

10101229D

**HOUSE BILL NO. 1178**

Offered January 13, 2010

Prefiled January 13, 2010

A *BILL to amend and reenact §§ 54.1-828 and 54.1-835 of the Code of Virginia, relating to combative fighting; prohibition; penalty.*

\_\_\_\_\_  
Patron—Phillips

\_\_\_\_\_  
Referred to Committee for Courts of Justice

**Be it enacted by the General Assembly of Virginia:**

1. **That §§ 54.1-828 and 54.1-835 of the Code of Virginia are amended and reenacted as follows:**  
§ 54.1-828. Definitions.

As used in this chapter, unless the context requires a different meaning:

"Boxer" means a person competing in the sport of boxing.

"Boxing" means the contact sport of attack or defense using fists, feet, or both, including professional kick boxing, boxing, martial arts, or any similar contest.

"Cable television system" means any facility consisting of a set of closed transmission paths and associated equipment designed to provide video programming to multiple subscribers when subscriber interaction is required to select a specific video program for an access fee established by the cable television system for that specific video program.

"Combative fighting" means any unlicensed boxing or wrestling match, contest, or exhibition between two or more participants in which the participants, with or without gloves or protective equipment, use their hands, feet, or both to strike each other. Combative fighting includes, but is not limited to, "tough man contests," "tough woman contests," and "fight clubs."

"Contractor" means any person who has been recognized by the Director, through a contract, as an appropriate responsible party to provide services to assist the Commonwealth in complying with the provisions of this chapter.

"Department" means the Department of Professional and Occupational Regulation or its successor.

"Director" means the Director of the Department of Professional and Occupational Regulation.

"Event" means any professional boxing or wrestling show which includes one or more contests or matches.

"License" means a method of regulation whereby any person arranging, conducting or participating in boxing or wrestling activities is required to obtain a prior authorization from the Department.

"Manager" means any person who receives compensation for service as a representative or agent of a boxer or wrestler to arrange for his participation in an event.

"Martial arts" means any of several Asian arts of combat or self-defense, including but not limited to aikido, karate, judo, or tae kwon do, usually practiced as sport and which may involve the use of striking weapons.

"Matchmaker" means any person who proposes, selects, arranges for, or in any manner procures specific individuals to be contestants in an event.

"Person" means a natural person, corporation, partnership, sole proprietorship, firm, enterprise, franchise, association or any other entity.

"Promote" or "promotion" means to organize, arrange, publicize, or conduct an event in the Commonwealth.

"Promoter" means any person who undertakes to promote an event.

"Trainer," "second" or "cut man" means an individual who undertakes to assure the well-being of a boxer by providing instruction or advice concerning techniques or strategies of boxing, and who may work in the corner with a boxer between the rounds of a match to assure his well-being and provide necessary equipment and advice concerning match participation.

"Wrestler" means any person competing or participating as an opponent in wrestling.

"Wrestling" means any contact sport or exhibition in which individuals attempt to subdue or unbalance an opponent.

§ 54.1-835. Other penalties.

A. It shall be a Class 1 misdemeanor for any person required to possess a license under subsection A of § 54.1-829 to engage in the promotion, arrangement or conduct of or participate in a boxing or wrestling event without first obtaining the appropriate license from the Department.

B. It shall be a Class 1 misdemeanor for any person to employ or otherwise arrange for an individual to compete in a boxing or wrestling event who is not licensed as required by subsection B of

INTRODUCED

HB1178

59 § 54.1-829.

60 C. It shall be a Class 1 misdemeanor for any person conducting a boxing or wrestling event to  
61 permit any betting or wagering at the event before, during or after the event, in the building where the  
62 contest is held.

63 D. It shall be a Class 1 misdemeanor for any person to violate any statute or regulation governing a  
64 profession regulated pursuant to this chapter.

65 *E. It shall be a Class 1 misdemeanor for any person to engage in the promotion, arrangement or*  
66 *conduct of or to participate in combative fighting.*

67 ~~EF.~~ The third or any subsequent conviction for violating any provision of this section ~~during a~~  
68 ~~thirty-six month period within three years~~ shall constitute a Class 6 felony.

69 **2. That the provisions of this act may result in a net increase in periods of imprisonment or**  
70 **commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot**  
71 **be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter**  
72 **781 of the Acts of Assembly of 2009 requires the Virginia Criminal Sentencing Commission to**  
73 **assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4, the estimated amount of the**  
74 **necessary appropriation is \$0 for periods of commitment to the custody of the Department of**  
75 **Juvenile Justice.**