

Act No. 217  
Public Acts of 1995  
Approved by the Governor  
November 30, 1995  
Filed with the Secretary of State  
December 1, 1995

**STATE OF MICHIGAN**  
**88TH LEGISLATURE**  
**REGULAR SESSION OF 1995**

Introduced by Senators Gougeon, Stallings, Shugars, Cisky and McManus

# **ENROLLED SENATE BILL No. 295**

AN ACT to amend sections 801, 803, 804, 805, 805a, 806, 810, 811, 812, and 813 of Act No. 299 of the Public Acts of 1980, entitled as amended "An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," sections 805, 806, 810, 811, and 812 as amended by Act No. 463 of the Public Acts of 1988 and section 805a as added by Act No. 257 of the Public Acts of 1994, being sections 339.801, 339.803, 339.804, 339.805, 339.805a, 339.806, 339.810, 339.811, 339.812, and 339.813 of the Michigan Compiled Laws; and to add sections 806b, 806c, and 806d.

*The People of the State of Michigan enact:*

Section 1. Sections 801, 803, 804, 805, 805a, 806, 810, 811, 812, and 813 of Act No. 299 of the Public Acts of 1980, sections 805, 806, 810, 811, and 812 as amended by Act No. 463 of the Public Acts of 1988 and section 805a as added by Act No. 257 of the Public Acts of 1994, being sections 339.801, 339.803, 339.804, 339.805, 339.805a, 339.806, 339.810, 339.811, 339.812, and 339.813 of the Michigan Compiled Laws, are amended and sections 806b, 806c, and 806d are added to read as follows:

Sec. 801. As used in this article:

- (a) "Amateur" means a person who is not competing and has never competed for a money prize or who is not competing and has not competed with or against a professional for a prize.
- (b) "Boxing club" means an organization affiliated with USA boxing.
- (c) "Professional" means a person who is competing or has competed for a money prize.
- (d) "School", "college", or "university" does not include an institution formed or operated principally to provide instruction in boxing and other sports.

Sec. 803. A person who has a material financial interest in any club, organization, or corporation, the main object of which is the holding or giving of boxing matches or exhibitions is not eligible for appointment to the board.

Sec. 804. (1) A boxing match or exhibition for prizes or purses, or for which an admission fee is charged or received, may be held within the state, subject to the direction, management, and control of the department.

(2) This article does not apply to boxing matches or exhibitions conducted by or participated in exclusively by a department or agency of the United States government or by a school, college, or university or by an association or

organization composed exclusively of these schools, colleges, or universities if each contestant in the match or exhibition is an amateur.

Sec. 805. (1) Except as otherwise provided in subsection (2), a boxing match or exhibition shall not be held or conducted within this state, except under a license issued by the department pursuant to this article, and the rules promulgated under this act.

(2) The department may issue, without the payment of a fee, a license to hold a boxing match or exhibition between professionals under the sponsorship of a civic organization or veterans' group if held for charitable purposes.

Sec. 805a. (1) This article does not apply to boxing elimination contests in which all of the following apply:

(a) The contestants compete for prizes only in elimination contests and are not also professional boxers competing in 4 or more rounds of nonelimination boxing.

(b) Each bout is scheduled to consist of 3 or fewer 1-minute rounds, with contests conducted on no more than 2 consecutive calendar days.

(c) Competing contestants are prohibited from boxing for more than 12 minutes on each contest day.

(d) The contestants participating in the elimination contest are insured by the promoter for all medical and hospital expenses to be paid to the contestants to cover injuries sustained in the contest.

(e) A licensed physician is in attendance at ringside and the physician has authority to stop the contest for medical reasons.

(f) All contestants pass a physical examination given by a licensed physician before the contest.

(g) A preliminary breath test is administered to each contestant which indicates a blood alcohol content of .02% or less.

(h) The promoter conducts the elimination contest in compliance with the following:

(i) A contestant who has lost by a technical knockout is not permitted to compete again for a period of 30 calendar days or until the contestant has submitted to the promoter the results of a physical examination equivalent to that required of professional boxers.

(ii) The ringside physician examines a contestant who has been knocked out in an elimination contest or whose fight has been stopped by the referee because he or she received hard blows to the head that made him or her defenseless or incapable of continuing immediately after the knockout or stoppage. The ringside physician may recommend post-fight neurological examinations, which may include computerized axial tomography (CAT) scans or magnetic resonance imaging (MRI), to be performed on the contestant immediately after the contestant leaves the location of the contest. The promoter shall not permit the contestant to compete until a physician has certified that the contestant is fit to compete. If the physician recommended further neurological examinations, the promoter shall not permit the contestant to compete until the promoter receives copies of examination reports demonstrating that the contestant is fit to compete.

(iii) The promoter shall require that a contestant who has sustained a severe injury or knockout in an elimination contest be examined by a physician. The promoter shall not permit the contestant to compete until the physician has certified that the contestant has fully recovered.

(iv) The promoter shall not permit a contestant to compete in an elimination contest for a period of not less than 60 days if he or she has been knocked out or has received excessive hard blows to the head that required the fight to be stopped.

(v) A contestant who has been knocked out twice in a period of 3 months or who has had excessive head blows causing a fight to be stopped shall not be permitted by a promoter to participate in an elimination contest for a period of not less than 120 days from the second knockout or stoppage.

(vi) A contestant who has been knocked out or had excessive hard blows to the head causing a fight to be stopped 3 times consecutively in a period of 12 months shall not be permitted by a promoter to participate in an elimination contest for a period of 1 year from the third knockout.

(vii) Before resuming competition after any of the periods of rest prescribed in subparagraphs (iv), (v), and (vi), a promoter shall require the contestant to produce a certification by a physician stating that the contestant is fit to take part in an elimination contest.

(2) As part of the physical examination given before the contest, the licensed physician or other trained person shall administer a preliminary breath test in compliance with standards imposed in rules promulgated by the department of state police regarding equipment calibration and methods of administration.

(3) The promoter shall keep a log of preliminary breath test results of contestants on file at its place of business for at least 3 years after the date of administration of the test. These results shall be made available to law enforcement officials upon request.

(4) An elimination contest held pursuant to this section is not considered to be in violation of the law.

Sec. 806. (1) A promoter, boxing club, physician, referee, judge, matchmaker, timekeeper, announcer, professional boxer, or a manager, or second of those persons shall obtain a license from the department before participating either directly or indirectly in a boxing contest.

(2) A person shall not profit directly or indirectly from a boxing contest or participate directly or indirectly in the contest or in the receipts from a contest unless that contest is licensed by the department in advance under the classifications designated in this article.

(3) Each application for a license shall be in writing, shall be verified by the applicant, and shall set forth those facts requested by and conform to the rules promulgated by the department, jointly with the board.

(4) The department shall issue a passport with each professional boxer's license.

(5) Each applicant for a license as a promoter, referee, or judge shall be of good moral character.

Sec. 806b. (1) A person seeking a license under this article as a judge or referee may be required to satisfactorily pass an examination acceptable to the board and the department.

(2) A person seeking a license under this article as a judge, referee, or boxer shall pass a physical examination acceptable to the board and present evidence of passage to the department.

(3) The department shall issue a license without an examination to a person who is licensed under this article on the effective date of the amendatory act that added this section upon application on a form provided by the department.

Sec. 806c. (1) In addition to the requirements of section 806(3) and (5), a person seeking a license as a professional referee shall unofficially referee a minimum of 300 rounds of amateur competitive or noncompetitive boxing in a facility that conducts an active boxing program.

(2) After a person has successfully completed the requirements of section 806(3) and (5) and subsection (1), the department may issue the person a limited license as a referee. Before the person is issued a full license as a referee, the person shall complete all of the following:

(a) Officiate not fewer than 12 4-round preliminary contests.

(b) Officiate not fewer than 6 6-round preliminary contests.

(c) Officiate not fewer than 4 8-round preliminary contests.

(3) After the requirements of subsection (2)(a) to (c) have been completed, the board shall review and evaluate the applicant's work.

Sec. 806d. (1) In addition to the requirements of section 806(3) and (5), a person seeking a license as a professional judge shall score, unofficially, not fewer than 200 rounds of professional boxing. In order to fulfill the requirements of this subsection, an applicant shall only unofficially judge contests that are approved by the department for that purpose. An applicant shall not receive compensation for judging contests under this subsection. Scorecards shall be transmitted to the department for review and evaluation.

(2) The department shall complete a standardized evaluation sheet for each contest judged by a licensee. The evaluation sheets periodically shall be reviewed and evaluated by the board.

Sec. 810. (1) A professional boxing contest shall be of not more than 10 rounds in length, except a contest which involves a national or international championship may last not more than 20 rounds in the determination of the department. The contestants shall wear during a contest gloves weighing at least 6 ounces each. Rounds shall be not longer than 3 minutes, with not less than 1-minute rest between rounds.

(2) A contestant in a professional or amateur boxing contest shall be certified to be in proper physical condition by an individual licensed as a physician before participating in a boxing contest.

Sec. 811. (1) At the expense of a promoter or boxing club, a physician shall be in attendance at each boxing contest. The physician shall observe the physical condition of the boxers and advise the referee or judges with regard to the health of the contestants. The physician shall examine each boxer before entering the ring.

(2) A promoter or boxing club shall file with the department the report of the physical examination of a contestant not later than 24 hours after termination of the contest.

(3) If, in the opinion of the physician, the health or safety of a boxer requires that the contest in which he or she is participating be terminated, the physician shall notify the referee. The referee shall terminate the contest.

Sec. 812. If a boxer loses consciousness during or as a result of a contest in which he or she participates, he or she shall not again be eligible to participate in a contest in this state unless examined by a physician appointed by the department and unless the physician certifies the boxer's fitness to participate. The boxer shall pay the cost of the examination.

Sec. 813. A licensee shall not participate in, or aid and abet in, a sham or fake boxing match or exhibition.

This act is ordered to take immediate effect.

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Secretary of the Senate.

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Clerk of the House of Representatives.

Approved -----

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Governor.