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**HOUSE BILL 2388**

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**State of Washington 64th Legislature 2016 Regular Session**

**By** Representatives Hudgins, MacEwen, Stanford, Rossetti, and Bergquist

AN ACT Relating to theatrical wrestling; amending RCW 67.08.100 and 67.08.160; reenacting and amending RCW 67.08.002; adding a new section to chapter 67.08 RCW; and creating a new section.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

**Sec.**  RCW 67.08.002 and 2012 c 99 s 1 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Amateur" means a person who has never received nor competed for any purse or other article of value, either for expenses of training or for participating in an event, other than a prize of fifty dollars in value or less.

(2) "Amateur event" means an event in which all the participants are "amateurs" and which is registered and sanctioned by:

(a) United States Amateur Boxing, Inc.;

(b) Washington Interscholastic Activities Association;

(c) National Collegiate Athletic Association;

(d) Amateur Athletic Union;

(e) Golden Gloves of America;

(f) Any similar organization nationally recognized by the United States Olympic Committee;

(g) United Full Contact Federation and any similar amateur sanctioning organization, recognized and licensed by the department as exclusively or primarily dedicated to advancing the sport of amateur mixed martial arts, as those sports are defined in this section and where the promoter, officials, and participants are licensed under this chapter; or

(h) Local affiliate of any organization identified in (a) through (f) of this subsection.

(3) "Boxing" means the sport of attack and defense which uses the contestants fists and where the contestants compete with the intent not to injure or disable an opponent, but to win by decision, knockout, or technical knockout, but does not include professional wrestling.

(4) "Chiropractor" means a person licensed under chapter 18.25 RCW as a doctor of chiropractic or under the laws of any jurisdiction in which that person resides.

(5) "Combative fighting," also known as "toughman fighting," "toughwoman fighting," "badman fighting," and "so you think you're tough," means a contest, exhibition, or match between contestants who use their fists, with or without gloves, or their feet, or both, and which allows contestants that are not trained in the sport to compete and the object is to defeat an opponent or to win by decision, knockout, or technical knockout.

(6) "Department" means the department of licensing.

(7) "Director" means the director of the department of licensing or the director's designee.

(8) "Elimination tournament" means any contest in which contestants compete in a series of matches until not more than one contestant remains in any weight category. The term does not include any event that complies with the provisions of RCW 67.08.015(2).

(9) "Event" includes, but is not limited to, a professional boxing, wrestling, or martial arts or an amateur mixed martial arts contest, sparring, fisticuffs, match, show, or exhibition.

(10) "Event chiropractor" means the chiropractor licensed under RCW 67.08.100 and who is operating in a supporting role to the event physician who is responsible for the activities described in RCW 67.08.090.

(11) "Event physician" means the physician licensed under RCW 67.08.100 and who is responsible for the activities described in RCW 67.08.090.

(12) "Face value" means the dollar value of a ticket or order, which value must reflect the dollar amount that the customer is required to pay or, for a complimentary ticket, would have been required to pay to purchase a ticket with equivalent seating priority, in order to view the event.

(13) "Gross receipts" means the amount received from the face value of all tickets sold and complimentary tickets redeemed.

(14) "Kickboxing" means a type of boxing in which blows are delivered with the fist and any part of the leg below the hip, including the foot and where the contestants compete with the intent not to injure or disable an opponent, but to win by decision, knockout, or technical knockout.

(15) "Martial arts" means a type of boxing including sumo, judo, karate, kung fu, tae kwon do, pankration, muay thai, or other forms of full-contact martial arts or self-defense conducted on a full-contact basis where weapons are not used and the participants utilize kicks, punches, blows, or other techniques with the intent not to injure or disable an opponent, but to defeat an opponent or win by decision, knockout, technical knockout, or submission.

(16) "Mixed martial arts" means a combative sporting contest, the rules of which allow two mixed martial arts competitors to attempt to achieve dominance over one another by utilizing a variety of techniques including, but not limited to, striking, grappling, and the application of submission holds. "Mixed martial arts" is a type of martial arts that does not include martial arts such as tae kwon do, karate, judo, sumo, jujitsu, and kung fu.

(17) "No holds barred fighting," also known as "frontier fighting" and "extreme fighting," means a contest, exhibition, or match between contestants where any part of the contestant's body may be used as a weapon or any means of fighting may be used with the specific purpose to intentionally injure the other contestant in such a manner that they may not defend themselves and a winner is declared. Rules may or may not be used.

(18) "Physician" means a person licensed under chapter 18.57, 18.36A, or 18.71 RCW as a physician or a person holding an osteopathic or allopathic physician license under the laws of any jurisdiction in which the person resides.

(19) "Professional" means a person who has received or competed for any purse or other articles of value greater than fifty dollars, either for the expenses of training or for participating in an event.

(20) "Promoter" means a person, and includes any officer, director, employee, or stockholder of a corporate promoter, who produces, arranges, stages, holds, or gives an event in this state involving a professional boxing, martial arts, or wrestling event or amateur mixed martial arts event, or shows or causes to be shown in this state a closed circuit telecast of a match involving professional or amateur mixed martial arts participants whether or not the telecast originates in this state.

(21) "Theatrical wrestling" means the performance of sports entertainment in which:

(a) Two or more participants work together in a performance of mock combat in a ring for the purpose of entertainment; and

(b)(i) The outcome is predetermined; and/or

(ii) The participants do not necessarily strive to win.

(22) "Theatrical wrestling school" means a facility that offers training in theatrical wrestling.

(23) "Training facility" means a facility that:

(a) Offers training in one or more of the mixed martial arts; and

(b) Holds exhibitions in which all the participants are amateurs and where an admission fee is charged.

((~~(22)~~)) (24) "Wrestling exhibition," ((~~or~~)) "wrestling show," ((~~means a form of sports entertainment in which the participants display their skills in a physical struggle against each other in the ring and either the outcome may be predetermined or the participants do not necessarily strive to win, or both~~)) or "wrestling event" means a demonstration of theatrical wrestling presented to the public.

NEW SECTION. **Sec.**  A new section is added to chapter 67.08 RCW to read as follows:

(1) A theatrical wrestling school may hold wrestling shows at the school facility for training purposes and may charge an admission fee.

(2) A theatrical wrestling school may hold a limited number of wrestling shows for training purposes off the school premises and may charge a fee.

(3) Any wrestling show presented by a theatrical wrestling school must feature at least eighty percent amateur participants.

(4) The department must promulgate rules to implement this section.

**Sec.**  RCW 67.08.100 and 2012 c 99 s 6 are each amended to read as follows:

(1) The department upon receipt of a properly completed application and payment of a nonrefundable fee, may grant an annual license to an applicant for the following: (a) Promoter; (b) manager; (c) boxer; (d) second; (e) wrestling participant; (f) inspector; (g) judge; (h) timekeeper; (i) announcer; (j) event physician; (k) event chiropractor; (l) referee; (m) matchmaker; (n) kickboxer; (o) martial arts participant; (p) training facility; ((~~and~~)) (q) amateur sanctioning organization; and (r) theatrical wrestling school.

(2) The application for the following types of licenses ((~~shall~~)) includes a physical performed by a physician, as defined in RCW 67.08.002, which was performed by the physician with a time period preceding the application as specified by rule: (a) Boxer; (b) wrestling participant; (c) kickboxer; (d) martial arts participant; and (e) referee.

(3) An applicant for the following types of licenses for the sports of boxing, kickboxing, and martial arts ((~~shall~~)) must provide annual proof of certification as having adequate experience, skill, and training from an organization approved by the department, including, but not limited to, the association of boxing commissions, the international boxing federation, the international boxing organization, the Washington state association of professional ring officials, the world boxing association, the world boxing council, or the world boxing organization for boxing officials, and the united full contact federation for kickboxing and martial arts officials: (a) Judge; (b) referee; (c) inspector; (d) timekeeper; or (e) other officials deemed necessary by the department.

(4) No person ((~~shall~~)) may participate or serve in any of the above capacities unless licensed as provided in this chapter.

(5) The referees, judges, timekeepers, event physicians, chiropractors, and inspectors for any boxing, kickboxing, or martial arts event ((~~shall~~)) must be designated by the department from among licensed officials.

(6) The referee for any wrestling event ((~~shall~~)) must be provided by the promoter and ((~~shall~~)) must be licensed as a wrestling participant.

(7) The department ((~~shall~~)) must immediately suspend the license or certificate of a person who has been certified pursuant to RCW 74.20A.320 by the department of social and health services as a person who is not in compliance with a support order. If the person has continued to meet all other requirements for reinstatement during the suspension, reissuance of the license or certificate ((~~shall be~~)) is automatic upon the department's receipt of a release issued by the department of social and health services stating that the licensee is in compliance with the order.

(8) The director ((~~shall~~)) must suspend the license of any person who has been certified by a lending agency and reported to the director for nonpayment or default on a federally or state-guaranteed educational loan or service-conditional scholarship. Prior to the suspension, the agency must provide the person an opportunity for a brief adjudicative proceeding under RCW 34.05.485 through 34.05.494 and issue a finding of nonpayment or default on a federally or state-guaranteed educational loan or service-conditional scholarship. The person's license may not be reissued until the person provides the director a written release issued by the lending agency stating that the person is making payments on the loan in accordance with a repayment agreement approved by the lending agency. If the person has continued to meet all other requirements for licensure during the suspension, reinstatement is automatic upon receipt of the notice and payment of any reinstatement fee the director may impose.

(9) A person may not be issued a license if the person has an unpaid fine outstanding to the department.

(10) A person may not be issued a license unless they are at least eighteen years of age.

(11)(a) This section ((~~shall~~)) does not apply to:

(i) Contestants or participants in events at which only amateurs are engaged in contests ((~~and/or~~));

(ii) Wrestling participants engaged in training or a wrestling show at a theatrical wrestling school; and

(iii) Fraternal organizations and/or veterans' organizations chartered by congress or the defense department, excluding any recognized amateur sanctioning body recognized by the department.

(b) Upon request of the department, a promoter, contestant, or participant ((~~shall~~)) must provide sufficient information to reasonably determine whether this chapter applies.

**Sec.**  RCW 67.08.160 and 1999 c 282 s 10 are each amended to read as follows:

(1) A promoter ((~~shall~~)) must have an ambulance or paramedical unit present at the event location.

(2) A promoter of a wrestling show may satisfy this section by having an emergency medical technician licensed under RCW 18.73.081 at the event location.

NEW SECTION. **Sec.**  (1) The legislature finds that theatrical wrestling, like circus arts, is an art form that promotes the economic and cultural vitality of the state of Washington. Theatrical wrestling has a long history in Washington, and while large-scale professional wrestling companies have dominated the field in recent years, independent theatrical wrestling again has the potential to thrive in this state. Legislation and rule making should reflect the economic and cultural potential of theatrical wrestling.

(2) The legislature further finds that theatrical wrestling can be safe for both participants and spectators. Safety requirements aimed at more dangerous and daring forms of sport and entertainment are unduly burdensome on theatrical wrestling promoters. Additionally, it is important to adequately train the next generation of theatrical wrestlers to foster safety and skill in theatrical wrestling.

(3) The legislature finds that a theatrical wrestling school license will create opportunity for a new generation of luchadores, faces, and heels to create economic and cultural vitality in Washington. Finally, reducing the medical personnel requirement for wrestling shows will preserve the safety of participants and spectators while fostering the ability of independent theatrical wrestling promoters to build an audience in Washington and create new artistic opportunities for Washington residents.

(4) The legislature finds that Washington is ready to rumble.

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