

SENATE BILL REPORT

SB 5553

As Reported By Senate Committee On:
Commerce, Trade, Housing & Financial Institutions, March 2, 1999

Title: An act relating to professional athletics.

Brief Description: Regulating professional athletics.

Sponsors: Senators Prentice and Winsley; by request of Department of Licensing.

Brief History:

Committee Activity: Commerce, Trade, Housing & Financial Institutions: 2/18/99, 3/2/99 [DPS].

SENATE COMMITTEE ON COMMERCE, TRADE, HOUSING & FINANCIAL INSTITUTIONS

Majority Report: That Substitute Senate Bill No. 5553 be substituted therefor, and the substitute bill do pass.

Signed by Senators Prentice, Chair; Shin, Vice Chair; Benton, Gardner, Hale, Rasmussen, T. Sheldon, West and Winsley.

Staff: Susan Jones (786-7784)

Background: The Department of Licensing (DOL), through its professional athletic division, regulates boxing, wrestling and martial arts events held within the state. DOL licenses individuals to participate in these events, sets and collects fees for licensing, collects taxes on event revenue, controls conduct by participants, sets parameters for events, establishes safety and health requirements for events, and disciplines licensees.

Summary of Substitute Bill: The professional athletics program is excluded from the general state requirement that licensing programs be self supporting.

The director must prohibit events unless all the contestants are either licensed or trained by an amateur or professional sanctioning body recognized by the department.

Pankration, which is a combination of kickboxing and grappling, and muay thai, which is a combination of boxing, kicking and knee kicks, are included in the definition of martial arts and are under the authority of DOL.

Event physicians, referees, matchmakers, kickboxers, and martial artists must be licensed along with promoters, managers, boxers, seconds, wrestlers, inspectors, judges, timekeepers, and announcers. When applying for a license as a boxer, wrestler, kickboxer, martial artist, or referee, a physical by a physician is required.

The director may adopt rules limiting rounds and bouts and defining clean and sportsmanlike conduct for kickboxing, martial arts and wrestling. Contestants for boxing, kickboxing or martial arts must be examined by an event physician and may be subject to random urinalysis or chemical tests within 24 hours of an event. An event physician is a physician who is licensed by DOL and who is responsible for the exams. DOL may require the presence of an event physician at a wrestling event. An event physician must be present at a boxing, kickboxing, or martial arts event. DOL may select the event physician. A promoter is required to have an ambulance or paramedical unit at the event location, rather than within five miles of the event.

DOL may suspend or revoke a license or fine a licensee, including a manager, or applicant for violating the department's rules. Fines may not exceed \$5,000.

Gross receipts include the face value of all tickets sold and complimentary tickets redeemed and does not include the sale of souvenirs, programs, and other concessions received by the promoter. Complimentary tickets are subject to tax to the extent they exceed 300 tickets or are more than 5 percent of the total tickets sold for the event. The value of a complimentary ticket does not include charges and fees, such as dinner, gratuity, parking, or other charges that must be paid by the consumer to view the event.

The authority for DOL to hire inspectors is repealed. The statutory provisions defining inspectors' duties, power and source of compensation are also repealed.

Substitute Bill Compared to Original Bill: The title is narrowed. References to the tough-man type competitions are removed and replaced with language requiring the director to prohibit events unless the contestants are either licensed or trained by an amateur or professional sanctioning body.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This program should be exempt from the requirement of self-sufficiency because this program receives most of its revenue from gross receipts tax, which are unpredictable. This bill makes many changes to safety and health provisions to increase the protections for the participants.

Testimony Against: None.

Testified: PRO: Mary Jelvik, Department of Licensing; Mickey Brasher, Washington State Professional Ring Officer.