

2009 DRAFTING REQUEST

Bill

Received: 01/29/2009

Received By: csundber

Wanted: As time permits

Identical to LRB:

For: David Hansen (608) 266-5670

By/Representing: Jay Wadd

This file may be shown to any legislator: NO

Drafter: csundber

May Contact:

Addl. Drafters:

Subject: Occupational Reg. - misc

Extra Copies:

Submit via email: YES

Requester's email: Sen.Hansen@legis.wisconsin.gov

Carbon copy (CC:) to: christopher.sundberg@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Regulation of mixed martial arts fighting

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	csundber 02/25/2009	nmatzke 03/09/2009		_____			
/P1	csundber 07/27/2009	nmatzke 07/29/2009	mduchek 03/10/2009	_____	cduerst 03/10/2009		
/P2	csundber 08/17/2009	nmatzke 08/19/2009	rschluet 07/29/2009	_____	sbasford 07/29/2009		State
/1	csundber	csicilia	jfrantze	_____	cduerst	lparisi	State

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	08/25/2009	08/26/2009	08/19/2009 _____		08/19/2009	08/25/2009	
12			rschluet _____ 08/26/2009 _____		lparisi _____ 08/26/2009	lparisi _____ 08/26/2009	

FE Sent For:
*at
intro*

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/1			jfrantze	_____	cduerst		

PA'S
Please
Jacket

1/2 cjs 8/26/09 

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Handwritten signatures and dates:
8/19
8/19

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1?	csundber	/P) nyn 3/3	MD	MD PH			
			3/10				

FE Sent For:

<END>

Sundberg, Christopher

From: Wadd, Jay
Sent: Thursday, January 29, 2009 2:02 PM
To: Sundberg, Christopher
Subject: Drafting Request: Mixed Martial Arts Regulation

Attachments: 20090129135038966.drafting notes for mixed martial arts bill.1.29.09pdf.pdf

Hi, Chris.

I think I promised to get you some background on what we're looking for to draft a bill regulating mixed martial arts. Here is some information.

You may also want to look at:

Minnesota Mixed Martial Arts Chapter 467--Unarmed Combat

Michigan 2007 Enrolled House Bill No. 4869

If need be I can also send over a binder that includes that legislation as well as legislation from other states including Nebraska, Ohio and Tennessee.

As always let me know if you have any questions.

Thanks,

Jay



2009012913503896
6.drafting not...

REGULATING MIXED MARTIAL ARTS IN WISCONSIN

MMA SAFETY: 10 AREAS OF ATTENTION

Wisconsin is one of only 15 states that does not currently have statewide regulatory standards in place for mixed martial arts (MMA) competitions, despite the sport being among the fastest growing in the United States. Close to 40 MMA events have taken place in Wisconsin over the past two years alone, and as the sport continues to rise in popularity, it's expected that so, too, will the number of events held in 2009 and beyond.

Just as boxing has laws and regulations, establishing statewide regulatory standards for MMA events will help ensure the utmost safety of the athletes, the integrity of the sport and the interests of the public.

Regulations to consider include:

- 1) State-appointed inspector presence
- 2) Proof of athlete insurance
- 3) State-licensed referees
- 4) State-licensed judges
- 5) Regular health exams
- 6) On-site physician for pre- and post-match physical exams
- 7) Ringside physician for emergency care
- 8) On-site ambulance and emergency personnel
- 9) Proof of annual eye, neurological and physical exams
- 10) Anti-doping, annual HIV and hepatitis testing

Sinicki: Pharm. duty to dispense
waiting for resp to 2/27 email

Lyathia @ Schneider: Does ~~4596~~ include
prepaid phones (TracPhone)

Eleanor T. Sherman: Prescription drug monitoring:
specify ~~PEB~~ if possible.

Adam Boggs: ~~ask~~ responses to go re junk
dealers ~~plug~~ a question.

Dick Sweet: Temp. dental licensing: more than 1
renewal in a year.

Mike Lehman: det. ~~from~~ M. Blumentfeld for bone
densitometry

Center Pat. Part.: survey

Aaron Schneider: ~~call~~ a directory - redraft re intent

Craig Pagan: bogus check bill transfer to Schaber
office.

Dick Sweet: Typos in pharm. dist. provisions?

M. Blumentfeld: bone density def.

Robin: Redraft Boggs checks to include private
right of action, but still waiting on Janet from
DATCP.



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SA ✓
X-ref ✓

① AN ACT ^{Gen.} ...; relating to: } regulating mixed martial arts fighting and granting
2 rule-making authority.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a later version.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. [✓] Chapter 444 (title) of the statutes is amended to read:

4 **REGULATION OF BOXING AND MIXED MARTIAL ARTS FIGHTING**

5 SECTION 2. [✓] 444.01 (1) of the statutes is amended to read:

6 444.01 (1) "Amateur ~~boxing~~ contest" means a boxing or mixed martial arts
7 fighting contest or exhibition in which none of the boxers or fighters are compensated
8 for participating in the contest or exhibition. ✓

9 SECTION 3. [✓] 444.01 (2) of the statutes is amended to read:

1 444.01 (2) "Professional ~~boxing~~ contests" means a boxing or mixed martial arts
2 fighting contest or exhibition in which one or more of the boxers or fighters is
3 compensated for participating in the contest or exhibition. ✓

4 SECTION 4. ✓ 444.02 of the statutes is amended to read:

5 **444.02 ~~Boxing licenses, Licenses and permits.~~** The department shall have
6 the sole direction, management, and control of, and jurisdiction over, all professional
7 ~~boxing~~ contests conducted within the state by any club. No professional ~~boxing~~
8 contests may be conducted within the state except under authority granted by the
9 department and in accordance with this chapter and the rules of the department.
10 The department may issue, and for cause limit, suspend, or revoke, a license to
11 conduct professional ~~boxing~~ contests to any incorporated club formed as provided in
12 this chapter. The department may limit the number of professional ~~boxing~~ contests
13 given by any club in any city, village, or town. No professional ~~boxing~~ contest may
14 be conducted by any licensed club without a permit from the department. Every
15 license shall be subject to such rules and regulations as the department prescribes.
16 The department may reprimand clubs for violating this chapter or any rules of the
17 department. ✓

18 SECTION 5. ✓ 444.03 of the statutes is amended to read:

19 **444.03 Application for license; fee.** No professional ~~boxing~~ contest may be
20 conducted by any club except by license granted to it by the department, and no club
21 may be licensed unless it is incorporated under the laws of Wisconsin and its
22 membership is limited to persons who have been continuous residents in the state
23 for at least one year. An application for a license shall be in writing, addressed to the
24 department, and verified by an officer of the club. An application shall be
25 accompanied by an annual fee of \$25 in cities, villages, and towns of not more than

1 50,000 inhabitants, \$50 in cities of over 50,000 and not more than 150,000
2 inhabitants, and \$300 in cities of over 150,000 inhabitants when the admission is
3 over \$1 and \$50 when the admission charge is \$1 or less. The application must show
4 that the club has entered into a valid agreement for the use of the building,
5 amphitheater, or stadium in which contests are to be held.✓

6 SECTION 6. 444.04 of the statutes is amended to read:

7 **444.04 Club reports.** Within 24 hours after a club holds a professional boxing
8 contest, the club shall furnish to the department a written report, verified by one of
9 its officers, showing the number of tickets sold for the contest, the amount of gross
10 proceeds, and all other information the department requires by rule to be included
11 in the report.✓

12 SECTION 7. 444.06 of the statutes is amended to read:

13 **444.06 Inspectors.** The department shall appoint official "inspectors," each
14 of whom shall receive a card authorizing the inspector to act wherever the
15 department designates. The department may be, and at least one inspector shall be
16 present at all professional boxing contests and see that the rules are strictly
17 observed. An inspector shall also be present at the counting up of the gross receipts
18 and shall immediately mail to the department the official box-office statement
19 received from the club. Inspectors shall be paid a per diem to be set by the
20 department, not to exceed \$25 for each day on which they are actually and
21 necessarily engaged in the performance of their duties, and shall be reimbursed for
22 their actual and necessary expenses incurred in the performance of their duties.✓

23 SECTION 8. 444.09 (title) of the statutes is amended to read:

24 **444.09 (title) Conduct of boxing contests regulated.**

25 SECTION 9. 444.095 of the statutes is created to read:

1 **444.095 Conduct of mixed martial arts fighting contests regulated. (1)**

2 No individual may be a contestant in an amateur mixed martial arts fighting contest

3 unless all of the following apply:

4 (a) The individual can provide evidence that he or she is covered by adequate
5 health insurance.

****NOTE: Should the draft specify a minimum coverage limit?

6 (2) No club may conduct a mixed martial arts fighting contest unless all of the
7 following apply:

8 (a) There is present at least one referee who is licensed by the department and
9 at least two judges who are licensed by the department.

10 (b) A physician licensed to practice medicine and surgery under s. 448.04 (1)
11 (a) examines each contestant immediately before and after each match in which the
12 contestant participates.

13 (c) A physician licensed to practice medicine and surgery under s. 448.04 (1)
14 (a) is present during each match to provide emergency care in the event of an injury.

15 (d) An ambulance and emergency medical services personnel are present on the
16 premises and equipped to transport an injured contestant.

17 (3) The department shall promulgate rules that establish all of the following
18 with respect to mixed martial arts fighting contests:

19 (a) Qualifications and fees for licensure of referees and judges for mixed martial
20 arts fighting contests.

21 (b) Requirements for regular health examinations of mixed martial arts
22 fighting contestants, including all of the following:

23 1. Annual neurological and physical examinations and annual eye
24 examinations.

(5)

(title)

professional
boxing

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2. Annual screening for HIV and hepatitis. ✓

(c) Policies prohibiting contestants from using drugs, including anabolic steroids, and mandating drug testing of contestants. ✓

SECTION 10. 444.10 of the statutes is amended to read:

444.10 Physician to examine contestants. Prior to entering the ring, each contestant in a professional boxing contest must be examined by a physician who has been licensed to practice in Wisconsin not less than 5 years and who is appointed by the department and certifies in writing, over his or her signature, as to the contestant's physical and mental fitness to engage in such contest.

SECTION 11. 444.11 of the statutes is amended to read:

444.11 Licenses to matchmakers, referees, boxers contestants, etc. The department may grant licenses upon application and the payment of the prescribed fees to matchmakers, managers, referees, examining physicians, boxers, mixed martial art fighters, seconds, and trainers in professional boxing contests. The fees to be paid per year shall be: Matchmakers in cities with a population of over 150,000, \$25; matchmakers in other cities and in villages and towns, \$10; managers, \$10; referees, \$15; examining physicians, \$10; boxers and mixed martial arts fighters, \$5; seconds and trainers, \$5. The department may limit, suspend, or revoke any such license granted under this section or reprimand the ~~holder thereof~~ licensee upon such cause as it deems sufficient. ✓

SECTION 12. 444.12 of the statutes is amended to read:

444.12 Referee to stop contest. The referee must stop a professional boxing contest when either of the contestants shows a marked superiority or is apparently outclassed. ✓

SECTION 13. 444.13 of the statutes is amended to read:

1 **444.13 Sham contests, license revoked.** Any club that conducts, holds,
2 gives, or participates in any sham or fake professional ~~boxing~~ contest shall forfeit its
3 license. That license shall be revoked by the department, and the club shall not be
4 entitled to another license, nor shall any license be issued to any club that has a
5 member who belonged to a club that had its license revoked.✓

6 **SECTION 14.** ✓ 444.14 of the statutes is amended to read:

7 **444.14 Sham contests; contestants penalized; forfeitures; hearing.** Any
8 The department shall ban a contestant who participates in any sham or fake
9 professional ~~boxing~~ contest or violates any rule ~~or regulation of promulgated by the~~
10 department ~~shall be penalized as follows: For the first offense the contestant shall~~
11 ~~be restrained by order of the department~~ under this chapter from participating in
12 any contest held by a club licensed by the department for not less than 2 months nor
13 more than one year, ~~the period to begin beginning~~ immediately after the occurrence
14 of the offense, ~~from participation in the contest to be held or given by any licensed~~
15 ~~club; for a 2nd offense~~ except that if the contestant has previously participated in a
16 sham or fake professional contest or violated a rule promulgated by the department
17 under this chapter, the contestant department shall be permanently disqualified ban
18 the contestant from further admission or participation attending or participating in
19 any such contest held ~~or given~~ by any licensed club licensed by the department and
20 in addition, ~~for each such offense, shall require the contestant to forfeit such an~~
21 amount, ~~out of the share or purse agreed to be paid the contestant for the contest as~~
22 determined by the department determines, the forfeit to be paid into the general fund
23 of the state. The department, upon determining the amount of the forfeit, may pay
24 the same out of any guarantee deposited with it for delivery to the contestant or may
25 order it paid to the department by the club employing the contestant out of the purse

1 ~~or share agreed by it to be paid to the contestant. The department shall not~~
2 ~~determine the forfeit until after due~~ after a hearing held upon reasonable notice duly
3 ~~served upon to~~ the contestant or the contestant's manager and ~~upon to~~ the club by
4 ~~whom that employs~~ the contestant is employed. ✓ Any member of the department or
5 the secretary or any inspector of the department may order the club to hold the share
6 or purse of the contestant in its possession pending the hearing and determination
7 of the department. The department may deduct the amount of the forfeiture from
8 any guarantee deposited with it for delivery to the contestant or may order it paid
9 by the club that employs the contestant from an amount the club has agreed to pay
10 the contestant. ~~For failure to obey any order of the department or the secretary of~~
11 ~~the department or any inspector of the~~ The department may reprimand or limit,
12 suspend, cancel, or revoke the license of a club that fails to comply with an order given
13 by the department or by an inspector given under this section, the license of the club
14 may be limited, suspended, canceled, or revoked, and the club may be reprimanded. ✓

15 SECTION 15. ✓ 444.15 of the statutes is amended to read:

16 **444.15 Reports; examination of books and officers.** Whenever any club
17 fails to make a report of any professional boxing contest at the time prescribed or
18 whenever a report is unsatisfactory to the department, the secretary ~~of the~~
19 ~~department~~ may examine the books and records of the club and may subpoena and
20 examine, under oath, the club's officers and other witnesses to determine the total
21 amount of its gross receipts for any contest. The secretary may require the club to
22 pay the expenses of conducting the examination. If a club fails to pay the amount of
23 expenses determined by the secretary to be due within 20 days after receiving notice
24 of the amount, the club shall forfeit its license, be disqualified from receiving any

1 license under this chapter, and forfeit to the state the sum of \$1,000, which may be
2 recovered by the department of justice in the name of the state.✓

3 SECTION 16. ✓ 444.18 of the statutes is amended to read:

4 **444.18 Insurance on ~~boxers~~ professional contestants.** Any licensee
5 authorized to conduct professional ~~boxing~~ contests shall insure each contestant
6 participating for hospital, nursing, and medication expenses and physician's and
7 surgeon's services according to an equitable fee schedule, not to exceed in the
8 aggregate \$500, to be paid to, or for the use of, any contestant to compensate for
9 injuries sustained in any such contest; and shall insure each contestant for not less
10 than \$2,500 to be paid to the contestant's estate in the event of the contestant's death
11 as the result of participation in such professional ~~boxing~~ contest.✓

****NOTE: I have amended this section so that it applies equally to professional
boxing contestants and professional mixed martial arts fighting contestants. If you wish,
you may alter the dollar limits of the insurance required for one type of contestant or for
both.✓

12 (END)

Sundberg, Christopher

From: Wadd, Jay
Sent: Wednesday, June 24, 2009 10:56 AM
To: Sundberg, Christopher
Subject: RE: LRB-1874/P1

Attachments: Suggested revisions Chapter 444.pdf

Thanks.

Would you please make the changes enclosed in the attachment?

Thanks,

Jay



Suggested revisions
Chapter 44...

From: Sundberg, Christopher
Sent: Wednesday, June 24, 2009 10:55 AM
To: Wadd, Jay
Subject: RE: LRB-1874/P1

No, that's the only draft so far.

From: Wadd, Jay
Sent: Wednesday, June 24, 2009 10:53 AM
To: Sundberg, Christopher
Subject: LRB-1874/P1

Chris,

Is there a more recent draft for our Martial Arts bill than 1874/P1? (It's been a while)

Thanks,

Jay



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-1874/P1
CTS:nwr:md

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 AN ACT *to amend* chapter 444 (title), 444.01 (1), 444.01 (2), 444.02, 444.03,
2 444.04, 444.06, 444.09 (title), 444.10 (title), 444.11, 444.12, 444.13, 444.14,
3 444.15 and 444.18; and *to create* 444.095 of the statutes; **relating to:**
4 regulating mixed martial arts fighting and granting rule-making authority.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a later version.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

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6 **REGULATION OF BOXING AND MIXED MARTIAL ARTS FIGHTING**

7 SECTION 2. 444.01 (1) of the statutes is amended to read:

8 444.01 (1) "Amateur ~~boxing~~ contest" means a boxing or mixed martial arts
9 fighting contest or exhibition in which none of the boxers or fighters are compensated
10 for participating in the contest or exhibition.

1 SECTION 3. 444.01 (2) of the statutes is amended to read:

2 444.01 (2) "Professional ~~boxing~~ contest" means a boxing or mixed martial arts
3 fighting contest or exhibition in which one or more of the boxers or fighters is
4 compensated for participating in the contest or exhibition.

5 SECTION 4. 444.02 of the statutes is amended to read:

6 444.02 ~~Boxing licenses, Licenses and permits.~~ The department shall have
7 the sole direction, management, and control of, and jurisdiction over, all professional
8 boxing contests ^{and amateur mixed martial arts contests} conducted within the state by any club. No professional boxing
9 contests ^{or amateur mixed martial arts contest} may be conducted within the state except under authority granted by the
10 department and in accordance with this chapter and the rules of the department.

11 The department may issue, and for cause limit, suspend, or revoke, a license to
12 conduct professional boxing contests ^{or amateur mixed martial arts contests} to any incorporated club ^{or promoter} formed as provided in

13 this chapter. The department may limit the number of professional boxing contests ^{or amateur}
14 ^{mixed martial arts contests} given by any club ^{or promoter} in any city, village, or town. No professional boxing contest ^{or amateur mixed martial arts contest} may
15 be conducted by any licensed club ^{or promoter} without a permit from the department. Every
16 license shall be subject to such rules and regulations as the department prescribes.

17 The department may reprimand clubs ^{or promoters} for violating this chapter or any rules of the
18 department.

19 SECTION 5. 444.03 of the statutes is amended to read:

20 444.03 **Application for license; fee.** No professional boxing contest ^{or amateur mixed martial arts contest} may be
21 conducted by any club ^{or promoter} except by license granted to it by the department, and no club ^{or promoter}
22 may be licensed unless it is incorporated under the laws of Wisconsin and its
23 membership is limited to persons who have been continuous residents in the state
24 for at least one year. An application for a license shall be in writing, addressed to the
25 department, and verified by ^{the promoter or} an officer of the club. An application shall be

1 accompanied by an annual fee of ^{\$200} ~~\$25~~ in cities, villages, and towns of not more than
 2 ~~50,000~~ inhabitants, ~~\$50~~ in cities of over ~~50,000~~ and not more than 150,000
 3 inhabitants, and ⁵⁰⁰ ~~\$500~~ in cities of over 150,000 inhabitants when the admission is
 4 over ~~\$1~~ and ~~\$50~~ when the admission charge is ~~\$1~~ or less. The application must show
 5 that the club ^{or promoter} has entered into a valid agreement for the use of the building,
 6 amphitheater, or stadium in which contests are to be held.

7 SECTION 6. 444.04 of the statutes is amended to read:

8 **444.04 Club reports.** Within 24 hours after a club ^{or promoter} holds a professional boxing
 9 contest, ^{or amateur mixed martial arts contest} the club shall furnish to the department a written report, verified by ^{the promoter} one of
 10 its officers, showing the number of tickets sold for the contest, the amount of gross
 11 proceeds, and all other information the department requires by rule to be included
 12 in the report.

13 SECTION 7. 444.06 of the statutes is amended to read:

14 **444.06 Inspectors.** The department shall appoint official "inspectors," each
 15 of whom shall receive a card authorizing the inspector to act wherever the
 16 department designates. The department may be, and at least one inspector shall be
 17 present at all professional boxing contests, ^{and all amateur mixed martial arts contests} and see that the rules are strictly
 18 observed. An inspector shall also be present at the counting up of the gross receipts
 19 and shall immediately mail to the department the official box-office statement
 20 received from the club ^{or promoter}. Inspectors shall be paid a per diem to be set by the
 21 department, not to exceed \$25 for each day on which they are actually and
 22 necessarily engaged in the performance of their duties, and shall be reimbursed for
 23 their actual and necessary expenses incurred in the performance of their duties.

24 SECTION 8. 444.09 (title) of the statutes is amended to read:

25 **444.09 (title) Conduct of boxing contests regulated.**

1 SECTION 9. 444.095 of the statutes is created to read:

2 **444.095 Conduct of mixed martial arts fighting contests regulated. (1)**

3 No individual may be a contestant in an amateur mixed martial arts fighting contest
4 unless the individual can provide evidence that he or she is covered by adequate
5 health insurance.

***NOTE: Should the draft specify a minimum coverage limit?

6 (2) No club ^{or promoter} may conduct a mixed martial arts fighting contest unless all of the
7 following apply:

8 (a) There is present at least one referee who is licensed by the department and
9 at least ^{four} ~~two~~ judges who are licensed by the department.

10 (b) A physician licensed to practice medicine and surgery under s. 448.04 (1)
11 (a) examines each contestant immediately before and after each match in which the
12 contestant participates.

13 (c) A physician licensed to practice medicine and surgery under s. 448.04 (1)
14 (a) is present during each match to provide emergency care in the event of an injury.

15 (d) An ambulance and emergency medical services personnel ^{with oxygen} are present on the
16 premises and equipped to transport an injured contestant.

17 (3) The department shall promulgate rules that establish all of the following
18 with respect to mixed martial arts fighting contests:

19 (a) Qualifications and fees for licensure of referees and judges for mixed martial
20 arts fighting contests.

21 (b) Requirements for regular health examinations of mixed martial arts
22 fighting contestants, including all of the following:

23 1. Annual neurological ~~and~~ physical examinations ^{from a licensed medical physician} and annual eye
24 examinations. ^{from a licensed ophthalmologist.}

3. Pre fight pregnancy test for female contestants

2. Annual screening for HIV and hepatitis. B and C

(c) Policies prohibiting contestants from using drugs, including anabolic steroids, and mandating drug testing of contestants.

SECTION 10. 444.10 (title) of the statutes is amended to read:

444.10 Physician to examine professional boxing contestants:

SECTION 11. 444.11 of the statutes is amended to read:

444.11 Licenses to matchmakers, referees, boxers contestants, etc. The department may grant licenses upon application and the payment of the prescribed fees to matchmakers, managers, referees, examining physicians, boxers, mixed martial art fighters, seconds, and trainers in professional ^{or amateur mixed martial arts} ~~boxing~~ contests. The fees ^{contests} to be paid per year shall be: Matchmakers ~~in cities with a population of over 150,000,~~ \$25; matchmakers ~~in other cities and in villages and towns,~~ \$10; managers, \$10; referees, \$15; examining physicians, \$10; boxers and mixed martial arts fighters, \$5; seconds and ^{matchmakers} ~~trainers~~, \$5. The department may limit, suspend, or revoke any such license granted under this section or reprimand the holder thereof licensee upon such cause as it deems sufficient.

SECTION 12. 444.12 of the statutes is amended to read:

444.12 Referee to stop contest. The referee must stop a professional ^{or amateur mixed martial arts} ~~boxing~~ contest when either of the contestants shows a marked superiority or is apparently outclassed. ^{The referee is the sole arbiter of the contest and he or she can consult the physician present during each match as deemed appropriate.}

SECTION 13. 444.13 of the statutes is amended to read:

444.13 Sham contests, license revoked. Any club ^{or promoter} that conducts, holds, gives, or participates in any sham or fake professional ~~boxing~~ ^{or amateur mixed martial arts} contest shall forfeit its license. That license shall be revoked by the department, and the club ^{or promoter} shall not be

1 entitled to another license, ~~nor shall any license be issued to any club that has a~~
2 member who belonged to a club that had its license revoked.

3 SECTION 14. 444.14 of the statutes is amended to read:

4 **444.14 Sham contests; contestants penalized; forfeitures; hearing.** Any

5 The department shall ban a contestant who participates in any sham or fake
6 professional ^{or amateur mixed martial arts contest} boxing contest or violates any rule or regulation of promulgated by the
7 department shall be penalized as follows: For the first offense the contestant shall
8 be restrained by order of the department under this chapter from participating in
9 any contest held by a club licensed by the department for not less than 2 months nor
10 more than one year, the period to begin beginning immediately after the occurrence
11 of the offense, from participation in the contest to be held or given by any licensed
12 club; for a 2nd offense except that if the contestant has previously participated in a
13 sham or fake professional contest or violated a rule promulgated by the department
14 under this chapter, the contestant department shall be permanently disqualified ~~ban~~
15 the contestant from further admission or participation attending or participating in
16 any such contest held or given by any licensed club licensed by the department and
17 in addition, for each such offense, shall require the contestant to forfeit such an
18 amount, out of the share or purse agreed to be paid the contestant for the contest as
19 determined by the department determines, the forfeit to be paid into the general fund
20 of the state. The department, upon determining the amount of the forfeit, may pay
21 the same out of any guarantee deposited with it for delivery to the contestant or may
22 order it paid to the department by the club employing the contestant out of the purse
23 or share agreed by it to be paid to the contestant. The department shall not
24 determine the forfeit until after due ~~after a hearing held upon~~ reasonable notice duly
25 → served upon to the contestant or the contestant's manager and upon to the club, ^{or promoter} by

The contestant shall be required to forfeit an amount determined
by the department after a hearing held upon a reasonable notice

1 ~~whom that employs~~ the contestant ~~is employed~~. Any member of the department or
 2 ~~the secretary or any inspector of the department~~ may order the club ^{or promoter} to hold the share
 3 or purse of the contestant in its possession pending the hearing and determination
 4 of the department. ~~The department may deduct the amount of the forfeiture from~~
 5 ~~any guarantee deposited with it for delivery to the contestant or may order it paid~~
 6 ~~by the club that employs the contestant from an amount the club has agreed to pay~~
 7 ~~the contestant.~~ For failure to obey any order of the department or the secretary of
 8 the department or any inspector of the ~~The department may reprimand or limit,~~
 9 ~~suspend, cancel, or revoke the license of a club that fails to comply with an order given~~
 10 ~~by the department or by an inspector given under this section, the license of the club~~
 11 ~~may be limited, suspended, canceled, or revoked, and the club may be reprimanded.~~

12 SECTION 15. 444.15 of the statutes is amended to read:

13 **444.15 Reports; examination of books and officers.** Whenever any club ^{or promoter}
 14 fails to make a report of any professional ^{or amateur mixed martial arts} boxing contest at the time prescribed or
 15 whenever a report is unsatisfactory to the department, the secretary of the
 16 department may examine the books and records of the club ^{or promoter} and may subpoena and
 17 examine, under oath, the ^{promoter or} club's officers and other witnesses to determine the total
 18 amount of its gross receipts for any contest. The secretary may require the club ^{or promoter} to
 19 pay the expenses of conducting the examination. If a club ^{or promoter} fails to pay the amount of
 20 expenses determined by the secretary to be due within 20 days after receiving notice
 21 of the amount, the club ^{or promoter} shall forfeit its license, be disqualified from receiving any
 22 license under this chapter, and forfeit to the state the sum of \$1,000, which may be
 23 recovered by the department of justice in the name of the state.

24 SECTION 16. 444.18 of the statutes is amended to read:

1 **444.18 Insurance on ~~boxers~~ professional contestants** ^{or amateur mixed martial} Any licensee ^{arts}
2 authorized to conduct professional ^{or amateur mixed martial arts contests} boxing contests ^{contests} shall insure each contestant
3 participating for hospital, nursing, and medication expenses and physician's and
4 surgeon's services according to an equitable fee schedule, not to exceed in the
5 aggregate \$500, to be paid to, or for the use of, any contestant to compensate for
6 injuries sustained in any such contest; and shall insure each contestant for not less
7 than \$2,500 to be paid to the contestant's estate in the event of the contestant's death
8 as the result of participation in such professional ^{or amateur mixed} boxing contest ^{martial arts contest.}

***NOTE: I have amended this section so that it applies equally to professional boxing contestants and professional mixed martial arts fighting contestants. If you wish, you may alter the dollar limits of the insurance required for one type of contestant or for both.

9

(END)

Sundberg, Christopher

From: Wadd, Jay
Sent: Monday, July 20, 2009 9:20 AM
To: Sundberg, Christopher
Subject: RE: LRB-1874/P1

Chris,

We'd like to go with option 1. Any idea how long it will take to get a draft back?

Thanks.

From: Sundberg, Christopher
Sent: Wednesday, July 15, 2009 3:38 PM
To: Wadd, Jay
Subject: RE: LRB-1874/P1

There are a couple different ways to do that:

1. You could take a percentage of monies collected for violations and directly appropriate that for enforcement. The idea would be that the percentage represents a guesstimate as to the cost of enforcement, and the remainder would go to the school fund as "clear proceeds." If you want to go this route, I'd suggest you aim for a percentage somewhere less than 50% of the monies collected for violations.
2. You could impose a surcharge on persons who are ordered to pay a fine or forfeiture. One way to do it would be to set the surcharge as a percentage of the amount of the fine or forfeiture. The full amount of the fine or forfeiture would go to the school fund, and the full amount of the surcharge would be appropriated for enforcement. I'd suggest setting the amount of the surcharge at somewhere less than 100% of the amount of the fine or forfeiture.

I think the decision as to which way and how much is best made by someone on your end, if that's alright.

CS

From: Wadd, Jay
Sent: Tuesday, July 14, 2009 4:47 PM
To: Sundberg, Christopher
Cc: Janssen, Andy
Subject: RE: LRB-1874/P1

Thanks, Chris.

Sorry for the delay.

I think if we could put some or most (if possible) of that money back into enforcement that would be the way to go.

From: Sundberg, Christopher
Sent: Tuesday, July 14, 2009 4:45 PM
To: Wadd, Jay
Subject: RE: LRB-1874/P1

I don't think I've heard back yet. Have you decided how you'd like to proceed?

From: Wadd, Jay
Sent: Tuesday, July 14, 2009 4:37 PM
To: Sundberg, Christopher
Subject: RE: LRB-1874/P1

Chris,

I can't recall, did I give you guidance on what we wanted to do with this issue?



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SA ✓

contests

changes in the regulation of
boxing contests ✓

1 AN ACT *to amend* chapter 444 (title), 444.01 (1), 444.01 (2), 444.02, 444.03,
2 444.04, 444.06, 444.09 (title), 444.10 (title), 444.11, 444.12, 444.13, 444.14,
3 444.15 and 444.18; and *to create* 444.095 of the statutes; **relating to:**
4 regulating mixed martial arts fighting and granting rule-making authority.

INS
1-4

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a later version.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

5 SECTION 1. Chapter 444 (title) of the statutes is amended to read:

6 **REGULATION OF BOXING AND MIXED MARTIAL ARTS FIGHTING**

7 SECTION 2. 444.01 (1) of the statutes is amended to read:

8 444.01 (1) "Amateur boxing contest" means a boxing or mixed martial arts
9 fighting contest or exhibition in which none of the boxers or fighters are compensated
10 for participating in the contest or exhibition.

INS 1-6

making an appropriation,
and providing a penalty ✓

1 SECTION 3. 444.01 (2) of the statutes is amended to read:

2 444.01 (2) "Professional ~~boxing~~ contest" means a boxing or mixed martial arts
3 fighting contest or exhibition in which one or more of the boxers or fighters is
4 compensated for participating in the contest or exhibition. ✓

5 SECTION 4. 444.02 of the statutes is amended to read:

6 **444.02 Boxing licenses, Licenses and permits.** The department shall have
7 the sole direction, management, and control of, and jurisdiction over, all professional
8 ~~boxing~~ contests conducted within the state by any ^{promoter or} club. No professional ~~boxing~~
9 contests may be ^{and all amateur mixed martial arts fighting contests} conducted within the state except under authority granted by the
10 department and in accordance with this chapter and the rules of the department. ✓

11 The department may issue, and for cause limit, suspend, or revoke, a license to
12 conduct professional ~~boxing~~ contests to any ^{promoter or} incorporated club formed as provided in
13 this chapter. ✓ The department may limit the number of professional ~~boxing~~ contests
14 given by any ^{promoter or} club in any city, village, or town. No professional ~~boxing~~ contest ^{or amateur mixed} may ~~be~~ ^{martial arts}
15 be conducted by any ^{promoter or} licensed club without a permit from the department. ✓ Every ^{fighting} ~~contest~~ ^{contest}
16 license shall be subject to such rules and regulations as the department prescribes.

17 The department may reprimand ^{promoters or} clubs for violating this chapter or any rules of the
18 department. ✓

19 SECTION 5. 444.03 of the statutes is amended to read:

20 **444.03 Application for license; fee.** No professional ~~boxing~~ contest ^{or amateur mixed} may be
21 conducted by any ^{promoter or} club except by license granted to it by the department, and no ^{promoter or} club
22 may be licensed unless it is incorporated under the laws of Wisconsin and its
23 membership is limited to persons who have been continuous residents in the state
24 for at least one year. An application for a license shall be in writing, addressed to the
25 department, and verified by an officer of the club. ✓ An application shall be

the promoter or by

① accompanied by an annual fee of ~~\$25~~ in cities, villages, and towns of not more than
 ② ~~50,000 inhabitants, \$50 in cities of over 50,000 and not more than~~ 150,000
 ③ inhabitants, and ~~\$300~~ in cities of over 150,000 inhabitants ~~when the admission is~~
 ④ ~~over \$1 and \$50 when the admission charge is \$1 or less.~~ The application must show
 ⑤ that the club has entered into a valid agreement for the use of the building,
 ⑥ amphitheater, or stadium in which contests are to be held. ✓

SECTION 6. 444.04 of the statutes is amended to read:

⑧ **444.04 Club reports.** ^{Promoter and club} Within 24 hours after a club holds a professional boxing
 ⑨ contest, ^{promoter or} the club shall furnish to the department a written report, verified by one of ^{the promoter}
 ⑩ ^{or amateur mixed martial arts fighting contest} its officers, showing the number of tickets sold for the contest, the amount of gross
 11 ^{the club's} proceeds, and all other information the department requires by rule to be included
 12 in the report. ✓

SECTION 7. 444.06 of the statutes is amended to read:

14 **444.06 Inspectors.** The department shall appoint official "inspectors," each
 15 of whom shall receive a card authorizing the inspector to act wherever the
 16 department designates. The department may be, and at least one inspector shall be
 17 present at all professional boxing contests, ^{and all amateur mixed martial arts fighting} and see that the rules are strictly ^{contests}
 18 observed. An inspector shall also be present at the counting up of the gross receipts
 19 and shall immediately mail to the department the official box-office statement
 20 received from the club. ✓ Inspectors shall be paid a per diem to be set by the
 21 department, not to exceed \$25 for each day on which they are actually and
 22 necessarily engaged in the performance of their duties, and shall be reimbursed for
 23 their actual and necessary expenses incurred in the performance of their duties. ✓

SECTION 8. 444.09 (title) of the statutes is amended to read:

25 **444.09 (title) Conduct of boxing contests regulated.** ✓

****NOTE: The preceding section creates a licensure requirement for
 contest promoters using the same criteria required for licensure of a club.
 Does it make sense to require that a promoter be incorporated in Wisconsin or
 that a promoter's members be Wisconsin residents for at least one year?

1 SECTION 9. 444.095 of the statutes is created to read:

2 444.095 Conduct of mixed martial arts fighting contests regulated. (1)

3 No individual may be a contestant in an amateur mixed martial arts fighting contest
4 unless the individual can provide evidence that he or she is covered by adequate
5 health insurance. ✓

→ ******NOTE:** Should the draft specify a minimum coverage limit?

6 (2) No club may conduct a mixed martial arts fighting contest unless all of the
7 following apply: promoter or

8 (a) There is present at least one referee who is licensed by the department and
9 at least two judges who are licensed by the department. ✓

10 (b) A physician licensed to practice medicine and surgery under s. 448.04 (1)

11 (a) examines each contestant immediately before and after each match in which the
12 contestant participates. ✓

13 (c) A physician licensed to practice medicine and surgery under s. 448.04 (1)

14 (a) is present during each match to provide emergency care in the event of an injury. ✓

15 (d) An ambulance and emergency medical services personnel are present on the
16 premises and equipped to transport an injured contestant. ✓ with oxygen

17 (3) The department shall promulgate rules that establish all of the following
18 with respect to mixed martial arts fighting contests: ✓

19 (a) Qualifications and fees for licensure of referees and judges for mixed martial
20 arts fighting contests. ✓

21 (b) Requirements for regular health examinations of mixed martial arts
22 fighting contestants, including all of the following. ✓ by physicians

23 1. Annual neurological and physical examinations and annual eye
24 examinations. ✓

by physicians who are board-certified ophthalmologists

3. For female contestants, pregnancy tests before contests.

1

2. Annual screening for HIV and hepatitis. B, and hepatitis C

2

(c) Policies prohibiting contestants from using drugs, including anabolic steroids, and mandating drug testing of contestants.

3

4

SECTION 10. 444.10 (title) of the statutes is amended to read:

5

444.10 Physician to examine professional boxing contestants.

6

SECTION 11. 444.11 of the statutes is amended to read:

and amateur mixed martial arts fighting contests

7

444.11 Licenses to matchmakers, referees, boxers, contestants, etc. The

8

department may grant licenses upon application and the payment of the prescribed

9

fees to matchmakers, managers, referees, examining physicians, boxers, mixed

10

martial art fighters, seconds, and trainers in professional boxing contests. The fees

11

to be paid per year shall be: Matchmakers in cities with a population of over 150,000,

12

\$25; matchmakers in other cities and in villages and towns, \$10; managers, \$10;

13

referees, \$15; examining physicians, \$10; boxers and mixed martial arts fighters, \$5;

14

seconds and trainers, \$5. The department may limit, suspend, or revoke any such

15

license granted under this section or reprimand the holder thereof licensee upon

16

such cause as it deems sufficient.

17

SECTION 12. 444.12 of the statutes is amended to read:

18

444.12 Referee to stop contest. The referee must stop a professional boxing

19

contest when either of the contestants shows a marked superiority, or is apparently

20

outclassed. or amateur mixed martial arts fighting contest

21

SECTION 13. 444.13 of the statutes is amended to read:

22

444.13 Sham contests, license revoked. Any club that conducts, holds, promoter or

23

gives, or participates in any sham or fake professional boxing contest shall forfeit its promoter or

24

license. That license shall be revoked by the department, and the club shall not be

or amateur mixed martial arts fighting contest

INS
5-20

INS 6-3

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entitled to another license; nor shall any license be issued to any club that has a member who belonged to a club that had its license revoked.

SECTION 14. 444.14 of the statutes is amended to read:

444.14 Sham contests; contestants penalized; forfeitures; hearing. Any The department shall ban a contestant who participates in any sham or fake professional boxing contest or violates any rule or regulation of promulgated by the department shall be penalized as follows: For the first offense the contestant shall be restrained by order of the department under this chapter from participating in any contest held by a club licensed by the department for not less than 2 months nor more than one year, the period to begin beginning immediately after the occurrence of the offense, from participation in the contest to be held or given by any licensed club; for a 2nd offense, except that if the contestant has previously participated in a sham or fake professional contest or violated a rule promulgated by the department under this chapter, the contestant department shall be permanently disqualified ban the contestant from further admission or participation attending or participating in any such contest held or given by any licensed club licensed by the department and in addition, for each such offense, shall require the contestant to forfeit such an amount, out of the share or purse agreed to be paid the contestant for the contest as determined by the department determines, the forfeit to be paid into the general fund of the state. The department, upon determining the amount of the forfeit, may pay the same out of any guarantee deposited with it for delivery to the contestant or may order it paid to the department by the club employing the contestant out of the purse or share agreed by it to be paid to the contestant. The department shall not determine the forfeit until after due after a hearing held upon reasonable notice duly served upon to the contestant or the contestant's manager and upon to the club by

1 whom that employs the contestant is employed. Any member of the department or
 2 the secretary or any inspector of the department may order the club to hold the share
 3 or purse of the contestant in its possession pending the hearing and determination
 4 of the department. The department may deduct the amount of the forfeiture from
 5 any guarantee deposited with it for delivery to the contestant or may order it paid
 6 by the club that employs the contestant from an amount the club has agreed to pay
 7 the contestant. For failure to obey any order of the department or the secretary of
 8 the department or any inspector of the The department may reprimand or limit,
 9 suspend, cancel, or revoke the license of a club that fails to comply with an order given
 10 by the department or by an inspector given under this section, the license of the club
 11 may be limited, suspended, canceled, or revoked, and the club may be reprimanded.

12 SECTION 15. 444.15 of the statutes is amended to read:

13 **444.15 Reports; examination of books and officers.** Whenever any club

14 fails to make a report of any professional boxing contest at the time prescribed or
 15 whenever a report is unsatisfactory to the department, the secretary of the
or amateur mixed martial arts fighting contest

16 department may examine the books and records of the club and may subpoena and

17 examine, under oath, the club's officers and other witnesses to determine the total
promoter or

18 amount of its gross receipts for any contest. The secretary may require the club to
promoter or the

19 pay the expenses of conducting the examination. If a club fails to pay the amount of
promoter or

20 expenses determined by the secretary to be due within 20 days after receiving notice

21 of the amount, the club shall forfeit its license, be disqualified from receiving any
promoter or

22 license under this chapter, and forfeit to the state the sum of \$1,000, which may be

23 recovered by the department of justice in the name of the state.

24 SECTION 16. 444.18 of the statutes is amended to read:

certain
professional

1 **444.18 Insurance on boxers** professional **contestants.** Any licensee
 2 authorized to conduct professional ~~boxing~~ contests shall insure each contestant
 3 participating for hospital, nursing, and medication expenses and physician's and or amateur mixed martial arts
 4 surgeon's services according to an equitable fee schedule, not to exceed in the fighting
 5 aggregate \$500, to be paid to, or for the use of, any contestant to compensate for contests
 6 injuries sustained in any such contest; and shall insure each contestant for not less
 7 than \$2,500 to be paid to the contestant's estate in the event of the contestant's death
 8 as the result of participation in such professional ~~boxing~~ contest. ✓

****NOTE: I have amended this section so that it applies equally to professional
 boxing contestants and professional mixed martial arts fighting contestants. If you wish,
 you may alter the dollar limits of the insurance required for one type of contestant or for
 both.

9

(END)

or amateur mixed martial
arts fighting contest

2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1874/P2ins
CTS:.....

1 **Insert 1-4:**

2 **SECTION 1.** [✓][^] 20.165 (1) (im) of the statutes is created to read:

3 20.165 (1) (im) *Boxing and mixed martial arts fighting; enforcement.* Fifty
4 percent of all moneys received in forfeitures imposed under s. 444.14,[✓] for
5 enforcement of ch. 444.[✓]

6 **Insert 1-6:**

7 **SECTION 2.** [✓][^] 444.01 (1m) of the statutes is created to read:

8 444.01 (1m) "Physician" means a person licensed to practice medicine and
9 surgery under s. 448.04 (1) (a).[✓]

10 **Insert 5-20:**

11 The referee shall be the sole arbiter of the contest and may consult the physician
12 identified in s. 444.095 (2) (c) during the contest.[✓]

13 **Insert 6-3:**

14 **SECTION 3.** [✓] 444.14 of the statutes is amended to read:

15 **444.14 Sham contests; contestants penalized; forfeitures; hearing.** Any
16 The department shall ban a contestant who participates in any sham or fake
17 professional boxing contest or amateur mixed martial arts fighting contest[✓] or
18 violates any rule ~~or regulation of promulgated by~~ the department shall be penalized
19 as follows: ~~For the first offense the contestant shall be restrained by order of the~~
20 ~~department for not less than 2 months nor more than one year, the period to begin~~
21 ~~immediately after the occurrence of the offense, from participation in the contest to~~
22 ~~be held or given by any licensed club; for a 2nd offense, the contestant shall be~~
23 ~~permanently disqualified from further admission or participation in any such~~

1 ~~contest held or given by any licensed club and in addition, for each such offense, shall~~
2 ~~forfeit such amount, out of the share or purse agreed to be paid the contestant for the~~
3 ~~contest as the department determines, the forfeit to be paid into the general fund of~~
4 ~~the state. The department, upon determining the amount of the forfeit, may pay the~~
5 ~~same out of any guarantee deposited with it for delivery to the contestant or may~~
6 ~~order it paid to the department by the club employing the contestant out of the purse~~
7 ~~or share agreed by it to be paid to the contestant. The department shall not~~
8 ~~determine the forfeit until after due hearing held upon reasonable notice duly served~~
9 ~~upon, and may require the contestant or, the contestant's manager and upon the club~~
10 ~~by whom the contestant is employed. Any member of the department or the secretary~~
11 ~~or any inspector of the department may order the club to hold the share or purse of~~
12 ~~the contestant in its possession pending the hearing and determination of the~~
13 ~~department. For failure to obey any order of the department or the secretary of the~~
14 ~~department or any inspector of the department given under this section, the license~~
15 ~~of the club may be limited, suspended, canceled, or revoked, and the club may be~~
16 ~~reprimanded, or the promoter of the contest to forfeit an amount determined by the~~
17 ~~department, but not more than \$500. Fifty percent of all forfeitures collected under~~
18 ~~this section shall be deposited in the appropriation account under s. 20.165 (1) (im).~~

History: 1977 c. 418; 1979 c. 221 s. 2200 (45); 2003 a. 285.

Sundberg, Christopher

From: Wadd, Jay
Sent: Thursday, August 13, 2009 3:32 PM
To: Sundberg, Christopher
Subject: FW: suggested chagnes

Chris,

Not sure if we talked about this, but can you remove the state residency and state incorporation requirements from the draft?

thanks,

jay

From: Evan Zeppos [mailto:ezeppos@zeppos.com]
Sent: Thursday, July 30, 2009 11:41 AM
To: Wadd, Jay
Cc: Janssen, Andy
Subject: suggested chagnes

Jay:

Thanks for sharing.

There is only one concern we'd like to address and that is on page 3, lines 8 -13 relating to state residency and state incorporation.

We recommend eliminating the requirements for state residency for a promoter and state incorporation. We feel those are major problems and quite unordinary. Other entertainment promoters don't have that requirement, such as the promoter for the upcoming Bruce Springsteen show, WWE or other sport or entertainment shows. Nor are they required to be Wisconsin corps. State will already get its tax revenues through existing law, and having this requirement means that only Wisconsin residents (of at least one year) can put on such shows. I don't think that's the intent.

The drafter questioned this issue as well, and it seems that the drafter tends to agree with this view – see his drafting note made on page 3 between lines 20-21.

We recommend eliminating the state residence and state incorporation requirements.

Other than that, we think it is ready to go, but we would like to see that changed first.

Let me know what you think.

ez

From: Wadd, Jay [mailto:Jay.Wadd@legis.wisconsin.gov]
Sent: Thursday, July 30, 2009 10:26 AM
To: Janssen, Andy; ezeppos@zeppos.com
Subject: draft

08/17/2009

LEGISLATIVE REFERENCE BUREAU

or \$500 in a city of more than 150,000 inhabitants

applicant

1

Insert A:

Under current law, the Department of Regulation and Licensing (department) regulates boxing contests conducted in the state. No club may conduct a professional boxing contest without a license from the department. Currently, only clubs that are incorporated under the laws of this state and whose members have been residents of this state for at least one year are eligible for licensure. An application for licensure must pay an annual fee from \$25 to \$300, depending on the size of the city, village, or town in which the contest is held and the price of admission.

Current law also authorizes the department to license matchmakers, managers, referees, examining physicians, and boxers in professional boxing contests. A department-appointed inspector must be present at all professional boxing contests to see that the rules are strictly observed. A licensee authorized to conduct a professional boxing contest must insure each contestant for hospital, nursing, and medication expenses and physician's services according to an equitable fee schedule. The department is required to ban a contestant who participates in a sham or fake professional boxing contest or violates any department rule, and is authorized to require the contestant to forfeit the purse for the contest.

Also under current law, an amateur boxing contest (defined as a contest in which none of the contestants are compensated for participating) may be conducted in this state only if the contest is sanctioned by, and conducted under the rules of, the national governing body for amateur boxing.

This bill generally authorizes the department to regulate amateur and professional mixed martial arts fighting contests on the same terms as professional boxing contests, and to license promoters of boxing and mixed martial arts fighting contests on the same terms as clubs. The bill deletes the requirements that applicants for licensure be incorporated under the laws of this state and comprise only members who are residents of this state. The bill changes the license application fee to a flat \$200, and changes the penalty for sham or fake contests to a forfeiture not to exceed \$500. Fifty percent of forfeitures collected by the department are appropriated to the department for enforcement.

The bill also imposes a number of requirements on mixed martial arts fighting contests, including the following: A contestant in an amateur mixed martial arts fighting contest must be able to provide evidence that he or she is covered by adequate health insurance. No mixed martial arts fighting contest may be conducted without at least one licensed referee and at least four licensed judges. Contestants must be examined by a physician immediately before and after each match, and a physician and ambulance must be present during each match. The bill requires the department to promulgate rules for mixed martial arts fighting contests establishing (1) qualifications for licensure of referees and judges; (2) requirements for regular health examinations for contestants; and (3) policies prohibiting the use of drugs and mandating drug testing of contestants.

not

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v
Δ

fighting

FE-S



In: 8/17/09 wanted: Wed pm 8/19/09

State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-1874/P2

CTS:nwn:rs

RANK

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

2009 BILL

SAV

INS
A

Regen.

1 AN ACT *to amend* chapter 444 (title), 444.01 (1), 444.01 (2), 444.02, 444.03,
 2 444.04, 444.06, 444.09 (title), 444.10 (title), 444.11, 444.12, 444.13, 444.14,
 3 444.15 and 444.18; and *to create* 20.165 (1) (im), 444.01 (1m) and 444.095 of
 4 the statutes; **relating to:** changes in the regulation of boxing contests,
 5 regulating mixed martial arts fighting contests, granting rule-making
 6 authority, making an appropriation, and providing a penalty.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a later version.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 20.165 (1) (im) of the statutes is created to read:

20.165 (1) (im) *Boxing and mixed martial arts fighting; enforcement.* Fifty percent of all moneys received in forfeitures imposed under s. 444.14, for enforcement of ch. 444.

1 **SECTION 2.** Chapter 444 (title) of the statutes is amended to read:

2 **REGULATION OF BOXING AND**

3 **MIXED MARTIAL ARTS FIGHTING**

4 **SECTION 3.** 444.01 (1) of the statutes is amended to read:

5 444.01 (1) “Amateur ~~boxing~~ contest” means a boxing or mixed martial arts
6 fighting contest or exhibition in which none of the boxers or fighters are compensated
7 for participating in the contest or exhibition.

8 **SECTION 4.** 444.01 (1m) of the statutes is created to read:

9 444.01 (1m) “Physician” means a person licensed to practice medicine and
10 surgery under s. 448.04 (1) (a).

11 **SECTION 5.** 444.01 (2) of the statutes is amended to read:

12 444.01 (2) “Professional ~~boxing~~ contest” means a boxing or mixed martial arts
13 fighting contest or exhibition in which one or more of the boxers or fighters is
14 compensated for participating in the contest or exhibition.

15 **SECTION 6.** 444.02 of the statutes is amended to read:

16 **444.02 Boxing licenses, Licenses and permits.** The department shall have
17 the sole direction, management, and control of, and jurisdiction over, all professional
18 ~~boxing~~ contests and all amateur mixed martial arts fighting contests conducted
19 within the state by any promoter or club. No professional ~~boxing~~ contests or amateur
20 mixed martial arts fighting contests may be conducted within the state except under
21 authority granted by the department and in accordance with this chapter and the
22 rules of the department. The department may issue, and for cause limit, suspend,
23 or revoke, a license to conduct professional ~~boxing~~ contests or amateur mixed martial
24 arts fighting contests to any promoter or incorporated club formed as provided in this
25 chapter. The department may limit the number of professional ~~boxing~~ contests given

1 by any promoter or club in any city, village, or town. No professional ~~boxing~~ contest
2 or amateur mixed martial arts fighting contest may be conducted by any promoter
3 or licensed club without a permit from the department. Every license shall be subject
4 to such rules and regulations as the department prescribes. The department may
5 reprimand promoters or clubs for violating this chapter or any rules of the
6 department.

strike thru

7 SECTION 7. 444.03 of the statutes is amended to read:

8 **444.03 Application for license; fee.** No professional ~~boxing~~ contest or
9 amateur mixed martial arts fighting contest may be conducted by any promoter or
10 club except by license granted to it by the department, and no promoter or club may

11 be licensed unless it is incorporated under the laws of Wisconsin and its membership
12 is limited to persons who have been continuous residents in the state for at least one
13 year. An application for a license shall be in writing, addressed to the department,

14 and verified by the promoter or by an officer of the club. An application shall be
15 accompanied by an annual fee of ~~\$25~~ \$200 in cities, villages, and towns of not more
16 than ~~50,000 inhabitants, \$50 in cities of over 50,000 and not more than 150,000~~
17 inhabitants, and ~~\$300~~ \$500 in cities of over 150,000 inhabitants ~~when the admission~~
18 ~~is over \$1 and \$50 when the admission charge is \$1 or less.~~ The application must
19 show that the promoter or club has entered into a valid agreement for the use of the
20 building, amphitheater, or stadium in which contests are to be held.

****NOTE: The preceding section creates a licensure requirement for contest promoters using the same criteria required for licensure of a club. Does it make sense to require that a promoter be incorporated in Wisconsin or that a promoter's members be Wisconsin residents for at least one year?

21 SECTION 8. 444.04 of the statutes is amended to read:

22 **444.04 Club Promoter and club reports.** Within 24 hours after a promoter
23 or club holds a professional ~~boxing~~ contest or amateur mixed martial arts fighting

1 contest, the club shall furnish to the department a written report, verified by the
2 promoter or by one of its the club's officers, showing the number of tickets sold for the
3 contest, the amount of gross proceeds, and all other information the department
4 requires by rule to be included in the report.

5 **SECTION 9.** 444.06 of the statutes is amended to read:

6 **444.06 Inspectors.** The department shall appoint official "inspectors," each
7 of whom shall receive a card authorizing the inspector to act wherever the
8 department designates. The department may be, and at least one inspector shall be
9 present at all professional boxing contests and all amateur mixed martial arts
10 fighting contests and see that the rules are strictly observed. An inspector shall also
11 be present at the counting up of the gross receipts and shall immediately mail to the
12 department the official box-office statement received from the promoter or club.
13 Inspectors shall be paid a per diem to be set by the department, not to exceed \$25 for
14 each day on which they are actually and necessarily engaged in the performance of
15 their duties, and shall be reimbursed for their actual and necessary expenses
16 incurred in the performance of their duties.

17 **SECTION 10.** 444.09 (title) of the statutes is amended to read:

18 **444.09 (title) Conduct of boxing contests regulated.**

19 **SECTION 11.** 444.095 of the statutes is created to read:

20 **444.095 Conduct of mixed martial arts fighting contests regulated. (1)**

21 No individual may be a contestant in an amateur mixed martial arts fighting contest
22 unless the individual can provide evidence that he or she is covered by adequate
23 health insurance.

24 **(2)** No promoter or club may conduct a mixed martial arts fighting contest
25 unless all of the following apply:

1 (a) There is present at least one referee who is licensed by the department and
2 at least 4 judges who are licensed by the department.

3 (b) A physician examines each contestant immediately before and after each
4 match in which the contestant participates.

5 (c) A physician is present during each match to provide emergency care in the
6 event of an injury.

7 (d) An ambulance and emergency medical services personnel with oxygen are
8 present on the premises and equipped to transport an injured contestant.

9 **(3)** The department shall promulgate rules that establish all of the following
10 with respect to mixed martial arts fighting contests:

11 (a) Qualifications and fees for licensure of referees and judges for mixed martial
12 arts fighting contests.

13 (b) Requirements for regular health examinations of mixed martial arts
14 fighting contestants, including all of the following:

15 1. Annual physical examinations by physicians and annual eye examinations
16 by physicians who are board-certified ophthalmologists.

17 2. Annual screening for HIV, hepatitis B, and hepatitis C.

18 3. For female contestants, pregnancy tests before contests.

19 (c) Policies prohibiting contestants from using drugs, including anabolic
20 steroids, and mandating drug testing of contestants.

21 **SECTION 12.** 444.10 (title) of the statutes is amended to read:

22 **444.10 Physician to examine professional boxing contestants.**

23 **SECTION 13.** 444.11 of the statutes is amended to read:

24 **444.11 Licenses to matchmakers, referees, boxers contestants, etc.** The
25 department may grant licenses upon application and the payment of the prescribed

1 fees to matchmakers, managers, referees, examining physicians, boxers, mixed
2 martial art fighters, seconds, and trainers in professional ~~boxing~~ contests and
3 amateur mixed martial arts fighting contests. The fees to be paid per year shall be:
4 Matchmakers in cities with a population of over 150,000, \$25; ~~matchmakers in other~~
5 ~~cities and in villages and towns, \$10; and~~ managers, \$10; referees, \$15; examining
6 physicians, \$10; boxers and mixed martial arts fighters, \$5; seconds and ~~trainers~~
7 ~~timekeepers~~, \$5. The department may limit, suspend, or revoke any ~~such~~ license
8 granted under this section or reprimand the holder thereof licensee upon such cause
9 as it deems sufficient.

10 SECTION 14. 444.12 of the statutes is amended to read:

11 **444.12 Referee to stop contest.** The referee must stop a professional ~~boxing~~
12 contest or amateur mixed martial arts fighting contest when either of the
13 contestants shows a marked superiority or is apparently outclassed. The referee
14 shall be the sole arbiter of the contest and may consult the physician identified in s.
15 444.095 (2) (c) during the contest.

16 SECTION 15. 444.13 of the statutes is amended to read:

17 **444.13 Sham contests, license revoked.** Any promoter or club that
18 conducts, holds, gives, or participates in any sham or fake professional ~~boxing~~
19 contest or amateur mixed martial arts fighting contest shall forfeit its license. That
20 license shall be revoked by the department, and the promoter or club shall not be
21 entitled to another license, ~~nor shall any license be issued to any club that has a~~
22 ~~member who belonged to a club that had its license revoked.~~

23 SECTION 16. 444.14 of the statutes is amended to read:

24 **444.14 Sham contests; contestants penalized; forfeitures; hearing.** Any
25 The department shall ban a contestant who participates in any sham or fake

1 professional ~~boxing~~ contest or amateur mixed martial arts fighting contest or
2 violates any rule ~~or regulation of~~ promulgated by the department shall be penalized
3 as follows: ~~For the first offense the contestant shall be restrained by order of the~~
4 ~~department for not less than 2 months nor more than one year, the period to begin~~
5 ~~immediately after the occurrence of the offense, from participation in the contest to~~
6 ~~be held or given by any licensed club; for a 2nd offense, the contestant shall be~~
7 ~~permanently disqualified from further admission or participation in any such~~
8 ~~contest held or given by any licensed club and in addition, for each such offense, shall~~
9 ~~forfeit such amount, out of the share or purse agreed to be paid the contestant for the~~
10 ~~contest as the department determines, the forfeit to be paid into the general fund of~~
11 ~~the state. The department, upon determining the amount of the forfeit, may pay the~~
12 ~~same out of any guarantee deposited with it for delivery to the contestant or may~~
13 ~~order it paid to the department by the club employing the contestant out of the purse~~
14 ~~or share agreed by it to be paid to the contestant. The department shall not~~
15 ~~determine the forfeit until after due hearing held upon reasonable notice duly served~~
16 ~~upon, and may require the contestant or, the contestant's manager and upon the club~~
17 ~~by whom the contestant is employed. Any member of the department or the secretary~~
18 ~~or any inspector of the department may order the club to hold the share or purse of~~
19 ~~the contestant in its possession pending the hearing and determination of the~~
20 ~~department. For failure to obey any order of the department or the secretary of the~~
21 ~~department or any inspector of the department given under this section, the license~~
22 ~~of the club may be limited, suspended, canceled, or revoked, and the club may be~~
23 ~~reprimanded, or the promoter of the contest to forfeit an amount determined by the~~
24 ~~department, but not more than \$500. Fifty percent of all forfeitures collected under~~
25 ~~this section shall be deposited in the appropriation account under s. 20.165 (1) (im).~~

1 **SECTION 17.** 444.15 of the statutes is amended to read:

2 **444.15 Reports; examination of books and officers.** Whenever any
3 promoter or club fails to make a report of any professional ~~boxing~~ contests or amateur
4 mixed martial arts fighting contests at the time prescribed or whenever a report is
5 unsatisfactory to the department, the secretary ~~of the department~~ may examine the
6 books and records of the promoter or club and may subpoena and examine, under
7 oath, the promoter or the club's officers and other witnesses to determine the total
8 amount of its gross receipts for any contest. The secretary may require the promoter
9 or club to pay the expenses of conducting the examination. If a promoter or club fails
10 to pay the amount of expenses determined by the secretary to be due within 20 days
11 after receiving notice of the amount, the promoter or club shall forfeit its license, be
12 disqualified from receiving any license under this chapter, and forfeit to the state the
13 sum of \$1,000, which may be recovered by the department of justice in the name of
14 the state.

15 **SECTION 18.** 444.18 of the statutes is amended to read:

16 **444.18 Insurance on ~~boxers~~ certain contestants.** Any licensee authorized
17 to conduct professional ~~boxing~~ contests or amateur mixed martial arts fighting
18 contests shall insure each contestant participating for hospital, nursing, and
19 medication expenses and physician's and surgeon's services according to an
20 equitable fee schedule, not to exceed in the aggregate \$500, to be paid to, or for the
21 use of, any contestant to compensate for injuries sustained in any such contest; and
22 shall insure each contestant for not less than \$2,500 to be paid to the contestant's
23 estate in the event of the contestant's death as the result of participation in such
24 professional ~~boxing~~ contests or amateur mixed martial arts fighting contests.

25

(END)

Parisi, Lori

From: Sundberg, Christopher
Sent: Tuesday, August 25, 2009 9:47 AM
To: LRB.Legal
Subject: FW: Lrb-1874/1

Jacket request from Jay in the Hansen office...

From: Wadd, Jay
Sent: Tuesday, August 25, 2009 9:46 AM
To: Sundberg, Christopher
Cc: Janssen, Andy
Subject: RE: Lrb-1874/1

Chris,

Would you please jacket this for introduction in the Senate? Thanks.

jay

From: Sundberg, Christopher
Sent: Thursday, August 20, 2009 9:15 AM
To: Wadd, Jay
Subject: RE: Lrb-1874/1

<< File: 09-18741.pdf >>

From: Wadd, Jay
Sent: Thursday, August 20, 2009 9:15 AM
To: Sundberg, Christopher
Subject: Lrb-1874/1

Chris,

Would you please send me an electronic copy of our MMA bill?

Thanks. And thanks for all your work on this. I'm keeping my fingers crossed we're good to go...

jay



ln: 8/25/09 wanted: Wed. 8/26/09

State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-1874/1
CTS:nwn:jf

RMWR

TODAY early afternoon

2009 BILL

stays

SAV

Refer Cat

1 AN ACT *to amend* chapter 444 (title), 444.01 (1), 444.01 (2), 444.02, 444.03,
 2 444.04, 444.06, 444.09 (title), 444.10 (title), 444.11, 444.12, 444.13, 444.14,
 3 444.15 and 444.18; and *to create* 20.165 (1) (im), 444.01 (1m) and 444.095 of
 4 the statutes; **relating to:** changes in the regulation of boxing contests,
 5 regulating mixed martial arts fighting contests, granting rule-making
 6 authority, making an appropriation, and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Regulation and Licensing (department) regulates boxing contests conducted in the state. No club may conduct a professional boxing contest without a license from the department. Currently, only clubs that are incorporated under the laws of this state and whose members have been residents of this state for at least one year are eligible for licensure. An applicant for licensure must pay an annual fee from \$25 to \$300, depending on the size of the city, village, or town in which the contest is held and the price of admission.

Current law also authorizes the department to license matchmakers, managers, referees, examining physicians, and boxers in professional boxing contests. A department-appointed inspector must be present at all professional boxing contests to see that the rules are strictly observed. A licensee authorized to conduct a professional boxing contest must insure each contestant for hospital, nursing, and medication expenses and physician's services according to an equitable

BILL

fee schedule. The department is required to ban a contestant who participates in a sham or fake professional boxing contest or violates any department rule, and is authorized to require the contestant to forfeit the purse for the contest.

Also under current law, an amateur boxing contest (defined as a contest in which none of the contestants are compensated for participating) may be conducted in this state only if the contest is sanctioned by, and conducted under the rules of, the national governing body for amateur boxing.

This bill generally authorizes the department to regulate amateur and professional mixed martial arts fighting contests on the same terms as professional boxing contests, and to license promoters of boxing and mixed martial arts fighting contests on the same terms as clubs. The bill deletes the requirements that applicants for licensure be incorporated under the laws of this state and comprise only members who are residents of this state. The bill changes the license application fee to \$200, or \$500 in a city of more than 150,000 inhabitants, and changes the penalty for sham or fake contests to a forfeiture not to exceed \$500. Fifty percent of forfeitures collected by the department are appropriated to the department for enforcement.

The bill also imposes a number of requirements on mixed martial arts fighting contests, including the following: A contestant in an amateur mixed martial arts fighting contest must be able to provide evidence that he or she is covered by adequate health insurance. No mixed martial arts fighting contest may be conducted without at least one licensed referee and at least four licensed judges. Contestants must be examined by a physician immediately before and after each match, and a physician and ambulance must be present during each match. The bill requires the department to promulgate rules for mixed martial arts fighting contests establishing: 1) qualifications for licensure of referees and judges; 2) requirements for regular health examinations for contestants; and 3) policies prohibiting the use of drugs and mandating drug testing of contestants.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.165 (1) (im) of the statutes is created to read:

2 20.165 (1) (im) *Boxing and mixed martial arts fighting; enforcement.* Fifty
3 percent of all moneys received in forfeitures imposed under s. 444.14, for
4 enforcement of ch. 444.

5 **SECTION 2.** Chapter 444 (title) of the statutes is amended to read:

BILL

**REGULATION OF BOXING AND
MIXED MARTIAL ARTS FIGHTING**

SECTION 3. 444.01 (1) of the statutes is amended to read:

444.01 (1) "Amateur ~~boxing~~ contest" means a boxing or mixed martial arts fighting contest or exhibition in which none of the boxers or fighters are compensated for participating in the contest or exhibition.

SECTION 4. 444.01 (1m) of the statutes is created to read:

444.01 (1m) "Physician" means a person licensed to practice medicine and surgery under s. 448.04 (1) (a).

SECTION 5. 444.01 (2) of the statutes is amended to read:

444.01 (2) "Professional ~~boxing~~ contest" means a boxing or mixed martial arts fighting contest or exhibition in which one or more of the boxers or fighters is compensated for participating in the contest or exhibition.

SECTION 6. 444.02 of the statutes is amended to read:

444.02 ~~Boxing licenses, Licenses and permits.~~ The department shall have the sole direction, management, and control of, and jurisdiction over, all professional boxing contests and all amateur mixed martial arts fighting contests conducted

within the state by any promoter or club. ~~No professional boxing contests or amateur~~ ^{club or promoter may conduct}

mixed martial arts fighting contests ~~may be conducted~~ within the state except under

authority granted by the department and in accordance with this chapter and the

rules of the department. The department may issue, and for cause limit, suspend,

or revoke, a license to conduct professional ~~boxing~~ contests or amateur mixed martial

arts fighting contests to any promoter or incorporated club formed as provided in this

chapter. The department may limit the number of professional ~~boxing~~ contests given

by any promoter or club in any city, village, or town. No professional ~~boxing~~ contest

BILL

1 or amateur mixed martial arts fighting contest may be conducted by any promoter
2 or licensed club without a permit from the department. Every license shall be subject
3 to such rules and regulations as the department prescribes. The department may
4 reprimand promoters or clubs for violating this chapter or any rules of the
5 department.

6 **SECTION 7.** 444.03 of the statutes is amended to read:

7 **444.03 Application for license; fee.** No professional ~~boxing~~ contests or
8 amateur mixed martial arts fighting contests may be conducted by any promoter or
9 club except by license granted to it by the department, ~~and no club may be licensed~~
10 ~~unless it is incorporated under the laws of Wisconsin and its membership is limited~~
11 ~~to persons who have been continuous residents in the state for at least one year.~~ An
12 application for a license shall be in writing, addressed to the department, and
13 verified by the promoter or by an officer of the club. An application shall be
14 accompanied by an annual fee of ~~\$25~~ \$200 in cities, villages, and towns of not more
15 than ~~50,000 inhabitants,~~ ~~\$50 in cities of over 50,000 and not more than 150,000~~
16 ~~inhabitants,~~ and ~~\$300~~ \$500 in cities of over 150,000 inhabitants ~~when the admission~~
17 ~~is over \$1 and \$50 when the admission charge is \$1 or less.~~ The application must
18 show that the promoter or club has entered into a valid agreement for the use of the
19 building, amphitheater, or stadium in which contests are to be held.

20 **SECTION 8.** 444.04 of the statutes is amended to read:

21 **444.04 Club Promoter and club reports.** Within 24 hours after a promoter
22 or club holds a professional ~~boxing~~ contests or amateur mixed martial arts fighting
23 contests, the club shall furnish to the department a written report, verified by the
24 promoter or by one of its the club's officers, showing the number of tickets sold for the

BILL

1 contest, the amount of gross proceeds, and all other information the department
2 requires by rule to be included in the report.

3 **SECTION 9.** 444.06 of the statutes is amended to read:

4 **444.06 Inspectors.** The department shall appoint official "inspectors," each
5 of whom shall receive a card authorizing the inspector to act wherever the
6 department designates. The department may be, and at least one inspector shall be
7 present at all professional ~~boxing~~ contests and all amateur mixed martial arts
8 fighting contests and see that the rules are strictly observed. An inspector shall also
9 be present at the counting up of the gross receipts and shall immediately mail to the
10 department the official box-office statement received from the promoter or club.
11 Inspectors shall be paid a per diem to be set by the department, not to exceed \$25 for
12 each day on which they are actually and necessarily engaged in the performance of
13 their duties, and shall be reimbursed for their actual and necessary expenses
14 incurred in the performance of their duties.

15 **SECTION 10.** 444.09 (title) of the statutes is amended to read:

16 **444.09 (title) Conduct of boxing contests regulated.**

17 **SECTION 11.** 444.095 of the statutes is created to read:

18 **444.095 Conduct of mixed martial arts fighting contests regulated. (1)**

19 No individual may be a contestant in an amateur mixed martial arts fighting contest
20 unless the individual can provide evidence that he or she is covered by adequate
21 health insurance.

22 **(2)** No promoter or club may conduct a mixed martial arts fighting contest
23 unless all of the following apply:

24 (a) There is present at least one referee who is licensed by the department and
25 at least 4 judges who are licensed by the department.

BILL

1 (b) A physician examines each contestant immediately before and after each
2 match in which the contestant participates.

3 (c) A physician is present during each match to provide emergency care in the
4 event of an injury.

5 (d) An ambulance and emergency medical services personnel with oxygen are
6 present on the premises and equipped to transport an injured contestant.

7 **(3)** The department shall promulgate rules that establish all of the following
8 with respect to mixed martial arts fighting contests:

9 (a) Qualifications and fees for licensure of referees and judges for mixed martial
10 arts fighting contests.

11 (b) Requirements for regular health examinations of mixed martial arts
12 fighting contestants, including all of the following:

13 1. Annual physical examinations by physicians and annual eye examinations
14 by physicians who are board-certified ophthalmologists.

15 2. Annual screening for HIV, hepatitis B, and hepatitis C.

16 3. For female contestants, pregnancy tests before contests.

17 (c) Policies prohibiting contestants from using drugs, including anabolic
18 steroids, and mandating drug testing of contestants.

19 **SECTION 12.** 444.10 (title) of the statutes is amended to read:

20 **444.10 Physician to examine professional boxing contestants.**

21 **SECTION 13.** 444.11 of the statutes is amended to read:

22 **444.11 Licenses to matchmakers, referees, ~~boxers~~ contestants, etc.** The
23 department may grant licenses upon application and the payment of the prescribed
24 fees to matchmakers, managers, referees, examining physicians, boxers, mixed
25 martial art fighters, seconds, and trainers in professional ~~boxing~~ contests and

BILL

1 amateur mixed martial arts fighting contests. The fees to be paid per year shall be:
2 ~~Matchmakers in cities with a population of over 150,000, \$25; matchmakers in other~~
3 ~~cities and in villages and towns, \$10; and~~ managers, \$10; referees, \$15; examining
4 physicians, \$10; boxers and mixed martial arts fighters, \$5; seconds and ~~trainers~~
5 timekeepers, \$5. The department may limit, suspend, or revoke any such license
6 granted under this section or reprimand the ~~holder thereof~~ licensee upon such cause
7 as it deems sufficient.

8 **SECTION 14.** 444.12 of the statutes is amended to read:

9 **444.12 Referee to stop contest.** The referee must stop a professional ~~boxing~~
10 contest or amateur mixed martial arts fighting contest when either of the
11 contestants shows a marked superiority or is apparently outclassed. The referee
12 shall be the sole arbiter of the contest and may consult the physician identified in s.
13 444.095 (2) (c) during the contest.

14 **SECTION 15.** 444.13 of the statutes is amended to read:

15 **444.13 Sham contests, license revoked.** Any promoter or club that
16 conducts, holds, gives, or participates in any sham or fake professional ~~boxing~~
17 contest or amateur mixed martial arts fighting contest shall forfeit its license. That
18 license shall be revoked by the department, and the promoter or club shall not be
19 entitled to another license, ~~nor shall any license be issued to any club that has a~~
20 ~~member who belonged to a club that had its license revoked.~~

21 **SECTION 16.** 444.14 of the statutes is amended to read:

22 **444.14 Sham contests; contestants penalized; forfeitures; hearing.** Any
23 The department shall ban a contestant who participates in any sham or fake
24 professional ~~boxing~~ contest or amateur mixed martial arts fighting contest or
25 violates any rule ~~or regulation of~~ promulgated by the department shall be penalized

BILL**SECTION 16**

1 as follows: ~~For the first offense the contestant shall be restrained by order of the~~
2 ~~department for not less than 2 months nor more than one year, the period to begin~~
3 ~~immediately after the occurrence of the offense, from participation in the contest to~~
4 ~~be held or given by any licensed club; for a 2nd offense, the contestant shall be~~
5 ~~permanently disqualified from further admission or participation in any such~~
6 ~~contest held or given by any licensed club and in addition, for each such offense, shall~~
7 ~~forfeit such amount, out of the share or purse agreed to be paid the contestant for the~~
8 ~~contest as the department determines, the forfeit to be paid into the general fund of~~
9 ~~the state. The department, upon determining the amount of the forfeit, may pay the~~
10 ~~same out of any guarantee deposited with it for delivery to the contestant or may~~
11 ~~order it paid to the department by the club employing the contestant out of the purse~~
12 ~~or share agreed by it to be paid to the contestant. The department shall not~~
13 ~~determine the forfeit until after due hearing held upon reasonable notice duly served~~
14 ~~upon, and may require the contestant or, the contestant's manager and upon the club~~
15 ~~by whom the contestant is employed. Any member of the department or the secretary~~
16 ~~or any inspector of the department may order the club to hold the share or purse of~~
17 ~~the contestant in its possession pending the hearing and determination of the~~
18 ~~department. For failure to obey any order of the department or the secretary of the~~
19 ~~department or any inspector of the department given under this section, the license~~
20 ~~of the club may be limited, suspended, canceled, or revoked, and the club may be~~
21 ~~reprimanded, or the promoter of the contest to forfeit an amount determined by the~~
22 ~~department, but not more than \$500. Fifty percent of all forfeitures collected under~~
23 ~~this section shall be deposited in the appropriation account under s. 20.165 (1) (im).~~

24 **SECTION 17.** 444.15 of the statutes is amended to read:

