

# HOUSE BILL 795

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CF SB 649

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By: **Delegates Reznik, Ali, Cardin, Conaway, Davis, Feldman, Frick, Haddaway, Hammen, Ivey, Kaiser, King, Kipke, Manno, Rice, Schuler, Taylor, Vaughn, and Walker**

Introduced and read first time: February 6, 2008

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Athletics – Mixed Martial Arts – Regulation by State Athletic Commission –**  
3 **Boxing and Wrestling Tax**

4 FOR the purpose of prohibiting a person from participating as a mixed martial artist  
5 in a certain contest in the State unless the person has a license issued by the  
6 State Athletic Commission; requiring a mixed martial artist licensee to be  
7 examined by a certain physician under certain circumstances; requiring an  
8 applicant for a mixed martial artist license or licensee to provide certain  
9 documentary evidence about the results of certain medical tests under certain  
10 circumstances; establishing certain application fees for certain licenses;  
11 establishing the scope of a mixed martial artist license; altering the scope of  
12 certain licenses; authorizing the Commission to deny, reprimand, suspend, or  
13 revoke a mixed martial artist license under certain circumstances; requiring the  
14 Commission to suspend or revoke a mixed martial artist license under certain  
15 circumstances; requiring the Commission to require an individual to be  
16 examined by a certain physician before the individual may participate as a  
17 mixed martial artist in a contest under certain circumstances; authorizing the  
18 Commission to prohibit the individual from participating in a contest as a mixed  
19 martial artist under certain circumstances; authorizing a mixed martial artist  
20 to enter the ring only under certain circumstances; requiring a mixed martial  
21 artist to submit to a certain urine test and to wear certain gloves under certain  
22 circumstances; extending the application of certain prohibited acts and certain  
23 penalties to mixed martial artists; altering certain prohibited acts; extending  
24 the application of the boxing and wrestling tax to gross receipts derived from  
25 mixed martial arts contests; providing for the applicability of certain provisions  
26 of this Act; defining a certain term; altering certain definitions; making stylistic  
27 changes; and generally relating to the licensing of mixed martial artists and the  
28 regulation of mixed martial arts contests.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, with amendments,  
2 Article – Business Regulation  
3 Section 4–101; and 4–301, 4–302, 4–303(a), 4–304(a), 4–304.1(a) and (b),  
4 4–305(a), 4–308, 4–310, 4–314(a) and (c), 4–315, 4–316, 4–320, and 4–321  
5 to be under the amended subtitle “Subtitle 3. Boxing, Kick Boxing,  
6 Wrestling, and Mixed Martial Arts”  
7 Annotated Code of Maryland  
8 (2004 Replacement Volume and 2007 Supplement)

9 BY repealing and reenacting, with amendments,  
10 Article – Tax – General  
11 Section 6–101  
12 Annotated Code of Maryland  
13 (2004 Replacement Volume and 2007 Supplement)

14 BY repealing and reenacting, without amendments,  
15 Article – Tax – General  
16 Section 6–102  
17 Annotated Code of Maryland  
18 (2004 Replacement Volume and 2007 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article – Business Regulation**

22 4–101.

23 (a) In this title the following words have the meanings indicated.

24 (b) “Boxing” includes sparring.

25 (c) “Commission” means the State Athletic Commission.

26 (d) “Contest” means a boxing, kick boxing, [or] wrestling, **OR MIXED**  
27 **MARTIAL ARTS:**

28 (1) competition;

29 (2) exhibition;

30 (3) match;

31 (4) performance; or

32 (5) show.

1           **(E) “MIXED MARTIAL ARTS” MEANS A COMPETITION INVOLVING THE**  
2 **USE OF A COMBINATION OF TECHNIQUES FROM DIFFERENT DISCIPLINES OF**  
3 **THE MARTIAL ARTS, INCLUDING GRAPPLING, KICKING, AND STRIKING.**

4           **Subtitle 3. Boxing, Kick Boxing, [and] Wrestling, AND MIXED MARTIAL ARTS.**

5           **4–301.**

6           (a)     In this subtitle, “license” means a license issued by the Commission.

7           (b)     In this subtitle, “license” includes:

8                   (1)     a license to participate as a boxer in a contest;

9                   (2)     a license to participate as a kick boxer in a contest;

10                  (3)     a license to participate as a wrestler in a contest;

11                  (4)     **A LICENSE TO PARTICIPATE AS A MIXED MARTIAL ARTIST IN A**  
12 **CONTEST;**

13                   [[4]] (5)     a license to act as a manager for a boxer [or], kick boxer, **OR**  
14 **MIXED MARTIAL ARTIST;**

15                   [[5]] (6)     a license to act as a referee in a contest;

16                   [[6]] (7)     a license to act as a judge in a boxing [or], kick boxing, **OR**  
17 **MIXED MARTIAL ARTS** contest;

18                   [[7]] (8)     a license to act as a second in a contest;

19                   [[8]] (9)     a license to act as a matchmaker of a boxing [or], kick  
20 **boxing, OR MIXED MARTIAL ARTS** contest; and

21                   [[9]] (10)    a license to act as a promoter of a contest.

22           **4–302.**

23           (a)     Except as provided in subsection (b) of this section, this subtitle does not  
24 apply to:

25                   (1)     intercollegiate, interscholastic, or intramural boxing, kick boxing,  
26 [or] wrestling, **OR MIXED MARTIAL ARTS;**

27                   (2)     amateur boxing, kick boxing, or wrestling conducted under the  
28 supervision of a nationally recognized amateur organization; [or]

1           **(3) AMATEUR MIXED MARTIAL ARTS CONDUCTED UNDER THE**  
2 **SUPERVISION OF A NATIONALLY RECOGNIZED AMATEUR KICK BOXING**  
3 **ORGANIZATION OR MIXED MARTIAL ARTS ORGANIZATION OR BOTH; OR**

4           ~~[(3)]~~ **(4)** martial arts where:

5           (i) contact to the body is permitted in only a restrained manner;

6           (ii) contact to the head is not permitted; and

7           (iii) no contact is permitted that may result, or is intended to  
8 result, in physical harm to an opponent.

9           (b) Each boxer shall wear protective headgear in each amateur boxing match  
10 or exhibition.

11 4-303.

12           (a) A person may not participate as a boxer, kick boxer, [or] wrestler, **OR**  
13 **MIXED MARTIAL ARTIST** in a contest in the State unless the person has an  
14 appropriate license.

15 4-304.

16           (a) A licensee shall be examined by a licensed physician who is chosen by the  
17 Commission and who specializes in neurology or neurosurgery prior to the licensee's  
18 first appearance as a contestant in a kick boxing [or], boxing, **OR MIXED MARTIAL**  
19 **ARTS** contest following the issuance or renewal of a license.

20 4-304.1.

21           (a) Each applicant for a license to participate as a boxer [or], kick boxer, **OR**  
22 **MIXED MARTIAL ARTIST** in a contest shall present documentary evidence,  
23 satisfactory to the Commission, that:

24           (1) within the prior 30-day period, the applicant has been tested for  
25 the presence of:

26           (i) antibodies to the human immunodeficiency virus (HIV);

27           (ii) the antigen of virus hepatitis B; and

28           (iii) antibodies to virus hepatitis C; and

29           (2) the results of all tests are negative.

1 (b) Whenever directed by the Commission, an individual who is licensed to  
2 participate as a boxer [or], kick boxer, **OR MIXED MARTIAL ARTIST** in a contest shall  
3 present documentary evidence, satisfactory to the Commission, that:

4 (1) within 30 days prior to participating in a contest, the individual  
5 has been tested for the presence of:

6 (i) antibodies to the human immunodeficiency virus (HIV);

7 (ii) the antigen of virus hepatitis B; and

8 (iii) antibodies to virus hepatitis C; and

9 (2) the results of all tests are negative.

10 4-305.

11 (a) An applicant for a license shall:

12 (1) submit to the Commission an application on the form that the  
13 Commission provides; and

14 (2) pay to the Commission an application fee of:

15 (i) \$10 for a license to participate as a boxer, kick boxer, [or]  
16 wrestler, **OR MIXED MARTIAL ARTIST** in a contest or to act as a second in a contest;

17 (ii) \$15 for a license to act as a referee or judge in a contest;

18 (iii) \$25 for a license to act as a manager of a boxer [or], kick  
19 boxer, **OR MIXED MARTIAL ARTIST**;

20 (iv) \$25 for a license to act as a matchmaker of a contest; or

21 (v) \$150 for a license to act as a promoter of a contest.

22 4-308.

23 (a) A boxer license authorizes the licensee to participate as a boxer in a  
24 contest.

25 (b) A kick boxer license authorizes the licensee to participate as a kick boxer  
26 in a contest.

27 (c) A wrestler license authorizes the licensee to participate as a wrestler in a  
28 contest.





1 (a) The Commission shall require an individual to be examined by a licensed  
2 physician who is chosen by the Commission and who specializes in neurology or  
3 neurosurgery before the individual may participate as a boxer [or], kick boxer, **OR**  
4 **MIXED MARTIAL ARTIST** in a contest in the State if:

5 (1) the individual has participated as a contestant in more than 12  
6 boxing [or], kick boxing, **OR MIXED MARTIAL ARTS** contests in or out of the State;

7 (2) a ringside physician recommends the examination; or

8 (3) in 2 successive boxing [or], kick boxing, **OR MIXED MARTIAL ARTS**  
9 contests the individual:

10 (i) receives a technical knockout as a result of a neurological  
11 injury; or

12 (ii) is knocked out.

13 (c) On the basis of the neurological examination and the recommendation of  
14 the physician who conducts the examination, the Commission may find that the  
15 individual is not fit and may prohibit the individual from participating in a boxing  
16 [or], kick boxing, **OR MIXED MARTIAL ARTS** contest in the State.

17 4–315.

18 (a) A boxer [or], kick boxer, **OR MIXED MARTIAL ARTIST** shall be allowed to  
19 enter the ring only if:

20 (1) a physician approved by the Commission declares the boxer [or],  
21 kick boxer, **OR MIXED MARTIAL ARTIST** to be physically fit; and

22 (2) the boxer [or], kick boxer, **OR MIXED MARTIAL ARTIST** has  
23 complied with § 4–304.1 of this subtitle.

24 (b) Each boxer [or], kick boxer, **OR MIXED MARTIAL ARTIST** in a contest  
25 shall submit to a chemical test of the urine of the boxer [or], kick boxer, **OR MIXED**  
26 **MARTIAL ARTIST** to detect the presence of a controlled dangerous substance defined  
27 in § 5–101 of the Criminal Law Article or other substance that the Commission  
28 prohibits by regulation.

29 (c) Each boxer [or], kick boxer, **OR MIXED MARTIAL ARTIST** in a contest  
30 shall wear gloves that weigh at least 5 ounces.

31 (d) The Commission shall set the length in rounds of each boxing [and], kick  
32 boxing, **AND MIXED MARTIAL ARTS** contest.



1 4-316.

2 A boxer, kick boxer, [or] wrestler, **OR MIXED MARTIAL ARTIST** who  
3 participates in a fake contest:

4 (1) for the first offense, shall be prohibited for a period of 6 months  
5 beginning immediately after the offense from participating in a contest that is held by  
6 a person licensed to act as a promoter of a contest; and

7 (2) for the second offense, shall be disqualified from attendance at or  
8 participation in a contest that is held by a person licensed to act as a promoter of a  
9 contest.

10 4-320.

11 A promoter may not allow a person who does not have an appropriate license to  
12 participate as a boxer, kick boxer, [or] wrestler, **OR MIXED MARTIAL ARTIST** in a  
13 contest or to act as a manager, referee, judge, second, or matchmaker in a contest.

14 4-321.

15 A manager, second, matchmaker, promoter, or principal may not accept money  
16 or a gift from a boxer, exhibitor of boxing, kick boxer, [or] wrestler, **OR MIXED**  
17 **MARTIAL ARTIST** in return for a special privilege or for discriminating in making a  
18 match.

## 19 Article - Tax - General

20 6-101.

21 (a) In this title the following words have the meanings indicated.

22 (b) "Boxing or wrestling contest" means a boxing, kick boxing, sparring, [or]  
23 wrestling, **OR MIXED MARTIAL ARTS** contest, event, exhibition, or match.

24 (c) "Telecast" means:

25 (1) a closed circuit telecast;

26 (2) a subscription television broadcast; or

27 (3) a pay-per-view cable or satellite television broadcast.

28 6-102.

29 Except as provided in § 6-103 of this subtitle, a tax is imposed on gross receipts  
30 derived from:

1                   (1)     a charge for admission to a boxing or wrestling contest in the  
2 State; and

3                   (2)     a charge, by ticket or per event or occasion basis, to view a telecast  
4 of a boxing or wrestling contest in the State regardless of the origin of the telecast.

5                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
6 October 1, 2008.