

HOUSE BILL No. 5275

November 6, 2003, Introduced by Rep. Rivet and referred to the Committee on Regulatory Reform.

A bill to amend 1980 PA 299, entitled
"Occupational code,"
by amending sections 801, 804, 805, 805a, 806, and 807 (MCL
339.801, 339.804, 339.805, 339.805a, 339.806, and 339.807),
sections 801, 804, 805, 805a, and 806 as amended by 1995 PA 217.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 801. As used in this article:

2 (a) "Amateur" means a person who is not competing and has
3 never competed for a money prize or who is not competing and has
4 not competed with or against a professional for a prize. **Amateur**
5 **does not include an individual competing in an elimination**
6 **contest conducted under section 805a.**

7 (b) "Boxing club" means an organization affiliated with USA
8 boxing.

9 (c) "Professional" means a person who is competing or has

1 competed for a money prize.

2 (d) "School", "college", or "university" does not include an
3 institution formed or operated principally to provide instruction
4 in boxing and other sports.

5 Sec. 804. (1) A boxing match or exhibition for prizes or
6 purses, or for which an admission fee is charged or received, may
7 be held within the state, subject to the direction, management,
8 and control of the department. **An elimination contest conducted**
9 **under section 805a is subject to the direction, management, and**
10 **control of the department.**

11 (2) This article does not apply to boxing matches or
12 exhibitions conducted by or participated in exclusively by a
13 department or agency of the United States government or by a
14 school, college, or university or by an association or
15 organization composed exclusively of these schools, colleges, or
16 universities if each contestant in the match or exhibition is an
17 amateur.

18 Sec. 805. (1) Except as otherwise provided in subsection
19 (2), a boxing match or exhibition shall not be held or conducted
20 within this state — except under a license issued by the
21 department pursuant to this article — and the rules promulgated
22 under this act. **An elimination contest under section 805a shall**
23 **not be held or conducted in this state except under a limited**
24 **elimination contest license issued by the department to the**
25 **promoter pursuant to this article and in compliance with section**
26 **805a.**

27 (2) The department may issue, without the payment of a fee, a

1 license to hold a boxing match or exhibition between
2 professionals under the sponsorship of a civic organization or
3 veterans' group if held for charitable purposes.

4 Sec. 805a. (1) This article ~~does not apply~~ **applies** to
5 ~~boxing~~ elimination contests. ~~in which all of the following~~
6 ~~apply:~~ **The elimination contest venue shall be a facility with a**
7 **legal minimum seating capacity of at least 1,000 people. The**
8 **promoter shall obtain from the department a limited contest**
9 **license at or before the time of the scheduled event for each**
10 **contestant in an elimination contest. As part of the application**
11 **and approval process for the limited contest license, the**
12 **promoter shall present verification from the contestant, in a**
13 **form acceptable to the department, of at least 30 days' prior**
14 **training and of a history of any injuries received in any**
15 **professional or amateur bout or in any other elimination contest**
16 **in this or another state within the preceding 3 years. The**
17 **following apply to elimination contests:**

18 (a) The contestants compete for prizes only ~~in elimination~~
19 ~~contests~~ and are not also professional boxers competing in 4 or
20 more rounds of nonelimination boxing.

21 (b) Each bout is scheduled to consist of 3 or fewer 1-minute
22 rounds, with contests conducted on no more than 2 consecutive
23 calendar days.

24 (c) Competing contestants are prohibited from boxing for more
25 than 12 minutes on each contest day.

26 (d) The contestants participating in the elimination contest
27 are insured by the promoter, **for not less than \$50,000.00,** for

1 all medical and hospital expenses to be paid to the contestants
2 to cover injuries sustained in the contest **and for not less than**
3 **\$5,000.00 to be paid in accordance with the statutes of descent**
4 **and distribution of personal property if the contestant should**
5 **die as a result of injuries received in the contest.**

6 (e) A licensed physician is in attendance at ringside and the
7 physician has authority to stop the contest for medical reasons
8 **and an ambulance and qualified emergency medical technician is**
9 **present at the contest facility during the bouts.**

10 (f) All contestants pass a physical examination given by a
11 licensed physician before the contest.

12 (g) A preliminary breath test is administered to each
13 contestant which indicates a blood alcohol content of .02% or
14 less.

15 (h) The promoter conducts the elimination contest in
16 compliance with the following:

17 (i) A contestant who has lost by a technical knockout is not
18 permitted to compete again for a period of 30 calendar days or
19 until the contestant has submitted to the promoter the results of
20 a physical examination equivalent to that required of
21 professional boxers.

22 (ii) The ringside physician examines a contestant who has
23 been knocked out in an elimination contest or whose fight has
24 been stopped by the referee because he or she received hard blows
25 to the head that made him or her defenseless or incapable of
26 continuing immediately after the knockout or stoppage. The
27 ringside physician may recommend post-fight neurological

1 examinations, which may include computerized axial tomography
2 (CAT) scans or magnetic resonance imaging (MRI), to be performed
3 on the contestant immediately after the contestant leaves the
4 location of the contest. The promoter shall not permit the
5 contestant to compete until a physician has certified that the
6 contestant is fit to compete. If the physician recommended
7 further neurological examinations, the promoter shall not permit
8 the contestant to compete until the promoter receives copies of
9 examination reports demonstrating that the contestant is fit to
10 compete.

11 (iii) The promoter shall require that a contestant who has
12 sustained a severe injury or knockout in an elimination contest
13 be examined by a physician. The promoter shall not permit the
14 contestant to compete until the physician has certified that the
15 contestant has fully recovered.

16 (iv) The promoter shall not permit a contestant to compete in
17 an elimination contest for a period of not less than 60 days if
18 he or she has been knocked out or has received excessive hard
19 blows to the head that required the fight to be stopped.

20 (v) A contestant who has been knocked out twice in a period
21 of 3 months or who has had excessive head blows causing a fight
22 to be stopped shall not be permitted by a promoter to participate
23 in an elimination contest for a period of not less than 120 days
24 from the second knockout or stoppage.

25 (vi) A contestant who has been knocked out or had excessive
26 hard blows to the head causing a fight to be stopped 3 times
27 consecutively in a period of 12 months shall not be permitted by

1 a promoter to participate in an elimination contest for a period
2 of 1 year from the third knockout.

3 (vii) Before resuming competition after any of the periods of
4 rest prescribed in subparagraphs (iv), (v), and (vi), a promoter
5 shall require the contestant to produce a certification by a
6 physician stating that the contestant is fit to take part in an
7 elimination contest.

8 (2) As part of the physical examination given before the
9 contest, the licensed physician or other trained person shall
10 administer a preliminary breath test in compliance with standards
11 imposed in rules promulgated by the department of state police
12 regarding equipment calibration and methods of administration.

13 (3) The promoter shall keep a log of preliminary breath test
14 results of contestants on file at its place of business for at
15 least 3 years after the date of administration of the test.
16 These results shall be made available to law enforcement
17 officials upon request.

18 (4) An elimination contest **not** held pursuant to this section
19 is ~~not~~ considered to be in violation of ~~the law~~ **section 442**
20 **of the Michigan penal code, 1931 PA 328, MCL 750.442.**

21 Sec. 806. (1) A promoter, boxing club, physician, referee,
22 judge, matchmaker, timekeeper, announcer, professional boxer, or
23 a manager, or second of those persons shall obtain a license from
24 the department before participating either directly or indirectly
25 in a boxing contest. **In the case of an elimination contest**
26 **conducted pursuant to section 805a, only the referee is required**
27 **to be licensed.**

1 (2) A person shall not profit directly or indirectly from a
2 boxing **contest or elimination** contest or participate directly or
3 indirectly in the contest or in the receipts from a contest
4 unless that contest is licensed by the department in advance
5 under the classifications designated in this article.

6 (3) Each application for a license **or limited license** shall
7 be in writing, shall be verified by the applicant, and shall set
8 forth those facts requested by and conform to the rules
9 promulgated by the department, jointly with the board.

10 (4) The department shall issue a passport with each
11 professional boxer's license.

12 (5) Each applicant for a license as a promoter, referee, or
13 judge shall be of good moral character.

14 Sec. 807. (1) A contestant participating in a boxing or
15 sparring match or exhibition shall be insured for not less than
16 ~~-\$1,000.00-~~ **\$50,000.00** for medical and hospital expenses to be
17 paid to the contestant to cover injuries sustained in the
18 contest, and for not less than \$5,000.00 to be paid in accordance
19 with the statutes of descent and distribution of personal
20 property if the contestant should die as a result of injuries
21 received in a boxing or sparring match or exhibition.

22 (2) A promoter of a boxing match or exhibition between
23 professionals shall insure each contestant participating in the
24 boxing match or exhibition **in the amounts described in**
25 **subsection (1).**