

The Senate Regulated Industries and Utilities Committee offered the following substitute to SB 413:

A BILL TO BE ENTITLED  
AN ACT

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

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses, is amended in Chapter 4B, relating to the Georgia Athletic and Entertainment Commission, by leaving Article 3 unchanged as it currently exists and by revising Articles 1 and 2 and adding a new Article 2A as follows:

"ARTICLE 1

43-4B-1.

As used in this chapter, the term:

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

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

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

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

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

17       ~~(2)(3) 'Boxing match' means to compete with fists. a contest between two individuals~~  
 18       ~~in which contestants score points in rounds of two or three minutes by striking with~~  
 19       ~~padded fists the head and upper torso of the opponent or by knocking the opponent down~~  
 20       ~~and rendering the opponent unconscious or incapable of continuing the contest by such~~  
 21       ~~blows, which contest is held in a square ring supervised by a referee and scored by three~~  
 22       ~~judges.~~

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

25       ~~(3.1) 'Charitable organization' means an entity described by:~~

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

27           ~~or~~

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

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

30       (4.1) 'Event' means the totality of all matches, contests, or exhibitions held at one  
 31       occasion.

32       ~~(5) 'Exhibition' means a contest where the participants engage in the use of boxing,~~  
 33       ~~kickboxing, wrestling, mixed martial arts, or martial arts skills and techniques and where~~  
 34       ~~the objective is to display such skills and techniques without striving to win and includes~~  
 35       ~~but is not necessarily limited to the use of strikes and blows 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, or mixed martial arts affairs of any participant. under contract,  
 33 agreement, or other arrangement with a boxer, undertakes to control or administer,  
 34 directly or indirectly, a matter related to boxing on behalf of a boxer. Such term includes,  
 35 but is not limited to, a person who functions as a booking agent, adviser, or consultant.~~

36 ~~(9.1) 'Match' means a bout, contest, or performance between two or more licensees.~~

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 boxing, kickboxing, or mixed martial arts professionals. is employed by or~~  
 5 ~~associated with a promoter in the capacity of booking and arranging professional~~  
 6 ~~matches, contests, or exhibitions between opponents or who proposes professional~~  
 7 ~~matches, contests, or exhibitions and selects and arranges for the participants in such~~  
 8 ~~events and for whose activities in this regard the 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, or mixed  
 32 martial arts. ~~'Person' means any individual, partnership, firm, association, corporation,~~  
 33 ~~or combination of individuals of whatever form or character.~~

34 (13) 'Physician' means an individual licensed to practice medicine or surgery by any  
 35 state. ~~a doctor of medicine or other medical professional legally authorized by any state~~  
 36 ~~to 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 (14.1) 'Professional wrestler' means a person who performs before, during, or after a  
 17 professional wrestling event or exhibition which is in conjunction in any way with the  
 18 event or exhibition or its script. These persons shall meet all qualifications for licensure  
 19 and pay the prescribed fee.

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

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

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

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

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

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

1 ~~(16.1) 'Promotion of unarmed combat' means the organization, promotion, production,~~  
 2 ~~publicizing, or arranging of, or provision of a venue for, a competition of unarmed~~  
 3 ~~combat by a person who receives some compensation or commercial benefit from such~~  
 4 ~~competition.~~

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

9 ~~(17.1) 'Shidokan' means unarmed combat involving three separate, segregated rounds in~~  
 10 ~~which karate rules and techniques are exclusively used in one round, kickboxing rules~~  
 11 ~~and techniques are exclusively used in one round, and grappling rules and techniques are~~  
 12 ~~exclusively used in one round.~~

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

15 ~~(19)~~(18) 'Ticket broker' means:

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

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

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

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

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

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

1 Such term also means ~~any amateur kickboxing match in which the competitors are not~~  
 2 ~~wearing protective gear.~~

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

6 ~~(C) Unarmed combat shall not include:~~

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

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

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

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

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

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

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

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

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

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

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

32 43-4B-2.

33 (a) 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. An approved amateur sanctioning

1 organization may only sanction and supervise the contests or exhibitions in the particular  
2 sport or sports for which it has expertise and for which it is approved by the commission.

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

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

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

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

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

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

1 (h) Any competition of professional or amateur unarmed combat shall not be permitted,  
 2 including tough man contests, bad man fights, nude boxing, nude wrestling, patron boxing,  
 3 patron martial arts, patron mixed martial arts, and patron wrestling, between one or more  
 4 human beings or between one or more human beings and one or more animals in which one  
 5 or more blows are struck and there is some compensation or benefit arising from the  
 6 competition, whether in the form of cash or noncash payment to the competitors or the  
 7 person arranging the competition; the sale of the right to film, broadcast, transmit, or view  
 8 the competition; or the use of the competition to attract persons to a particular location for  
 9 some commercial advantage or to promote a commercial product or commercial enterprise.

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

13 (2) Any person holding, promoting, or sponsoring a match prohibited under this Code  
 14 section commits a crime punishable as provided in Code Section 43-4B-20.1 and is  
 15 additionally subject to the civil enforcement provisions of Code Section 43-4B-19.

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

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

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

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

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

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

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

24 ~~(E) Golden Gloves;~~

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

26 ~~(G) USA Wrestling;~~

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

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

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

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

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

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

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

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

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

36 ~~(b) The provisions of this chapter shall not apply to any matches, contests, or exhibitions~~  
 37 ~~of professional wrestling or to a promoter or organization that promotes, organizes, or~~

1 ~~governs such matches, contests, or exhibitions where such promoter or organization is a~~  
 2 ~~corporation that, at the time of such matches, contests, or exhibitions:~~

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

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

5 43-4B-3.

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

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

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

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

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

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

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

3 43-4B-4.

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

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

12 (c) The commission shall have the sole authority to license participants in any professional  
13 match, contest, or exhibition of boxing, kickboxing, or mixed martial arts 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, and mixed martial  
16 arts. ~~It may adopt bylaws for its own management and promulgate and enforce rules and~~  
17 ~~regulations consistent with this chapter.~~

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

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

32 (g) In addition to any other required examination, each participant shall be examined by  
33 the attending physician at the time of weigh-in. If the physician determines that a  
34 participant is physically or mentally unfit to proceed, the physician shall notify any  
35 commissioner or the commission representative who shall immediately cancel the match.  
36 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, or mixed martial arts, and  
 3 obtain answers to written or oral questions propounded to all persons associated with such  
 4 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.

16 43-4B-6.

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

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

25 43-4B-7.

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

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

- 31 (1) Developing an ethical code of conduct for commissioners, commission staff, and  
 32 commission officials;  
 33 (2) Establishing duties and responsibilities of all licensees under this chapter;  
 34 (3) Establishing procedures for hearings and resolution of disputes;

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

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

20 ~~(1)~~(6) Establishing procedures Procedures to evaluate the professional records and  
 21 physicians' certifications of each ~~boxer participating~~ participant in a professional match,  
 22 contest, or exhibition of boxing, kickboxing, and mixed martial arts, and to deny  
 23 authorization for a ~~professional boxer~~ participant to fight where appropriate;

24 ~~(2)~~(7) Establishing procedures Procedures to ensure that, except as otherwise provided  
 25 in subsection (c) of Code Section 43-4B-13, no ~~professional boxer~~ participant is  
 26 permitted to ~~box~~ compete while under suspension from any state boxing commission  
 27 because of:

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

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

31 (C) Failure of a drug test; or

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

33 ~~(3)~~(8) Establishing procedures Procedures to report to ~~the boxing~~ a registry, including  
 34 the Association of Boxing Commissions certified registry, the results of all professional  
 35 matches, contests, or exhibitions of boxing, kickboxing, and mixed martial arts held in  
 36 this state or being supervised by the commission and any related suspensions.

1 43-4B-8.

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

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

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

10 (d) A violation of this Code section is a misdemeanor and is additionally subject to the  
 11 civil enforcement provisions of Code Sections 43-4B-19 and 43-4B-20.1.

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

20 ARTICLE 2

21 43-4B-10.

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

26 (b) Promoters shall apply to the commission for a license required by subsection (a) of this  
 27 Code section on a form provided by the commission. The application shall be accompanied  
 28 by a nonrefundable fee not to exceed ~~\$250.00~~ \$1,000.00 in the form of a ~~cashier's check~~  
 29 or money order made out to the commission. The application shall also be accompanied  
 30 by a performance bond in an amount and under such conditions as the commission may  
 31 require. Surety bonds shall be required as follows:

32 (1) Before any license is issued or renewed to a promoter and before any permit is issued  
 33 to a promoter, he or she must file a surety bond or cash equivalent with the commission  
 34 in such reasonable amount, but not less than \$25,000.00 for professional boxing,  
 35 kickboxing, or mixed martial arts, as the commission determines;

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

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

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

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

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

18 ~~(d) The commission may, prior to issuing any match permit, require a performance bond~~  
 19 ~~in addition to that required in subsection (b) of this Code section. A violation of this Code~~  
 20 ~~section is a misdemeanor and is additionally subject to the provisions of Code Sections~~  
 21 43-4B-19 and 32-4B-20.1.

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

25 43-4B-11.

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

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

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

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

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

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

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

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

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

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

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

1 (f) A violation of this Code section is a misdemeanor and is additionally subject to the  
2 provisions of Code Sections 43-4B-19 and 32-4B-20.1.

3 43-4B-12.

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

20 43-4B-13.

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

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

34 (1) The commission shall, upon the recommendation of any officially designated  
35 representative for reasons involving the medical or physical safety of any professional

1 ~~boxer participant~~ licensed by the commission, summarily suspend any license previously  
 2 issued by the commission or take other disciplinary action against any licensee; provided,  
 3 however, that such licensee shall, after such summary suspension, be afforded an  
 4 opportunity to be heard, in accordance with the rules of the commission and Chapter 13  
 5 of Title 50, the 'Georgia Administrative Procedure Act.' Any such summary suspension  
 6 imposed against such a licensee may include, but shall not be limited to:

7 (A) Prohibiting any ~~boxer participant~~ from competing, appearing in, or participating  
 8 in any professional match, contest, or exhibition within 60 days of having suffered a  
 9 knockout and from engaging in any match, contact exhibition, or contact sparring for  
 10 training purposes during the suspension period; or

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

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

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

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

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

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

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

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

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

36 (G) Has loaned her or his license or permit to another person or has borrowed or used  
 37 the license or permit of another;

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

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

4 (J) Has been disciplined by the commission or similar agency or body of any  
 5 jurisdiction;

6 (K) Has failed to pay a fine imposed under this chapter;

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

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

16 (3)(A) The commission shall refuse to grant a license to an applicant or shall revoke  
 17 any such license if the applicant or licensee has been convicted of, has pleaded guilty  
 18 to, has entered a plea of nolo contendere to, or has been found guilty of a felony in any  
 19 jurisdiction within ten years preceding the refusal or revocation, and such applicant or  
 20 licensee shall not be issued a permit or other required approval from the commission  
 21 for a period of ten years from the date of such conviction or plea.

22 (B) The commission may refuse to grant a license to an applicant or shall revoke any  
 23 such license if the applicant or licensee has been convicted of, has pleaded guilty to, has  
 24 entered a plea of nolo contendere to, or has been found guilty of a misdemeanor crime  
 25 involving moral turpitude in any jurisdiction within ten years preceding the refusal or  
 26 revocation, and such applicant or licensee shall not be issued a match permit or other  
 27 required approval from the commission for a period of ten years from the date of such  
 28 conviction or plea.

29 (C) This paragraph shall apply, but shall not be limited, to dispositions under Article  
 30 3 of Chapter 8 of Title 42;

31 ~~(2)~~(4) The commission, its ~~secretary~~ executive director, or its duly authorized  
 32 representative may, at any time prior to the completion of a permitted professional match,  
 33 contest, or exhibition of boxing, kickboxing, or mixed martial arts, summarily suspend  
 34 or revoke the match permit or the license of any ~~specific boxer~~ participant should it be  
 35 determined by such person that the continuation of said professional match, contest, or  
 36 exhibition of boxing, kickboxing, or mixed martial arts may jeopardize the health,  
 37 welfare, morals, or safety of the citizens of this state or may jeopardize the health or

1 personal safety of any participant of such professional match, contest, or exhibition of  
 2 boxing, kickboxing, or mixed martial arts; provided, however, that such licensee shall,  
 3 after such summary suspension, be afforded an opportunity to be heard, in accordance  
 4 with the rules of the commission and Chapter 13 of Title 50, the 'Georgia Administrative  
 5 Procedure Act':

6 (5) The commission shall suspend or fine, or both, as determined by the commission, any  
 7 participant who fails to appear at a match or fails to appear at a match at the designated  
 8 time for which the participant or the participant's manager has contracted and does not  
 9 provide a valid reason or, in the case of physical disability, furnish a physician's  
 10 certificate; and

11 (6) The commission shall revoke the license of any participant who intentionally strikes,  
 12 strikes at, touches in any way, or threatens to touch in any way any official; and such  
 13 license shall not be reinstated.

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

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

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

20 43-4B-14.

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

24 (1) Each boxer participant must be examined by a physician who must then certify that  
 25 the boxer participant is physically fit to compete safely. Copies of each such certificate  
 26 shall be provided to the commission or commission representative prior to the  
 27 professional match, contest, or exhibition of boxing, kickboxing, or mixed martial arts.

28 The commission is authorized at any time to require a boxer participant to undergo a  
 29 physical examination, including neurological or neuropsychological tests and procedures;

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

34 (3) One or more inspectors officials appointed by the commission as duly authorized  
 35 representatives of the commission shall be present at each professional match, contest,  
 36 or exhibition of boxing, kickboxing, or mixed martial arts to ensure that the rules are

1 strictly observed. An inspector or other duly authorized representative of the commission  
 2 must be present at the weigh-in and at the ring during the conduct of the professional  
 3 match, contest, or exhibition of boxing, kickboxing, or mixed martial arts. Inspectors and  
 4 other duly authorized representatives of the commission shall have free access to the  
 5 dressing rooms of the ~~boxers~~ participants;

6 (4) ~~Each boxer~~ The promoter shall provide an insurance policy so that each participant  
 7 shall be covered by a minimum of \$25,000.00 health and \$50,000.00 life insurance  
 8 which will cover injuries and death sustained during the professional match, contest, or  
 9 exhibition of boxing, kickboxing, or mixed martial arts; and

10 (5) The promoter shall provide that an ~~An~~ ambulance and medical personnel with  
 11 appropriate resuscitation equipment must be continuously present at the site during any  
 12 professional match, contest, or exhibition of boxing, kickboxing, or mixed martial arts.

13 (b) A violation of this Code section is a misdemeanor and is additionally subject to the  
 14 provisions of Code Sections 43-4B-19 and 32-4B-20.1.

15 43-4B-15.

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

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

34 (c) The commission may require urine samples, as provided in subsection (b) of this Code  
 35 section, to be tested randomly. If one participant in a match is tested randomly, the other  
 36 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 (e) A violation of this Code section is a misdemeanor and is additionally subject to the  
 13 provisions of Code Sections 43-4B-19 and 32-4B-20.1.

14 43-4B-16.

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

20 43-4B-17.

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

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

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

34 (2) Is declared medically and physically able to participate as a contestant in a  
 35 professional match, contest, or exhibition of boxing, kickboxing, mixed martial arts, or

1       professional wrestling by a physician who has conducted a more rigorous examination  
 2       than examinations performed in accordance with this chapter for persons who are  
 3       younger than 50 years of age.

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

6       43-4B-18.

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

10       43-4B-19.

11       (a) Whenever it may appear to the commission that any person is violating or has violated  
 12       any provision of this article or Article 1 of this chapter and that proceedings would be in  
 13       the public interest:

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

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

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

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

23       (2) Upon a showing by the commission in any superior court of competent jurisdiction  
 24       that a person has violated or is about to violate this article or Article 1 of this chapter, a  
 25       rule promulgated under this article or Article 1 of this chapter, or an order of the  
 26       commission, the court may enter or grant any or all of the following relief:

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

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

30       (C) A declaratory judgment;

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

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

34       (b) Unless the commission determines that a person subject to this article intends to depart  
 35       quickly from this state or to remove his or her property from this state or to conceal his or

1 her person or property in this state or that there is immediate danger of harm to citizens of  
 2 this state or another state, the commission shall give notice in writing that such proceedings  
 3 are contemplated and allow such person a reasonable opportunity to appear before the  
 4 commission and execute an assurance of voluntary compliance. The determination of the  
 5 commission under this subsection shall be final and not subject to review.

6 (c) Procedures relating to hearings, notice, counsel, subpoenas, records, enforcement  
 7 powers, intervention, rules of evidence, decisions, exceptions, review of initial decisions,  
 8 final decisions, and judicial review of decisions shall be governed by Chapter 13 of Title  
 9 50, the 'Georgia Administrative Procedure Act,' unless the provisions of such chapter are  
 10 contrary to the express provisions of this article or Article 1 of this chapter.

11 43-4B-20.

12 (a) A promoter holding a professional match, contest, or exhibition of boxing, kickboxing,  
 13 or mixed martial arts shall, within ~~three~~ ten business days after the match, file with the  
 14 commission a written report which includes the number of tickets sold, the amount of gross  
 15 receipts, the amount of gross proceeds, and any other facts the commission may require.

16 For the purposes of this Code section, total gross receipts include:

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

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

21 ~~Within ten days following the match, contest, or exhibition of boxing, the promoter shall~~  
 22 ~~remit to the commission a tax payment in the amount of 5 percent of the gross proceeds~~  
 23 ~~exclusive of any federal taxes.~~

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

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

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

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

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

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

16 (f) It is a misdemeanor for any promoter or person associated with or employed by any  
 17 promoter to destroy any ticket to a match or any ticket stub, whether sold or unsold, within  
 18 six months after the date of the match, except upon prior written authorization of the  
 19 commission.

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

23 (h) A promoter of a professional match, contest, or exhibition of boxing, kickboxing, or  
 24 mixed martial arts shall not be required to pay the taxes specified in this Code section when  
 25 the participants are not paid greater than \$100.00 each and:

26 (1) The event is arranged entirely by a charitable or religious organization as defined in  
 27 Code Section 43-17-2; or

28 (2) The event is arranged for a charitable purpose as defined in Code Section 43-17-2.

29 43-4B-20.1.

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

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

5 (2) Any member or employee of the commission or any person who administers or  
 6 enforces this chapter or rules and regulations promulgated pursuant to this chapter who  
 7 knowingly violates Code Section 43-4B-14 or ~~Code Section~~ 43-4B-15 shall, upon  
 8 conviction, be ~~imprisoned for not more than one year or~~ fined not more than \$20,000.00;  
 9 ~~or both.~~

10 (3) Any ~~professional boxer~~ participant who knowingly violates any provision of this  
 11 article except Code Section 43-4B-15 shall, upon conviction, be fined not more than  
 12 \$1,000.00 for each violation.

13 (4) Any ~~professional boxer~~ participant who violates the provisions of Code Section  
 14 43-4B-15 may be punished by a fine not to exceed \$25,000.00 together with a percentage  
 15 of the purse not to exceed 15 percent for each violation.

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

18 (d) Promotion of unarmed combat, as ~~defined~~ described in Code Section ~~43-4B-1~~  
 19 43-4B-2, is a misdemeanor for the first offense; a high and aggravated misdemeanor for  
 20 the second offense; and a felony for the third and subsequent offenses, punishable upon  
 21 conviction by a fine not to exceed \$10,000.00 or imprisonment not to exceed two years,  
 22 or both such fine and imprisonment.

## 23 Article 2A

### 24 43-4B-20.5.

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

29 (b) Promoters shall apply to the commission for a license required by subsection (a) of this  
 30 Code section on a form provided by the commission. The application shall be  
 31 accompanied by a nonrefundable fee based on the size of the promotion as follows:

32 (1) For any promoter who employs or contracts with 25 or fewer professional wrestlers  
 33 as part of the wrestling promotion, the annual license fee shall be \$100.00;

1 (2) For any promoter who employs or contracts with more than 25 and fewer than 50  
2 professional wrestlers as part of the wrestling promotion, the annual license fee shall be  
3 \$250.00; and

4 (3) For any promoter who employs or contracts with 50 or more professional wrestlers  
5 as part of the wrestling promotion, the annual license fee shall be \$500.00.

6 (d) The promoter shall file with the commission a surety bond or cash equivalent in the  
7 minimum amount of \$5,000.00. However, this amount may be lowered by the  
8 commission.

9 (e) While promoting a professional wrestling match, contest, or exhibition in this state, the  
10 promoter shall:

11 (1) Hold a valid license issued by the commission as a professional wrestling promoter;

12 (2) File a pre-event report, as specified by the commission, with the commission ten days  
13 before each professional wrestling event. The report shall include:

14 (A) The name of the promoter and event;

15 (B) The time, date, and location of the event;

16 (C) The capacity of the venue;

17 (D) A list of professional wrestlers and the dates of licensure for each; and

18 (E) Notification of professional wrestlers' intent to cut themselves, if applicable.

19 (3) File a post-event report, as specified by the commission, with the commission ten  
20 days after the professional wrestling event. The report shall include:

21 (A) The name of the promoter and event;

22 (B) The time the event began and ended;

23 (C) A list of professional wrestlers who actually participated;

24 (D) A list of professional wrestlers who bled; and

25 (E) A list of any instance which required actual medical attention by a physician or an  
26 ambulance service or police activities or actions; and.

27 (4) Ensure that wrestlers used in the professional wrestling match, contest, or exhibition  
28 hold valid licenses issued by the commission and have submitted to the commission the  
29 appropriate medical information as required by this chapter.

30 (f) A violation of this Code section is a misdemeanor and is additionally subject to the  
31 provisions of Code Sections 43-4B-19 and 43-4B-20.1.

32 43-4B-20.6.

33 (a) No professional wrestler shall perform in a professional wrestling match, contest, or  
34 exhibition within this state without first applying for and obtaining a professional wrestling  
35 license issued by the commission. Licenses shall be issued annually and shall expire on  
36 December 31 of each calendar year.

1 (b) The professional wrestler shall apply to the commission for a license required by  
2 subsection (a) of this Code section on a form provided by the commission. The application  
3 shall be accompanied by a nonrefundable fee not to exceed \$20.00.

4 (c) All professional wrestlers performing in a match, contest, or exhibition shall be at least  
5 18 years old and shall only perform inside the separation barrier defined in Code Section  
6 43-4B-20.7.

7 (d) The professional wrestler's application for licensure shall be accompanied with  
8 documentation, signed by a licensed physician, of passing a basic medical exam. The  
9 contents of the documentation shall be set by rule of the commission.

10 (e) A licensed professional wrestler may present, prior to the match, contest, or exhibition  
11 the results of an original copy of a blood test dated within 190 days of the match, contest,  
12 or exhibition which demonstrates that the wrestler is free from Hepatitis B, Hepatitis C,  
13 HIV, or any other communicable disease. If such documentation is not provided prior to  
14 the match, contest, or exhibition and the professional wrestler bleeds, the performance shall  
15 cease immediately.

16 (f) No professional wrestler shall perform while impaired by drugs or alcohol.

17 (g) The use of anabolic steroids by a professional wrestler is prohibited unless prescribed  
18 by a doctor for a specific medical condition.

19 (h) A violation of this Code section is a misdemeanor and is additionally subject to the  
20 provisions of Code Sections 43-4B-19 and 32-4B-20.1.

21 43-4B-20.7.

22 (a) When a match, contest, or exhibition of professional wrestling occurs within this state,  
23 the promoter shall take necessary steps to ensure the safety, health, and welfare of the  
24 wrestlers and the spectators. Such standards shall include the following:

25 (1) At least two security persons dressed and clearly identified as security must be  
26 present;

27 (2) There must be a separation barrier between the performance area and the spectators.  
28 The separation barrier shall be at least five feet from performance area, at least three feet  
29 high, and be of sturdy construction;

30 (3) The ring mats must be cleaned, swept, and disinfected after each wrestling event and  
31 must be replaced by the promoter at least once per year;

32 (4) Glass shall not be permitted to be used in any match, contest, or exhibition;

33 (5) Fire shall not make contact with any wrestler during a match, contest, or exhibition;  
34 and

35 (6) Illegal drugs and alcoholic beverages shall not be permitted in the locker rooms,  
36 dressing areas, or backstage during a wrestling match, contest, or exhibition.

1 (b) A violation of this Code section is a misdemeanor and is additionally subject to the  
2 provisions of Code Sections 43-4B-19 and 32-4B-20.1.

3 43-4B-20.8.

4 (a) Subject to the limitations of subsection (d) of this Code section, the commission shall  
5 have jurisdiction over any professional wrestling match, contest, or exhibition which occurs  
6 or is held within this state, is filmed in this state, or is broadcast or transmitted from this  
7 state.

8 (b) The commission shall have the authority to refuse to grant a license to an applicant or  
9 may revoke or suspend a license based on the guidelines set forth in Code Section  
10 43-4B-13 or if the applicant has:

11 (1) Violated any provision of this article;

12 (2) Tested positive for a communicable disease which may be transmitted by blood; or

13 (3) Tested positive for a prohibited drug within 60 days preceding a match or event.

14 (c) The commission or the executive director may appoint one or more officials as duly  
15 authorized representatives of the commission to ensure that the provisions of this article  
16 are strictly observed. The officials shall have access to all areas of the venue including the  
17 locker rooms, dressing areas, and backstage area. Upon request of the promoter, a member  
18 or members of the event staff shall be allowed to accompany the officials.

19 (d) Except as is expressly provided under this Code section, the commission shall not have  
20 any jurisdiction to control, direct, or regulate the manner in which the professional  
21 wrestling match, contest, or exhibition is conducted, including the conduct or dress of the  
22 professional wrestlers while engaged in the match, contest, or exhibition."

## 23 SECTION 2.

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