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HOUSE BILL 3238

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State of Washington

60th Legislature

2008 Regular Session

By Representative Green

1 AN ACT Relating to professional athletics regulated by the  
2 department of licensing; amending RCW 67.08.002, 67.08.007, 67.08.015,  
3 67.08.017, 67.08.030, 67.08.050, 67.08.055, 67.08.060, 67.08.080,  
4 67.08.110, 67.08.140, 67.08.160, 67.08.170, 67.08.180, 67.08.200, and  
5 67.08.300; reenacting and amending RCW 67.08.090 and 67.08.100; adding  
6 a new section to chapter 67.08 RCW; creating a new section; repealing  
7 RCW 67.08.010, 67.08.040, 67.08.130, 67.08.220, and 67.08.240;  
8 prescribing penalties; and providing an effective date.

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

10 NEW SECTION. **Sec. 1.** In the interest of ensuring the safety and  
11 welfare of the participants, the director of the department of  
12 licensing is required to direct, supervise, and control all boxing,  
13 mixed martial arts, kickboxing, and wrestling events conducted within  
14 this state and an event may not be held in this state except in  
15 accordance with the provisions of chapter 67.08 RCW.

16 **Sec. 2.** RCW 67.08.002 and 2004 c 149 s 1 are each amended to read  
17 as follows:

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

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

7 (2) "Bout" means a contest or match between participants appearing  
8 at an event.

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

13 ~~((+3))~~ (4) "Chiropractor" means a person licensed under chapter  
14 18.25 RCW as a doctor of chiropractic or under the laws of any  
15 jurisdiction in which that person resides.

16 ~~((+4))~~ (5) "Department" means the department of licensing.

17 ~~((+5))~~ (6) "Director" means the director of the department of  
18 licensing or the director's designee.

19 ~~((+6))~~ (7) "Event" includes, but is not limited to, a boxing,  
20 kickboxing, wrestling, or mixed martial arts contest, (~~(sparring,~~  
21 ~~fisticuffs,~~) match, show, ~~((or))~~ exhibition, or closed circuit  
22 telecast.

23 ~~((+7))~~ (8) "Event physician" means ~~((the))~~ a physician licensed  
24 under RCW 67.08.100 and who is responsible for the activities described  
25 in RCW 67.08.090.

26 ~~((+8))~~ (9) "Face value" means the dollar value of a ticket or  
27 order, which value must reflect the dollar amount that the customer is  
28 required to pay or, for a complimentary ticket, would have been  
29 required to pay to purchase a ticket with equivalent seating priority,  
30 in order to view the event.

31 ~~((+9))~~ (10) "Gross receipts" means the amount received from the  
32 face value of all tickets sold and complimentary tickets redeemed.

33 ~~((+10))~~ (11) "Kickboxing" means a type of boxing in which blows  
34 are delivered with the fist and any part of the leg below the hip,  
35 including the foot and where the contestants compete with the intent  
36 not to injure or disable an opponent, but to win by decision, knockout,  
37 or technical knockout.

1        ~~((11))~~ (12) "Mixed martial arts" means a type of boxing including  
2 sumo, judo, karate, kung fu, tae kwon do, pankration, muay thai, or  
3 other forms of full-contact martial arts or self-defense conducted on  
4 a full-contact basis where weapons are not used and the participants  
5 utilize kicks, punches, blows, or other techniques with the intent not  
6 to injure or disable an opponent, but to ~~((defeat an opponent or))~~ win  
7 by decision, knockout, technical knockout, or submission.

8        ~~((12))~~ (13) "No holds barred fighting," also known as "frontier  
9 fighting" and "extreme fighting," means a contest, exhibition, or match  
10 between contestants where any part of the contestant's body may be used  
11 as a weapon or any means of fighting may be used with the specific  
12 purpose to intentionally injure the other contestant in such a manner  
13 that they may not defend themselves and a winner is declared. Rules  
14 may or may not be used.

15        ~~((13))~~ (14) "Combative fighting," also known as "toughman  
16 fighting," "toughwoman fighting," "badman fighting," and "so you think  
17 you're tough," means a contest, exhibition, or match between  
18 contestants who use their fists, with or without gloves, or their feet,  
19 or both, and which allows contestants that are not trained in the sport  
20 to compete and the object is to defeat an opponent or to win by  
21 decision, knockout, or technical knockout.

22        ~~((14))~~ (15) "Participant" means a person licensed under this  
23 chapter as a boxer, kickboxer, wrestler, or mixed martial artist who  
24 competes against others for a purse or is compensated for participating  
25 in a professional wrestling event.

26        (16) "Physician" means a person licensed under chapter 18.57(~~(~~  
27 ~~18.36A,~~) or 18.71 RCW as a physician or a person holding an  
28 osteopathic or allopathic physician license under the laws of any  
29 jurisdiction in which the person resides.

30        ~~((15))~~ (17) "Professional" means a person who has received or  
31 competed for any purse or other articles of value greater than fifty  
32 dollars, either for the expenses of training or for participating in an  
33 event.

34        ~~((16))~~ (18) "Promoter" means a person, and includes any officer,  
35 director, employee, or stockholder of a corporate promoter, who (a)  
36 produces, arranges, stages, or holds(~~(, or gives))~~ an event in this  
37 state involving a professional boxing, kickboxing, mixed martial arts,  
38 or wrestling event(~~(,))~~; or (b) shows (~~or causes to be shown~~) in this

1 state a closed circuit telecast (~~(of a match)~~) involving a professional  
2 (~~(participant)~~) boxing, kickboxing, mixed martial arts, or wrestling  
3 event whether or not the telecast originates in this state.

4 (~~((17))~~) (19) "Wrestling exhibition" or "wrestling show" means a  
5 form of sports entertainment in which the participants play a role or  
6 display their skills in a physical struggle against each other in the  
7 ring and either the outcome may be predetermined or the participants do  
8 not necessarily strive to win, or both.

9 (~~((18))~~) (20) "Amateur event" means an event in which all the  
10 participants are "amateurs" and which is registered and sanctioned  
11 by(~~(~~

- 12 ~~(a) United States Amateur Boxing, Inc.;~~
- 13 ~~(b) Washington Interscholastic Activities Association;~~
- 14 ~~(c) National Collegiate Athletic Association;~~
- 15 ~~(d) Amateur Athletic Union;~~
- 16 ~~(e) Golden Gloves of America;~~
- 17 ~~(f) United Full Contact Federation;~~
- 18 ~~(g) Any similar organization recognized by the department as~~  
19 ~~exclusively or primarily dedicated to advancing the sport of amateur~~  
20 ~~boxing, kickboxing, or martial arts, as those sports are defined in~~  
21 ~~this section; or~~

22 ~~(h) Local affiliate of any organization identified in this~~  
23 ~~subsection)) an organization or a local affiliate of an organization~~  
24 ~~defined in rule and recognized by the department as exclusively or~~  
25 ~~primarily dedicated to advancing the sport of amateur boxing,~~  
26 ~~kickboxing, or mixed martial arts.~~

27 (~~((19))~~) (21) "Elimination tournament" means any contest in which  
28 contestants compete in a series of matches until not more than one  
29 contestant remains in any weight category. The term does not include  
30 any event that complies with the provisions of RCW 67.08.015(~~((2) (a)~~  
31 ~~or (b))~~)).

32 **Sec. 3.** RCW 67.08.007 and 1993 c 278 s 9 are each amended to read  
33 as follows:

34 The department may employ or contract with and fix the compensation  
35 of such (~~(officers,~~) employees(~~(~~) and (~~(inspectors)~~) appointed  
36 officials as may be necessary to administer the provisions of this  
37 chapter as amended.

1           **Sec. 4.** RCW 67.08.015 and 2004 c 149 s 2 are each amended to read  
2 as follows:

3           ~~((1) In the interest of ensuring the safety and welfare of the~~  
4 ~~participants, the department shall have power and it shall be its duty~~  
5 ~~to direct, supervise, and control all boxing, martial arts, and~~  
6 ~~wrestling events conducted within this state and an event may not be~~  
7 ~~held in this state except in accordance with the provisions of this~~  
8 ~~chapter. The department may, in its discretion, issue and for cause,~~  
9 ~~which includes concern for the safety and welfare of the participants,~~  
10 ~~take any of the actions specified in RCW 18.235.110 against a license~~  
11 ~~to promote, conduct, or hold boxing, kickboxing, martial arts, or~~  
12 ~~wrestling events where an admission fee is charged by any person, club,~~  
13 ~~corporation, organization, association, or fraternal society.~~

14           ~~(2) All boxing, kickboxing, martial arts, or wrestling events that:~~  
15           ~~(a) Are))~~ The following are not subject to the licensing provisions  
16 of this chapter:

17           (1) Events conducted by any ~~((common))~~ school, college, or  
18 university, whether public or private, or by the official student  
19 association thereof, whether on or off the school, college, or  
20 university grounds, where all the participating contestants are ~~((bona~~  
21 ~~fide))~~ students enrolled in any ~~((common))~~ school, college, or  
22 university, within or without this state; or

23           ~~((b) Are))~~ (2) Entirely amateur events as defined in RCW  
24 67.08.002~~((18))~~ (20) and promoted on a nonprofit basis or for  
25 charitable purposes~~((+~~  
26 ~~are not subject to the licensing provisions of this chapter. A boxing,~~  
27 ~~martial arts, kickboxing, or wrestling event may not be conducted~~  
28 ~~within the state except under a license issued in accordance with this~~  
29 ~~chapter and the rules of the department except as provided in this~~  
30 ~~section.~~

31           ~~(3) The director shall prohibit events unless all of the~~  
32 ~~contestants are licensed or otherwise exempt from licensure as provided~~  
33 ~~under this chapter.~~

34           ~~(4) No amateur or professional no holds barred fighting or~~  
35 ~~combative fighting type of contest, exhibition, match, or similar type~~  
36 ~~of event, nor any elimination tournament, may be held in this state.~~  
37 ~~Any person promoting such an event is guilty of a class C felony.~~  
38 ~~Additionally, the director may apply to a superior court for an~~

1 ~~injunction against any and all promoters of a contest, and may request~~  
2 ~~that the court seize all money and assets relating to the~~  
3 ~~competition)).~~

4 NEW SECTION. **Sec. 5.** A new section is added to chapter 67.08 RCW  
5 to read as follows:

6 No amateur or professional no holds barred fighting or combative  
7 fighting contest, exhibition, match, or similar type of event, nor any  
8 elimination tournament, may be held in this state. Any person  
9 promoting such an event is guilty of a class C felony. Additionally,  
10 the director may apply to a superior court for an injunction against  
11 any and all promoters of such contests, and the court may seize all  
12 money and assets relating to the competition at the request of the  
13 director.

14 **Sec. 6.** RCW 67.08.017 and 2002 c 86 s 307 are each amended to read  
15 as follows:

16 In addition to the powers described in RCW 18.235.030 and  
17 18.235.040, the director or the director's designee has the following  
18 authority in administering this chapter:

19 (1) Adopt, amend, and rescind rules as deemed necessary to carry  
20 out this chapter;

21 (2) Adopt standards of professional conduct or practice;

22 (3) ~~((Enter into an assurance of discontinuance in lieu of issuing~~  
23 ~~a statement of charges or conducting a hearing. The assurance shall~~  
24 ~~consist of a statement of the law in question and an agreement not to~~  
25 ~~violate the stated provision. The applicant or license holder shall~~  
26 ~~not be required to admit to any violation of the law, and the assurance~~  
27 ~~shall not be construed as such an admission. Violation of an assurance~~  
28 ~~under this subsection is grounds for disciplinary action)) Direct,~~

29 supervise, and control all boxing, mixed martial arts, kickboxing, and  
30 wrestling events conducted within this state; and

31 (4) ~~((Establish and assess fines for violations of this chapter~~  
32 ~~that may be subject to payment from a contestant's purse)) Prohibit~~

33 events unless all of the participants are licensed or otherwise exempt  
34 from licensure as provided under this chapter.

1           **Sec. 7.** RCW 67.08.030 and 1997 c 205 s 5 are each amended to read  
2 as follows:

3           (1) Every promoter, as a condition for receiving a license, shall  
4 file with the department a surety bond in an amount to be determined by  
5 the department, but not less than ten thousand dollars, to (~~cover all~~  
6 ~~of the event locations applied for within the state during the license~~  
7 ~~period, conditioned upon the faithful performance by such licensee of~~  
8 ~~the provisions of this chapter,~~) ensure the payment of the taxes,  
9 officials' fee, and participant contracts (~~as provided for herein and~~  
10 ~~the observance of all rules of the department~~)).

11           (2) Boxing, kickboxing, and mixed martial arts promoters must  
12 obtain medical insurance in an amount set by the director, but not less  
13 than fifty thousand dollars, to cover (~~any~~) injuries incurred by  
14 participants at the time of each event held in this state and provide  
15 proof of insurance to the department seventy-two hours before each  
16 event. The evidence of insurance must specify, at a minimum, the name  
17 of the insurance company, the insurance policy number, the effective  
18 date of the coverage, and evidence that each participant is covered by  
19 the insurance. The promoter must pay any deductible associated with  
20 the insurance policy.

21           (3) In lieu of the insurance requirement of subsection (2) of this  
22 section, a promoter of the boxing, kickboxing, or mixed martial arts  
23 event who so chooses may, as a condition for receiving a license under  
24 this chapter, file proof of medical insurance coverage that is in  
25 effect for the entire term of the licensing period.

26           (4) The department shall cancel a boxing, kickboxing, or mixed  
27 martial arts event if the promoter fails to provide proof of medical  
28 insurance (~~within the proper time frame~~) seventy-two hours before  
29 each event.

30           **Sec. 8.** RCW 67.08.050 and 2000 c 151 s 1 are each amended to read  
31 as follows:

32           (1) (~~Any~~) Ten days prior to the holding of any boxing,  
33 kickboxing, or mixed martial arts event, promoters shall (~~within seven~~  
34 ~~days prior to the holding of any event~~) file with the department a  
35 preliminary statement setting forth the name of each (~~licensee who is~~  
36 a) potential participant, (~~his or her manager or managers,~~) and such  
37 other information as the department may require. All licensing

1 documents required for licensure must be received by the department no  
2 less than seventy-two hours prior to the event. Participant changes  
3 ~~((regarding a wrestling event))~~ or additions may be allowed after  
4 notice to the department, if the new participant holds a valid license  
5 under this chapter, no less than forty-eight hours prior to the event.  
6 ~~((The department may stop any wrestling event in which a participant is~~  
7 ~~not licensed under this chapter.))~~

8 (2) ~~((Upon the termination))~~ At the end of any event the promoter  
9 shall file with the designated department representative a written  
10 report, duly verified as the department may require showing the number  
11 of tickets sold for the event, the price charged for the tickets and  
12 the gross proceeds thereof, and such other and further information as  
13 the department may require. The promoter shall pay to the department  
14 at the time of filing the report under this section a tax equal to five  
15 percent of such gross receipts. However, the tax may not be less than  
16 twenty-five dollars. The five percent of such gross receipts shall be  
17 immediately paid by the department into the state general fund.

18 (3) A complimentary ticket may not have a face value of less than  
19 the least expensive ticket available for sale to the general public.  
20 The number of untaxed complimentary tickets shall be limited to ten  
21 percent of the total tickets sold per event location, not to exceed one  
22 thousand tickets. All complimentary tickets exceeding this exemption  
23 shall be subject to taxation.

24 **Sec. 9.** RCW 67.08.055 and 1993 c 278 s 16 are each amended to read  
25 as follows:

26 Every ~~((licensee))~~ promoter who charges and receives an admission  
27 fee for exhibiting a simultaneous telecast of any live, current, or  
28 spontaneous boxing or sparring match, or wrestling exhibition or show  
29 on a closed circuit telecast viewed within this state shall, within  
30 ~~((seventy-two hours))~~ ten working days after such event, furnish to the  
31 department a verified written report on a form which is supplied by the  
32 department showing the number of tickets issued or sold, and the gross  
33 receipts therefor without any deductions whatsoever. Such ~~((licensee))~~  
34 promoter shall also, at the same time, pay to the department a tax  
35 equal to five percent of such gross receipts paid for admission to the  
36 showing of the ~~((contest, match or exhibition))~~ event. In no event,  
37 however, shall the tax be less than twenty-five dollars. The tax shall



1 apply uniformly at the same rate to all persons subject to the tax.  
2 Such receipts shall be immediately paid by the department into the  
3 general fund of the state.

4 **Sec. 10.** RCW 67.08.060 and 1997 c 205 s 7 are each amended to read  
5 as follows:

6 The department (~~may~~) shall appoint official inspectors (~~at least~~  
7 ~~one of which, in the absence of a member of the department,~~) who shall  
8 be present at any event held under the provisions of this chapter.  
9 Such chief inspector(~~s~~) shall carry a card signed by the director  
10 evidencing their authority. It shall be their duty to see that all  
11 rules of the department and the provisions of this chapter are strictly  
12 complied with and to be present at the accounting of the gross receipts  
13 of any event, and such inspector is authorized to receive from the  
14 licensee conducting the event the statement of receipts herein provided  
15 for and to immediately transmit such reports to the department. The  
16 department shall also appoint all other event officials who shall carry  
17 a card evidencing their authority. Each (~~inspector~~) appointed  
18 official shall receive a fee and travel expenses from the promoter  
19 through the department to be set by the director for each event  
20 officially attended.

21 **Sec. 11.** RCW 67.08.080 and 1999 c 282 s 5 are each amended to read  
22 as follows:

23 A boxing event held in this state may not be for more than ten  
24 rounds and no one round of any bout shall be scheduled for longer than  
25 three minutes and there shall be not less than a one minute  
26 intermission between each round. In the event of bouts involving  
27 state, regional, national, title eliminator, or world championships the  
28 department may grant an extension of no more than two additional rounds  
29 to allow total bouts of twelve rounds. A (~~contestant~~) participant in  
30 any boxing event under this chapter may not be permitted to wear gloves  
31 weighing less than eight ounces. The director shall adopt rules to  
32 assure clean and sportsmanlike conduct on the part of all  
33 (~~contestants~~) participants and officials, and the orderly and proper  
34 conduct of the event in all respects, and to otherwise make rules  
35 consistent with this chapter, but such rules shall apply only to events  
36 held under the provisions of this chapter. The director may adopt

1 rules with respect to round and bout limitations, glove weights, weight  
2 classes, and clean and sportsmanlike conduct for boxing, kickboxing,  
3 mixed martial arts, or wrestling events.

4 **Sec. 12.** RCW 67.08.090 and 2002 c 147 s 2 and 2002 c 86 s 308 are  
5 each reenacted and amended to read as follows:

6 (1) ~~((Each contestant for boxing, kickboxing, or martial arts~~  
7 ~~events shall be examined within twenty four hours before the contest by~~  
8 ~~an event physician licensed by the department. The event physician~~  
9 ~~shall report in writing and over his or her signature before the event~~  
10 ~~the physical condition of each and every contestant to the inspector~~  
11 ~~present at such contest. No contestant whose physical condition is not~~  
12 ~~approved by the event physician shall be permitted to participate in~~  
13 ~~any event. Blank forms for event physicians' reports shall be provided~~  
14 ~~by the department and all questions upon such blanks shall be answered~~  
15 ~~in full. The event physician shall be paid a fee and travel expenses~~  
16 ~~by the promoter.~~

17 (2) ~~The department may require that an event physician be present~~  
18 ~~at a wrestling event. The promoter shall pay the event physician~~  
19 ~~present at a wrestling event.)) A boxing, kickboxing, or mixed martial~~  
20 ~~arts event may not be held unless an event physician licensed by the~~  
21 ~~department is present throughout the event. In addition to the event~~  
22 ~~physician, a chiropractor may be included as a licensed official at a~~  
23 ~~boxing, kickboxing, or mixed martial arts event. ((The promoter shall~~  
24 ~~pay the chiropractor present at a boxing, kickboxing, or martial arts~~  
25 ~~event.~~

26 (3) ~~)) (2) Any physician licensed under RCW 67.08.100 may be~~  
27 ~~selected by the department as the event physician. The event physician~~  
28 ~~present at any ((contest)) event shall have authority to stop any~~  
29 ~~((event)) bout when in the event physician's opinion it would be~~  
30 ~~dangerous ((to a contestant)) to continue((, and in such event it shall~~  
31 ~~be the event physician's duty to stop the event.~~

32 (4) ~~The department may have a participant in a wrestling event~~  
33 ~~examined by an event physician licensed by the department prior to the~~  
34 ~~event. A participant in a wrestling event whose condition is not~~  
35 ~~approved by the event physician shall not be permitted to participate~~  
36 ~~in the event)).~~

1       ~~((5))~~ (3) Each participant for boxing, kickboxing, or mixed  
2 martial arts events shall receive a prefight physical before an event  
3 and within a time frame specified in rule. The prefight physical shall  
4 be performed by an event physician licensed by the department. The  
5 event physician shall complete and sign a prefight physical form  
6 provided by the department. The completed prefight physical form must  
7 be provided to the chief inspector prior to the beginning of the event.  
8 No participant whose physical condition is not approved by the event  
9 physician shall be permitted to participate in any event.

10       (4) ~~Each (contestant))~~ participant for boxing, kickboxing, mixed  
11 martial arts, or wrestling events may be subject to a random urinalysis  
12 or chemical test within twenty-four hours before or after ((a contest))  
13 an event. Breathalyzer tests may be administered within twenty-four  
14 hours before an event, during an event, or after an event until the  
15 postfight physical has been completed to determine if a participant has  
16 consumed or is affected by alcoholic beverages. Participants shall not  
17 consume alcoholic beverages until the postfight physical has been  
18 completed by the event physician. In addition to the unprofessional  
19 conduct specified in RCW 18.235.130, an applicant or licensee who tests  
20 positive for alcohol, or who refuses or fails to submit to the  
21 breathalyzer test, urinalysis, or chemical test is subject to  
22 disciplinary action under RCW 18.235.110. ((If the urinalysis or  
23 chemical test is positive for substances prohibited by rules adopted by  
24 the director, the applicant or licensee has engaged in unprofessional  
25 conduct and disciplinary action may be taken under RCW 18.235.110.)) If  
26 the urinalysis or chemical test is positive for illegal use of a  
27 controlled substance as defined in RCW 69.50.101, the applicant or  
28 licensee has engaged in unprofessional conduct and disciplinary action  
29 may be taken under RCW 18.235.110.

30       (5) The department may require that an event physician be present  
31 at a wrestling event. The department may appoint a chiropractor to  
32 attend wrestling events when requested by the promoter. The department  
33 may have a participant in a wrestling event examined by an event  
34 physician licensed by the department prior to the event. A participant  
35 in a wrestling event whose condition is not approved by the event  
36 physician shall not be permitted to participate in the event.

37       (6) The event physician and chiropractor shall be paid a fee and

1 travel expenses by the promoter through the department in an amount to  
2 be set by the director for each event officially attended.

3 **Sec. 13.** RCW 67.08.100 and 2002 c 147 s 3 and 2002 c 86 s 309 are  
4 each reenacted and amended to read as follows:

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

13 (2) ~~((The application for the following types of licenses))~~ With  
14 their applications, participants and referees shall include a physical  
15 performed by a physician, as defined in RCW 67.08.002, which was  
16 performed by the physician with a time period preceding the application  
17 as specified by rule ~~((:—(a) Boxer; (b) wrestling participant; (c)~~  
18 ~~kickboxer; (d) martial arts participant; and (e) referee))~~.

19 (3) An applicant or licensee upon renewal for the following types  
20 of licenses for the sports of boxing, kickboxing, and mixed martial  
21 arts shall provide annual proof of certification as having adequate  
22 experience, skill, and training for the license applied for from an  
23 organization approved by the department ~~((, including, but not limited~~  
24 ~~to, the association of boxing commissions, the international boxing~~  
25 ~~federation, the international boxing organization, the Washington state~~  
26 ~~association of professional ring officials, the world boxing~~  
27 ~~association, the world boxing council, or the world boxing organization~~  
28 ~~for boxing officials, and the united full contact federation for~~  
29 ~~kickboxing and martial arts officials))): (a) Judge; (b) referee; (c)~~  
30 chief inspector; (d) timekeeper; or (e) other officials deemed  
31 necessary by the department.

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

34 (5) ~~((The referees, judges, timekeepers, event physicians,~~  
35 ~~chiropractors, and inspectors))~~ All appointed official positions for  
36 any ~~((boxing, kickboxing, or martial arts))~~ event shall be

1 ((designated)) assigned by the department ((from among licensed  
2 officials)).

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

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

14 (8) A person may not be issued a license if the person has an  
15 unpaid fine, related to boxing, kickboxing, mixed martial arts, and  
16 wrestling, outstanding to the department.

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

19 ~~((10) This section shall not apply to contestants or participants  
20 in events at which only amateurs are engaged in contests and/or  
21 fraternal organizations and/or veterans' organizations chartered by  
22 congress or the defense department or any recognized amateur  
23 sanctioning body recognized by the department, holding and promoting  
24 athletic events and where all funds are used primarily for the benefit  
25 of their members. Upon request of the department, a promoter,  
26 contestant, or participant shall provide sufficient information to  
27 reasonably determine whether this chapter applies.))~~

28 **Sec. 14.** RCW 67.08.110 and 2002 c 86 s 310 are each amended to  
29 read as follows:

30 (1) Any person or any member of any group of persons or corporation  
31 promoting boxing, kickboxing, and mixed martial arts events who shall  
32 participate directly or indirectly in the purse or fee of any manager  
33 of any ~~((boxers))~~ participants or any ~~((boxer))~~ participant and any  
34 licensee who shall conduct or participate in any sham or fake boxing,  
35 kickboxing, and mixed martial arts event has engaged in unprofessional  
36 conduct and is subject to the sanctions specified in RCW 18.235.110.

1 (2) A manager of any boxer, kickboxer, or mixed martial arts  
2 participant who allows any person or any group of persons or  
3 corporation promoting boxing, kickboxing, or mixed martial arts events  
4 to participate directly or indirectly in the purse or fee, or any  
5 boxer, kickboxer, or mixed martial arts participant or other licensee  
6 who conducts or participates in any sham or fake boxing, kickboxing, or  
7 mixed martial arts event has engaged in unprofessional conduct and is  
8 subject to the sanctions specified in RCW 18.235.110.

9 **Sec. 15.** RCW 67.08.140 and 2002 c 86 s 312 are each amended to  
10 read as follows:

11 Any person(~~(, club, corporation, organization, association,~~  
12 ~~fraternal society, participant, or promoter)~~) conducting or  
13 participating in boxing, kickboxing, mixed martial arts, or wrestling  
14 events within this state without having first obtained a license  
15 (~~therefor~~) in the manner provided by this chapter is in violation of  
16 this chapter and shall be guilty of a misdemeanor (~~excepting the~~)  
17 except those events (~~excluded from the operation of this chapter by~~)  
18 exempt under RCW 67.08.015.

19 **Sec. 16.** RCW 67.08.160 and 1999 c 282 s 10 are each amended to  
20 read as follows:

21 A promoter shall have (~~an ambulance or~~) a paramedical unit with  
22 transport and resuscitation capabilities present at the event location.

23 **Sec. 17.** RCW 67.08.170 and 1997 c 205 s 15 are each amended to  
24 read as follows:

25 A promoter shall ensure that adequate security personnel are in  
26 attendance at (~~a wrestling or boxing~~) an event to control fans in  
27 attendance. The size of the security force shall be determined by  
28 mutual agreement of the promoter, the person in charge of operating the  
29 arena or other facility, and the department.

30 **Sec. 18.** RCW 67.08.180 and 2002 c 86 s 313 are each amended to  
31 read as follows:

32 In addition to the unprofessional conduct specified in RCW  
33 18.235.130, the following conduct, acts, or conditions constitute  
34 unprofessional conduct for which disciplinary action may be taken:

1       (1) (~~(Destruction of any ticket or ticket stub, whether sold or~~  
2 ~~unsold, within three months after the date of any event, by any~~  
3 ~~promoter or person associated with or employed by any promoter.~~

4       ~~(2))~~ The deliberate cutting of himself or herself or other self  
5 mutilation by a wrestling participant while participating in a  
6 wrestling event.

7       ~~((3))~~ (2) A conviction under chapter 69.50 RCW.

8       ~~((4))~~ (3) Testing positive for illegal use of a controlled  
9 substance as defined in RCW 69.50.101.

10       ~~((5))~~ (4) The striking of any person (~~(that is not a licensed~~  
11 ~~participant)), other than the approved bout opponent at (~~(a wrestling))~~  
12 the event.~~

13       **Sec. 19.** RCW 67.08.200 and 1997 c 205 s 17 are each amended to  
14 read as follows:

15       A person, including but not limited to a consumer, licensee,  
16 corporation, organization, and state and local governmental agency, may  
17 submit a written complaint to the department (~~(charging a license~~  
18 ~~holder or applicant with unprofessional conduct and specifying the~~  
19 ~~grounds for the complaint)). If the department determines that the~~  
20 ~~complaint merits investigation or if the department has reason to~~  
21 ~~believe, without a formal complaint, that a license holder or applicant~~  
22 ~~may have engaged in ((unprofessional conduct)) a violation of this~~  
23 ~~chapter, the department shall investigate ((to determine whether there~~  
24 ~~has been unprofessional conduct)). A person who files a complaint~~  
25 ~~under this section in good faith is immune from suit in any civil~~  
26 ~~action related to the filing or contents of the complaint.~~

27       **Sec. 20.** RCW 67.08.300 and 2002 c 86 s 314 are each amended to  
28 read as follows:

29       The director or individuals acting on the director's behalf and all  
30 appointed event officials are immune from suit in an action, civil or  
31 criminal, based on official acts performed in the course of their  
32 duties in the administration and enforcement of this chapter.  
33 Appointed event officials are not immune from disciplinary actions  
34 brought under this chapter and chapter 18.235 RCW by the department.

1        NEW SECTION.    **Sec. 21.**    The following acts or parts of acts are  
2 each repealed:

3            (1) RCW 67.08.010 (Licenses for boxing, martial arts, and wrestling  
4 events--Telecasts) and 2002 c 86 s 305, 1997 c 205 s 2, 1993 c 278 s  
5 10, 1989 c 127 s 13, 1975-'76 2nd ex.s. c 48 s 2, & 1933 c 184 s 7;

6            (2) RCW 67.08.040 (Issuance of license) and 1993 c 278 s 14, 1975-  
7 '76 2nd ex.s. c 48 s 4, & 1933 c 184 s 10;

8            (3) RCW 67.08.130 (Failure to make report--Additional tax--  
9 Hearing--Disciplinary action) and 2002 c 86 s 311, 1997 c 205 s 13,  
10 1993 c 278 s 23, & 1933 c 184 s 19;

11           (4) RCW 67.08.220 (Unprofessional conduct--Order upon finding--  
12 Penalties--Costs) and 1997 c 205 s 19; and

13           (5) RCW 67.08.240 (Unprofessional conduct--What constitutes) and  
14 1997 c 205 s 21.

15        NEW SECTION.    **Sec. 22.**    This act takes effect January 1, 2009.

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