

SECOND REGULAR SESSION

HOUSE BILL NO. 1388

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE GREGORY.

4196H.04I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 317.006, 317.011, 317.013, 317.014, and 317.019, RSMo, and to enact in lieu thereof six new sections relating to certain sports contests.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 317.006, 317.011, 317.013, 317.014, and 317.019, RSMo, are repealed and six new sections enacted in lieu thereof, to be known as sections 317.006, 317.011, 317.013, 317.014, 317.017, and 317.019, to read as follows:

317.006. 1. The division shall have general charge and supervision of all professional boxing, sparring, professional wrestling, professional kickboxing ~~and~~, **amateur kickboxing**, professional full-contact karate, **professional mixed martial arts, and amateur mixed martial arts** contests held in the state of Missouri, and it shall have the power, and it shall be its duty:

(1) To make and publish rules governing in every particular professional boxing, sparring, professional wrestling, professional kickboxing ~~and~~, **amateur kickboxing**, professional full-contact karate, **professional mixed martial arts, and amateur mixed martial arts** contests;

(2) To make and publish rules governing the approval of amateur sanctioning bodies;

(3) To accept applications for and issue licenses to contestants in professional boxing, sparring, professional wrestling, professional kickboxing ~~and~~, **amateur kickboxing**, professional full-contact karate, **professional mixed martial arts, and amateur mixed martial arts** contests held in the state of Missouri, and referees, judges, matchmakers, ~~managers,~~ promoters, seconds, ~~announcers,~~ timekeepers and physicians involved in professional boxing, sparring, professional wrestling, professional kickboxing ~~and~~, **amateur kickboxing**, professional full-contact karate, **professional mixed martial arts, and amateur mixed martial**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 **arts** contests held in the state of Missouri, as authorized herein. Such licenses shall be issued
 18 in accordance with rules duly adopted by the division. **The division shall not require any**
 19 **contestant in an amateur mixed martial arts contest to submit, for purposes of obtaining**
 20 **a license under this section, evidence of any tests performed by a laboratory; and**

21 (4) To charge fees to be determined by the director and established by rule for every
 22 license issued and to assess a tax of five percent of the gross receipts of any person, organization,
 23 corporation, partnership, limited liability company, or association holding a promoter's license
 24 and permit under sections 317.001 to 317.021, derived from admission charges connected with
 25 or as an incident to the holding of any professional boxing, sparring, professional wrestling,
 26 professional kickboxing [œ] , **amateur kickboxing**, professional full-contact karate,
 27 **professional mixed martial arts, or amateur mixed martial arts** contest in the state of
 28 Missouri. Such funds shall be paid to the division of professional registration which shall pay
 29 said funds into the Missouri state treasury to be set apart into a fund to be known as the "Athletic
 30 Fund" which is hereby established[;–

31 ~~————(5) To assess a tax of five percent of the gross receipts of any person, organization,~~
 32 ~~corporation, partnership, limited liability company or association holding a promoter's license~~
 33 ~~under sections 317.001 to 317.021 derived from the sale, lease or other exploitation in this state~~
 34 ~~of broadcasting, television, pay-per-view, closed-circuit telecast, and motion picture rights for~~
 35 ~~any professional boxing, sparring, professional wrestling, professional kickboxing or~~
 36 ~~professional full-contact karate contest. Such funds shall be paid to the division which shall pay~~
 37 ~~said funds into the Missouri state treasury to be set apart into a fund to be known as the "Athletic~~
 38 ~~Fund";–~~

39 ~~————(6) Each cable television system operator whose pay-per-view or closed-circuit facilities~~
 40 ~~are utilized to telecast a bout or contest shall, within thirty calendar days following the date of~~
 41 ~~the telecast, file a report with the office stating the number of orders sold and the price per order].~~

42 2. All fees established pursuant to sections 317.001 to 317.021 shall be determined by
 43 the director by rule in such amount as to produce sufficient revenue to fund the necessary
 44 expenses and operating costs incurred in the administration of the provisions of sections 317.001
 45 to 317.021. All expenses shall be paid as otherwise provided by law.

317.011. 1. The division shall have the power, and it shall be its duty, to accept
 2 application for and issue permits to hold professional boxing, sparring, professional wrestling,
 3 professional kickboxing [œ] , **amateur kickboxing**, professional full-contact karate,
 4 **professional mixed martial arts, or amateur mixed martial arts** contests in the state of
 5 Missouri, and to charge a fee for the issuance of same in an amount established by rule; such
 6 funds to be paid to the division which shall pay such funds into the Missouri state treasury to be
 7 set apart into the athletic fund.

8 2. The provisions of section 33.080 to the contrary notwithstanding, money in this fund
9 shall not be transferred and placed to the credit of general revenue until the amount in the fund
10 at the end of the biennium exceeds two times the amount of the appropriation from the fund for
11 the preceding fiscal year or, if the division requires by rule renewal **of the permits** less
12 frequently than yearly then three times the appropriation from the fund for the preceding fiscal
13 year. The amount, if any, in the fund which shall lapse is that amount in the fund which exceeds
14 the appropriate multiple of the appropriations from the fund for the preceding fiscal year.

15 3. The division shall not grant any permit to hold professional boxing, sparring,
16 professional wrestling, professional kickboxing [ø] , **amateur kickboxing**, professional
17 full-contact karate, **professional mixed martial arts, or amateur mixed martial arts** contests
18 in the state of Missouri except:

19 (1) Where such professional boxing, sparring, professional wrestling, professional
20 kickboxing [ø] , **amateur kickboxing**, professional full-contact karate, **professional mixed**
21 **martial arts, or amateur mixed martial arts** contest is to be held under the auspices of a
22 promoter duly licensed by the division; and

23 (2) Where a fee has been paid for such permit, in an amount established by rule.

24 4. In such contests a decision shall be rendered by three judges licensed by the division.

25 5. Specifically exempted from the provisions of this chapter are contests or exhibitions
26 for amateur boxing[, ~~amateur kickboxing,~~] **and** amateur wrestling [~~and amateur full-contact~~
27 ~~karate~~]. However, all amateur boxing[, ~~amateur kickboxing,~~] **and** amateur wrestling [~~and~~
28 ~~amateur full-contact karate~~] must be sanctioned by a nationally recognized amateur sanctioning
29 body approved by the office.

317.013. 1. In order to protect the health and welfare of the contestants, there shall be
2 a mandatory medical suspension of any contestant, not to exceed one hundred eighty days, who
3 loses consciousness or who has been injured as a result of blows received to the head or body
4 during a professional boxing, professional wrestling, professional kickboxing, [ø] **amateur**
5 **kickboxing**, professional full-contact karate, **professional mixed martial arts, or amateur**
6 **mixed martial arts** contest. The determination of consciousness is to be made only by a
7 physician licensed by the board of healing arts and the division. Medical suspensions issued in
8 accordance with this section shall not be reviewable by any tribunal.

9 2. No license shall be issued to any person who has been injured in such a manner that
10 they may not continue to participate in boxing, wrestling, **professional** kickboxing, [ø]
11 **amateur kickboxing**, full-contact karate, **professional mixed martial arts, or amateur mixed**
12 **martial arts** contests in the future. Such a person shall be deemed medically retired. No person
13 with a status of medically retired shall compete in any events governed by this chapter. Medical
14 retirements issued in accordance with this section shall not be reviewable by any tribunal.

317.014. 1. Upon proper application by the director, or the director of the office, a court of competent jurisdiction may grant an injunction, restraining order or any other order as may be appropriate to enjoin a person, partnership, organization, corporation, limited liability company or association from:

(1) Promoting or offering to promote any professional boxing, sparring, professional wrestling, professional kickboxing ~~[and]~~, **amateur kickboxing**, professional full-contact karate, **professional mixed martial arts, or amateur mixed martial arts** contests ~~[in Missouri]~~ **that are not approved by the Missouri office of athletics;**

(2) Advertising or offering to advertise any professional boxing, sparring, professional wrestling, professional kickboxing ~~[and]~~, **amateur kickboxing**, professional full-contact karate, **professional mixed martial arts, or amateur mixed martial arts** contests ~~[in Missouri]~~ **that are not approved by the Missouri office of athletics;**

(3) Conducting or offering to conduct any professional boxing, sparring, professional wrestling, professional kickboxing ~~[and]~~, **amateur kickboxing**, professional full-contact karate, **professional mixed martial arts, or amateur mixed martial arts** contests ~~[in Missouri]~~ **that are not approved by the Missouri office of athletics;** or

(4) Competing or offering to compete in any professional boxing, sparring, professional wrestling, professional kickboxing ~~[and]~~, **amateur kickboxing**, professional full-contact karate, **professional mixed martial arts, or amateur mixed martial arts** contests ~~[in Missouri]~~ **that are not approved by the Missouri office of athletics.**

2. Any such actions shall be commenced either in the county in which such conduct occurred or in the county in which the defendant resides.

3. Any action brought under this section shall be in addition to, and not in lieu of, any penalty provided by law and may be brought concurrently with other actions to enforce this chapter.

317.017. 1. In any professional or amateur event the division regulates, other than amateur kickboxing, no person shall be allowed to participate if such person is not eighteen years of age or older on or before the day the individual is scheduled to participate in the event.

2. Before the office issues a promoter's license, the promoter shall provide the office a surety bond in the amount of twenty-five thousand dollars or an irrevocable letter of credit in the amount of at least twenty-five thousand dollars from a lending institution approved to do business in the United States to guarantee payment of all state athletic taxes and fees to the state. The surety bond or irrevocable letter of credit shall cover all license fees and taxes due to the office as well as all expenses of the contestants and officials in the event of default by the promoter. The irrevocable letter of credit shall be released only

12 upon written approval by the office. An additional bond or irrevocable letter of credit may
13 be required in the amount specified by the office if it may be reasonably expected that the
14 twenty-five thousand dollar bond or irrevocable letter of credit will not provide sufficient
15 protection to the state. It shall be the duty of each promoter to maintain all required bonds
16 on a current status.

17 3. There shall be a prohibition of all elbow strikes to the head of an opponent
18 during an amateur mixed martial arts bout.

19 4. For the first five sanctioned amateur bouts, there shall be a prohibition of knee
20 strikes to the head of an opponent during an amateur mixed martial arts contest.
21 However, after the fifth sanctioned bout for both contestants, both contestants may
22 mutually agree to allow knee strikes during a bout.

317.019. 1. The promoter of a professional boxing, professional kickboxing, [~~and~~]
2 amateur kickboxing, professional full-contact karate, **professional mixed martial arts, and**
3 **amateur mixed martial arts** contest shall sign written bout contracts with each professional or
4 amateur contestant. Original bout contracts shall be filed with the division prior to the event
5 as required by the rules of the office. The bout contract shall be on a form supplied by the
6 division and contain at least the following:

- 7 (1) The weight required of the contestant at weigh-in;
- 8 (2) The amount of the purse to be paid for the contest, **except amateur kickboxing and**
9 **amateur mixed martial arts contests;**
- 10 (3) The date and location of the contest;
- 11 (4) The glove size allotted for each contestant;
- 12 (5) Any other payment or consideration provided to the contestant, **except amateur**
13 **kickboxing and amateur mixed martial arts contests;**
- 14 (6) List of all fees, charges, and expenses including training expenses that will be
15 assessed to the contestant or deducted from the contestant's purse, **except amateur kickboxing**
16 **and amateur mixed martial arts contests;**
- 17 (7) Any advances paid to the contestant before the bout, **except amateur kickboxing**
18 **and amateur mixed martial arts contests;**
- 19 (8) The amount of any compensation or consideration that a promoter has contracted to
20 receive in connection with the bout or contest, **except amateur kickboxing and amateur mixed**
21 **martial arts contests;**
- 22 (9) The signature of the promoter and contestant;
- 23 (10) The date signed by both the promoter and the contestant; and
- 24 (11) Any **additional** information required by the office.

25 2. If the bout contract between a contestant and promoter is changed, the promoter shall
26 provide the division with the amended contract containing all contract changes at least two hours
27 prior to the event's scheduled start time. The amended contract shall comply with all
28 requirements for original bout contracts and shall contain the signature of the promoter and
29 contestant.

30 3. A promoter of an event shall not be a manager for a contestant who is contracted for
31 ten rounds or more at the event.

32 4. The promoter of an event shall provide payments for the event official's fees to the
33 office prior to the start of the event. The form of payment shall be at the discretion of the office
34 provided that payments remitted by check or money order shall be made payable directly to the
35 applicable official.

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