

FIRST REGULAR SESSION

# HOUSE BILL NO. 1348

## 101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HALEY.

2585H.011

DANA RADEMAN MILLER, Chief Clerk

### AN ACT

To repeal sections 317.001, 317.006, 317.011, 317.013, 317.014, 317.018, and 317.019, RSMo, and to enact in lieu thereof seven new sections relating to bare knuckle boxing.

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

Section A. Sections 317.001, 317.006, 317.011, 317.013, 317.014, 317.018, and 317.019, RSMo, are repealed and seven new sections enacted in lieu thereof, to be known as sections 317.001, 317.006, 317.011, 317.013, 317.014, 317.018, and 317.019, to read as follows:

317.001. As used in sections 317.001 to 317.021, the following words and terms mean:

(1) "Amateur", a person who competes in a boxing, wrestling, kickboxing, or full-contact karate event who has not competed as a contestant for valuable consideration in any event in which similar boxing, wrestling, kickboxing, or full-contact karate skills were used or allowed;

(2) **"Bare knuckle boxing", the original form of boxing, involving two contestants fighting without boxing gloves or other padding on their hands;**

(3) "Bout", one match involving professional boxing, **professional bare knuckle boxing**, sparring, professional wrestling, professional kickboxing, or professional full-contact karate, including professional mixed martial arts;

~~[(3)]~~ (4) "Boxing", the sport of attack and defense where contestants are allowed to only use the fist to attack or strike in competition;

~~[(4)]~~ (5) "Combative fighting", a bout or contest, with or without gloves or protective headgear, whereby any part of the contestant's body may be used as a weapon or any other means of fighting may be used with the specific purpose of intentionally injuring the other contestants in such a manner that they may not defend themselves and in which there is no referee;

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.

16       ~~[(5)]~~ (6) "Contest", a bout or a group of bouts involving licensed contestants competing  
17 in professional boxing, **professional bare knuckle boxing**, sparring, professional wrestling,  
18 professional kickboxing, or professional full-contact karate;

19       ~~[(6)]~~ (7) "Contestant", a person who competes in any boxing, **bare knuckle boxing**,  
20 wrestling, kickboxing, or full-contact karate event;

21       ~~[(7)]~~ (8) "Director", the director of the division of professional registration;

22       ~~[(8)]~~ (9) "Division", the division of professional registration;

23       ~~[(9)]~~ (10) "Exhibition", a boxing, **bare knuckle boxing**, wrestling, kickboxing, or  
24 full-contact karate engagement in which persons are participating to show or display their  
25 boxing, **bare knuckle boxing**, wrestling, kickboxing, or full-contact karate skill and in which  
26 no decision is rendered;

27       ~~[(10)]~~ (11) "Full-contact karate", any form of full-contact martial arts including, but not  
28 limited to, full-contact kungfu, full-contact tae kwon do, or any form of martial arts, mixed  
29 martial arts, combat or self-defense conducted on a full-contact basis in a match where  
30 contestants are allowed to deliver blows or strikes;

31       ~~[(11)]~~ (12) "Fund", the athletic fund established pursuant to sections 317.001 to 317.021;

32       ~~[(12)]~~ (13) "Kickboxing", any match in which contestants are allowed to use any form  
33 of boxing and are also allowed to use any part of the fist, foot, or leg, with or without shin guards  
34 or protective gear, or any combination thereof to deliver strikes above the waist and which does  
35 not constitute mixed martial arts as defined by this section;

36       ~~[(13)]~~ (14) "Mixed martial arts", any match in which any form of martial arts or  
37 self-defense is conducted on a full-contact basis and where other combative techniques or tactics  
38 are allowed in competition including, but not limited to, kicking, striking, chokeholds, boxing,  
39 wrestling, kickboxing, grappling, or joint manipulation. Professional mixed martial arts is a  
40 form of full-contact karate;

41       ~~[(14)]~~ (15) "Office", the division of professional registration, office of athletics;

42       ~~[(15)]~~ (16) "Professional", a wrestling, boxing, **bare knuckle boxing**, kickboxing, or  
43 full-contact karate bout or contest where the participants compete for any valuable consideration  
44 or a person who competes in any wrestling, boxing, **bare knuckle boxing**, kickboxing, or  
45 full-contact karate bout or contest for any such consideration;

46       ~~[(16)]~~ (17) "Sparring", any boxing, **bare knuckle boxing**, wrestling, kickboxing, or  
47 full-contact karate conducted for practice and for which admission or other similar consideration,  
48 in any form, is charged to any member of the public;

49       ~~[(17)]~~ (18) "Wrestling", any performance of wrestling skills and techniques by two or  
50 more individuals. Participating wrestlers may perform without being required to use their best

51 efforts in order to win and the winner may have been selected before the performance  
52 commences.

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

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

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

11 (3) To accept applications for and issue licenses to contestants in professional boxing,  
12 **professional bare knuckle boxing**, sparring, professional wrestling, professional kickboxing,  
13 amateur kickboxing, professional full-contact karate, professional mixed martial arts, and  
14 amateur mixed martial arts contests held in the state of Missouri, and referees, judges,  
15 matchmakers, promoters, seconds, timekeepers, and physicians involved in professional boxing,  
16 **professional bare knuckle boxing**, sparring, professional wrestling, professional kickboxing,  
17 amateur kickboxing, professional full-contact karate, professional mixed martial arts, and  
18 amateur mixed martial arts contests held in the state of Missouri, as authorized herein. Such  
19 licenses shall be issued in accordance with rules duly adopted by the division;

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

30 2. All fees established pursuant to sections 317.001 to 317.021 shall be determined by  
31 the director by rule in such amount as to produce sufficient revenue to fund the necessary  
32 expenses and operating costs incurred in the administration of the provisions of sections 317.001  
33 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 application for and issue permits to hold professional boxing, **professional bare knuckle boxing**, sparring, professional wrestling, professional kickboxing, amateur kickboxing, professional full-contact karate, professional mixed martial arts, or amateur mixed martial arts contests in the state of Missouri, and to charge a fee for the issuance of same in an amount established by rule; such funds to be paid to the division which shall pay such funds into the Missouri state treasury to be set apart into the athletic fund.

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

3. The division shall not grant any permit to hold professional boxing, **professional bare knuckle boxing**, sparring, professional wrestling, professional kickboxing, amateur kickboxing, professional full-contact karate, professional mixed martial arts, or amateur mixed martial arts contests in the state of Missouri except:

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

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

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

5. Specifically exempted from the provisions of this chapter are contests or exhibitions for amateur boxing, **amateur bare knuckle boxing**, and amateur wrestling. However, all amateur boxing, **amateur bare knuckle boxing**, and amateur wrestling must be sanctioned by a nationally recognized amateur sanctioning body approved by the office.

317.013. 1. In order to protect the health and welfare of the contestants, there shall be a mandatory medical suspension of any contestant, not to exceed one hundred eighty days, who loses consciousness or who has been injured as a result of blows received to the head or body during a professional boxing, **professional bare knuckle boxing**, professional wrestling, professional kickboxing, amateur kickboxing, professional full-contact karate, professional mixed martial arts, or amateur mixed martial arts contest. The determination of consciousness is to be made only by a physician licensed by the board of healing arts and the division. Medical suspensions issued in 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, **bare knuckle boxing**, wrestling, professional  
11 kickboxing, amateur kickboxing, full-contact karate, professional mixed martial arts, or amateur  
12 mixed martial arts contests in the future. Such a person shall be deemed medically retired. No  
13 person with a status of medically retired shall compete in any events governed by this chapter.  
14 Medical retirements issued in accordance with this section shall not be reviewable by any  
15 tribunal.

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

5           (1) Promoting or offering to promote any professional boxing, **professional bare**  
6 **knuckle boxing**, sparring, professional wrestling, professional kickboxing, amateur kickboxing,  
7 professional full-contact karate, professional mixed martial arts, or amateur mixed martial arts  
8 contests that are not approved by the Missouri office of athletics;

9           (2) Advertising or offering to advertise any professional boxing, **professional bare**  
10 **knuckle boxing**, sparring, professional wrestling, professional kickboxing, amateur kickboxing,  
11 professional full-contact karate, professional mixed martial arts, or amateur mixed martial arts  
12 contests that are not approved by the Missouri office of athletics;

13           (3) Conducting or offering to conduct any professional boxing, **professional bare**  
14 **knuckle boxing**, sparring, professional wrestling, professional kickboxing, amateur kickboxing,  
15 professional full-contact karate, professional mixed martial arts, or amateur mixed martial arts  
16 contests that are not approved by the Missouri office of athletics; or

17           (4) Competing or offering to compete in any professional boxing, **professional bare**  
18 **knuckle boxing**, sparring, professional wrestling, professional kickboxing, amateur kickboxing,  
19 professional full-contact karate, professional mixed martial arts, or amateur mixed martial arts  
20 contests that are not approved by the Missouri office of athletics.

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

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

          317.018. 1. Combative fighting is prohibited in the state of Missouri.

2           2. Anyone who promotes or participates in combative fighting, or anyone who serves as  
3 an agent, principal partner, publicist, vendor, producer, referee, or contractor of or for combative  
4 fighting is guilty of a class E felony.

5           3. Any medical personnel who administers to, treats or assists any participants of  
6 combative fighting shall not be subject to the provisions of this section.

7           4. Nothing in section 317.001 or this section is intended to regulate, or interfere with or  
8 make illegal, traditional, sanctioned amateur or scholastic boxing, **amateur or scholastic bare**  
9 **knuckle boxing**, amateur or scholastic wrestling, amateur or scholastic kickboxing, or amateur  
10 or scholastic full-contact karate or amateur or scholastic mixed martial arts.

          317.019. 1. The promoter of a professional boxing, **professional bare knuckle boxing**,  
2 professional kickboxing, amateur kickboxing, professional full-contact karate, professional  
3 mixed martial arts, and amateur mixed martial arts contest shall sign written bout contracts with  
4 each professional or amateur contestant. Original bout contracts shall be filed with the division  
5 prior to the event as required by the rules of the office. The bout contract shall be on a form  
6 supplied by the 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 and  
18 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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