

FIRST REGULAR SESSION

# HOUSE BILL NO. 48

102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE HALEY.

0973H.011

DANA RADEMAN MILLER, Chief Clerk

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## 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 fighting, with penalty provisions.

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*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  
2 317.019, RSMo, are repealed and seven new sections enacted in lieu thereof, to be known as  
3 sections 317.001, 317.006, 317.011, 317.013, 317.014, 317.018, and 317.019, to read as  
4 follows:

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

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

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

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

12 [~~3~~] (4) "Boxing", the sport of attack and defense where contestants are allowed to  
13 only use the fist to attack or strike in competition;

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.

14           ~~[(4)]~~ (5) "Combative fighting", a bout or contest, with or without gloves or protective  
15 headgear, whereby any part of the contestant's body may be used as a weapon or any other  
16 means of fighting may be used with the specific purpose of intentionally injuring the other  
17 contestants in such a manner that they may not defend themselves and in which there is no  
18 referee;

19           ~~[(5)]~~ (6) "Contest", a bout or a group of bouts involving licensed contestants  
20 competing in professional boxing, **professional bare-knuckle fighting**, sparring,  
21 professional wrestling, professional kickboxing, or professional full-contact karate;

22           ~~[(6)]~~ (7) "Contestant", a person who competes in any boxing, **bare-knuckle fighting**,  
23 wrestling, kickboxing, or full-contact karate event;

24           ~~[(7)]~~ (8) "Director", the director of the division of professional registration;

25           ~~[(8)]~~ (9) "Division", the division of professional registration;

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

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

34           ~~[(11)]~~ (12) "Fund", the athletic fund established pursuant to sections 317.001 to  
35 317.021;

36           ~~[(12)]~~ (13) "Kickboxing", any match in which contestants are allowed to use any form  
37 of boxing and are also allowed to use any part of the fist, foot, or leg, with or without shin  
38 guards or protective gear, or any combination thereof to deliver strikes above the waist and  
39 which does not constitute mixed martial arts as defined by this section;

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

45           ~~[(14)]~~ (15) "Office", the division of professional registration, office of athletics;

46           ~~[(15)]~~ (16) "Professional", a wrestling, boxing, **bare-knuckle fighting**, kickboxing,  
47 or full-contact karate bout or contest where the participants compete for any valuable  
48 consideration or a person who competes in any wrestling, boxing, **bare-knuckle fighting**,  
49 kickboxing, or full-contact karate bout or contest for any such consideration;

50           ~~[(16)]~~ (17) "Sparring", any boxing, **bare-knuckle fighting**, wrestling, kickboxing, or  
51 full-contact karate conducted for practice and for which admission or other similar  
52 consideration, in any form, is charged to any member of the public;

53           ~~[(17)]~~ (18) "Wrestling", any performance of wrestling skills and techniques by two or  
54 more individuals. Participating wrestlers may perform without being required to use their  
55 best efforts in order to win and the winner may have been selected before the performance  
56 commences.

317.006. 1. The division shall have general charge and supervision of all professional  
2 boxing, **professional bare-knuckle fighting**, 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  
5 the power, and it shall be its duty:

6           (1) To make and publish rules governing in every particular professional boxing,  
7 **professional bare-knuckle fighting**, sparring, professional wrestling, professional  
8 kickboxing, amateur kickboxing, professional full-contact karate, professional mixed  
9 martial arts, and 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 fighting**, sparring, professional wrestling, professional  
13 kickboxing, amateur kickboxing, professional full-contact karate, professional mixed  
14 martial arts, and amateur mixed martial arts contests held in the state of Missouri, and  
15 referees, judges, matchmakers, promoters, seconds, timekeepers, and physicians involved in  
16 professional boxing, **professional bare-knuckle fighting**, sparring, professional wrestling,  
17 professional kickboxing, amateur kickboxing, professional full-contact karate, professional  
18 mixed martial arts, and amateur mixed martial arts contests held in the state of Missouri, as  
19 authorized herein. Such licenses shall be issued in accordance with rules duly adopted by the  
20 division;

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,  
23 organization, corporation, partnership, limited liability company, or association holding a  
24 promoter's license and permit under sections 317.001 to 317.021, derived from admission  
25 charges connected with or as an incident to the holding of any professional boxing,  
26 **professional bare-knuckle fighting**, sparring, professional wrestling, professional  
27 kickboxing, amateur kickboxing, professional full-contact karate, professional mixed  
28 martial arts, or amateur mixed martial arts contest in the state of Missouri. Such funds  
29 shall be paid to the division of professional registration which shall pay said funds into the

30 Missouri state treasury to be set apart into a fund to be known as the "Athletic Fund" which is  
31 hereby established.

32         2. All fees established pursuant to sections 317.001 to 317.021 shall be determined by  
33 the director by rule in such amount as to produce sufficient revenue to fund the necessary  
34 expenses and operating costs incurred in the administration of the provisions of sections  
35 317.001 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, **professional bare-knuckle**  
3 **fighting**, sparring, professional wrestling, professional kickboxing, amateur kickboxing,  
4 professional full-contact karate, professional mixed martial arts, or amateur mixed martial arts  
5 contests in the state of Missouri, and to charge a fee for the issuance of same in an amount  
6 established by rule; such funds to be paid to the division which shall pay such funds into the  
7 Missouri state treasury to be set apart into the athletic fund.

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

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

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

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

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

27         5. Specifically exempted from the provisions of this chapter are contests or  
28 exhibitions for amateur boxing, **amateur bare-knuckle fighting**, and amateur wrestling.  
29 However, all amateur boxing, **amateur bare-knuckle fighting**, and amateur wrestling must  
30 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  
2 a mandatory medical suspension of any contestant, not to exceed one hundred eighty days,  
3 who loses consciousness or who has been injured as a result of blows received to the head or  
4 body during a professional boxing, **professional bare-knuckle fighting**, professional  
5 wrestling, professional kickboxing, amateur kickboxing, professional full-contact karate,  
6 professional mixed martial arts, or amateur mixed martial arts contest. The determination of  
7 consciousness is to be made only by a physician licensed by the board of healing arts and the  
8 division. Medical suspensions issued in accordance with this section shall not be reviewable  
9 by any tribunal.

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

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

5 (1) Promoting or offering to promote any professional boxing, **professional bare-**  
6 **knuckle fighting**, sparring, professional wrestling, professional kickboxing, amateur  
7 kickboxing, professional full-contact karate, professional mixed martial arts, or amateur  
8 mixed martial arts 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 fighting**, sparring, professional wrestling, professional kickboxing, amateur  
11 kickboxing, professional full-contact karate, professional mixed martial arts, or amateur  
12 mixed martial arts 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 fighting**, sparring, professional wrestling, professional kickboxing, amateur  
15 kickboxing, professional full-contact karate, professional mixed martial arts, or amateur  
16 mixed martial arts 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 fighting**, sparring, professional wrestling, professional kickboxing, amateur  
19 kickboxing, professional full-contact karate, professional mixed martial arts, or amateur  
20 mixed martial arts 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  
3 as an agent, principal partner, publicist, vendor, producer, referee, or contractor of or for  
4 combative 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  
8 or make illegal, traditional, sanctioned amateur or scholastic boxing, **amateur or scholastic**  
9 **bare-knuckle fighting**, amateur or scholastic wrestling, amateur or scholastic kickboxing, or  
10 amateur or scholastic full-contact karate or amateur or scholastic mixed martial arts.

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

13           (5) Any other payment or consideration provided to the contestant, except amateur  
14 kickboxing and amateur mixed martial arts contests;

15           (6) List of all fees, charges, and expenses including training expenses that will be  
16 assessed to the contestant or deducted from the contestant's purse, except amateur kickboxing  
17 and amateur mixed martial arts contests;

18           (7) Any advances paid to the contestant before the bout, except amateur kickboxing  
19 and amateur mixed martial arts contests;

20           (8) The amount of any compensation or consideration that a promoter has contracted  
21 to receive in connection with the bout or contest, except amateur kickboxing and amateur  
22 mixed martial arts contests;

23 (9) The signature of the promoter and contestant;

24 (10) The date signed by both the promoter and the contestant; and

25 (11) Any additional information required by the office.

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

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

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

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