered into a written~~
11 ~~contract to participate in a professional match, contest, or exhibition of boxing in this state~~
12 ~~upon the date of entering into such a contract. Any party to such a contract may notify the~~
13 ~~commission that such a contract has been signed.~~

14 (b) The commission shall have exclusive jurisdiction to issue, withhold, suspend, or
15 revoke a license or permit required under this chapter.

16 (c) The commission or commission representative shall issue a license under this Code
17 section only if:

18 (1) The commission or commission representative has determined to the best of its or his
19 or her ability that the applicant has the training or skills necessary to perform in a manner
20 appropriate to the license;

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

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

27 (d) The commission shall be authorized to adopt rules pursuant to this chapter which
28 provide for background investigations of applicants for licensure under this chapter for the
29 purposes of ensuring the accuracy of the information provided in the application; ensuring
30 that there are no active or pending criminal or civil indictments against the applicant; and
31 ensuring satisfaction of all other requirements of this chapter. The background
32 investigation may include, but need not be limited to, the criminal and financial history of
33 the applicant.

34 (e) A licensee shall disclose all information in his or her possession concerning any mental
35 or physical disability, injury, illness, or incapacity of a participant in a match immediately
36 after learning thereof to the commission, the official in charge, the attending physician, or
37 the referee.

1 43-4B-12.

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

18 43-4B-13.

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

28 (b) The commission may, by majority vote, after prior notice to the holder of any state
29 license issued under this chapter and after affording such a holder an opportunity to be
30 heard, fine the license holder, revoke or suspend a state license, or take other disciplinary
31 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~~ participant 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~~ participant from competing, appearing in, or participating
 5 in any professional match, contest, or exhibition within 60 days of having suffered a
 6 knockout and from engaging in any match, contact exhibition, or contact sparring for
 7 training purposes during the suspension period; or

8 (B) Prohibiting any ~~boxer~~ participant from competing, appearing in, or participating
 9 in any professional match, contest, or exhibition within 30 days of having suffered a
 10 technical knockout ~~where evidence of head trauma has been determined by the~~
 11 ~~attending ringside physician,~~ technical draw, or disqualification and from engaging in
 12 any match, contact exhibition, or contact sparring for training purposes during the
 13 suspension period.

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

19 (2) The commission may refuse to grant a license to an applicant, or may revoke or
 20 suspend a license if any applicant:

21 (A) Has violated this chapter or the rules of the commission;

22 (B) Has committed fraud or deceit in securing any license or permit;

23 (C) Has been convicted of, has pleaded guilty to, has entered a plea of nolo contendere
 24 to, or has been found guilty of a crime involving moral turpitude in any jurisdiction
 25 within ten years preceding the suspension or revocation;

26 (D) Has exhibited unprofessional or unethical conduct;

27 (E) Has made a misstatement of a material fact, fraudulently concealed a material fact,
 28 or induced or aided another person in misstating or concealing any material fact in any
 29 application or other proceeding under this chapter;

30 (F) Has failed to account for or pay over moneys belonging to others which have come
 31 into his or her possession in connection with a match;

32 (G) Has failed to furnish to the proper party a copy of any contract or statement
 33 required by this chapter or has breached such a contract;

34 (H) Has paid or agreed to pay any money or article of value to any licensee or
 35 permittee for soliciting or for business secured or for rendering any service or the doing
 36 of any of the acts forbidden by this chapter and the rules adopted hereunder;

1 (I) Has loaned her or his license or permit to another person or has borrowed or used
 2 the license or permit of another;

3 (J) Has employed a person who does not hold a license or permit as required by law;

4 (K) Has failed to maintain in force the bond required by this chapter or has failed to
 5 deposit with the commission the required check, money order, or securities;

6 (L) Has been disciplined by the commission or similar agency or body of any
 7 jurisdiction;

8 (M) Has failed to pay a fine imposed under this chapter;

9 (N) Is any person or business entity that has been convicted of any act, or that has a
 10 trustee, partner, officer, director, or owner that has been convicted of any act, that
 11 would constitute a violation of this chapter or would constitute any of the grounds set
 12 forth in this chapter for suspension or revocation of a license or against whom such
 13 charges are pending before any regulatory body; or

14 (O) Is any person or business entity that has been named in any indictment, or that has
 15 a trustee, partner, officer, director, or owner that has been named in an indictment, for
 16 any act that would constitute a violation of this chapter or a ground for suspension or
 17 revocation of a license;

18 ~~(2)~~(3) The commission, its ~~secretary~~ executive director, or its duly authorized
 19 representative may, at any time prior to the completion of a permitted professional match,
 20 contest, or exhibition of boxing, kickboxing, mixed martial arts, or professional wrestling,
 21 summarily suspend or revoke the match permit or the license of any ~~specific boxer~~
 22 participant should it be determined by such person that the continuation of said
 23 professional match, contest, or exhibition of boxing, kickboxing, mixed martial arts, or
 24 professional wrestling may jeopardize the health, welfare, morals, or safety of the citizens
 25 of this state or may jeopardize the health or personal safety of any participant of such
 26 professional match, contest, or exhibition of boxing, kickboxing, mixed martial arts, or
 27 professional wrestling; provided, however, that such licensee shall, after such summary
 28 suspension, be afforded an opportunity to be heard, in accordance with the rules of the
 29 commission and Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act:'

30 (4) The commission shall suspend or fine, or both, as determined by the commission, any
 31 participant who fails to appear at a match or fails to appear at a match at the designated
 32 time for which the participant or the participant's manager has contracted and does not
 33 provide a valid reason or, in the case of physical disability, furnish a physician's
 34 certificate; and

35 (5) The commission shall revoke the license of any participant who intentionally strikes,
 36 strikes at, touches in any way, or threatens to touch in any way any official; and such
 37 license shall not be reinstated.

1 (c) The commission may revoke a suspension of a ~~boxer~~ participant if:

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

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

7 43-4B-14.

8 (a) No person may arrange, promote, organize, produce, or participate in a professional
9 match, contest, or exhibition of boxing, kickboxing, mixed martial arts, or professional
10 wrestling without meeting the following requirements:

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

18 (2) A physician approved by the commission must be continuously present at ringside
19 during every professional match, contest, or exhibition of boxing, kickboxing, mixed
20 martial arts, or professional wrestling. The physician shall observe the physical condition
21 of the ~~boxers~~ participants and advise the referee with regards thereto;

22 (3) One or more inspectors appointed by the commission as duly authorized
23 representatives of the commission shall be present at each professional match, contest,
24 or exhibition of boxing, kickboxing, mixed martial arts, or professional wrestling to
25 ensure that the rules are strictly observed. An inspector or other duly authorized
26 representative of the commission must be present at the weigh-in and at the ring during
27 the conduct of the professional match, contest, or exhibition of boxing, kickboxing,
28 mixed martial arts, or professional wrestling. Inspectors and other duly authorized
29 representatives of the commission shall have free access to the dressing rooms of the
30 ~~boxers~~ participants;

31 (4) Each ~~boxer~~ participant shall be covered by health and life insurance at a minimum
32 of \$50,000.00 which will cover injuries and death sustained during the professional
33 match, contest, or exhibition of boxing, kickboxing, mixed martial arts, or professional
34 wrestling; and

1 (5) An ambulance and medical personnel with appropriate resuscitation equipment must
2 be continuously present at the site during any professional match, contest, or exhibition
3 of boxing, kickboxing, mixed martial arts, or professional wrestling.

4 (b)(1) As used in this subsection, the term 'corporation' means a business corporation
5 organized under the laws of this state or another state which is registered under the
6 federal Securities Exchange Act of 1934 and files quarterly or periodic reports as required
7 by said federal act.

8 (2) Where a professional match, contest, or exhibition of professional wrestling is
9 arranged, promoted, organized, or produced by a corporation, the duties to be carried out
10 by a physician under subsection (a) of this Code section may be carried out by a
11 physician selected by the corporation without the requirement that the physician be
12 approved by the commission.

13 43-4B-15.

14 (a) It shall be unlawful for any boxer participant to participate or attempt to participate in
15 a professional match, contest, or exhibition of boxing, kickboxing, mixed martial arts, or
16 professional wrestling while under the influence of alcohol or any drug. A boxer
17 participant shall be deemed under the influence of alcohol or a drug for the purposes of this
18 Code section if a physical examination made during a period of time beginning not more
19 than six hours prior to the beginning of the professional match, contest, or exhibition of
20 boxing, kickboxing, mixed martial arts, or professional wrestling and ending not more than
21 one hour after the completion of the professional match, contest, or exhibition of boxing
22 reveals that the boxer's participant's mental or physical ability is impaired in any way as
23 a direct result of the use of alcohol or a drug.

24 (b) In a match that is a sanctioned championship title fight, or whenever the commission
25 representative has reason to believe that a participant has ingested or used a prohibited drug
26 or foreign substance, the commission representative shall request and the participant shall
27 provide, under the supervision of the attending physician, commission representative, or
28 inspector, a sample or samples of his or her urine taken not less than one hour before the
29 commencement of the match or more than one hour after the conclusion of the match. No
30 participant shall use substances or methods which could alter the integrity of the urine
31 sample. Urine samples shall be taken in accordance with the protocol as agreed upon in
32 writing between the commission and the laboratory used for processing the urine samples.

33 (c) The commission may require urine samples, as provided in subsection (b) of this Code
34 section, to be tested randomly. If one participant in a match is tested randomly, the other
35 participant in the match shall be tested also.

1 (d) Failure or refusal to provide a urine sample immediately upon request shall result in
 2 the revocation of the participant's license. Any participant who has been adjudged the
 3 loser of a match and who subsequently refuses to or is unable to provide a urine sample
 4 shall forfeit his or her share of the purse to the commission. Any participant who is
 5 adjudged the winner of a match and who subsequently refuses to or is unable to provide a
 6 urine sample shall forfeit the win and shall not be allowed to engage in any future match
 7 in this state. A no-decision result shall be entered into the official record as the result of
 8 the match. The purse shall be redistributed as though the participant found to be in
 9 violation of this subsection had lost the match. If redistribution of the purse is not necessary
 10 or after redistribution of the purse is completed, the participant found to be in violation of
 11 this subsection shall forfeit his or her share of the purse to the commission.

12 43-4B-16.

13 All buildings or structures used or intended to be used for holding or giving professional
 14 matches, contests, or exhibitions of boxing, kickboxing, mixed martial arts, or professional
 15 wrestling shall be safe and shall in all manner conform to the laws, ordinances, and
 16 regulations pertaining to buildings in the city or unincorporated area of the county where
 17 the building or structure is situated.

18 43-4B-17.

19 (a) No person under the age of 18 years shall participate as a contestant in any professional
 20 match, contest, or exhibition of boxing, kickboxing, mixed martial arts, or professional
 21 wrestling.

22 (b) A primary duty of the commission is ensuring that any person whose health does not
 23 permit safely engaging in boxing, kickboxing, mixed martial arts, or professional wrestling
 24 as a contestant is not licensed as a ~~professional boxer~~ participant. The General Assembly
 25 finds that adequate protection of the health of persons who are 50 years of age or older
 26 requires additional precautions by the commission. A person who is 50 years of age or
 27 older shall be licensed as a ~~professional boxer~~ participant and permitted to participate in
 28 a professional match, contest, or exhibition of boxing, kickboxing, mixed martial arts, or
 29 professional wrestling only if such person:

- 30 (1) Has participated as a contestant in at least ten professional matches or contests of
 31 boxing, kickboxing, mixed martial arts, or professional wrestling in the immediately
 32 preceding ten years, including at least four professional matches or contests of boxing,
 33 kickboxing, mixed martial arts, or professional wrestling in the immediately preceding
 34 four years; and

1 (2) Is declared medically and physically able to participate as a contestant in a
2 professional match, contest, or exhibition of boxing, kickboxing, mixed martial arts, or
3 professional wrestling by a physician who has conducted a more rigorous examination
4 than examinations performed in accordance with this chapter for persons who are
5 younger than 50 years of age.

6 (c) The commission shall promulgate and adopt rules and regulations for the more rigorous
7 examination required by this Code section for persons who are 50 years of age or older.

8 43-4B-18.

9 (a) The commission shall have jurisdiction over any professional match, contest, or
10 exhibition of boxing, kickboxing, mixed martial arts, or professional wrestling which
11 occurs or is held within this state, is filmed in this state, or is broadcast or transmitted from
12 this state.

13 (b) With respect to any professional match, contest, or exhibition of professional wrestling,
14 the commission shall not have any jurisdiction to control, direct, or regulate the manner in
15 which the match, contest, or exhibition is conducted. Without limiting the generality of the
16 foregoing, it is specifically provided that the commission shall have no jurisdiction over
17 the conduct or dress of the participants while engaged in the match, contest, or exhibition.
18 The provisions of this subsection shall control over any other conflicting provisions of this
19 chapter.

20 43-4B-19.

21 (a) Whenever it may appear to the commission that any person is violating or has violated
22 any provision of this article or Article 1 of this chapter and that proceedings would be in
23 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
26 the person against whom the sanction is imposed, the commission may:

27 (A) Issue a cease and desist order prohibiting any violation of this article or Article 1
28 of this chapter;

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

31 (C) Issue an order suspending or revoking the license of the person violating this
32 article or Article 1 of this chapter; or

33 (2) Upon a showing by the commission in any superior court of competent jurisdiction
34 that a person has violated or is about to violate this article or Article 1 of this chapter, a

1 rule promulgated under this article or Article 1 of this chapter, or an order of the
2 commission, the court may enter or grant any or all of the following relief:

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

4 (B) A civil penalty up to a maximum of \$2,000.00 per violation of this article or
5 Article 1 of this chapter;

6 (C) A declaratory judgment;

7 (D) Restitution to any person or persons adversely affected by a defendant's action in
8 violation of this article or Article 1 of this chapter; or

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

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

17 (c) Procedures relating to hearings, notice, counsel, subpoenas, records, enforcement
18 powers, intervention, rules of evidence, decisions, exceptions, review of initial decisions,
19 final decisions, and judicial review of decisions shall be governed by Chapter 13 of Title
20 50, the 'Georgia Administrative Procedure Act,' unless the provisions of such chapter are
21 contrary to the express provisions of this article or Article 1 of this chapter.

22 43-4B-20.

23 (a) A promoter holding a professional match, contest, or exhibition of boxing, kickboxing,
24 mixed martial arts, or professional wrestling shall, within ~~three~~ five business days after the
25 match, file with the commission a written report which includes the number of tickets sold,
26 the amount of gross receipts, the amount of gross proceeds, and any other facts the
27 commission may require. For the purposes of this Code section, total gross receipts
28 include:

29 (1) The gross price charged for the sale or lease of broadcasting, television, and motion
30 picture rights without any deductions for commissions, brokerage fees, distribution fees,
31 advertising, or other expenses or charges;

32 (2) The face value of all tickets sold and complimentary tickets issued, provided, or
33 given; and

34 (3) The face value of any seat or seating issued, provided, or given in exchange for
35 advertising, sponsorships, or anything of value to the promotion of an event.

1 (b) Where the rights to telecast a match or matches held in this state under the supervision
 2 of the commission are in whole owned by, sold to, acquired by, or held by any person who
 3 intends to or subsequently sells or, in some other manner, extends such rights in part to
 4 another, such person is deemed to be a promoter and must be licensed as such in this state.
 5 Such person shall, within 72 hours after the sale, transfer, or extension of such rights in
 6 whole or in part, file with the commission a written report that includes the number of
 7 tickets sold, the amount of gross receipts, and any other facts the commission may require.
 8 ~~Within ten days following the match, contest, or exhibition of boxing, the promoter shall~~
 9 ~~remit to the commission a tax payment in the amount of 5 percent of the gross proceeds~~
 10 ~~exclusive of any federal taxes.~~

11 ~~(b) A promoter who sells, transfers, or extends to another the rights to telecast by pay per~~
 12 ~~view for viewing in this state, whether the telecast originates inside or outside this state,~~
 13 ~~a match, contest, or exhibition of boxing that would be subject to regulation by the~~
 14 ~~commission in accordance with this chapter if the match, contest, or exhibition were held~~
 15 ~~in this state, shall, within three business days after the sale, transfer, or extension of such~~
 16 ~~rights in whole or in part, file with the commission a written report that includes the gross~~
 17 ~~price charged for the rights to telecast by pay per view, the number of tickets sold, the~~
 18 ~~amount of gross receipts, and any other facts the commission may require.~~

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

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

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

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

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

1 (g) Each person or club that holds or shows any matches on a closed circuit telecast
2 viewed within this state, whether originating within this state or another state, shall file a
3 written report, under oath, which states the exact number of tickets sold for the showing,
4 the amount of gross receipts, and any other information the commission requires and shall,
5 within 72 hours after the telecast, pay a tax of 5 percent of its total gross receipts from the
6 sale of tickets.

7 (h) It is a misdemeanor for any promoter or person associated with or employed by any
8 promoter to destroy any ticket to a match or any ticket stub, whether sold or unsold, within
9 six months after the date of the match, except upon prior written authorization of the
10 commission.

11 (i) Upon the postponement, substitution of either participant, or cancellation of the main
12 event or the entire program of matches, the promoter shall refund the full purchase price
13 of a ticket to each person presenting a ticket for a refund within 30 days after the scheduled
14 date of the event. Within ten days after the expiration of the 30 day period, the promoter
15 shall pay all unclaimed ticket receipts to the commission. The commission shall hold the
16 funds for one year and make refunds during such time to any person presenting a ticket for
17 a refund. Thereafter, the commission shall pay all remaining moneys from the ticket sale
18 to the general treasury of the state.

19 (j) It is a misdemeanor for any promoter to sell or cause to be sold more tickets of
20 admission for any match than can be accommodated by the seating capacity of the premises
21 where the match is to be held.

22 43-4B-21.

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

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

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

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

9 (c) Unarmed combat, as ~~defined~~ described in Code Section ~~43-4B-1~~ 43-4B-2, is a
10 misdemeanor of a high and aggravated nature.

11 (d) Promotion of unarmed combat, as ~~defined~~ described in Code Section ~~43-4B-1~~
12 43-4B-2, is a misdemeanor for the first offense; a high and aggravated misdemeanor for
13 the second offense; and a felony for the third and subsequent offenses, punishable upon
14 conviction by a fine not to exceed \$10,000.00 or imprisonment not to exceed two years,
15 or both such fine and imprisonment.

16 ARTICLE 3

17 43-4B-25.

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

34 (b) Notwithstanding any other provision of this article to the contrary, in the case of any
35 athletic contest or entertainment event that is described in Code Section 43-4B-30, a

1 sponsor of such a contest or event may contractually restrict the resale of a ticket to such
 2 contest or event by giving notice of such restriction on the back of the ticket.
 3 Notwithstanding any other provision of this article to the contrary, in the case of any
 4 athletic contest or entertainment event, an owner, operator, lessee, or tenant of the property
 5 on which such contest or event is to be held or is being held may contractually restrict the
 6 resale of the right of occupancy of any specific suite, seat, or seating area by giving notice
 7 in writing of such restriction.

8 43-4B-26.

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

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

13 ~~(2)~~(1) Apply to the commission for a ticket broker's license on a form designated by the
 14 commission, pay an annual license fee of \$500.00, and renew the license annually;

15 ~~(3)~~(2) Pay any local tax required by a local government; and

16 ~~(4)~~(3) Register for sales and use tax purposes pursuant to Article 1 of Chapter 8 of Title
 17 48.

18 43-4B-27.

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

23 43-4B-28.

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

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

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

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

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

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

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

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

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

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

21 (c)(1) For all venues which seat or admit less than 15,000 persons, a ticket broker and
22 its employees, agents, and assigns are criminally prohibited from reselling or offering for
23 resale any ticket within 1,500 feet from the venue where an event or contest is to be held
24 or is being held.

25 (2) For all venues which seat or admit 15,000 or more persons, a ticket broker and its
26 employees, agents, and assigns are criminally prohibited from reselling or offering for
27 resale any ticket within 2,700 feet from the venue where an event or contest is to be held
28 or is being held.

29 (d) Any ticket broker offering to resell tickets to an athletic contest or entertainment event
30 through any printed, broadcast, or Internet advertising shall include in such advertising the
31 license number of such ticket broker offering such tickets for resale.

32 43-4B-29.

33 (a) No provision of this article or any other provision of law shall criminally prohibit any
34 person who is the original purchaser for personal use of one ~~or more~~ to six tickets to an
35 athletic contest or entertainment event covered under this article from reselling or offering
36 for resale any of such tickets for any price, provided that such person does not sell or offer

1 to sell such tickets within 2,700 feet of a venue which seats or admits 15,000 or more
2 persons for such a contest or event or a public entrance to such a contest or event.

3 (b) Charitable organizations and their employees and volunteers shall not be subject to the
4 provisions of this article when offering for sale any tickets of admission in a raffle, auction,
5 or similar fundraising activity for the benefit of the organization's charitable purposes.

6 43-4B-29.1.

7 (a) Notwithstanding subsection (c) of Code Section 43-4B-28 and subsection (b) of Code
8 Section 43-4B-30, no provision of this article or any other provision of law shall provide
9 a criminal penalty for or prohibit the resale or offering for resale of a ticket or tickets to an
10 athletic contest or entertainment event covered under this article by a ticket broker or a
11 ticket broker's employees, agents, and assigns in a zone or zones within the area where
12 such resale or offering for resale is prohibited by such subsections, if such activity is
13 authorized by the organizer of the contest or event and the owner or operator of the venue
14 where such contest or event is being held or to be held.

15 (b) Notwithstanding subsection (a) of Code Section 43-4B-29 and subsection (b) of Code
16 Section 43-4B-30, no provision of this article or any other provision of law shall provide
17 a criminal penalty for or prohibit the resale or offering for resale of a ticket or tickets
18 purchased by any person who is the original purchaser for personal use of such ticket or
19 tickets to an athletic contest or entertainment event covered under this article in a zone or
20 zones within the area where such resale or offering for resale is prohibited by such
21 subsections, if such activity is authorized by the organizer of the contest or event and the
22 owner or operator of the venue where such contest or event is being held or to be held.

23 43-4B-30.

24 (a) With regard to any single athletic contest or entertainment event which occurs no more
25 often than once annually and with regard to any series of athletic contests which occur no
26 more often than once annually and which occur within a time period not exceeding ten
27 days, the municipal corporation in which such contest, event, or series of contests is to be
28 held, or if the contest, event, or series of contests is to be held in an unincorporated area,
29 the county of such unincorporated area, is authorized to enact by ordinance regulations
30 governing ticket brokers for such contest, event, or series of contests which are more
31 restrictive than the provisions of this article.

32 (b) The municipal corporation in which an athletic contest or entertainment event is to be
33 held, or if the contest or entertainment event is to be held in an unincorporated area, the
34 county of such unincorporated area, is authorized to enact an ordinance prohibiting the
35 resale or offering for resale of one or more tickets by a ticket broker or by a person who is

1 the original purchaser for personal use of one or more tickets within 2,700 feet of a venue
2 which seats or admits 15,000 or more persons.

3 43-4B-31.

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

6 43-4B-32.

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

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

15 (1) Subject to notice and opportunity for hearing in accordance with Chapter 13 of Title
16 50, the 'Georgia Administrative Procedure Act,' unless the right to notice is waived by the
17 person against whom the sanction is imposed, the commission may:

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

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

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

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

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

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

28 (C) A declaratory judgment;

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

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

32 (c) Unless the commission determines that a person subject to this article intends to depart
33 quickly from this state or to remove his or her property from this state or to conceal his or
34 her person or property in this state or that there is immediate danger of harm to citizens of
35 this state or another state, the commission shall give notice in writing that such proceedings

1 are contemplated and allow such person a reasonable opportunity to appear before the
 2 commission and execute an assurance of voluntary compliance. The determination of the
 3 commission under this subsection shall be final and not subject to review.

4 (d) Procedures relating to hearings, notice, counsel, subpoenas, records, enforcement
 5 powers, intervention, rules of evidence, decisions, exceptions, review of initial decisions,
 6 final decisions, and judicial review of decisions shall be governed by Chapter 13 of Title
 7 50, the 'Georgia Administrative Procedure Act,' unless the provisions of such chapter are
 8 contrary to the express provisions of this article.

9 ~~Article 4~~

10 ~~43-4B-50:~~

11 ~~(a) The commission shall have the sole authority to license organizations that govern and~~
 12 ~~authorize matches, contests, and exhibitions of martial arts and wrestling and to exempt~~
 13 ~~organizations from licensure in accordance with this article. The commission shall have~~
 14 ~~the sole authority to permit and regulate matches, contests, and exhibitions of martial arts~~
 15 ~~and wrestling. The commission shall have the sole authority to license promoters of~~
 16 ~~matches, contests, and exhibitions of martial arts. The commission shall have the duty to~~
 17 ~~safeguard the public health, to protect competitors, and to provide for competitive matches~~
 18 ~~by requiring licensed organizations to abide by rules promulgated by the commission for~~
 19 ~~basic minimum medical and safety requirements based on the nature of the activity and the~~
 20 ~~anticipated level of physical conditioning and training of competitors. The commission~~
 21 ~~shall have the authority to inquire as to a licensed organization's plans or arrangements for~~
 22 ~~compliance with such rules. The commission shall have the authority to require annual~~
 23 ~~fees for licensure and a fee for each such match, contest, or exhibition or for each show and~~
 24 ~~to penalize licensed organizations, licensed promoters, and the holders of match permits~~
 25 ~~that violate the provisions of this article or rules of the commission promulgated in~~
 26 ~~accordance with this article.~~

27 ~~(b) If requested by a licensed organization, the commission shall have the authority to~~
 28 ~~provide direct oversight services, including but not limited to on-site inspectors, to a~~
 29 ~~licensed organization for a fee negotiated between the commission and the licensed~~
 30 ~~organization.~~

31 ~~43-4B-51:~~

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

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

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

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

~~43-4B-52:~~

~~(a) A licensed organization shall provide written notice to the commission of a match, contest, or exhibition authorized and governed by the organization no later than 15 days before the date of the match, contest, or exhibition. The licensed organization governing the match, contest, or exhibition shall provide information required by the commission relating to the contestants, venue, rules for the competition, and anticipated level of physical conditioning and training of the contestants.~~

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

~~43-4B-53:~~

~~(a) Notwithstanding any other provision of this chapter or any other law to the contrary, no person or entity shall directly or indirectly engage in the practice of being a promoter of kickboxing, muay thai, Thai boxing, full-contact karate, mixed martial arts, shidokan,~~

1 ~~or martial arts matches, contests, exhibitions of any type, or be employed or otherwise~~
2 ~~serve as a manager, matchmaker, or organizer for any person or entity engaged in the~~
3 ~~practice of being a promoter of kickboxing, muay thai, Thai boxing, full-contact karate,~~
4 ~~mixed martial arts, or martial arts matches, contests, or exhibitions of any type, who has~~
5 ~~been convicted of, has pleaded guilty to, has entered a plea of nolo contendere to, or has~~
6 ~~been found guilty of a felony or crime of moral turpitude under the laws of this state or any~~
7 ~~offense that, had it occurred within this state, would constitute a felony or crime of moral~~
8 ~~turpitude under the laws of this state for a period of ten years from the date of such~~
9 ~~conviction or plea. For purposes of this Code section, a conviction shall include but not~~
10 ~~be limited to disposition under Article 3 of Chapter 8 of Title 42.~~

11 ~~(b) Notwithstanding any other provision of this chapter or any other law to the contrary,~~
12 ~~no person or entity shall be retained, employed, or otherwise serve as a sanctioning,~~
13 ~~governing, licensing, authorizing, or ranking body or organization or act as an employee~~
14 ~~or representative thereof for any kickboxing, muay thai, full-contact karate, mixed martial~~
15 ~~arts, shidokan, or martial arts matches, contests, or exhibitions of any type promoted,~~
16 ~~managed, or organized in violation of subsection (a) of this Code section.~~

17 ~~(c) Notwithstanding any other provision of this chapter or any other law to the contrary,~~
18 ~~no sanctioning, governing, licensing, authorizing, or ranking body or organization for any~~
19 ~~kickboxing, muay thai, Thai boxing, full-contact karate, mixed martial arts, shidokan, or~~
20 ~~martial arts matches, contests, or exhibitions of any type shall employ, designate, or~~
21 ~~otherwise assign or utilize any person as a representative or official who has pleaded guilty~~
22 ~~to, has entered a plea of nolo contendere to, or has been found guilty of a felony or crime~~
23 ~~of moral turpitude under the laws of this state or any offense that, had it occurred within~~
24 ~~this state, would constitute a felony or crime of moral turpitude under the laws of this state~~
25 ~~for a period of ten years from the date of such conviction or plea. For purposes of this~~
26 ~~Code section, a conviction shall include but not be limited to disposition under Article 3~~
27 ~~of Chapter 8 of Title 42.~~

28 ~~(d) The first violation of this Code section by any individual or entity shall constitute a~~
29 ~~misdemeanor of a high and aggravated nature. Any second and subsequent conviction~~
30 ~~under this Code section shall constitute a felony and shall be punished by imprisonment for~~
31 ~~not less than one nor more than five years.~~

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~~

1 ~~to 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 organization requesting exemption has allowed any person who has ever~~
16 ~~pleaded guilty to, has entered a plea of nolo contendere to, or has been found guilty of a~~
17 ~~felony or crime of moral turpitude under the laws of this state or any offense that, had~~
18 ~~it occurred within this state, would constitute a felony or crime of moral turpitude under~~
19 ~~the laws of this state, within ten years of such conviction or plea, to act as a promoter for~~
20 ~~any match, contest, or exhibition that it has sanctioned, governed, licensed, or authorized~~
21 ~~or whether it has authorized, retained, employed, or otherwise allowed such a person to~~
22 ~~act or serve as its employee or representative in connection with any match that it has~~
23 ~~sanctioned, governed, licensed, or authorized. For purposes of this Code section, a~~
24 ~~conviction shall include but not be limited to adjudication under Article 3 of Chapter 8~~
25 ~~of Title 42. Should the commission determine that a sanctioning organization has~~
26 ~~allowed, retained, employed, or otherwise authorized such a person to act in any of the~~
27 ~~aforementioned capacities, the organization shall not be exempted from the requirements~~
28 ~~of licensure;~~

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

31 ~~(3) Whether an admission fee is charged for viewing the matches, contests, or~~
32 ~~exhibitions;~~

33 ~~(4) Whether the matches, contests, or exhibitions offer a commercial advantage to the~~
34 ~~organization;~~

35 ~~(5) Whether the matches, contests, or exhibitions are conducted in a manner to minimize~~
36 ~~the danger of injury;~~

- 1 ~~(6) Whether the commission's information about previous matches, contests, or~~
2 ~~exhibitions conducted by the organization indicates that the matches, contests, or~~
3 ~~exhibitions are likely to result in injury, and~~
4 ~~(7) Other factors deemed by the commission as indicia of danger to health or safety and~~
5 ~~set out in rules promulgated by the commission."~~

6 **SECTION 2.**

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