

HOUSE BILL ANALYSIS

SSB 5553

Brief Description: Regulating professional athletics.

Sponsors: Senator Prentice

Hearing: March 25, 1999

Brief Summary of Bill

· Modifying the regulations of boxing, kickboxing, martial arts, and wrestling events.

BACKGROUND:

The Department of Licensing (DOL) regulates boxing, wrestling and martial arts events held within the state. As part of this regulation, 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.

In addition to the staff of the professional athletic division of DOL, the statute and its associated rules are enforced by inspectors appointed by the department. Inspectors attend professional athletic events to monitor the event and the collection of gate revenues. An inspector's travel expenses and fee are paid by the event's promoter. Currently, DOL staff perform many of the duties of inspectors. DOL hires inspectors as needed.

SUMMARY OF BILL:

The professional athletic program is excluded from the general state requirement that licensing programs be self-supporting.

The sports of pankration and muay thai are included within the scope of the statute and all its requirements.

Events involving contestants who are unlicensed or not trained by an amateur or professional sanctioning body recognized by the department are prohibited.

Referees, matchmakers, kickboxers, and martial arts participants are added to the list of people that must be licensed before engaging in a professional sporting event. When applying for or renewing a license, all boxers, wrestlers, kickboxers, martial arts participants, and referees must have had a physical within a time period specified by DOL. The physical must be performed by a state-licensed physician, a licensed osteopath, or a physician licensed by another state or country.

The specific authority for DOL to hire inspectors is repealed. The statutory provisions defining inspectors' duties, power and source of compensation are also repealed.

DOL may suspend or fine, in addition to revoke, the license of an event participant, including a manager, who is involved in a sham or fake boxing event. License applicants, as well as licensees, may be disciplined for violating the statute. The maximum fine DOL may impose for a violation of the statute is raised from five hundred dollars to five thousand dollars.

Contestants for kickboxing and martial arts, in addition to boxing contestants, must be examined by a physician 24 hours prior to a fight and have an event physician monitor the fight. These contestants may be subject to random urinalysis or chemical tests within 24 hours of a fight. A positive result or a contestant's refusal to submit to the test subjects the contestant to current disciplinary provisions. DOL is given authority to determine which substances are prohibited.

The physicians who monitor events and perform physicals of contestants must be event physicians,– which are persons licensed by DOL to provide these services.

For the purposes of taxing event receipts, gross receipts include only the face value of all tickets sold and do not include revenue from the sale of souvenirs, programs, and other concessions.

The value of complimentary tickets, for taxing purposes, 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 statutory provisions governing the maximum number of rounds in a boxing contest, sportsmanlike conduct, and the weight of gloves used in boxing events do not apply to martial arts and kickboxing events. Instead, DOL is given authority to adopt rules to govern these aspects of kickboxing, martial arts, and wrestling.

A promoter must have an ambulance at the location of an event, rather than within 5 miles of the event.

RULES AUTHORITY: The bill does contain provisions addressing the rule making powers of an agency.

FISCAL NOTE: Not requested.

EFFECTIVE DATE: Ninety days after adjournment of a session in which bill is passed.