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HOUSE BILL NO. 1228

Offered January 19, 2016

A BILL to amend and reenact §§ 54.1-828, 54.1-829.1, and 54.1-830 of the Code of Virginia, relating to the Department of Professional and Occupational Regulation; boxing and wrestling events; sanctioning organizations.

 Patron—Miller

 Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-828, 54.1-829.1, and 54.1-830 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:

"Amateur" means an individual who has never participated in a boxing, martial arts, or professional wrestling event for money, compensation, or reward other than a suitably inscribed memento.

"Boxer" means a person competing in the sport of boxing ~~or martial arts~~.

"Boxing" means the contact sport of attack or defense using fists, feet, or both, including 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.

"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 boxing, martial arts, or professional wrestling show that includes one or more contests or matches.

"Exhibition" means any occurrence in which boxers or martial artists show or display skills without striving to win.

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

"Licensee" means any person holding a valid license under the provisions of this chapter.

"Manager" means any person who serves as a representative or agent of a boxer, martial artist, or professional wrestler to arrange for his participation in an event.

"Martial artist" means a person competing in the sport of martial arts.

"Martial arts" or "mixed martial arts" means any of several Asian arts of combat or self-defense, alone or in combination, including but not limited to aikido, karate, judo, muay thai, 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.

"Professional" means a person who participates or has ever participated for money, compensation, or reward other than a suitably inscribed memento in any boxing, martial arts, or professional wrestling event.

"Professional wrestler" means any professional participating in professional wrestling.

"Professional wrestling" means an event in which contestants incorporate the sport of wrestling into choreographed performances.

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

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

"Sanctioning organization" means an entity approved by the Director pursuant to § 54.1-829.1.

"Trainer," "second" or "cut man" means an individual who undertakes to assure the well-being of a boxer or martial artist by providing instruction or advice concerning techniques or strategies of boxing

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59 or martial arts, and who may work in the corner with a boxer or martial artist between the rounds of a
60 match to assure his well-being and provide necessary equipment and advice concerning match
61 participation.

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

63 "Wrestling" means any of several styles of physical competition in which individuals attempt to
64 subdue or unbalance an opponent, including Greco-Roman, freestyle, grappling, or submission, usually
65 practiced as a sport.

66 **§ 54.1-829.1. Sanctioning organization; amateur events.**

67 A. No event in which amateur participants compete in boxing or martial arts shall be permitted in
68 the Commonwealth unless the amateur event is conducted by a sanctioning organization approved by the
69 Director.

70 B. The Director shall approve such sanctioning organizations that apply for *approval* and
71 satisfactorily demonstrate evidence of standards and operations at least as rigorous as, *and limited to*,
72 those required by this ~~chapter~~ *section*. The Director may withdraw his approval for a sanctioning
73 organization's failure to comply with this ~~chapter~~ *section*, associated regulations, or any administrative
74 requirements for demonstrating compliance *upon review of the annual report submitted by the*
75 *sanctioning organization*.

76 C. ~~Minimum provisions~~ *Provisions* for approval as an amateur sanctioning organization shall ~~include~~
77 *require* that the sanctioning organization (i) ~~has provide documented evidence that it has operated as a~~
78 *business for at least the immediately preceding five years' documented experience years as certified by*
79 *the State Corporation Commission; (ii) have at least five years' documented experience as a sanctioning*
80 *organization without adverse financial or disciplinary action in any jurisdiction; (ii) provides (iii) have*
81 *demonstrated experience as a sanctioning organization for at least six different events per year over*
82 *such five-year period representing at least three different promoters; (iv) provide evidence that none of*
83 *its officers, employees, or agents, directly or indirectly, have has any pecuniary interest in, or hold holds*
84 *any position with, any business associated with a licensee promoter, or otherwise operate for the sole*
85 *benefit of a single promoter; (iii) certifies (v) provide assurance that events will be conducted in a fair*
86 *and impartial manner with avoidance of any impropriety or appearance of impropriety; (vi) certify the*
87 *contestants' physical condition prior to any contest and at ringside; and (iv) ensures (vii) ensure the*
88 *continuous presence of a ringside physician and an on-site ambulance.*

89 D. Approved sanctioning organizations shall ensure that each boxer and martial artist provides a
90 negative test for the following prior to an event in order to participate:

- 91 1. Antibodies to the human immunodeficiency virus;
- 92 2. Hepatitis B surface antigen (HBsAg); and
- 93 3. Antibodies to virus hepatitis C.

94 Such tests shall be conducted within the 180 days preceding the event. A boxer or martial artist who
95 fails to provide negative results for all required tests shall not be permitted to compete in the event.

96 E. Each approved sanctioning organization shall submit an annual report to the Director on or before
97 February 1, with a summary of the events conducted for the preceding calendar year.

98 F. *The Director may address any operational issues with the sanctioning organization on an annual*
99 *basis after review of the annual report submitted in accordance with subsection E.*

100 G. *Neither the Director nor the Department shall require the payment of any gate fees for*
101 *amateur-only events.*

102 **§ 54.1-830. Exemptions.**

103 The provisions of this chapter shall not apply to:

- 104 1. Amateur wrestling bouts;
- 105 2. Amateur exhibitions and the amateur participants therein; ~~or~~
- 106 3. Engagements involving amateur boxing or martial arts that are conducted by or held under the
107 sponsorship of (i) any elementary or secondary school or public or private institution of higher education
108 located in the Commonwealth or (ii) the Department of Corrections involving inmates of any state
109 correctional institution; *or*
- 110 4. Amateur martial arts events that are sanctioned by an approved sanctioning organization.