
HOUSE BILL 1536

State of Washington

56th Legislature

1999 Regular Session

By Representatives Conway and Clements; by request of Department of Licensing

Read first time . Referred to Committee on .

1 AN ACT Relating to professional athletics; amending RCW 67.08.002,
2 67.08.050, 67.08.080, 67.08.090, 67.08.110, 67.08.120, and 67.08.160;
3 reenacting and amending RCW 67.08.100; adding new sections to chapter
4 67.08 RCW; repealing RCW 67.08.007 and 67.08.060; and prescribing
5 penalties.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 67.08 RCW
8 to read as follows:

9 The department shall set license and renewal fees by rule, but the
10 fees collected do not have to offset the cost of the program as
11 required under RCW 43.24.086.

12 **Sec. 2.** RCW 67.08.002 and 1997 c 205 s 1 are each amended to read
13 as follows:

14 Unless the context clearly requires otherwise, the definitions in
15 this section apply throughout this chapter.

16 (1) "Amateur" means a person who engages in athletic activities as
17 a pastime and not as a professional.

1 (2) "Boxing" means a contest in which the contestants exchange
2 blows with their fists, but does not include professional wrestling.

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

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

6 (5) "Event" includes, but is not limited to, a boxing, wrestling,
7 or martial arts contest, sparring, fisticuffs, match, show, or
8 exhibition.

9 (6) "Event physician" means the physician licensed under RCW
10 67.08.100 and who is responsible for the activities described in RCW
11 67.08.090.

12 (7) "Extreme/ultimate or tough man/rough man contest or
13 competition" means an event that utilizes unlicensed, untrained, or
14 otherwise licensed participants who engage in unsanctioned activities
15 that do not comply with this chapter, including a full-contact,
16 tournament-style martial arts contest, match, show, or exhibition, in
17 which contestants compete more than once per day.

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

23 ~~((+7))~~ (9) "Gross receipts" means ~~((+))~~ the amount received from
24 ~~((the sale of souvenirs, programs, and other concessions received by~~
25 ~~the promoter; and))~~ the face value of all tickets sold and
26 complimentary tickets redeemed.

27 ~~((+8))~~ (10) "Kickboxing" means a type of boxing in which blows are
28 delivered with the hand and any part of the leg below the hip,
29 including the foot.

30 ~~((+9))~~ (11) "Martial arts" means a type of boxing including sumo,
31 judo, karate, kung fu, tae kwon do, pankration, muay thai, or other
32 forms of full-contact martial arts or self-defense conducted on a full-
33 contact basis.

34 ~~((+10))~~ (12) "Physician" means a person licensed under chapter
35 18.57 or 18.71 RCW as a physician or a person holding an osteopathic or
36 allopathic physician license under the laws of any jurisdiction in
37 which the person resides.

38 (13) "Professional" means a person who has received or competed for
39 money or other articles of value for participating in an event.

1 (~~(11)~~) (14) "Promoter" means a person, and includes any officer,
2 director, employee, or stockholder of a corporate promoter, who
3 produces, arranges, stages, holds, or gives an event in this state
4 involving a professional boxing, martial arts, or wrestling event, or
5 shows or causes to be shown in this state a closed circuit telecast of
6 a match involving a professional participant whether or not the
7 telecast originates in this state.

8 (~~(12)~~) "~~Tough man/rough man contest or competition~~" means an event
9 that utilizes unlicensed, untrained, or otherwise licensed participants
10 who engage in unsanctioned activities that do not comply with this
11 chapter, including a full contact, tournament style martial arts
12 contest, match, show, or exhibition in which contestants compete more
13 than once per day.

14 (~~(13)~~) (15) "Wrestling exhibition" or "wrestling show" means a form
15 of sports entertainment in which the participants display their skills
16 in a physical struggle against each other in the ring and either the
17 outcome may be predetermined or the participants do not necessarily
18 strive to win, or both.

19 **Sec. 3.** RCW 67.08.050 and 1997 c 205 s 6 are each amended to read
20 as follows:

21 (1) Any promoter shall within seven days prior to the holding of
22 any event file with the department a statement setting forth the name
23 of each licensee who is a potential participant, his or her manager or
24 managers, and such other information as the department may require.
25 Participant changes regarding a wrestling event may be allowed after
26 notice to the department, if the new participant holds a valid license
27 under this chapter. The department may stop any wrestling event in
28 which a participant is not licensed under this chapter.

29 (2) Upon the termination of any event the promoter shall file with
30 the designated department representative a written report, duly
31 verified as the department may require showing the number of tickets
32 sold for the event, the price charged for the tickets and the gross
33 proceeds thereof, and such other and further information as the
34 department may require. The promoter shall pay to the department at
35 the time of filing the report under this section a tax equal to five
36 percent of such gross receipts. However, the tax may not be less than
37 twenty-five dollars. The five percent of such gross receipts shall be
38 immediately paid by the department into the state general fund.

1 (3) A complimentary ticket may not have a face value of less than
2 the least expensive ticket available for sale to the general public.
3 (~~It must include charges and fees, such as dinner, gratuity, parking,~~
4 ~~surcharges, or other charges or fees that are charged to and must be~~
5 ~~paid by the customer in order to view the event.~~) The number of
6 untaxed complimentary tickets shall be limited to five percent of the
7 total tickets sold per event location, not to exceed three hundred
8 tickets. All complimentary tickets exceeding this exemption shall be
9 subject to taxation.

10 **Sec. 4.** RCW 67.08.080 and 1997 c 205 s 8 are each amended to read
11 as follows:

12 A boxing(~~(, kickboxing, or martial art[s])~~) event held in this
13 state may not be for more than ten rounds and no one round of any bout
14 shall be scheduled for longer than three minutes and there shall be not
15 less than one minute intermission between each round. In the event of
16 bouts involving state, regional, national, or world championships the
17 department may grant an extension of no more than two additional rounds
18 to allow total bouts of twelve rounds. A contestant in any boxing
19 event under this chapter may not be permitted to wear gloves weighing
20 less than eight ounces. The director shall adopt rules to assure clean
21 and sportsmanlike conduct on the part of all contestants and officials,
22 and the orderly and proper conduct of the event in all respects, and to
23 otherwise make rules consistent with this chapter, but such rules shall
24 apply only to events held under the provisions of this chapter. The
25 director may adopt rules with respect to round and bout limitations and
26 clean and sportsmanlike conduct for kickboxing, martial arts, or
27 wrestling events.

28 **Sec. 5.** RCW 67.08.090 and 1997 c 205 s 9 are each amended to read
29 as follows:

30 (1) Each contestant for boxing, kickboxing, or martial arts events
31 shall be examined within twenty-four hours before the contest by ((a
32 ~~competent~~)) an event physician ((~~appointed~~)) licensed by the
33 department. The event physician shall report in writing and over his
34 or her signature before the event the physical condition of each and
35 every contestant to the inspector present at such contest. No
36 contestant whose physical condition is not approved by the
37 ((~~examining~~)) event physician shall be permitted to participate in any

1 event. Blank forms ~~((of))~~ for event physicians' reports shall be
2 provided by the department and all questions upon such blanks shall be
3 answered in full. The ~~((examining))~~ event physician shall be paid a
4 fee and travel expenses by the promoter.

5 (2) The department may require that ~~((a))~~ an event physician be
6 present at a wrestling event. The promoter shall pay ~~((any))~~ the event
7 physician present at a wrestling event. A boxing, kickboxing, or
8 martial arts event may not be held unless ~~((a licensed))~~ an event
9 physician ~~((of))~~ licensed by the department ~~((or his or her duly~~
10 ~~appointed representative))~~ is present throughout the event.

11 (3) Any ~~((practicing))~~ physician ~~((and surgeon))~~ licensed under RCW
12 67.08.100 may be selected by the department as the ~~((examining))~~ event
13 physician. ~~((Such))~~ The event physician present at ~~((such))~~ any
14 contest shall have authority to stop any event when in the event
15 physician's opinion it would be dangerous to a contestant to continue,
16 and in such event it shall be the event physician's duty to stop the
17 event.

18 (4) The department may have a participant in a wrestling event
19 examined by ~~((a))~~ an event physician ~~((appointed))~~ licensed by the
20 department prior to the event. A participant in a wrestling event
21 whose condition is not approved by the ~~((examining))~~ event physician
22 shall not be permitted to participate in the event.

23 (5) Each contestant for boxing, kickboxing, martial arts, or
24 wrestling events may be subject to a random urinalysis or chemical test
25 within twenty-four hours before or after a contest. An applicant or
26 licensee who refuses or fails to submit to the urinalysis or chemical
27 test is subject to disciplinary action under RCW 67.08.240. If the
28 urinalysis or chemical test is positive for substances prohibited by
29 rules adopted by the director, disciplinary action shall be taken under
30 RCW 67.08.240.

31 NEW SECTION. Sec. 6. A new section is added to chapter 67.08 RCW
32 to read as follows:

33 Extreme/ultimate contests or competitions and tough man/rough man
34 contests or competitions are prohibited in this state.

35 **Sec. 7.** RCW 67.08.100 and 1997 c 205 s 10 and 1997 c 58 s 864 are
36 each reenacted and amended to read as follows:

1 (1) The department upon receipt of a properly completed application
2 and payment of a nonrefundable fee, may grant an annual license to an
3 applicant for the following: (a) Promoter; (b) manager; (c) boxer; (d)
4 second; (e) wrestling participant; (f) inspector(~~(s)~~); (g) judge; (h)
5 timekeeper; (i) announcer(~~(s)~~); (~~and~~) (j) event physician(~~(s)~~); (k)
6 referee; (l) matchmaker; (m) kickboxer; and (n) martial arts
7 participant.

8 (2) The application for the following types of licenses shall
9 include a physical performed by a physician, as defined in RCW
10 67.08.002, which was performed by the physician with a time period
11 preceding the application as specified by rule: (a) Boxer; (b)
12 wrestling participant; (c) kickboxer; (d) martial arts participant; and
13 (e) referee.

14 (3) Any license may be revoked, suspended, or denied by the
15 director for a violation of this chapter or a rule adopted by the
16 director.

17 (~~(+3)~~) (4) No person shall participate or serve in any of the
18 above capacities unless licensed as provided in this chapter.

19 (~~(+4)~~) (5) The referees, judges, timekeepers, event physicians,
20 and inspectors for any boxing event shall be designated by the
21 department from among licensed officials.

22 (~~(+5)~~) (6) The referee for any wrestling event shall be provided
23 by the promoter and shall be licensed as a wrestling participant.

24 (~~(+6)~~) (7) The department shall immediately suspend the license or
25 certificate of a person who has been certified pursuant to RCW
26 74.20A.320 by the department of social and health services as a person
27 who is not in compliance with a support order (~~(or a residential or~~
28 ~~visitation order)~~). If the person has continued to meet all other
29 requirements for reinstatement during the suspension, reissuance of the
30 license or certificate shall be automatic upon the department's receipt
31 of a release issued by the department of social and health services
32 stating that the licensee is in compliance with the order.

33 (~~(+7)~~) (8) A person may not be issued a license if the person has
34 an unpaid fine outstanding to the department.

35 (~~(+8)~~) (9) A person may not be issued a license unless they are at
36 least eighteen years of age.

37 (~~(+9)~~) (10) This section shall not apply to contestants or
38 participants in events at which only amateurs are engaged in contests
39 and/or fraternal organizations and/or veterans' organizations chartered

1 by congress or the defense department or any recognized amateur
2 sanctioning body recognized by the department, holding and promoting
3 athletic events and where all funds are used primarily for the benefit
4 of their members. Upon request of the department, a promoter,
5 contestant, or participant shall provide sufficient information to
6 reasonably determine whether this chapter applies.

7 **Sec. 8.** RCW 67.08.110 and 1997 c 205 s 11 are each amended to read
8 as follows:

9 (1) Any person or any member of any group of persons or corporation
10 promoting boxing events who shall participate directly or indirectly in
11 the purse or fee of any manager of any boxers or any boxer and any
12 licensee who shall conduct or participate in any sham or fake boxing
13 event shall be subject to license suspension, revocation, or fine and
14 such revoked, suspended, or fined licensee shall not be entitled to
15 receive any license issued under this chapter.

16 (2) A manager of any boxer, kickboxer, or martial arts participant
17 who allows any person or any group of persons or corporation promoting
18 boxing, kickboxing, or martial arts events to participate directly or
19 indirectly in the purse or fee, or any boxer, kickboxer, or martial
20 arts participant or other licensee who conducts or participates in any
21 sham or fake boxing, kickboxing, or martial arts event is subject to
22 disciplinary action under RCW 67.08.240.

23 **Sec. 9.** RCW 67.08.120 and 1997 c 205 s 12 are each amended to read
24 as follows:

25 Any ~~((unlicensed participant contestant))~~ applicant or licensee who
26 violates any rule of the department shall be fined, suspended, revoked,
27 or any combination thereof, by order of the director. Assessed fines
28 shall not exceed five ~~((hundred))~~ thousand dollars for each violation
29 of this chapter or any rule of the department.

30 **Sec. 10.** RCW 67.08.160 and 1989 c 127 s 2 are each amended to read
31 as follows:

32 A promoter shall have an ambulance or paramedical unit present at
33 the ~~((arena in case a serious injury occurs unless an ambulance or~~
34 ~~paramedical unit is located within five miles of the arena and that~~
35 ~~unit is on call for such an occurrence))~~ event location.

1 NEW SECTION. **Sec. 11.** The following acts or parts of acts are
2 each repealed:

3 (1) RCW 67.08.007 and 1993 c 278 s 9, 1959 c 305 s 2, & 1933 c 184
4 s 4; and

5 (2) RCW 67.08.060 and 1997 c 205 s 7, 1993 c 278 s 17, 1989 c 127
6 s 16, 1988 c 19 s 2, 1975-'76 2nd ex.s. c 34 s 154, 1959 c 305 s 4, &
7 1933 c 184 s 12.

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