



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRB-1365/1  
MED:wlj:jm

## 2015 ASSEMBLY BILL 76

March 5, 2015 - Introduced by Representatives KLEEFISCH, BERCEAU, BROSTOFF, DANOU, EDMING, HINTZ, KAHL, MURSAU, A. OTT, ZEPNICK, ZAMARRIPA and STEFFEN, cosponsored by Senators COWLES, HANSEN and HARRIS DODD. Referred to Committee on State Affairs and Government Operations.

1     **AN ACT to amend** 20.165 (1) (im), chapter 444 (title), 444.01 (1g), 444.01 (3),  
2           444.01 (4), 444.02 (1), 444.02 (2), 444.02 (3) (intro.), 444.03, 444.035, 444.04,  
3           444.06, 444.095 (title), 444.095 (1), 444.095 (2) (intro.), 444.095 (3) (intro.),  
4           444.095 (3) (a), 444.095 (3) (b) (intro.), 444.11, 444.12, 444.13, 444.14, 444.15  
5           and 444.18; and **to create** 444.01 (5) and 444.015 of the statutes; **relating to:**  
6           regulation of unarmed combat sports.

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### *Analysis by the Legislative Reference Bureau*

Current law contains numerous provisions regulating professional boxing and amateur and professional mixed martial arts (MMA) fighting contests and exhibitions. These provisions require licensure of promoters and clubs where contests and exhibitions are held; permits for boxing and MMA fighting contests; and licenses for matchmakers, managers, referees, boxers, mixed martial arts fighters, and seconds. They also contain other requirements that apply specifically to either boxing or MMA contests or exhibitions. With respect to MMA fighting contests, the requirements of the law include 1) that contestants be covered by adequate health insurance; 2) that licensed referees and judges be present at MMA contests; and 3) that a physician be present at each match and that emergency medical services personnel be present. These provisions regulating professional boxing and amateur and professional MMA fighting contests and exhibitions are enforced and administered by the Department of Safety and Professional Services, which has promulgated more detailed rules to implement them.



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1           444.01 (3) “Professional contest” means a professional boxing contest or a  
2 professional ~~mixed martial arts fighting~~ unarmed combat sports contest.

3           **SECTION 5.** 444.01 (4) of the statutes is amended to read:

4           444.01 (4) “Professional ~~mixed martial arts fighting~~ unarmed combat sports  
5 contest” means a ~~mixed martial arts fighting~~ contest or exhibition of unarmed  
6 combat sports in which one or more of the ~~fighters~~ contestants is compensated for  
7 participating in the contest or exhibition.

8           **SECTION 6.** 444.01 (5) of the statutes is created to read:

9           444.01 (5) “Unarmed combat sports” includes wrestling, kickboxing, karate,  
10 mixed martial arts, and any other form of unarmed combat, but does not include  
11 boxing.

12           **SECTION 7.** 444.015 of the statutes is created to read:

13           **444.015 Application of this chapter. (1)** In this section, “amateur” means  
14 a contestant who does not compete for a prize, in cash or otherwise, that has a value  
15 of more than \$25.

16           **(2)** This chapter does not apply to, or require any license or permit for, any of  
17 the following:

18           (a) Any karate contest, match, or exhibition in which all of the contestants are  
19 amateur participants.

20           (b) Any interscholastic or intercollegiate contest, match, or exhibition.

21           (c) An elementary or secondary school, college, or university karate or  
22 wrestling coach who receives compensation for teaching or coaching karate or  
23 wrestling only from the school, college, or university.

24           **SECTION 8.** 444.02 (1) of the statutes is amended to read:

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1           444.02 (1) The department shall have the sole direction, management, and  
2 control of, and jurisdiction over, all professional contests and all amateur ~~mixed~~  
3 ~~martial arts fighting~~ unarmed combat sports contests conducted within the state by  
4 any promoter or club. No club or promoter may conduct professional contests or  
5 amateur ~~mixed martial arts fighting~~ unarmed combat sports contests within the  
6 state except under authority granted by the department and in accordance with this  
7 chapter and the rules of the department.

8           **SECTION 9.** 444.02 (2) of the statutes is amended to read:

9           444.02 (2) The department may issue, and for cause limit, suspend, or revoke,  
10 a license to conduct professional contests or amateur ~~mixed martial arts fighting~~  
11 unarmed combat sports contests to any promoter or incorporated club formed as  
12 provided in this chapter. Every license shall be subject to the department's rules and  
13 regulations. The department may limit the number of professional contests and  
14 amateur ~~mixed martial arts fighting~~ unarmed combat sports contests given by any  
15 promoter or club in any city, village, or town and may reprimand a promoter or club  
16 for violating this chapter or any rule of the department.

17           **SECTION 10.** 444.02 (3) (intro.) of the statutes is amended to read:

18           444.02 (3) (intro.) No professional contest or amateur ~~mixed martial arts~~  
19 ~~fighting~~ unarmed combat sports contest may be conducted by any licensed club  
20 without a permit from the department. An application for a permit shall be  
21 accompanied by a nonrefundable \$300 processing fee. Every permit shall be  
22 conditioned on payment by the promoter or club to the department, within 2 business  
23 days after the event for which the permit was issued, of the following fees:

24           **SECTION 11.** 444.03 of the statutes is amended to read:

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1           **444.03 Application for license; fee.** No professional contest or amateur  
2 ~~mixed martial arts fighting~~ unarmed combat sports contest may be conducted by any  
3 promoter or club except by license granted to it by the department. An application  
4 for a license shall be in writing, addressed to the department, and verified by the  
5 promoter or by an officer of the club. An application shall be accompanied by an  
6 annual fee of \$500. The application must show that the promoter or club has entered  
7 into a valid agreement for the use of the building, amphitheater, or stadium in which  
8 contests are to be held.

9           **SECTION 12.** 444.035 of the statutes is amended to read:

10           **444.035 Bond.** The department shall by rule require a promoter or club  
11 conducting a professional contest or amateur ~~mixed martial arts fighting~~ unarmed  
12 combat sports contest to post a bond or other surety in a reasonable amount  
13 determined by the department to ensure payment of the promoter's or club's  
14 expenses in conducting the contest, including payments to contestants and to the  
15 department.

16           **SECTION 13.** 444.04 of the statutes is amended to read:

17           **444.04 Promoter and club reports.** Within 2 business days after a promoter  
18 or club holds a professional contest or amateur ~~mixed martial arts fighting~~ unarmed  
19 combat sports contest, the club shall furnish to the department a written report,  
20 verified by the promoter or by one of the club's officers under penalty of perjury,  
21 showing the number of tickets sold for the contest, the amount of gross proceeds, and  
22 all other information the department requires by rule to be included in the report.  
23 The department may limit, suspend, revoke, or assess a forfeiture to the promoter  
24 or club for failure to comply with this section or failure to provide accurate

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1 information to the department. Any forfeiture collected under this section shall be  
2 deposited in the appropriation account under s. 20.165 (1) (jm).

3 **SECTION 14.** 444.06 of the statutes is amended to read:

4 **444.06 Inspectors.** The department shall appoint official inspectors, each of  
5 whom shall receive a card authorizing the inspector to act wherever the department  
6 designates. The department may be, and at least one inspector shall be present at  
7 all professional contests and all amateur ~~mixed martial arts fighting~~ unarmed  
8 combat sports contests and see that the rules are strictly observed. Inspectors shall  
9 be reimbursed for their actual and necessary expenses incurred in the performance  
10 of their duties. The department may require a promoter or club to pay the cost of  
11 designating additional inspectors, who may include a referee or judge performing the  
12 duties of an inspector, for an event. The department may require a promoter or club  
13 to pay the department an amount not to exceed \$250 for each additional inspector  
14 designated by the department.

15 **SECTION 15.** 444.095 (title) of the statutes is amended to read:

16 **444.095 (title) Conduct of ~~mixed martial arts fighting~~ unarmed combat**  
17 **sports contests regulated.**

18 **SECTION 16.** 444.095 (1) of the statutes is amended to read:

19 444.095 (1) No individual may be a contestant in an amateur ~~mixed martial~~  
20 ~~arts fighting~~ unarmed combat sports contest unless the individual can provide  
21 evidence that he or she is covered by adequate health insurance.

22 **SECTION 17.** 444.095 (2) (intro.) of the statutes is amended to read:

23 444.095 (2) (intro.) No promoter or club may conduct ~~a mixed martial arts~~  
24 ~~fighting~~ an unarmed combat sports contest unless all of the following apply:

25 **SECTION 18.** 444.095 (3) (intro.) of the statutes is amended to read:

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1           444.095 (3) (intro.) The department shall promulgate rules that establish all  
2 of the following with respect to ~~mixed martial arts fighting~~ unarmed combat sports  
3 contests:

4           **SECTION 19.** 444.095 (3) (a) of the statutes is amended to read:

5           444.095 (3) (a) Qualifications and fees for licensure of referees and judges for  
6 ~~mixed martial arts fighting~~ unarmed combat sports contests.

7           **SECTION 20.** 444.095 (3) (b) (intro.) of the statutes is amended to read:

8           444.095 (3) (b) (intro.) Requirements for regular health examinations of ~~mixed~~  
9 ~~martial arts fighting~~ unarmed combat sports contestants, including all of the  
10 following:

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

12           **444.11 Licenses to matchmakers, referees, contestants, etc.** The  
13 department may grant licenses upon application and the payment of the prescribed  
14 fees to matchmakers, managers, referees, boxers, ~~mixed martial arts fighters~~  
15 unarmed combat sports contestants, seconds, and trainers timekeepers in  
16 professional contests and amateur ~~mixed martial arts fighting~~ unarmed combat  
17 sports contests. The fees to be paid per year shall be: Matchmakers and managers,  
18 \$10; referees and judges, \$15; examining physicians, \$10; boxers and ~~mixed martial~~  
19 ~~arts fighters~~ unarmed combat sports contestants, \$40; seconds, \$40; and  
20 timekeepers, \$10. The department may limit, suspend, or revoke any license granted  
21 under this section or reprimand the licensee upon such cause as it deems sufficient.

22           **SECTION 22.** 444.12 of the statutes is amended to read:

23           **444.12 Referee to stop contest.** The referee ~~must~~ shall stop a professional  
24 contest or amateur ~~mixed martial arts fighting~~ unarmed combat sports contest when  
25 either of the contestants shows a marked superiority or is apparently outclassed.

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1 The referee shall be the sole arbiter of the contest and may consult the physician  
2 identified in s. 444.095 (2) (c) during the contest.

3 **SECTION 23.** 444.13 of the statutes is amended to read:

4 **444.13 Sham contests, license revoked.** Any promoter or club that  
5 conducts, holds, gives, or participates in any sham or fake professional contest or  
6 amateur ~~mixed martial arts fighting~~ unarmed combat sports contest shall forfeit its  
7 license. That license shall be revoked by the department, and the promoter or club  
8 shall not be entitled to another license.

9 **SECTION 24.** 444.14 of the statutes is amended to read:

10 **444.14 Sham contests; contestants penalized; forfeitures; hearing.** The  
11 department shall ban a contestant who participates in any sham or fake professional  
12 contest or amateur ~~mixed martial arts fighting~~ unarmed combat sports contest or  
13 violates any rule promulgated by the department, and may require the contestant,  
14 the contestant's manager, or the promoter of the contest to forfeit an amount  
15 determined by the department, but not more than \$500. Fifty percent of all  
16 forfeitures collected under this section shall be deposited in the appropriation  
17 account under s. 20.165 (1) (im).

18 **SECTION 25.** 444.15 of the statutes is amended to read:

19 **444.15 Reports; examination of books and officers.** Whenever any  
20 promoter or club fails to make a report of any professional contest or amateur ~~mixed~~  
21 ~~martial arts fighting~~ unarmed combat sports contest at the time prescribed or  
22 whenever a report is unsatisfactory to the department, the secretary may examine  
23 the books and records of the promoter or club, may subpoena and examine, under  
24 oath, the promoter or the club's officers and other witnesses to determine the total  
25 amount of its gross receipts for any contest, and may hire an independent auditor to



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1 assist in making the determination. The secretary may require the promoter or club  
2 to pay the expenses of conducting the examination or the independent auditor's fee.  
3 If a promoter or club fails to pay the amount of expenses determined by the secretary  
4 to be due within 20 days after receiving notice of the amount, the promoter or club  
5 shall forfeit its license, be disqualified from receiving any license under this chapter,  
6 and forfeit to the state the sum of \$1,000, which may be recovered by the department  
7 of justice in the name of the state.

8 **SECTION 26.** 444.18 of the statutes is amended to read:

9 **444.18 Insurance on certain contestants.** Any licensee authorized to  
10 conduct professional contests or amateur ~~mixed martial arts fighting~~ unarmed  
11 combat sports contests shall insure each contestant participating for hospital,  
12 nursing, and medication expenses and physician's and surgeon's services according  
13 to an equitable fee schedule, not to exceed in the aggregate \$25,000, to be paid to, or  
14 for the use of, any contestant to compensate for injuries sustained in any such  
15 contest; and shall insure each contestant for not less than \$25,000 to be paid to the  
16 contestant's estate in the event of the contestant's death as the result of participation  
17 in such professional contest or amateur ~~mixed martial arts fighting~~ unarmed combat  
18 sports contest.

19

(END)