

MICHIGAN UNARMED COMBAT REGULATORY ACT (EXCERPT)
Act 403 of 2004

***** 338.3647.amended THIS AMENDED SECTION IS EFFECTIVE JANUARY 31, 2018 *****

338.3647.amended Action against license; rules; seat provided to commission member.

Sec. 47. (1) The department shall initiate an action under this chapter against an applicant or take any other allowable action against the license of any contestant, promoter, or participant if the department determines that the applicant or licensee does any of the following:

- (a) Engages in fraud, deceit, or dishonesty in obtaining a license.
 - (b) Engages in fraud, deceit, or dishonesty in performing the duties of a promoter, if applicable, or otherwise practicing that person's licensed occupation.
 - (c) If the licensee or applicant pays a fee under this act with a check, money order, or similar instrument or with a credit card or debit card and that payment is dishonored or otherwise refused when presented by the department for payment, fails to pay that fee and reimburse the department for any charges incurred by the department in connection with that dishonored or refused payment. If a payment is dishonored or refused, the license is immediately suspended and remains suspended until the fee and the related charges are paid. As used in this subdivision, "dishonored" means that term as described in section 3502 of the uniform commercial code, 1962 PA 174, MCL 440.3502.
 - (d) Enters into a contract for a contest or event in bad faith.
 - (e) Participates in any sham or fake contest or event.
 - (f) Participates in a contest or event under a collusive understanding or agreement in which the contestant competes or terminates the contest or event in a manner that is not based on honest competition or the honest exhibition of the skill of the contestant.
 - (g) Is determined to have failed to give his or her best efforts, failed to compete honestly, or failed to give an honest exhibition of his or her skills in a contest.
 - (h) Is determined to have performed an act or engaged in conduct that is detrimental to a contest or event, including, but not limited to, any foul or unsportsmanlike conduct in connection with a contest or event.
 - (i) Gambles on the outcome of a contest or event in which he or she is a contestant, matchmaker, ring official, or second.
 - (j) Assaults another licensee, outside of or while not involved in a contest, a commission member, or a department employee.
 - (k) Engages in false advertising.
 - (l) Fails to comply with a subpoena issued under this act.
 - (m) Fails to provide a requested document or records to the department.
 - (n) Violates or fails to comply with a settlement with or final order issued by the department or commission.
 - (o) Fails to pay any obligation that is related to the normal course of promoting an event, including, but not limited to, venue rent or judge, physician, referee, or timekeeper fees.
 - (p) Enters into a contract for a contest or event in bad faith.
 - (q) Gambles on the outcome of a contest or event of which the person is a promoter.
 - (r) Fails to file current address information with the department within 30 days after a change occurs.
 - (s) Tampers with or coerces a contestant.
 - (t) Aids or abets another person to act as a promoter, contestant, or participant or conduct an event without a license under this act.
 - (u) Violates any other provision of this act or a rule promulgated under this act for which a penalty or remedy is not otherwise prescribed.
- (2) The department, in consultation with the commission, shall promulgate rules to provide for both of the following:
- (a) The timing of drug tests for contestants.
 - (b) For purposes of section 48(5), specific summary suspension procedures for contestants who fail to submit to a drug test or who test positive for controlled substances, alcohol, enhancers, stimulants, performance enhancing drugs, or other drugs or substances prohibited by rules promulgated by the department, or derivatives or metabolites of controlled substances, alcohol, enhancers, stimulants, performance enhancing drugs, or other drugs or substances prohibited by rules promulgated by the department. The rules shall include all of the following:
 - (i) A procedure to allow the department to place the licensee on the national suspension list maintained by the designated recordkeeper authorized by the Association of Boxing Commissions.

(ii) An expedited appeal process for the summary suspension.

(iii) A relicensing procedure following summary suspension.

(3) Each promoter shall furnish each member of the commission present at a contest or event a seat in the area immediately adjacent to the contest or event. An additional seat shall be provided in the venue.

History: 2004, Act 403, Eff. Feb. 20, 2005;—Am. 2005, Act 49, Imd. Eff. June 23, 2005;—Am. 2007, Act 196, Eff. Mar. 27, 2008;—Am. 2015, Act 183, Eff. Feb. 10, 2016;—Am. 2017, Act 146, Eff. Jan. 31, 2018.