

SENATE BILL No. 767

August 26, 2009, Introduced by Senators JELINEK, PAPPAGEORGE and KUIPERS and referred to the Committee on Judiciary.

A bill to amend 2004 PA 403, entitled
"Michigan unarmed combat regulatory act,"
by amending section 22 (MCL 338.3622), as amended by 2007 PA 196.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 22. (1) The commission shall elect 1 of its members as
2 the chair of the commission. The commission may purchase and use a
3 seal. The director may promulgate rules for the administration of
4 this act but only after first consulting with the commission. The
5 commission may request the department to promulgate a rule under
6 section 38 of the administrative procedures act of 1969, 1969 PA
7 306, MCL 24.238. Notwithstanding the time limit provided for in
8 section 38 of the administrative procedures act of 1969, 1969 PA
9 306, MCL 24.238, the department shall respond in writing to any
10 request for rule promulgating by the commission within 30 calendar

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1 days after a request. The response shall include a reason and
2 explanation for acceptance or denial of the request.

3 (2) The department shall promulgate rules to include all of
4 the following:

5 (a) Number and qualifications of ring officials required at
6 any exhibition or contest.

7 (b) Powers, duties, and compensation of ring officials.

8 (c) Qualifications of licensees.

9 (d) License fees not otherwise provided under this act.

10 (e) Any necessary standards designed to accommodate federally
11 imposed mandates that do not directly conflict with this act.

12 (f) A list of enhancers and prohibited substances, the
13 presence of which in a contestant is grounds for suspension or
14 revocation of the license or other sanctions.

15 (3) An unarmed combat fund is created as a revolving fund in
16 the state treasury and administered by the director. The money in
17 the fund is to be only used for the costs of administration and
18 enforcement of this act and for any costs associated with the
19 administration of this act, including, but not limited to,
20 reimbursing the department of attorney general for the reasonable
21 costs of services provided to the department under this act. Money
22 remaining in the fund at the end of the fiscal year and interest
23 earned shall be carried forward into the next fiscal year and shall
24 not revert to the general fund. The department shall deposit into
25 the fund all money received from the regulatory and enforcement
26 fee, license fees, event fees, and administrative fines imposed
27 under this act, and from any other source.

1 (4) Annually, the legislature shall fix the per diem
2 compensation of the members of the commission. Travel or other
3 expenses incurred by a commission member in the performance of an
4 official function shall be payable by the department ~~pursuant to~~
5 **UNDER** the standardized travel regulations of the department of
6 management and budget.

7 (5) The commission may affiliate with any other state or
8 national boxing or mixed martial arts commission or athletic
9 authority. The commission, upon approval of the director, may enter
10 into any appropriate reciprocity agreements.

11 (6) The commission and department are vested with management,
12 control, and jurisdiction over all professional boxing and
13 professional mixed martial arts contests or exhibitions to be
14 conducted, held, or given within the state of Michigan. Except for
15 any contests or exhibitions exempt from this act, a contest or
16 exhibition shall not be conducted, held, or given within this state
17 except in compliance with this act.

18 (7) The requirements and standards contained in standards
19 adopted by the New Jersey state athletic control board, N.J.A.C.
20 13:46-24A and 24B, as they may exist on ~~the effective date of this~~
21 ~~act~~ **FEBRUARY 20, 2005**, entitled the mixed martial arts unified
22 rules, dated 2000, except for the license fees described in those
23 rules, are incorporated by reference. Any requirements and
24 standards incorporated by reference in this subsection that are in
25 conflict with the requirements and standards of this act are
26 considered superseded by the provisions of this act. The director,
27 in consultation with the commission, may promulgate rules

1 consistent with section 35 to alter, supplement, update, or amend
2 the standards incorporated by reference under this subsection. Any
3 references to the commission in the mixed martial arts unified
4 rules shall mean the department. The standards contained in 13:46-
5 24B.3 are not incorporated by reference.

6 ~~—— (8) Any boxing, mixed martial arts, or sparring contest~~
7 ~~conforming to the requirements of this act and to the rules of the~~
8 ~~department is not considered to be a prize fight for purposes of~~
9 ~~chapter LXVI of the Michigan penal code, 1931 PA 328, MCL 750.442~~
10 ~~to 750.447.~~