

Clearinghouse Rule 14-013

STATE OF WISCONSIN
DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE : DEPARTMENT OF SAFETY AND
DEPARTMENT OF SAFETY AND : PROFESSIONAL SERVICES
PROFESSIONAL SERVICES : ADOPTING RULES
: (CR)

PROPOSED ORDER

An order of the Department of Safety and Professional Services to repeal chs. SPS 100 to 105; 192.02 (6) and (15); 194.01 (9) to (11) and (14); 195.11 (1) (a), (c) and (d);

to renumber SPS 193.11 as 192.211 in subchapter II of chapter 192; 194.02 as 192.302 in subchapter III of chapter 192; 195.13 as 192.414 in subchapter IV of chapter 192;

to renumber and amend SPS 192.01 as 192.101 in subchapter I; 192.02 (title), (intro.) and (1) to (19) as 192.102 (title), (intro.) and (2) to (18) in subchapter I, and 192.102 (intro.), (2), (4), (8), (10), (14) and (15); chapter 193 (title) and 193.01 as subchapter II (title) and 192.201 in subchapter II of chapter 192; 193.02 as 192.202 in subchapter II of chapter 192, and 192.202 (2) (a) (intro.), 2. and 3. and (c); 193.03 as 192.203 in subchapter II of chapter 192, and 192.203 (2) (a) and (b); 193.04 (title), (1) and (2) (a) and (b) to (d) 3. and 4. to 6. and (e) as 192.204 (title), (1) and (2) (intro.) and (a) to (c) 3. and (d) to (f) and (3) in subchapter II of chapter 192, and 192.204 (1) and (2) (intro.), (b), (c) (intro.), 2. and 3. and (d) to (f) and (3); 193.05 (title) and (1) to (3) (d) and (e) as 192.205 (title) and (1) to (3) (d) 1. and 2. in subchapter II of chapter 192, and 192.205 (2) (a) and (b) and (3) (intro.), (a) and (d) 1.; 193.06 (title) and (1) to (3) (d) and (e) as 192.206 (title) and (1) to (3) (d) 1. and 2. in subchapter II of chapter 192, and 192.206 (2) (a) and (b) and (3) (intro.), (a) and (d) 1.; 193.07 as 192.207 in subchapter II of chapter 192, and 192.207 (2); 193.08 as 192.208 in subchapter II of chapter 192, and 192.208 (2); 193.09 as 192.209 in subchapter II of chapter 192, and 192.209 (2); 193.10 as 192.210 in subchapter II of chapter 192; 193.06 (title) and (1) to (3) (d) and (e) as 192.206 (title) and (1) to (3) (d) 1. and 2. in subchapter II of chapter 192, and 192.206 (2) (a) and (b) and (3) (intro.), (a) and (d) 1.; 193.12 (2) (c) 6. and (3) to (5) as 192.212 (3) to (6) in subchapter II of chapter 192, and 192.212 (3) and (4); 193.13 as 192.213 in subchapter II of chapter 192, and 192.213 (1) (intro.), (c) and (d) and (4); 193.14 as 192.214 in subchapter II of chapter 192, and 192.214 (1) (a), (2) and (3); 194 (title) and 194.01 (title), (intro.) to (5), (6), (7) (intro.) to (c), (d) and (8) as subchapter III (title) and 192.301 (title), (intro.) to (5), (14), (6) (intro.) to (c), (7) and (8) in subchapter III of chapter 192, and 192.301 (1), (4), (5), (7), (8) and (14); 194.01 (12) to (17) and (18) to (28) as 192.301 (9) to (13) and (15) to (25) in subchapter III of chapter 192, and 192.301 (9), (10), (13), (16), (18) to (22) and (25); 194.03 as 192.303 in subchapter III of chapter 192, and 192.303 (1) (c) and (2) (intro.) and (a); 194.04 as 192.304 in subchapter III of chapter 192, and 192.304 (1) (intro.), (a), (d) and (f) and (3) (intro.) and (a); 194.05 as 192.305 in subchapter III of chapter 192, and 192.305 (intro.), (4), (6) and (8); 194.06 as 192.306 in subchapter III of chapter 192, and 192.306 (1), (3) and (4);

194.07 as 192.307 in subchapter III of chapter 192, and 192.307 (intro.) and (2); 194.08 as 192.308 in subchapter III of chapter 192, and 192.308 (1) (c), (d) 1. and 2., (2), (3) (intro.) and (e) and (4); 195 (title) and 195.01 as subchapter IV (title) and 192.401 in subchapter IV of chapter 192, and 192.401 (2), (4), (6) and (7); 195.02 as 192.402 in subchapter IV of chapter 192, and 192.402 (1), (5) to (12), (14) and (15); 195.03 as 192.403 in subchapter IV of chapter 192, and 192.403 (2), (3) and (8); 195.04 as 192.404 in subchapter IV of chapter 192, and 192.404 (1), (9), (16) (g), (t) and (v), (17) and (18) (intro.), (a) and (c) to (e); 195.05 as 192.405 in subchapter IV of chapter 192; 195.06 as 192.406 in subchapter IV of chapter 192, and 192.406 (1), (7), (8), (10), (11) and (13) to (16); 195.07 as 192.407 in subchapter IV of chapter 192, and 192.407 (1) and (5); 195.08 as 192.408 in subchapter IV of chapter 192, and 192.408 (1); 195.09 as 192.409 in subchapter IV of chapter 192, and 192.409 (1) to (9); 195.10 as 192.411 in subchapter IV of chapter 192, and 192.411 (title) and (4); 195.11 (title), (1) (intro.) and (b) and (2) to (6) as 192.412 (title), (1) (a) and (b) and (2) to (6) in subchapter IV of chapter 192, and 192.412 (1) (a) and (b) and (2) (intro.), (3) and (5); 195.12 as 192.413 in subchapter IV of chapter 192, and 192.413 (1) to (3) (a) and (4) to (10); 195.14 as 192.415 in subchapter IV of chapter 192, and 192.415 (1), (2) and (4); 196 (title) and 196.01 (title) and (1) (intro.) to (3) (g), (h) and (i) to (n) as subchapter V (title) and 192.501 (title) and (1) (intro.) to (3) (g), (4) and (3) (h) to (m) in subchapter V of chapter 192, and subchapter V (title) and 192.501 (1) (intro.), (f) to (h), (3) (intro.), (d) to (j), (L) and (m) and (4); 196.02 as 192.502 in subchapter V of chapter 192, and 192.502 (1), (2) and (4) to (7); 196.03 as 192.504 in subchapter V of chapter 192, and 192.504 (1) to (4), (6) (intro.) and (11);

to amend ch. SPS 192 (title); and

to create subchapter I (title) in chapter SPS 192, 192.102 (1) and (19), 192.204 (2) (g) and (3) (title), 192.301 (8) Note; 192.404 (18) (g) and (h); 192.410; 192.411 (5); 192.415 (8); and 192.503, relating to mixed martial arts, amateur boxing and, professional boxing.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted: ss. 444.02 (2), 444.04, 444.06 and 444.095 (4), Stats.

Statutory authority: ss. 227.11 (2), 444.035, 444.04, 444.06, 444.095 (3), and 444.19, Stats.

Explanation of agency authority:

Section 227.11 (2), Stats., reads: “Rule-making authority is expressly conferred as follows: (a) Each agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute, but a rule is not valid if the rule exceeds the bounds of correct interpretation. All of the following apply to the promulgation of a rule interpreting the provisions of a statute enforced or administered by an agency: ...”

Section 444.035, Stats., reads: “Bond. The department shall by rule require a promoter or club conducting a professional contest or amateur mixed martial arts fighting contest to post a bond or other surety in a reasonable amount determined by the department to ensure payment of the promoter's or club's expenses in conducting the contest, including payments to contestants and to the department.”

Section 444.04, Stats., reads: “Promoter and club reports. Within 2 business days after a promoter or club holds a professional contest or amateur mixed martial arts fighting contest, the club shall furnish to the department a written report, verified by the promoter or by one of the club's officers under penalty of perjury, showing the number of tickets sold for the contest, the amount of gross proceeds, and all other information the department requires by rule to be included in the report. The department may limit, suspend, revoke, or assess a forfeiture to the promoter or club for failure to comply with this section or failure to provide accurate information to the department. Any forfeiture collected under this section shall be deposited in the appropriation account under s. 20.165 (1) (jm).”

Section 444.06, Stats., reads: “Inspectors. The department shall appoint official inspectors, each of whom shall receive a card authorizing the inspector to act wherever the department designates. The department may be, and at least one inspector shall be present at all professional contests and all amateur mixed martial arts fighting contests and see that the rules are strictly observed. Inspectors shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties. The department may require a promoter or club to pay the cost of designating additional inspectors, who may include a referee or judge performing the duties of an inspector, for an event. The department may require a promoter or club to pay the department an amount not to exceed \$250 for each additional inspector designated by the department.”

Section 444.095 (3), Stats., reads: “The department shall promulgate rules that establish all of the following with respect to mixed martial arts fighting contests:

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

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

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

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

3. For female contestants, pregnancy tests before contests.

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

Section 444.19, Stats., reads: “Fee adjustments by rule. Notwithstanding ss. 444.02 (3), 444.03, 444.06, and 444.11, the department may by rule adjust the fees under this chapter to account for changes in the department's costs in administering and enforcing this chapter.”

Related statute or rule:

There are no other related statutes or administrative rules other than those listed herein.

Plain language analysis:

The major changes in this proposed rule entail repealing chs. SPS 100 to 105, reorganizing ch. SPS 192 into the main chapter for mixed martial arts, and merging of provisions in chs. SPS 193 to 196 into ch. SPS 192.

SECTIONS 1 and 8. The first treatment section repeals the chapter series chs. SPS 100 to 105, pertaining to amateur boxing, which removed the department's authority to regulate amateur boxing under 2003 Act 285. Later in this proposed rule, text incorporates those pertinent sections with mixed martial arts into chs. SPS 190 to 196, of which amateur boxing is a combative sport and is so collectively defined.

SECTION 2. A new chapter heading for the major chapter, SPS 192, deals with mixed martial arts and sporting events or fighting contests. The chapter now reflects the compilation of various licenses and event specifications into one chapter.

SECTIONS 3, 19 and 28. These sections detail the newly reorganized ch. SPS 192 with various subchapters and titles of subchapters.

SECTION 4. This renumbered section more clearly indicates the statutory authority given to the department for mixed martial arts and fighting contests, removing all references to amateur boxing.

SECTIONS 5, 26 and 48. These sections repeal current code text; specifically joints and compression locks, medical insurance coverage, and physical exams. Provisions relating to physicals and exams have been retained in another portion of the rule, as has medical insurance coverage.

SECTION 6 and 7. These sections are renumbered and amended to clarify that the rules are contained in one chapter, as are the definitions. Some new definitions are added.

SECTION 9 and 10. These sections are renumbered and any formatting or typographical errors are corrected.

SECTIONS 11, 13-14, 16-18, 20-24, 27, 29-33, 35-38, 40-44, 50-51 and 57. In addition to renumbering, the new subchapters in ch. SPS 192, eligibility criteria and process requirements, are amended to reflect the accurate cross references. These sections are also renumbered and any formatting or typographical errors are corrected.

SECTION 12. An added requirement for eligibility and title is created.

SECTION 25. Notes are created to reference various statutory language.

SECTION 34. In addition to renumbering and correcting formatting or typographical errors, monetary allowances and compensation have been updated to include minimum and maximum mileage rates, when lodging is to be provided by the promoter, and the time frame an agreement is to be signed. This timeframe has been extended to 10 business days.

SECTION 39. Two additional fouls have been added for amateur contestants—spine attacks and dropping an opponent on one’s head or neck.

SECTION 45. A new section on equipment required in the corner has been added. These items relate to maintaining an antiseptic environment and responding to minor medical needs.

SECTION 46. This section has been amended to delineate the number of bouts or rounds. The minimum number of rounds has been reduced to eight.

SECTION 47. A newly created section specifies the combining of certain types of bouts and which are allowed or prohibited.

SECTION 49. Various text relating to medical examination and testing has been amended to reduce duplication.

SECTION 52 and 53. These sections relate to electrolyte-replacement beverages now reflecting current trade names; prohibited items are also listed along with energy stimulants and pills.

SECTION 54 d 55. Most of ch. SPS 196 has been incorporated into subch. V of ch. SPS 192. These provisions relate to suspension and discipline, as well as rest periods and drug testing. Major changes are correcting formatting errors and proving text with more clarity.

SECTION 56. A new section in administrative suspensions has been added; dealing mainly with suspension periods as reported by American Boxing Commission’s national database.

Summary of, and comparison with, existing or proposed federal regulation:

The federal law regulating boxing is U.S. Code Title 15, Chapter 89 Professional Boxing Safety, 6301- 6313. The relationship to state law is stated in s. 6313, “nothing in this Act [15 USC 6301, et seq.] shall prohibit a State from adopting or enforcing supplemental or more stringent laws or regulations not inconsistent with this Act [15 USC 6301, et seq.], or criminal, civil, or administrative fines for violations of such laws or regulations.” Other federal requirements are: 15 USC 6305, which requires contestants to register with a state boxing commission and obtain a nationwide identification number form an entity certified by the Association of Boxing Commissions; 15 USC 6308, which bars conflict of interest in a promoter’s interest in a contestant and requires the reporting of receipts.

Comparison with rules in adjacent states: An Internet-based search revealed the following information.

Illinois: In Illinois, the statutes and rules for conducting mixed martial arts sporting events are found in the Illinois Professional Boxing Act 225 ILCS 105 and the Illinois Administrative Code Title 68 Chapter VII Subchapter b Part 1371.

Iowa: In Iowa, the administrative rules are created under the authority of the Labor Commissioner to regulate chapter 177, mixed martial arts; these rules became effective February 2011.

Michigan: In Michigan, the statutes and rules for conducting mixed martial arts sporting events are found in the Michigan Unarmed Combat Regulatory Act 2004 PA 403, MCL 338.3601 to MCL 338.3633 and the Michigan Administrative Code R339.101 - R339.403. Licensure must be sought through the Department of Labor and Economic Growth, Bureau of Commercial Services. The Unarmed Combat Commission assists the Director of the Department of Labor and Economic Growth in regulating the sport.

Minnesota: In Minnesota, the statutes and rules for conducting mixed martial arts sporting events are found in the Minnesota Statutes §341.21-§341.37 and the Minnesota Register at Minn. Reg. §.2202.0010-§2202.1200. Licensure must be sought via the Combative Sports Commission, which regulates the manner in which mixed martial arts contests will be conducted.

Summary of factual data and analytical methodologies:

Since the initial rules became effective in April 2011, the department has had experience in what is considered best practices. In addition, the proposed changes also reflect the improvement of various administrative elements and contemporary industry practices. More significantly, the rules were methodically combined into one major rule chapter, ch. SPS 192. Outreach was made to various stakeholders for input and comment.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:

The department posted for 14-days the notice of economic input and received no comment.

Fiscal Estimate and Economic Impact Analysis:

The Fiscal Estimate and Economic Impact Analysis is attached.

Effect on small business:

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at Tom.Engels@wisconsin.gov, or by calling (608) 266-8608.

Agency contact person:

Jean MacCubbin, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 1400 East Washington Avenue, Room 151, P.O. Box 8366, Madison, Wisconsin 53708-8366; telephone 608-266-0955 or telecommunication relay at 711; email at Jean.MacCubbin@wisconsin.gov.

Place where comments are to be submitted and deadline for submission:

Comments may be submitted to Jean MacCubbin, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 1400 East Washington Avenue, Room 151, P.O. Box 8366, Madison, WI 53708-8366, or by email to Jean.MacCubbin@Wisconsin.Gov. Comments must be received at or before the public hearing to be held on March 12, 2014 to be included in the record of rule-making proceedings.

TEXT OF RULE

SECTION 1. Chapters SPS 100 to 105 are repealed.

SECTION 2. Chapter SPS 192 (title) is amended to read:

CHAPTER SPS 192 (title)

~~AUTHORITY AND DEFINITIONS~~
MIXED MARTIAL ARTS SPORTING EVENTS

SECTION 3. Subchapter I (title) in chapter SPS 192 is created to read:

SUBCHAPTER I (title)

AUTHORITY AND DEFINITIONS

SECTION 4. SPS 192.01 is renumbered SPS 192.101 in subchapter I and amended to read:

SPS 192.101 Authority. The rules in ~~chs. SPS 192 to 196~~ this chapter are adopted under the authority of in ss. 227.11 (2), 444.01, 444.02, 444.03 444.035, 444.04, 444.06, 444.09, 444.095 (3), 444.10 to 444.15, 444.18 and 444.19, Stats.

SECTION 5. SPS 192.02 (6) and (15) are repealed.

SECTION 6. SPS 192.02 (title), (intro.) and (1) to (19) are renumbered SPS 192.102 (title), (intro.) and (2) to (18) in subchapter I, and SPS 192.102 (intro.), (2), (4), (8), (10), (14) and (15), as renumbered, are amended to read:

SPS 192.102 Definitions. ~~As used in chs. SPS 192 to 196~~ In this chapter:

(2) “Amateur” means an individual ~~who participates~~ participating in a mixed martial arts contest who ~~does not receive or has competed~~ neither receives nor competes for any purse, article, or thing that exceeds \$50.00 in value ~~for participating in a contest~~ for that participation.

(4) “Cage” means a fenced enclosure in which ~~some~~ promotional organizations hold mixed martial arts matches that meet the ~~Association of Boxing Commissions’ uniform~~ ABC’s unified rules ~~of mixed martial arts~~.

(8) “Contestant” means a person licensed by the department who competes in a mixed martial arts bout.

(10) “Corner” means ~~a person licensed as a second who assists a contestant during a bout by taking position in their corner between rounds. A “corner” is also known as a second~~ the portion of the fighting area that is reserved for a contestant and their seconds between rounds.

(14) “Guard” means a basic position in which one contestant lies on his or her back with his or her knees and legs open, unless the context requires otherwise. If the opposing contestant is between his or her legs, the opponent is in his or her “guard.” Depending upon the leg position of the contestant on his or her back, the “guard” is referred to as being an open, closed, half, butterfly, spider, or rubber band “guard.”

(15) “Mixed martial arts” means the convergence of techniques from a variety of combative sports disciplines including boxing, wrestling, judo, jujitsu, pankration and kickboxing. “Mixed martial arts” techniques may be broken down into 2 categories: striking and grappling.

SECTION 7. SPS 192.102 (1) and (19) are created to read:

SPS 192.102 (1) “ABC’s unified rules” means the unified rules of mixed martial arts as adopted by the Association of Boxing Commissions.

Note: Under section 444.095 (4) of the Statutes, mixed martial arts contests must be conducted in accordance with the ABC's unified rules, except as otherwise specified in that chapter.

(19) "Second" means an assistant to a contestant during a bout, unless the context requires otherwise.

SECTION 8. Chapter SPS 193 (title) and SPS 193.01 are renumbered subchapter II (title) and SPS 192.201 in subchapter II of chapter SPS 192.

SECTION 9. SPS 193.02 is renumbered SPS 192.202 in subchapter II of chapter SPS 192, and SPS 192.202 (2) (a) (intro.), 2. and 3. and (c), as renumbered, are amended to read:

SPS 192.202 (2) (a) (intro.) To be eligible for a promoter's license, an applicant shall do all of the following:

2. Comply with the requirements in s. 444.11, Stats., if applicable; submit a copy of their articles of incorporation and proof that the secretary of state has filed their articles pursuant to s. 180.0122, Stats.; and identify all persons connected with or having a proprietary interest in the professional club, corporation or association and the percentage of proprietary interest.

3. ~~Possess~~ Acquire appropriate knowledge of the proper conduct of competition involved in the sport of mixed martial arts.

(c) The department may deny a license to an applicant who has committed any act ~~which~~ that would, if committed by a licensee, subject the applicant to discipline under ~~ch. SPS 196~~ subch. V.

SECTION 10. SPS 193.03 is renumbered SPS 192.203 in subchapter II of chapter SPS 192, and SPS 192.203 (2) (a) and (b), as renumbered, are amended to read:

SPS 192.203 (2) (a) To be eligible for a license as a matchmaker, an applicant shall be at least 18 years of age.

(b) The department may deny a license to an applicant who has committed any act ~~which~~ that would, if committed by a licensee, subject the applicant to discipline under ~~ch. SPS 196~~ subch. V.

SECTION 11. SPS 193.04 (title), (1) and (2) (a) and (b) to (d) 3. and 4. to 6. and (e) are renumbered SPS 192.204 (title), (1) and (2) (intro.) and (a) to (c) 3. and (d) to (f) and (3) in subchapter II of chapter SPS 192, and SPS 192.204 (1) and (2) (intro.), (b), (c) (intro.), 2. and 3. and (d) to (f) and (3), as renumbered, are amended to read:

SPS 192.204 (1) APPLICATION. A person shall, before acting as a professional or amateur ~~mixed martial arts~~ contestant at any event, submit an application on forms provided by the department together with the \$40 fee as specified in s. 444.11, Stats.

(2) **ELIGIBILITY.** To be eligible for a license as a professional or amateur mixed martial arts contestant, an applicant shall ~~do~~ comply with all of the following:

(b) ~~Obtain~~ Submit to the department an application for an Association of Boxing Commission's Commissions' mixed martial arts national identification number along with a \$20 \$10 processing fee or a \$10 replacement fee at the department before participating in a scheduled contest.

(c) ~~Provide~~ Submit results of a complete physical examination by a physician, ~~and including any laboratory results tests,~~ conducted no more than ~~90~~ 180 days before the date of the application and conducted in accordance with ch. 448, Stats., affirming all of the following:

2. Negative hepatitis B surface antigen. If a contestant had a failing hepatitis B antigen test, the contestant shall pass a hepatitis B "PCR" quantitative test. The quantitative limit shall be within permissible limits according to the laboratory where the test was administered. ~~The commissioner, department representative, or ringside physician may request that a contestant take an additional hepatitis B antigen test and provide the results within 2 weeks of a professional contest in which a contestant is scheduled to compete.~~

3. Negative hepatitis C antibody. If a contestant had a failing hepatitis C antibody test, the contestant shall pass a hepatitis C "PCR" quantitative test. The quantitative limit shall be within permissible limits according to the laboratory where the test was administered. ~~The commissioner, department representative, or ringside physician may request that a contestant take an additional hepatitis C antibody test and provide the results within 2 weeks of a professional contest in which a contestant is scheduled to compete.~~

(d) ~~Eye~~ Submit results of a favorable eye examination by a licensed physician, ophthalmologist, or optometrist.

(e) ~~An applicant If of age 35 years of age and older is required to or more,~~ submit results of a favorable computed tomography (CT) scan (CT) with contrast or MRI magnetic resonance imaging (MRI) examination, conducted no more than 180 days before the date of the application, in addition to all other required medical examinations information.

(f) ~~An applicant If of age 39 years of age and older is required to or more,~~ submit favorable results for all of the following in addition to all other required medical examinations information:

1. ~~An MRI/MRA~~ MRI/magnetic resonance angiography brain examination conducted no more than 180 days before the date of the application.

2. A stress echocardiogram examination with cardiology clearance conducted no more than 180 days before the date of the application.

3. ~~Metabolic~~ A metabolic blood profile obtained no more than 180 days before the date of the application.

4. A chest x-ray ~~that has been given within~~ obtained no more than 2 years before the date of the application.

(3) The department may deny a license to an applicant who has committed any act ~~which that~~ would, if committed by a licensee, subject the applicant to discipline under ~~ch. SPS 196~~ subch. V.

SECTION 12. SPS 192.204 (2) (g) and (3) (title) are created to read:

SPS 192.204 (2) (g) Submit authorization for releasing medical records to the department.

(3) (title) DENIAL.

SECTION 13. SPS 193.05 (title) and (1) to (3) (d) and (e) are renumbered SPS 192.205 (title) and (1) to (3) (d) 1. and 2. in subchapter II of chapter SPS 192, and SPS 192.205 (2) (a) and (b) and (3) (intro.), (a) and (d) 1., as renumbered, are amended to read:

SPS 192.205 (2) (a) To be eligible for a license as a judge, an applicant shall be at least 18 years of age.

(b) The department may deny a license to an applicant who has committed any act ~~which that~~ would, if committed by a licensee, subject the applicant to discipline under ~~ch. SPS 196~~ subch. V.

(3) **QUALIFICATIONS.** In accordance with s. 444.095 (3), Stats., the department shall determine whether a person possesses the knowledge and experience necessary to hold a license as a judge by reviewing ~~criteria from~~ one or more of the following list:

(a) ~~Certificate~~ A certificate of completion of a judge's training program from another state, other regulating bodies such as the Association of Boxing ~~Commission~~ Commissions, and other organizations that have a judge's training program certified by the Association of Boxing ~~Commission~~ Commissions.

(d) 1. ~~Obtain a~~ A passing grade on an examination administered by the department ~~designed to test that tests~~ the examinee's knowledge of mixed martial arts, and successful completion of the trial judge program specified in subd. 2.

SECTION 14. SPS 193.06 (title) and (1) to (3) (d) and (e) are renumbered SPS 192.206 (title) and (1) to (3) (d) 1. and 2. in subchapter II of chapter SPS 192, and SPS 192.206 (2) (a) and (b) and (3) (intro.), (a) and (d) 1., as renumbered, are amended to read:

SPS 192.206 (2) (a) To be eligible for a license as a referee, an applicant shall be at least 18 years of age.

(b) The department may deny a license to an applicant who has committed any act ~~which~~ that would, if committed by a licensee, subject the applicant to discipline under ~~ch. SPS 196~~ subch. V.

(3) QUALIFICATIONS. In accordance with s. 444.095 (3), Stats., the department shall determine whether a person possesses the knowledge and experience necessary to hold a license as a referee by reviewing ~~criteria from one or more of the following list:~~

(a) ~~Certificate~~ A certificate of completion of a referee's training program from another state, other regulating bodies such as the Association of Boxing ~~Commission~~ Commissions, and other organizations that have a referee's training program certified by the Association of Boxing ~~Commission~~ Commissions.

(d) 1. ~~Obtain a~~ A passing grade on an examination administered by the department ~~designed to test that tests~~ the examinee's knowledge of mixed martial arts, and successful completion of the trial referee program specified in subd. 2.

SECTION 15. SPS 193.07 is renumbered SPS 192.207 in subchapter II of chapter SPS 192, and SPS 192.207 (2), as renumbered, is amended to read:

SPS 192.207 (2) ELIGIBILITY. (a) To be eligible for a license as a ringside physician, an applicant shall hold a credential to practice medicine in Wisconsin in accordance with ch. 448, Stats.

(b) The department may deny a license to an applicant who has committed any act ~~which~~ that would, if committed by a licensee, subject the applicant to discipline under ~~ch. SPS 196~~ subch. V.

SECTION 16. SPS 193.08 is renumbered SPS 192.208 in subchapter II of chapter SPS 192, and SPS 192.208 (2), as renumbered, is amended to read:

SPS 192.208 (2) ELIGIBILITY. (a) To be eligible for a license as a second, an applicant shall be at least 18 years of age.

(b) The department may deny a license to an applicant who has committed any act ~~which~~ that would, if committed by a licensee, subject the applicant to discipline under ~~ch. SPS 196~~ subch. V.

SECTION 17. SPS 193.09 is renumbered SPS 192.209 in subchapter II of chapter SPS 192, and SPS 192.209 (2), as renumbered, is amended to read:

SPS 192.209 (2) ELIGIBILITY. (a) To be eligible for a license as a timekeeper, an applicant shall be at least 18 years of age.

(b) The department may deny a license to an applicant who has committed any act ~~which~~ that would, if committed by a licensee, subject the applicant to discipline under ~~ch. SPS 196~~ subch. V.

SECTION 18. SPS 193.10 is renumbered SPS 192.210 in subchapter II of chapter SPS 192 and amended to read:

SPS 192.210 Term of license. A license as a promoter, matchmaker, contestant, judge, referee, ringside physician, second, or timekeeper shall ~~be valid for one year, expire 12 months after its date of issuance unless suspended or revoked for cause, and expire 12 months after its date of issuance.~~

SECTION 19. SPS 193.11 is renumbered SPS 192.211 in subchapter II of chapter SPS 192.

SECTION 20. SPS 193.12 (title), (1) and (2) (intro.) to (c) 5. are renumbered SPS 192.212 (title), (1) and (2) (intro.) to (c) 5. in subchapter II of chapter SPS 192, and SPS 192.212 (1) (b), (e), (f) to (h) and (m) and (2) (intro.), (b) and (c) (intro.), as renumbered, are amended to read:

SPS 192.212 (1) (b) The name and license number of the matchmaker, that the promoter, or professional club, corporation or ~~association's~~ association plans to use for the event. If the matchmaker is not licensed in Wisconsin, the event permit application shall include the proposed matchmaker's application for licensure along with all required documents.

(c) 3. A floor plan ~~which~~ that indicates the dressing room locations and fire exits.

(e) ~~A minimum number of 24 rounds and Assurance that at least 8 bouts shall will be scheduled., The except where the commissioner or department representative may grant grants a waiver of rounds bouts.~~

(f) ~~All For a combined professional and amateur events event, shall assurance that the event will start with the amateur bouts. The and will not include intermixing of professional and~~

amateur bouts as well as conducting mixed martial arts events in combination with other forms of single combat sports is not allowed, pursuant to s. 444.01 (1j) (a), Stats.

(g) A non-refundable \$300 ~~dollar~~ permit application processing fee pursuant to s. 444.02 (3), Stats.

(h) The preliminary fight card for the event, ~~which~~ that shall include all of the following:

1. The name and weight class of each of the proposed ~~mixed martial arts~~ contestants in each bout.

2. ~~The~~ Each contestant's Wisconsin license number.

3. ~~The~~ Each contestant's Association of Boxing ~~Commission's~~ Commissions' mixed martial arts national identification number.

4. ~~The~~ Each contestant's contest history.

5. The names and Wisconsin license numbers of ~~the~~ each contestant's seconds ~~and~~ manager.

6. ~~Proposed~~ The proposed purse.

(m) Proof of having complied with s. 444.035, Stats., and s. SPS ~~193.01~~ 192.201.

(2) (intro.) Upon receipt of an application for a permit to conduct a professional mixed martial arts event, the department may deny the application upon the occurrence of any ~~one~~ of the following:

(b) ~~The department does not have the~~ appropriate number of judges, ~~referee~~ referees, ~~inspector~~ inspectors, or ringside physicians will not be available on that date.

(c) One or more ~~mixed martial arts contestant~~ of the contestants listed on the fight card ~~is~~ are not licensed or ~~is~~ are ineligible to compete due to being under a suspension or revocation order issued by the department or another licensing jurisdiction for ~~one~~ any of the following reasons:

SECTION 21. SPS 193.12 (2) (c) 6. and (3) to (5) are renumbered SPS 192.212 (3) to (6) in subchapter II of chapter SPS 192, and SPS 192.212 (3) and (4), as renumbered, are amended to read:

SPS 192.212 (3) The department may grant a permit for the event, but withhold approval of one or more mixed martial arts contestants scheduled to compete in an event.

(4) A permit issued under this section shall allow the permit holder to conduct only the event named in the permit. A permit is not transferable. The promoter or representative of the professional club, corporation or association whose name appears on the permit shall be present at the weigh-in and at the event until the conclusion of the final bout unless ~~executed~~ excused by the department.

SECTION 22. SPS 193.13 is renumbered SPS 192.213 in subchapter II of chapter SPS 192, and SPS 192.213 (1) (intro.), (c) and (d) and (4), as renumbered, are amended to read:

SPS 192.213 (1) All promoters and professional clubs who have obtained an event permit from the department shall submit no later than 4 10 business days before the scheduled event, all of the following:

(c) Complete license ~~applications~~ numbers for all contestants, ~~managers~~, judges, referees, timekeepers and seconds.

(d) All required physical examination forms and laboratory reports from contestants as stated in s. SPS ~~193.04 (2) (d)~~ 192.204 (2) (d).

(4) A promoter may substitute a ~~mixed martial arts~~ contestant listed on their permit application after requesting a substitute. The request shall be submitted to the department no later than one business day preceding the date of the event. Exceptions may be allowed and shall be determined by the department.

SECTION 23. SPS 193.14 is renumbered SPS 192.214 in subchapter II of chapter SPS 192, and SPS 192.214 (1) (a), (2) and (3), as renumbered, are amended to read:

SPS 192.214 (1) (a) The commissioner or department representative reasonably believes that the event is not being conducted ~~according to chs. SPS 192 to 196~~ in accordance with this chapter and ch. 444, Stats., or the conditions stated in the permit which authorizes the event; ~~or,~~

(2) The department may cancel an event at any time for violation of ~~chs. SPS 192 to 196~~ this chapter.

(3) A promoter or professional club may cancel an event no later than 30 hours before it is scheduled to begin by notifying the department and those members of the media whom the promoter or professional club initially notified about the event ~~no later than 30 hours before it was scheduled to begin~~. Any cancellation by a promoter shall result in an assessment of costs by the department pursuant to s. 444.035, Stats.

SECTION 24. Chapter SPS 194 (title) and SPS 194.01 (title), (intro.) to (5), (6), (7) (intro.) to (c), (d) and (9) are renumbered subchapter III (title) and SPS 192.301 (title), (intro.) to (5), (14),

(6) (intro.) to (c), (7) to (9) in subchapter III of chapter SPS 192, and SPS 192.301 (1), (4), (5), (7), (8), (9) and (14), as renumbered, are amended to read:

SPS 192.301 (1) ~~Provide~~ Have proof of having complied complying with s. 444.035, Stats., and s. SPS ~~193.01~~ 192.201, to ensure payment of the expenses incurred in conducting an event including, in order of priority, the department, contestants and the officials.

(4) ~~Have submitted~~ Submit to the department an event application for an event that complies with s. SPS ~~193.12~~ 192.212 and ss. 444.02 (3), 444.035, 444.095 (2) (c) and (d), and 444.18, Stats.

(5) Submit all contestants' names to Mixed Martial Arts LLC, or the official record keeper designated by the Association of Boxing ~~Commission~~ Commissions and the commissioner or department representative for approval.

(7) ~~Provide~~ Have a certified invoice from the ticket printer ~~which~~ that indicates the total number of tickets printed in each price range, including the number of complimentary tickets.

(8) ~~Have obtained~~ medical and life insurance for each contestant competing in the event, pursuant to in accordance with s. 444.18, Stats., without allowing any contestant to either waive any insurance coverage or provide any deductible payments.

(9) The amount of a medical insurance policy for each contestant competing in the event, shall not may be less than \$25,000 and that the promoter shall be held responsible for any medical expenses up to the amount as specified in s. 444.18, Stats., and without allowing any contestant to either waive any insurance coverage or provide any deductible payments. Such medical insurance shall be paid to or for the use of a contestant that sustains an injury during a contest.

(14) Have a separate divider or uniformed officer between the cage or fenced area and spectators. The divider shall be approved by the inspector or department representative. ~~If the divider is not a solid barrier, then a uniformed officer.~~

SECTION 25. SPS 192.301 (8) Note is created to read:

SPS 192.301 (8) Note: Under section 444.18 of the Statutes, a promoter "shall insure each contestant participating for hospital, nursing, and medication expenses and physician's and surgeon's services according to an equitable fee schedule, not to exceed in the aggregate \$25,000, to be paid to, or for the use of, any contestant to compensate for injuries sustained in any such contest; and shall insure each contestant for not less than \$25,000 to be paid to the contestant's estate in the event of the contestant's death as the result of participation in such professional contest or amateur mixed martial arts fighting contest."

SECTION 26. SPS 194.01 (9) to (11) and (14) are repealed.

SECTION 27. SPS 194.01 (12) to (17) and (18) to (28) are renumbered SPS 192.301 (9) to (13) and (15) to (25) in subchapter III of chapter SPS 192, and SPS 192.301 (9), (10), (13), (16), (18) to (22) and (25), as renumbered, are amended to read:

SPS 192.301 (9) ~~A promoter shall submit~~ Submit to the department, no later than 4 days prior to the event, verification that medical and life insurance have been obtained for each contestant ~~no later than 4 days prior to the event~~.

(10) ~~Shall not~~ No promoter may begin conducting an event without the presence of one licensed referee, at least 3 licensed judges, at least ~~2~~ 1 licensed ~~physicians~~ physician, an ambulance, emergency medical personnel, and security personnel ~~present~~ on site pursuant to s. 444.095 (2), Stats.

(13) ~~Shall provide~~ Provide police or private security forces for the protection of the public, with at least one commissioned police officer on site during the event.

(16) No promoter ~~or contestant~~ may exhibit nor allow any contestant to exhibit any type of entrance theme that includes music, video, or any type of physical display ~~that~~ which contains any profanity or derogatory ethnic remarks. Failure to comply will subject the promoter or contestant to disciplinary action by the department.

(17) No promoter ~~shall~~ may allow a ~~round-card~~ round-card girl, or ~~round-card~~ round-card model, or allow any of the promoter's agents to use any language, including profanity or derogatory ethnic remarks, or exhibit any conduct or performance that the average person, applying contemporary community standards, would find appeals to the prurient interest; describes or shows sexual conduct in a patently offensive way; or lacks serious literary, artistic, political, educational or scientific value, in accordance with s. 944.21 (2) (d), Stats. Any promoter violating this subsection will be subject to disciplinary action up to and including being suspended for up to 6 months and be subject to criminal prosecution in accordance with s. 944.21 (3) (b) and (5), Stats.

(19) ~~Shall provide~~ Provide emergency medical personnel and equipment for the event and for evacuating a seriously injured contestant to a hospital; ~~including and submit~~ the name of the promoter or designated representative responsible for evacuating an injured contestant, a description of the method of removal from the contest area, and the means of transportation to the hospital, and the name of the nearest hospital, pursuant to s. SPS 193.12 (1) (i) 192.212 (1) (i) and s. 444.095 (2) (c) and (d), Stats.

(20) ~~Shall pay~~ Pay for pregnancy testing and drug testing of contestants.

(21) ~~Shall compensate~~ Compensate all officials and contestants.

(22) If requested by the commissioner, inspector, or department representative, ~~may~~ request a promoter place at least 2 video screens which meet the approval of the commissioner,

inspector or department representative and which will allow patrons to view action inside the cage or fenced area.

(23) ~~Shall pay~~ Pay the ~~gross receipt tax as defined~~ department the event and gate fee specified in s. 444.02 (3), Stats., ~~The tax is due and payable to the state~~ within 2 business days of the event and ~~shall be paid with a separate check~~ upon determination by the inspector of the gross admission receipts.

(25) Provide ~~department approved~~ department-approved sound devices for the timekeeper.

SECTION 28. SPS 194.02 is renumbered SPS 192.302 in subchapter III of chapter SPS 192.

SECTION 29. SPS 194.03 is renumbered SPS 192.303 in subchapter III of chapter SPS 192, and SPS 192.303 (1) (c) and (2) (intro.) and (a), as renumbered, are amended to read:

SPS 192.303 (1) (c) Shall use the 10-point must scoring system as defined in the ABC's unified rules to determine the result of a bout, and their decision shall be final.

(2) The department shall assign the judges for an event. The department may not assign a person to act as a judge if it has reasonable proof that the person is has any of the following characteristics:

(a) ~~Not~~ Is not competent to act as a judge.

SECTION 30. SPS 194.04 is renumbered SPS 192.304 in subchapter III of chapter SPS 192, and SPS 192.304 (1) (intro.), (a), (d) and (f) and (3) (intro.) and (a), as renumbered, are amended to read:

SPS 192.304 (1) Once assigned to an event, a referee has all of the following duties and responsibilities:

(a) Represent the department for the purpose of regulating ~~mixed martial arts~~ contestants and others in the contest area, pursuant to ~~chs. SPS 192 to 196 this chapter, the Association of Boxing Commissions' uniform rules of mixed martial arts,~~ ABC's unified rules and ch. 444, Stats.

(d) Prevent a weakened or outclassed ~~mixed martial arts~~ contestant from receiving excessive punishment.

(f) Caution, warn or disqualify a ~~mixed martial arts~~ contestant for committing a foul.

(3) The department shall assign the referee for an event. The department may not assign a person to act as a referee if it has reasonable proof that the person ~~is~~ has any of the following characteristics:

- (a) ~~Not~~ Is not competent to act as a referee.

SECTION 31. SPS 194.05 is renumbered SPS 192.305 in subchapter III of chapter SPS 192, and SPS 192.305 (intro.), (4), (6) and (8), as renumbered, are amended to read:

SPS 192.305 Ringside physician's duties at events. Once assigned to an event, a ringside physician has all of the following duties and responsibilities:

(4) ~~Continuous~~ Provide continuous observation at cage side of the physical condition of contestants during bouts including being prepared to administer emergent medical procedures to contestants that receive injuries during bouts.

- (6) ~~Attending~~ Attend to injured contestants between bouts.

(8) Provide all medical supplies that will be needed to attend to contestants and conduct examinations.

SECTION 32. SPS 194.06 is renumbered SPS 192.306 in subchapter III of chapter SPS 192, and SPS 192.306 (1), (3) and (4), as renumbered, are amended to read:

SPS 192.306 (1) A maximum of 3 licensed seconds will be allowed to assist any one contestant or be positioned in a designated area by a cage or fenced area during a non-championship bout. For championship bouts, there may be 4 licensed seconds allowed to assist any one contestant. The appropriate number of licensed seconds allowed for championship and non-championship bouts will be subject to the approval of the commissioner or department representative and based on venue size and space.

(3) There ~~shall~~ may be no profanity, insults or degrading language from anyone working the corner.

- (4) If a second leaves the designated area, the contestant will be disqualified.

SECTION 33. SPS 194.07 is renumbered SPS 192.307 in subchapter III of chapter SPS 192, and SPS 192.307 (intro.) and (2), as renumbered, are amended to read:

SPS 192.307 Timekeepers' duties at events. Once assigned to an event, a timekeeper has all of the following duties and responsibilities:

(2) Give a 10-second warning before the beginning of each round to signal all unauthorized persons to leave the contestant area before ~~a bout~~ the round begins.

SECTION 34. SPS 194.08 is renumbered SPS 192.308 in subchapter III of chapter SPS 192, and SPS 192.308 (1) (c), (d) 1. and 2., (2), (3) (intro.) and (e) and (4), as renumbered, are amended to read:

SPS 192.308 (1) (c) 1. Inspectors who travel less than 90 miles from their residence, up to \$250 at a minimum of \$150 each.

2. Inspectors who travel 90 miles or more from their residence, at a minimum of \$200 each.

(d) 1. The primary physician at a minimum of \$600, not including the cost of any negotiated services or supplies, who shall attend the official weigh-in, conduct the pre-bout physical examination, and be in attendance at cage side during each bout for the entire event, ~~or,~~

2. The secondary physician at a minimum of \$300, who shall be in attendance during the entire event and conduct post-bout physical examinations. In the event of injuries to multiple contestants, the assigned primary physician may assist the secondary physician by alternating duties between attending contestants and remaining at ringside during bouts. ~~Each physician must provide all medical supplies that will be needed to attend contestants and conduct examinations.~~

(2) An individual who participates in an event as more than one type of official, alternating between individual professional bouts, shall be compensated at the rate of the highest level at which the individual ~~who~~ officiated the event, pursuant to s. 444.06, Stats.

(3) The department reserves the right to require additional payments to assigned officials based on any ~~one~~ of the following factors:

(e) ~~An official that travels~~ Traveling more than 90 miles from ~~their~~ a residence, which may be result in being reimbursed up to an additional \$150 for ~~lodging,~~ meals, mileage, and necessary expenses incurred in performance of ~~their~~ the official's duties. Any associated lodging shall be provided by the promoter.

(4) No later than 4 10 business days before the scheduled event, the department and the promoter or professional club shall ~~have agreed~~ agree to the amount of compensation for the officials assigned to the event. Failure to reach an agreement on the amount of compensation for assigned officials by the deadline may result in ~~the~~ cancellation of the event.

SECTION 35. Chapter SPS 195 (title) and SPS 195.01 are renumbered subchapter IV (title) and SPS 192.401 in subchapter IV of chapter SPS 192, and SPS 192.401 (2), (4), (6) and (7), as renumbered, are amended to read:

SPS 192.401 (2) Each contestant shall present a completed medical examination report form containing the information in s. SPS 192.204 (2) (c) to the ringside physician at the pre-bout examination.

(4) Only licensed participants ~~shall~~ may be allowed in the contest area.

(6) Debut amateur contestants shall complete a ~~department-approved~~ department-approved form detailing the contestant's ~~experiences~~ experience and training in mixed martial arts competitions. The trainer of the debut contestants shall certify that the contestant is skilled enough to compete and has never engaged in any type of professional mixed martial arts event.

(7) Amateur ~~mixed martial arts~~ contestants shall ~~be required to~~ have a minimum of 5 recorded amateur bouts prior to being permitted to compete as a professional ~~mixed martial arts~~ contestant. The commissioner or a person designated by the department may waive this requirement.

SECTION 36. SPS 195.02 is renumbered SPS 192.402 in subchapter IV of chapter SPS 192, and SPS 192.402 (1), (5) to (12), (14) and (15), as renumbered, are amended to read:

SPS 192.402 (1) Professional and amateur ~~mixed martial arts~~ contestants shall weigh in no more than 30 hours prior to the ~~event~~ start time of the event in which they will compete. The weigh-in shall be conducted under the supervision of an inspector or department representative at a place designated by the promoter in an area with ample lighting to observe contestants and conduct the weigh-in.

(5) Contestants ~~shall~~ may not ~~be allowed to~~ participate in a bout where the weigh-in weight difference of opposing contestants exceeds the weight allowance shown in Table A.

(6) The commissioner or department representative shall have the sole discretion as to whether to cancel a contest if a ~~mixed martial arts~~ contestant does not make weight.

(7) There may not be a difference of more than 3 pounds between weight classes from straw weight up to ~~and including~~ the bantamweight class. ~~A one pound weight variance is allowed.~~

(8) There may not be a difference of more than 5 pounds between weight classes from featherweight up to ~~and including~~ the welterweight class.

(9) There may not be a difference of more than 7 pounds between weight classes from middleweight up to ~~and including~~ the heavyweight class.

(10) A ~~one pound~~ one-pound weight variance is allowed for all weight classes for all bouts except title bouts and catch-weight bouts.

(11) A contestant in the welterweight class ~~and or lower shall~~ may not lose more than 2 pounds within 1 hour. A contestant above the welterweight class ~~shall~~ may not lose more than 3 pounds within 1 hour.

(12) Weight allowances between weight classes do not apply to professional ~~mixed martial arts~~ contestants in a title fight or amateur contest. Amateur contestants shall compete within their weight class.

(14) Contestants ~~that~~ who fail to arrive at their report time for weigh-in will be subject to ~~disciplinary action of a suspension of up to 60 days and an assessment of costs and forfeitures by the department,~~ as reported in the Association of Boxing Commissions' mixed martial arts national database.

(15) Contestants ~~that~~ who fail to make their contracted weight within ~~2 hours~~ 1 hour of their official weigh-in will be subject to ~~disciplinary action of a suspension of up to 60 days, an assessment of costs and forfeitures by the department, and any monetary penalties to the opposing contestant that have been negotiated in contract.~~

SECTION 37. SPS 195.03 is renumbered SPS 192.403 in subchapter IV of chapter SPS 192, and SPS 192.403 (2), (3) and (8), as renumbered, are amended to read:

SPS 192.403 (2) The ten-point must scoring system as defined in the ABC's unified rules ~~will~~ shall be the standard system of scoring a bout. The winner of the round ~~will~~ shall be awarded 10 points, and the loser of the round ~~will~~ shall be awarded 9 points or less, except for the rare occasion of an even round, ~~which~~ that is scored 10 to 10.

(3) Judges shall judge mixed martial art techniques, including effective striking, ~~effective~~ grappling, ~~and control of the opponent,~~ ~~effective~~ aggressiveness and defense.

(8) Effective defense means avoiding being struck, ~~take~~ or taken down or reversals while countering with offensive strikes.

SECTION 38. SPS 195.04 is renumbered SPS 192.404 in subchapter IV of chapter SPS 192, and SPS 192.404 (1), (9), (16) (g), (t) and (v), (17) and (18) (intro.), (a) and (c) to (e), as renumbered, are amended to read:

SPS 192.404 (1) The referee shall issue a warning if conditions that may progress to a foul are observed. After the initial warning, a penalty will be issued. The penalty may be a deduction of points or disqualification depending on the severity of the foul. Any points deducted for any foul shall be deducted in the round in which the foul occurred.

(9) If an injury results ~~that~~ from a foul and is severe enough to terminate the bout, the contestant causing the injury loses by disqualification.

(16) (g) ~~Putting~~ Intentionally placing a finger into any orifice or into any cut or laceration on an opponent.

(t) Spitting ~~on~~ at an opponent.

(v) Holding or grabbing the ropes or ~~edge~~ fence.

(17) Illegal strikes to the back of the head, resulting in a foul, include strikes in the nape of the neck area up ~~until~~ to the top of the ears, and strikes in the Mohawk area from the top of the ears to the crown of the head, or the area where the head begins to curve, ~~in accordance with as specified in the Association of Boxing Commission's uniform ABC's unified rules of mixed martial arts.~~

(18) The following actions are additional fouls for amateur ~~mixed martial arts~~ contestants:

(a) Elbow or forearm strikes ~~to the head or torso at any time. Elbow strikes to the limbs are acceptable.~~

(c) Neck cranks or any hold that places a contestant's neck in jeopardy from a crank ~~is illegal.~~

(d) ~~Heel hooks~~ All leg submissions except kneebar and straight ankle locks.

(e) ~~Toe holds~~ Hand chokes.

SECTION 39. SPS 192.404 (18) (g) and (h) are created to read:

SPS 192.404 (18) (g) All spine attacks, including strikes and locks.

(h) Dropping an opponent on his or her head or neck at any time.

SECTION 40. SPS 195.05 is renumbered SPS 192.405 in subchapter IV of chapter SPS 192 and amended to read:

SPS 192.405 Mouthpiece. All contestants ~~are required to~~ shall wear a mouthpiece during competition. The round may not begin without the mouthpiece. If the mouthpiece is dislodged during competition, the referee ~~will~~ shall call time and have the mouthpiece replaced at the first opportune moment, without interfering with the immediate action. The referee may deduct points if it is judged the mouthpiece is being purposely spit out.

SECTION 41. SPS 195.06 is renumbered SPS 192.406 in subchapter IV of chapter SPS 192, and SPS 192.406 (1), (7), (8), (10), (11) and (13) to (16), as renumbered, are amended to read:

SPS 192.406 (1) Male contestants shall wear a groin protector ~~which~~ that will protect them against injury from a foul blow.

(7) No body grease, gels, balms, oils or lotions ~~shall~~ may be applied to the hair, face or body. This includes the use of excessive amounts of water dumped on a contestant to make him or her slippery.

(8) Petroleum jelly may be applied to the facial area, but only from the cheekbone area to the forehead, at cage side in the presence of an inspector, referee, or a person designated by the department. Any contestant applying anything other than ~~Vaseline~~ petroleum jelly in an approved fashion prior to this ~~could~~ may be penalized a point or disqualified.

(10) ~~Neoprene~~ Only neoprene joint supports only may be used. Metal supports are prohibited.

(11) ~~Finger~~ Fingernails and ~~toe-nails~~ toenails shall be trimmed.

(13) Contestants ~~shall~~ may not wear any equipment that ~~does not pass~~ fails to receive approval from the inspector or department representative's approval representative.

(14) Amateur ~~mixed martial arts~~ contestants shall wear mixed martial arts shorts, ~~biker biking~~ shorts, or boxing or ~~kick boxing~~ kickboxing shorts during competition that will be subject to the approval of a department representative. The shorts may not have pockets, buttons, zippers, grommets, exposed ~~Velcro~~ hook-and-loop fasteners, or metal of any kind.

(15) Amateur male contestants may ~~not~~ wear a ~~shirt or Gi during competition other than a close-fitting~~ close-fitting rash guard. Any rash guard shall be approved by the department. Amateur female contestants shall wear a body shirt.

(16) Amateur ~~mixed martial arts~~ contestants may not wear ~~shoes or~~ padding on their feet during a contest. Ankle guards or knee wraps are optional, and they shall be approved by the department.

SECTION 42. SPS 195.07 is renumbered SPS 192.407 in subchapter IV of chapter SPS 192, and SPS 192.407 (1) and (5), as renumbered, are amended to read:

SPS 192.407 (1) All ~~mixed martial arts~~ non-amateur contestants shall wear grappling gloves that weigh a minimum of 4 ounces and not more than 8 ounces. Amateur ~~mixed martial arts~~ contestants shall wear gloves that weigh a minimum of 6 ounces and a maximum of 8 ounces.

(5) Amateur contestants may use a ~~mitt-style~~ mitt-style glove.

SECTION 43. SPS 195.08 is renumbered SPS 192.408 in subchapter IV of chapter SPS 192, and SPS 192.408 (1), as renumbered, is amended to read:

SPS 192.408 (1) All ~~mixed martial arts~~ contestants shall ~~be required to~~ gauze and tape their hands prior to all contests.

SECTION 44. SPS 195.09 is renumbered SPS 192.409 in subchapter IV of chapter SPS 192, and SPS 192.409 (1) to (9), as renumbered, are amended to read:

SPS 192.409 (1) All mixed martial arts contests shall take place in a cage or fenced area that has been approved by the department and is subject to inspection prior to each event by the referee, inspector, or department representative.

(2) Mixed martial arts contests shall ~~shall~~ may not be conducted in a ring ~~in the state of Wisconsin~~.

(3) The ~~fighting area~~ fighting-area floor shall be no smaller than 18 feet by 18 feet and no larger than 32 feet by 32 feet.

(4) The ~~fighting area~~ fighting-area floor shall be padded in a manner as approved by the department, with at least a ~~one-inch~~ one-inch layer of foam padding. Padding shall extend beyond the fighting area and over the edge of the platform.

(5) The ~~fighting area~~ fighting-area floor shall not be more than 4 feet above the floor of the building and shall have 2 sets of suitable steps or ~~ramp~~ ramps for use by the contestants.

(6) Posts shall be made of metal not more than 6 inches in diameter, extending from the floor of the building to a minimum height of 58 inches above the ~~fighting area~~ fighting-area floor and shall be properly padded in a manner approved by the department.

(7) The fighting area shall be enclosed by a fence made of material, such as vinyl-coated chain-link fencing, that will not allow a contestant to fall out or break through it onto the building floor or spectators, ~~including but not limited to a vinyl-coated chain link fencing~~.

(8) All metal parts shall be covered and padded in a manner approved by the department and ~~shall~~ may not be abrasive to the contestants.

(9) The fighting area shall ~~provide~~ have 2 separate entries onto the ~~fighting area~~ fighting-area floor.

SECTION 45. SPS 192.410 is created to read:

SPS 192.410 Corner equipment. (1) At least one second who works in a contestant's corner may have the following equipment:

- (a) First aid supplies.
 - (b) Clean towels.
 - (c) Sterile gauze pads, sterile cotton and cotton-tipped swabs.
 - (d) Ice-filled bag.
- (2) Seconds shall submit first aid kits and corner equipment to the ringside physician for inspection and approval before a contest.
- (3) In case of a cut, a contestant's seconds may only make topical use of the following:
- (a) A solution of adrenaline 1/1000.
 - (b) Avetine.
 - (c) Thrombin.

SECTION 46. SPS 195.10 is renumbered SPS 192.411 in subchapter IV of chapter SPS 192, and SPS 192.411 (title) and (4), as renumbered, are amended to read:

SPS 192.411 (title) Number, type and duration of rounds and bouts.

(4) A minimum ~~number~~ of 24 rounds and 8 bouts shall be scheduled. ~~The~~ unless waived by the commissioner or department representative ~~may grant a waiver of rounds.~~

SECTION 47. SPS 192.411 (5) is created to read:

SPS 192.411 (5) (a) All combined professional and amateur events shall start with the amateur bouts.

(b) Intermixing of professional and amateur bouts is prohibited.

(c) Conducting mixed martial arts events in combination with other forms of single combat sports is prohibited.

SECTION 48. SPS 195.11 (1) (a), (c) and (d) are repealed.

SECTION 49. SPS 195.11 (title), (1) (intro.) and (b) and (2) to (6) are renumbered SPS 192.412 (title), (1) (a) and (b) and (2) to (6) in subchapter IV of chapter SPS 192, and SPS 192.412 (1) (a) and (b) and (2) (intro.), (3) and (5), as renumbered, are amended to read:

SPS 192.412 (1) (a) All ~~mixed martial arts~~ contestants shall ~~have had a complete physical examination conducted by a physician licensed in accordance with ch. 448, Stats., as required in s. SPS 193.04 (2) (d) and shall produce the results of the physical examination and laboratory results affirming all of the following:~~ required under s. SPS 192.204 (2) (c).

(b) ~~Negative hepatitis B surface antigen. If a contestant had a failing hepatitis B surface antigen test, the contestant shall pass a hepatitis B “PCR” quantitative test. The quantitative limit shall be within permissible limits according to the laboratory where the test was administered. The commissioner, department representative, or ringside physician may request~~ require that a contestant take an additional hepatitis B surface antigen test or hepatitis C antibody test and provide the results within 2 weeks of an event in which a contestant is scheduled to compete.

(2) The commissioner, department representative, or ringside physician may order a CAT computed tomography (CT) scan ~~(CT)~~ with contrast or MRI magnetic resonance imaging (MRI) examination when a contestant has any ~~one~~ of the following:

(3) All contestants shall ~~be examined at~~ have a pre-bout physical examination by the ringside physician within 30 hours before each bout, and if requested by a contestant, referee, or inspector, after a bout. After each pre-bout and post-bout examination of a contestant, the ringside physician shall complete a report, on forms provided by the department, and submit the completed reports to the department representative.

(5) A contestant who has been knocked out or injured in a bout ~~which that~~ was terminated by a referee shall undergo a thorough physical examination by a physician licensed in accordance with ch. 448, Stats., and be certified fit to participate in a competitive mixed martial arts contest. If a contestant has been knocked out or injured by a head blow, a medical suspension is required under s. SPS ~~196.02~~ 192.502.

SECTION 50. SPS 195.12 is renumbered SPS 192.413 in subchapter IV of chapter SPS 192, and SPS 192.413 (1) to (3) (a) and (4) to (10), as renumbered, are amended to read:

SPS 192.413 (1) Submission, as demonstrated by any of the following:

(a) Tap out, ~~is which occurs~~ when a contestant physically uses their hands to indicate that they no longer wish to continue.

(b) Verbal tap out, ~~is which occurs~~ when a contestant verbally announces to the referee that they do not wish to continue.

(2) Knock-out (“~~KO~~”) ~~is (KO), as demonstrated by~~ a failure to rise from the floor.

- (3) Technical knock-out (“TKO”) ~~is~~ (TKO), which occurs through any of the following:
- (a) The referee stops the bout because the contestant can no longer defend ~~themselves~~ himself or herself.
- (4) Decision via scorecards, which may be of any of the following types:
- (a) Unanimous, ~~is~~ which occurs when all 3 judges score the bout for the same contestant.
- (b) Split decision, ~~is~~ which occurs when 2 judges score the bout for one contestant and one judge scores for the opponent.
- (c) Majority decision, ~~is~~ which occurs when 2 judges score the bout for the same contestant and one judge scores the bout a draw.
- (5) Draw, which may be of any of the following types:
- (a) Unanimous, ~~is~~ which occurs when all 3 judges score the bout a draw.
- (b) Majority, ~~is~~ which occurs when 2 judges score the bout a draw.
- (c) Split, ~~is~~ which occurs when all 3 judges score a bout differently.
- (6) Disqualification, ~~is~~ which occurs when an injury sustained during competition as a result of an intentional foul is severe enough to terminate the contest.
- (7) Forfeit, ~~is~~ which occurs when a contestant fails to begin competition or prematurely ends the contest for reasons other than injury or indicating a tap out.
- (8) Technical draw, which occurs through any of the following:
- (a) An injury sustained as a result of an intentional foul during competition ~~as a result of an intentional foul causes~~ makes the injured contestant unable to continue, and the injured contestant is even or behind on the scorecards at the time of stoppage, ~~or,~~
- (b) The ~~sufficient~~ number of rounds specified in s. SPS 192.410 have been completed, with the results of the scorecards being a draw.
- (9) Technical decision, ~~is~~ which occurs when a bout is prematurely stopped due to an injury and a contestant is leading on the scorecards.
- (10) No contest, ~~is~~ which occurs when a ~~contestant~~ bout is prematurely stopped due to accidental injury and a sufficient number of rounds have not been completed to render a decision via the scorecards, or when a contestant tests positive for prohibited drug use and is disciplined under s. SPS ~~196.03~~ 192.504.

SECTION 51. SPS 195.13 is renumbered SPS 192.414 in subchapter IV of chapter SPS 192, and amended to read:

SPS 192.414 Rule meetings. All ~~mixed martial arts~~ contestants and their seconds shall attend pre-bout meetings with the referee and a department representative to review the ~~Association of Boxing Commissions' Uniform Rules of Mixed Martial Arts~~ ABC's unified rules, fouls, and department ~~regulations~~ requirements.

SECTION 52. SPS 195.14 is renumbered SPS 192.415 in subchapter IV of chapter SPS 192, and SPS 192.415 (1), (2) and (4), as renumbered, are amended to read:

SPS 192.415 (1) Only water or an approved electrolyte-replacement beverage may be consumed during the bout. Electrolyte-replacement beverages include Gatorade®, ~~PowerAde~~ Powerade®, Propel®, and ~~Smart Water~~ Smartwater®. All consumables are subject to approval by the inspector or representative of the department.

(2) Beverages shall be brought to cage side unopened, sealed, and only in a plastic container. Unsealed beverages are ~~not acceptable~~ prohibited.

(4) No stimulant beverages or beverages with caffeine, such as Red Bull® and ~~Rock Star~~ Rockstar, are allowed.

SECTION 53. SPS 192.415 (8) is created to read:

SPS 192.415 (8) Use of any energy stimulant in pill or other form is not permitted.

SECTION 54. Chapter SPS 196 (title) and SPS 196.01 (title) and (1) (intro.) to (3) (g), (h) and (i) to (n) are renumbered subchapter V (title) and SPS 192.501 (title) and (1) (intro.) to (3) (g), (4) and (3) (h) to (m) in subchapter V of chapter SPS 192, and subchapter V (title) and SPS 192.501 (1) (intro.), (f) to (h), (3) (intro.), (d) to (j), (L) and (m) and (4), as renumbered, are amended to read:

SUBCHAPTER V (title)

DISCIPLINE, SUSPENSIONS, REST PERIODS AND DRUG TESTING

SPS 192.501 (1) The department may ~~reprimand~~, deny a credential application for, reprimand, or limit, suspend, or revoke the credential of any promoter or professional club member, matchmaker, official, or representative who ~~commits~~ does any ~~one~~ of the following:

(f) ~~Has been found guilty of~~ engaged in any fraud or misrepresentation substantially related to the sport of mixed martial arts, or any ~~crime as defined~~ discrimination addressed in ss. 111.321, 111.322 and 111.335, Stats.

(g) Has violated any law related to fraud or misrepresentation substantially related to the sport of mixed martial arts, or any ~~crime as defined by~~ discrimination addressed in ss. 111.321, 111.322 and 111.335, Stats.

(h) ~~Does not~~ Fails to meet the financial obligations required by these rules.

(3) The department may deny ~~the~~ a credential application for, reprimand, or limit, suspend, or revoke the credential of any ~~mixed martial arts~~ contestant or second ~~if~~ who does any ~~one~~ of the following ~~occurs~~:

(d) Makes a materially false statement in an application or provides any materially false information to the department; or its representatives; or other officials.

(e) ~~Holds, or has held,~~ Receives a revocation, limitation, or suspension for a license to engage in the sport of mixed martial arts, in from another jurisdiction, ~~which has been revoked, suspended or limited~~ for reasons ~~which that~~ are substantially the same as the grounds for revocation, limitation, or suspension stated in this section.

(f) Subject to ss. 111.321, 111.322, and 111.335, Stats., has been convicted of a crime or subject to an adverse action. The licensee shall send to the department within ~~30 days~~ 48 hours of the judgment of conviction a copy of the complaint or other information ~~which that~~ describes the nature of the conviction. The applicant shall disclose the nature of any conviction or pending criminal allegation while their application is under review.

(g) ~~Is not capable of competing~~ Fails to compete in a bout due to the use of alcohol or drugs. The department may require a ~~mixed martial arts~~ contestant to submit to a drug test pursuant to s. SPS ~~196.03~~ 192.504 and s. 444.095 (3) (c), Stats.

(h) ~~Is not~~ Fails to be sufficiently physically fit to engage in professional mixed martial arts competition, or fails to perform to the best of their ability based on information contained in a physical examination report or other reliable information.

(i) Participates in any mixed martial arts event not sanctioned and approved by the department, except this paragraph does not apply to a mixed martial arts event that is equivalently sanctioned and approved, either directly or indirectly, by a federally recognized American Indian tribe or band.

(j) If licensed as a professional ~~mixed arts~~ contestant, in any jurisdiction, competes in a mixed martial arts event as an amateur.

(L) Fails to appear for their report time for their official weigh-in or fails to make their contracted weight within ~~2 hours~~ 1 hour of their official weigh-in time, and as a result their scheduled bout is cancelled in accordance with s. SPS ~~193.14~~ 192.214.

(m) Verbally ~~harassing~~ harasses or physically ~~abusing~~ abuses any department representative or official before, during or after an event regulated by the department.

(4) The commissioner or department representative may seek an order to hold a ~~contestant's~~ the purse for failing a drug test that of a contestant who tests positive for alcohol, drugs, controlled substances, anabolic steroids, or illegal enhancement substances in violation of ~~these rules~~ this chapter and s. 444.095 (3) (c), Stats.

SECTION 55. SPS 196.02 is renumbered SPS 192.502 in subchapter V of chapter SPS 192, and SPS 192.502 (1), (2) and (4) to (7), as renumbered, are amended to read:

SPS 192.502 (1) A contestant who is determined by the referee under s. SPS 192.412 (2) to have sustained a knock-out ~~may not compete and is then~~ subject to a mandatory 60-day suspension, ~~s. SPS 195.12 (2) defines a knock-out or ("KO") as a failure to rise from the floor before competing again.~~

(2) A contestant who is determined by the referee under s. SPS 192.412 (3) to have sustained a technical knock-out ~~may not compete and is then~~ subject to a mandatory 30-day suspension, ~~s. SPS 195.12 (3) defines a technical knock-out or ("TKO") as any of the following: the referee stops the bout because the contestant can no longer defend themselves, the ringside physician advises the referee to stop the bout, or a contestant sustains an injury as a result of a legal maneuver severe enough to terminate the bout before competing again.~~

(4) The suspension provided for in sub. (1), (2), or (3) ~~shall~~ may not be cleared by the department until a contestant complies with all post-bout medical requirements determined by the ringside physician.

(5) Without a release from the commissioner or department representative, a ~~mixed martial arts~~ mixed martial arts contestant may not compete again until 7 days have elapsed ~~from~~ after their last bout. The 7-day period begins the day following the event in which they competed.

(6) Without a release from the commissioner or department representative, an amateur or a professional ~~mixed martial arts~~ mixed martial arts contestant competing in a non-sanctioned contest may not compete again until 60 days have elapsed ~~from~~ after their last bout. The 60-day period begins the day following the event in which they last competed. This subsection does not apply to a mixed martial arts event that is equivalently sanctioned and approved, either directly or indirectly, by a federally recognized American Indian tribe or band.

(7) If a contestant is reported on a suspension list maintained by "Mixed Martial Arts LLC," "Fight Fax, Inc.," or "FCFighter's" suspension lists, "FCFighter," or another jurisdiction,

or ~~on~~ any other suspension list recognized by the department, the contestant ~~will~~ may not be able to compete without a release from the commissioner, inspector or department representative.

SECTION 56. SPS 192.503 is created to read:

SPS 192.503 Administrative suspensions. A contestant who is determined by the commissioner, inspector or department representative to have engaged in unsportsmanlike conduct or to have not complied with requirements under this chapter is subject to a mandatory suspension of 30 to 180 days as reported in the Association of Boxing Commissions' mixed martial arts national database, before competing again, unless released sooner by the commissioner or department representative.

SECTION 57. SPS 196.03 is renumbered SPS 192.504 in subchapter V of chapter SPS 192, and SPS 192.504 (1) to (4), (6) (intro.) and (11), as renumbered, are amended to read:

SPS 192.504 (1) ~~Mixed martial arts contestants~~ Contestants may not engage in the personal use of drugs, including all anabolic steroids or controlled substances, pursuant to s. 444.095 (3) (c), Stats., while participating in a bout, except when prescribed, dispensed or administered by a licensed physician or dentist for a legitimate medical condition.

(2) ~~It shall be~~ To exercise the exception in sub. (1), the contestant's responsibility to ~~contestant shall~~ provide written notice or a prescription to the department before participating in any event. The written notice or prescription shall contain the name of the substance, the quantity and dosage or the substance prescribed, and the name, address and telephone number of the physician or dentist prescribing the substance.

(3) ~~Mixed martial arts contestants~~ Contestants may not be under the influence of alcohol while participating in a bout.

(4) The commissioner, department representative, or ringside physician may require any ~~mixed martial arts~~ contestant to submit to a drug test, including the testing of urine, hair, or blood specimens.

(6) (intro.) Grounds for reasonable cause include ~~all~~ any of the following:

(11) Contestants who are prohibited, restrained, disqualified, or are otherwise ineligible to compete in another state or jurisdiction due to a disciplinary action that involves the use of drugs ~~shall~~ may not compete in any department authorized event until such time as the period of prohibition, restraint, disqualification, or ineligibility is completed or removed and subject to the approval of the commissioner, or department representative.

SECTION 58. EFFECTIVE DATE. Pursuant to s. 227.24 (1) (d.), Stats., these rules shall become effective on the first day of the month commencing after the date of publication in the Wisconsin administrative register.

(END OF TEXT OF RULE)

Dated _____

Agency _____

Dave Ross, Secretary
Department of Safety and
Professional Services