

FIRST REGULAR SESSION

# SENATE BILL NO. 600

92ND GENERAL ASSEMBLY

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INTRODUCED BY SENATOR JACOB.

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TERRY L. SPIELER, Secretary.

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## AN ACT

To repeal sections 317.001, 317.006, 317.011, 317.012, and 317.014, RSMo, and to enact in lieu thereof five new sections relating to ultimate and combative fighting.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Sections 317.001, 317.006, 317.011, 317.012, and 317.014, RSMo, are repealed and five new sections enacted in lieu thereof, to be known as sections 317.001, 317.006, 317.011, 317.012, and 317.014, to read as follows:

317.001. As used in sections 317.001 to 317.021, the following words and terms mean:

(1) "Bout", one match involving either professional boxing, sparring, professional wrestling, professional kickboxing, **professional ultimate fighting**, or professional full-contact karate;

(2) "Combative fighting", also known as "toughman fighting", "toughwoman fighting", "badman fighting", ["ultimate fighting", "U.F.C."] and "extreme fighting", any boxing or wrestling match, contest or exhibition, between two or more contestants, with or without protective headgear, who use their hands, with or without gloves, or their feet, or both, and who compete for a financial prize or any item of pecuniary value, and which match, contest, tournament championship or

**EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

exhibition is not recognized by and not sanctioned by any officially recognized state, regional or national boxing or athletic sanctioning authority, or any promoter duly licensed by the division of professional registration;

(3) "Contest", a bout or a group of bouts involving licensed contestants competing in professional boxing, sparring, professional wrestling, professional kickboxing, **professional ultimate fighting**, or professional full-contact karate;

(4) "Contestant", a person who competes in any activity covered by sections 317.001 to 317.021;

(5) "Division", the division of professional registration;

(6) "Director", the director of the division of professional registration;

(7) "Fund", the athletic fund established pursuant to sections 317.001 to 317.021;

(8) "Mandatory count of eight", a required count of eight that is given by a referee to a contestant who has been knocked down;

(9) "Noncompetitive boxing", boxing or sparring where a decision is not rendered;

(10) "Office", the division of professional registration, office of athletics;

(11) "Professional boxing", the sport of attack and defense which uses the fist and where contestants compete for valuable consideration;

(12) "Professional full-contact karate", any form of full-contact martial arts including but not limited to full-contact kungfu, full-contact taw kwon-do, or any form of martial arts or self-defense conducted on a full-contact basis in a bout or contest where weapons are not used and where contestants compete for valuable consideration. Such contests take place in a rope-enclosed ring and are fought in timed rounds;

(13) "Professional kickboxing", any form of boxing in which blows are delivered with any part of the arm below the shoulder, including the hand, and any part of the leg below the hip, including the foot, and where contestants compete for valuable consideration. Such contests take place in a rope-enclosed ring and are fought in timed rounds;

(14) **"Professional ultimate fighting", any form of fighting in which fighters may strike with a closed fist or an open hand, strikes to the throat are prohibited, forearm strikes and elbow strikes are permitted, all wrestling, judo, and jujitsu throws and takedowns are permitted, fighters may strike with their knees, shins, and feet when both fighters are standing, kicks to the head are prohibited when one fighter's knee touches**

the ring floor or he is otherwise not supported by his two feet alone, all chokes can be done with the arms and legs except single hand or fingertip throat chokes which are prohibited, elbow, shoulder, wrist, knee, and ankle locks are allowed, and single digit locks to the fingers or toes are prohibited. Such contests take place in a ring enclosed by rope or cage-style material and are fought in timed rounds of no more than eight minutes per round with no more than three rounds per match. Such contests must be sanctioned by an international or national organization or federation. The sanctioning organization or federation must require the following authorized personnel to be present at all matches: an official representative of the sanctioning body, a referee, at least three judges, a timekeeper, a scorekeeper, and an approved medical doctor who is not a chiropractor or a dentist;

(15) "Professional wrestling", any performance of wrestling skills and techniques by two or more professional wrestlers, to which any admission is charged. Participating wrestlers may not be required to use their best efforts in order to win, the winner may have been selected before the performance commences and contestants compete for valuable consideration. Such contests take place in a rope-enclosed ring and are fought in timed rounds;

[(15)] (16) "Sparring", boxing for practice or as an exhibition;

[(16)] (17) "Standing mandatory eight count", the count of eight that is given at the discretion of a referee to a contestant who has been dazed by a blow and is unable to defend himself or herself. The standing mandatory eight count may be waived in a bout only with special permission of the office.

317.006. 1. The division of professional registration shall have general charge and supervision of all professional boxing, sparring, professional wrestling, professional kickboxing, **professional ultimate fighting**, and professional full-contact karate contests held in the state of Missouri, and it shall have the power, and it shall be its duty:

(1) To make and publish rules governing in every particular professional boxing, sparring, professional wrestling, professional kickboxing, **professional ultimate fighting**, and professional full-contact karate contests;

(2) To accept applications for and issue licenses to contestants in professional boxing, sparring, professional wrestling, professional kickboxing, **professional ultimate fighting**, and professional full-contact karate contests held in the state of Missouri, and referees, judges, matchmakers, managers, promoters, seconds,

announcers, timekeepers and physicians involved in professional boxing, sparring, professional wrestling, professional kickboxing, **professional ultimate fighting**, and professional full-contact karate contests held in the state of Missouri, as authorized herein. Such licenses shall be issued in accordance with rules duly adopted by the division;

(3) To charge fees to be determined by the director and established by rule for every license issued and to assess a tax of five percent of the gross receipts of any person, organization, corporation, partnership, limited liability company, or association holding a promoter's license and permit under sections 317.001 to 317.021, derived from admission charges connected with or as an incident to the holding of any professional boxing, sparring, professional wrestling, professional kickboxing, **professional ultimate fighting**, or professional full-contact karate contest in this state. Such funds shall be paid to the division of professional registration which shall pay said funds into the state treasury to be set apart into a fund to be known as the "Athletic Fund" which is hereby established;

(4) To assess a tax of five percent of the gross receipts of any person, organization, corporation, partnership, limited liability company or association holding a promoter's license and permit under sections 317.001 to 317.021, derived from the sale, lease or other exploitation in this state of broadcasting, television, closed-circuit telecast, and motion picture rights for any professional boxing, sparring, professional wrestling, professional kickboxing, **professional ultimate fighting**, or professional full-contact karate contest. Such funds shall be paid to the division of professional registration which shall pay said funds into the state treasury to be set apart into a fund to be known as the "Athletic Fund";

(5) To assess a tax of twenty-five percent of the gross receipts of any person, organization, corporation, partnership, limited liability company or association derived from the sale, lease or other exploitation in this state of broadcasting, television, closed-circuit telecast, and motion picture rights for any combative fighting contest. Such funds shall be paid to the division of professional registration, which shall pay said funds into the state treasury to be set apart into a fund to be known as the athletic fund;

(6) Each cable television system operator whose pay-per-view facilities are utilized to telecast a bout or contest shall, within thirty calendar days following the date of the telecast, file a report with the office stating the number of orders sold and the price per order.

2. All fees established pursuant to sections 317.001 to 317.021 shall be

determined by the director by rule in such amount as to produce sufficient revenue to fund the necessary expenses and operating costs incurred in the administration of the provisions of sections 317.001 to 317.021. All expenses shall be paid as otherwise provided by law.

317.011. 1. The division of professional registration shall have the power, and it shall be its duty, to accept application for and issue permits to hold professional boxing, sparring, professional wrestling, professional kickboxing, **professional ultimate fighting**, or professional full-contact karate contests in the state of Missouri, and to charge a fee for the issuance of same in an amount established by rule; such funds to be paid to the division of professional registration which shall pay such funds into the state treasury to be set apart into the athletic fund.

2. The provisions of section 33.080, RSMo, to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds two times the amount of the appropriation from the fund for the preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the fund which exceeds the appropriate multiple of the appropriations from the fund for the preceding fiscal year.

3. The division of professional registration shall not grant any permit to hold professional boxing, sparring, professional wrestling, professional kickboxing, **professional ultimate fighting**, or professional full-contact karate contests in the state of Missouri except:

(1) Where such professional boxing, sparring, professional wrestling, professional kickboxing, **professional ultimate fighting**, or professional full-contact karate contest is to be held under the auspices of a promoter duly licensed by the division;

(2) Where such contest shall be of not more than fifteen rounds of three minutes each duration per bout; and

(3) Where a fee has been paid for such permit, in an amount established by rule.

4. In such contests a decision shall be rendered by three judges licensed by the division.

5. Specifically exempted from the provisions of chapter 317, are contests or exhibitions for amateur boxing, amateur kick-boxing, **amateur ultimate fighting**, amateur wrestling and amateur full-contact karate. However, all amateur boxing,

amateur kickboxing, **amateur ultimate fighting**, amateur wrestling and amateur full-contact karate must be sanctioned by a nationally recognized amateur sanctioning body approved by the office.

317.012. No license or permit will be issued for any contests known as "[ultimate] **combative** fighting" or any activities similar in nature. For purposes of this chapter, "[ultimate] **combative** fighting" shall mean a contest or bout whereby any part of the contestant's body may be used as a weapon or any means of fighting may be used with the specific purpose to intentionally injure the other contestants in such a manner that they may not defend themselves and in which there is no referee. No person, partnership, organization, corporation, limited liability company or association shall conduct, compete or otherwise participate in any contest or bout as defined in this section.

317.014. 1. Upon proper application by the director, or the director of the office, a court of competent jurisdiction may grant an injunction, restraining order or any other order as may be appropriate to enjoin a person, partnership, organization, corporation, limited liability company or association from:

(1) Promoting or offering to promote any professional boxing, sparring, professional wrestling, professional kickboxing, **professional ultimate fighting**, and professional full-contact karate contests in Missouri;

(2) Advertising or offering to advertise any professional boxing, sparring, professional wrestling, professional kickboxing, **professional ultimate fighting**, and professional full-contact karate contests in Missouri;

(3) Conducting or offering to conduct any professional boxing, sparring, professional wrestling, professional kickboxing, **professional ultimate fighting**, and professional full-contact karate contests in Missouri; or

(4) Competing or offering to compete in any professional boxing, sparring, professional wrestling, professional kickboxing, **professional ultimate fighting**, and professional full-contact karate contests in Missouri.

2. Any such actions shall be commenced either in the county in which such conduct occurred or in the county in which the defendant resides.

3. Any action brought under this section shall be in addition to, and not in lieu of, any penalty provided by law and may be brought concurrently with other actions to enforce this chapter.