

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

HOUSE BILL 1786
RATIFIED BILL

AN ACT TO DEFINE AND REGULATE MIXED MARTIAL ARTS, AND TO AUTHORIZE THE ALCOHOL LAW ENFORCEMENT DIVISION OF THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY TO ESTABLISH AND RAISE CERTAIN FEES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 143-651 reads as rewritten:

"§ 143-651. Definitions.

The following definitions apply in this Article:

- (1) Amateur. – A person who is not receiving or competing for and has never received or competed for any purse or other article or thing of value for participating in a match.
- (2) Announcer. – Any person who engages in the act of announcing a ~~boxing~~ match.
- (3) Boxer. – Any person who engages as a participant in a boxing match.
- (4) Boxing match. – A match where the participants engage in the use of full contact boxing techniques (using the fist only), and where the object of a match is to win by decision, knockout (KO), or technical knockout (TKO).
- (5) Repealed by Session Laws 2004-124, s. 18.2.(a), effective July 1, 2004.
- (6) Contest. – A ~~boxing~~ match in which the participants strive to win.
- (7) Contestant. – Any person who engages as a participant in a ~~boxing~~ boxing, kickboxing, or mixed martial arts match, ~~match, or toughman event~~.
- (7a) Division. – The Alcohol Law Enforcement Division of the Department of Crime Control and Public Safety.
- (8) Exhibition. – A ~~boxing~~ match where the participants display their ~~boxing~~ skills and technique without necessarily striving to win.
- (9) Judge. – A person who has a vote in determining the winner of any match or contest.
- (10) Kickboxer. – Any person who engages as a participant in a kickboxing match.
- (11) Kickboxing match. – A match in which the participants engage in full contact martial arts fighting techniques using the hands and the feet, and where the object of the match is to win by decision, knockout (KO), or technical knockout (TKO).
- (12) Licensee. – Any person, club, corporation, organization, or association to whom a license has been issued pursuant to the provisions of this Article.
- (13) Manager. – Any person who controls or administers the ~~boxing~~ affairs of any contestant, and who:
 - a. By contract, agreement, or other arrangement with any person undertakes or has undertaken to represent in any way the interest of the contestant in any professional ~~boxing~~ contest in

- which the ~~boxer-contestant~~ is to participate as a ~~contestant~~, and is entitled under that contract, agreement, or arrangement to receive monetary or other compensation for his or her services, without regard to the sources of the compensation. The term "manager" shall not be construed to mean any attorney licensed to practice in this State whose participation in the activities is restricted solely to representing the interests of a professional ~~boxer-contestant~~ as a client.
- b. Directs or controls the professional ~~boxing~~ activities of any professional ~~boxer-contestant~~.
 - c. Receives or is entitled to receive a percentage of the gross purse or gross income of any professional ~~boxing~~ contest.
- (14) Match. – Any ~~boxing or kickboxing~~ boxing, kickboxing, or mixed martial arts contest or exhibition, or toughman event, and includes any event, engagement, sparring or practice session, show or program where the public is admitted and in which there is intended to be physical contact, whether an exhibition or contest. This definition does not include training or practice sessions when no admission is charged.
 - (15) Matchmaker. – A person through whom matches are arranged for participants and who otherwise assists participants in procuring engagement ~~dates for boxing dates~~.
 - (15a) Mixed martial artist. – Any person who engages as a participant in a mixed martial arts match.
 - (15b) Mixed martial arts. – A form of sporting martial arts that uses a variety of martial arts techniques to deliver blows with the hands, elbows, and any part of the leg below the hip, including the knee and foot, and also uses boxing, wrestling, and grappling techniques.
 - (16) Natural person. – An individual.
 - (17) Participant. – Any person who engages in a match or exhibition and performs as a ~~boxer~~ boxer, kickboxer, or mixed martial artist.
 - (18) Person. – An individual, group of individuals, business, corporation, limited liability company, partnership, or any other individual or collective entity.
 - (19) Physician. – An individual licensed to practice medicine in this State.
 - (20) Professional. – Any person who is licensed as a ~~professional boxer under the federal Professional Boxing Safety Act of 1996~~ contestant and receives compensation for participating in matches.
 - (21) Promoter. – Any person who produces, arranges, stages, holds, or gives any match in North Carolina involving a professional participant.
 - (22) Referee. – The official who shall enter and remain in the ring for the duration of a match and shall enforce the rules and maintain order in the ring.
 - (23) Ring official. – Any person who performs an official function for the duration of a match.
 - (23a) Sanctioned amateur. – A person who competes in a sanctioned amateur match.
 - (23b) Sanctioned amateur match. – Any ~~boxing or kickboxing~~ match regulated by an amateur sports organization that has been recognized and approved by the Division.
 - (24) Second. – Any person who will work or be present in the corner of a participant for the duration of a match.
 - (25) Timekeeper. – Any person who will operate the clock or watch for the duration of a match for the purpose of keeping the official time of the match.

- (25a) Toughman contestant. – Any person who competes in a toughman event.
- (25b) Toughman event. – An elimination program of matches in which (i) the contestants are not professional boxers, (ii) the finalist receives a purse or other article of value, (iii) the participants engage in the use of full contact boxing techniques, and (iv) the object of each match is to win by decision, knockout (KO), or technical knockout (TKO).
- ~~(26) Ultimate warrior match. — A match where the participants use any combination of boxing, kicking, wrestling, hitting, punching, or other combative, contact techniques and which combination of techniques is not specifically authorized by and conducted pursuant to this Article.~~
- (27) Unarmed combat. – A match consisting of any combination of boxing, kicking, wrestling, hitting, punching, or other combative contact techniques which may reasonably be expected to inflict injury to opponents."

SECTION 2. G.S. 143-652.1 reads as rewritten:

"§ 143-652.1. Regulation of ~~Boxing, boxing, kickboxing, mixed martial arts, and toughman events.~~

The Alcohol Law Enforcement Division of the Department of Crime Control and Public Safety shall regulate live ~~boxing and kickboxing~~ boxing, kickboxing, and mixed martial arts matches, whether professional, amateur, ~~or sanctioned amateur~~, or toughman events, in which admission is charged for viewing, or the contestants compete for a purse or prize of value greater than twenty-five dollars (\$25.00). The Division shall have the exclusive authority to approve and issue rules for the regulation of the conduct, promotion, and performances of live boxing, kickboxing, and mixed martial arts sanctioned amateur, amateur, and toughman matches and exhibitions ~~exhibitions, whether professional, amateur, or sanctioned amateur, and toughman events~~ in this State. The rules shall be issued pursuant to the provisions of Chapter 150B of the General Statutes and may include, without limitation, the following subjects:

- (1) Requirements for issuance of licenses and permits required by this Article.
- (2) Regulation of ticket sales.
- (3) Physical requirements for contestants, including classification by weight and skill.
- (4) Supervision of matches and exhibitions by licensed physicians and referees.
- (5) Insurance and bonding requirements.
- (6) Compensation of participants and licensees.
- (7) Contracts and financial arrangements.
- (8) Prohibition of dishonest, unethical, and injurious practices.
- (9) Facilities.
- (10) Approval of sanctioning amateur sports organizations.
- (11) Procedures and requirements for compliance with the Professional Boxing Safety Act of 1996."

SECTION 3. G.S. 143-653 reads as rewritten:

"§ 143-653. ~~Ultimate warrior~~ Unauthorized matches prohibited.

~~Ultimate warrior matches, whether the participants are professionals or amateurs, are prohibited. No person shall promote, conduct, or engage in ultimate warrior matches.~~ an unarmed combat match, whether the participants are professional or amateur, except as authorized by this Article. This section shall not preclude ~~boxing and kickboxing as regulated in this Article~~ or professional wrestling."

SECTION 4. G.S. 143-654(c) reads as rewritten:

"(c) Surety Bond. – An applicant for a promoter's license must submit, in addition to any other forms, documents, or exhibits requested by the Division, a surety bond payable to the Division for the benefit of any person injured or damaged by (i) the

promoter's failure to comply with any provision of this Article or any rules adopted by the Division or (ii) the promoter's failure to fulfill the obligations of any contract related to the holding of a ~~boxing event match~~. The surety bond shall be issued in an amount to be no less than ~~five ten thousand dollars (\$5,000)-(\$10,000)~~. The amount of the surety bond shall be negotiable upon the sole discretion of the Division. All surety bonds shall be upon forms approved by the Secretary of Crime Control and Public Safety and supplied by the Division."

SECTION 5. G.S. 143-655 reads as rewritten:

"§ 143-655. **Fees; State Boxing Revenue Account.**

(a) License Fees. – The Division shall collect the following license fees:

| | |
|------------|------------------------------|
| Announcer | \$50.00 \$75.00 |
| Contestant | \$25.00 \$37.50 |
| Judge | \$50.00 \$75.00 |
| Manager | \$100.00 \$150.00 |
| Matchmaker | \$200.00 \$300.00 |
| Promoter | \$300.00 \$450.00 |
| Referee | \$50.00 \$75.00 |
| Timekeeper | \$50.00 \$75.00 |
| Second | \$25.00 \$37.50. |

The annual license renewal fees shall not exceed the initial license fees.

(b) Permit Fees. – The Division may establish a fee schedule for permits issued under this Article. The fees may vary depending on the seating capacity of the facility to be used to present a match. The fee may not exceed the following amounts:

| Seating Capacity | Fee Amount |
|------------------|-------------------------------|
| Less than 2,000 | \$100.00 \$150.00 |
| 2,000 – 5,000 | \$200.00 \$300.00 |
| Over 5,000 | \$300.00 \$450.00. |

(b1) Admission Fees. – The Division shall collect a fee in the amount of one dollar and fifty cents (\$1.50) per each ticket sold to attend events regulated in this Article.

(c) State Boxing Revenue Account. – There is created the State Boxing Revenue Account within the Department of Crime Control and Public Safety. Monies ~~[moneys]~~ collected pursuant to the provisions of this Article shall be credited to the Account and applied to the administration of the Article."

SECTION 6. G.S. 143-656 reads as rewritten:

"§ 143-656. **Contracts and financial arrangements.**

Any contract between licensees and related to a ~~boxing~~ match or exhibition held or to be held in this State must meet the requirements of administrative rules as set forth by the Division. Any contract which does not satisfy the requirements of the administrative rules shall be void and unenforceable. All contracts shall be in writing."

SECTION 7. G.S. 143-657.1 reads as rewritten:

"§ 143-657.1. **Sanctioned amateur matches.**

In addition to the other applicable provisions of this Article, a sanctioned amateur match shall be conducted pursuant to the rules of the sports organization sanctioning the ~~boxing~~ match or exhibition."

SECTION 8. The Alcohol Law Enforcement Division of the Department of Crime Control and Public Safety shall, as soon as practicable, adopt permanent rules to regulate mixed martial arts, as authorized by this act.

SECTION 9. This act is effective when it becomes law and applies to matches held, and licenses and permits issued, on or after that date, except that no license or permit for mixed martial arts shall be issued by the Division until the rules required under Section 8 of this act become effective.

In the General Assembly read three times and ratified this the 2nd day of August, 2007.

Beverly E. Perdue
President of the Senate

Joe Hackney
Speaker of the House of Representatives

Michael F. Easley
Governor

Approved _____ .m. this _____ day of _____, 2007