

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1197 Session of
1989

INTRODUCED BY LINTON, OLIVER AND MILLER, APRIL 17, 1989

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF
REPRESENTATIVES, AS AMENDED, JUNE 12, 1989

AN ACT

1 Reestablishing the State Athletic Commission; providing for an
2 Executive Director and a Medical Advisory Board; permitting
3 and regulating boxing contests and exhibitions; requiring
4 licenses and permits; providing for the granting, suspension
5 and revocation of licenses and permits issued by the State
6 Athletic Commission; preserving the rights of existing
7 licensees and permittees; prescribing penalties, fines,
8 forfeitures and misdemeanors; requiring bonds and insurance;
9 providing for rules and regulations; imposing a tax on
10 certain receipts; AND establishing a restricted account for <—
11 such receipts.; ~~and making a temporary appropriation.~~ <—

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11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 CHAPTER 1
14 PRELIMINARY PROVISIONS

15 Section 101. Short title.

16 This act shall be known and may be cited as the Athletic
17 Code.

18 Section 102. Definitions.

19 The following words and phrases when used in Chapters 1
20 through 17 of this act shall have the meanings given to them in
21 this section unless the context clearly indicates otherwise:

22 "Amateur." A person who has never received nor competed for
23 any purse or other article of value, either for participating in
24 any boxing contest or exhibition, or for the expenses of
25 training therefor other than a prize which does not exceed \$50
26 in value.

27 "Boxing." The act of attack and defense with the fists,
28 practiced as a sport, subject to rules adopted by the
29 commission. The term includes all variations of the sport
30 permitting or using other parts of the human body, including,

1 but not limited to, the foot, knee, leg, elbow or head.

2 "Commission." The State Athletic Commission.

3 "Contest." An engagement in which the boxers strive
4 earnestly in good faith to win.

5 "Department." The Department of State of the Commonwealth.

6 "Executive director." The Executive Director of the State
7 Athletic Commission.

8 "Exhibition." An engagement in which the boxers show or
9 display their skill without necessarily striving to win.

10 "Foreign copromoter." A promoter who has no place of
11 business within this Commonwealth.

12 "Judge." A person, other than a referee, who has a vote in
13 determining the winner of any boxing contest.

14 "Manager." A person who, directly or indirectly, controls or
15 administers the affairs of any boxer.

16 "Matchmaker." A person who brings together professional
17 boxers or arranges professional boxing contests or exhibitions.

18 "Participant." A boxer who takes part in a boxing contest or
19 exhibition.

20 "Physician." An individual licensed to practice medicine and
21 surgery or osteopathy or osteopathic surgery in this
22 Commonwealth.

23 "Professional." A person who has received or competed for,
24 or is receiving or competing for, any purse or other article of
25 value, other than a prize which does not exceed \$50 in value,
26 either for participating in any boxing contest or exhibition or
27 for the expenses of training therefor.

28 "Promoter." Any person, and in the case of a corporate
29 promoter, any officer, director, employee or stockholder
30 thereof, who produces, arranges or stages any professional

1 boxing contest or exhibition.

2 "Purse." The financial guarantee or any other remuneration,
3 or part thereof, for which professional boxers are participating
4 in a contest or exhibition. The term includes the participant's
5 share of any payment received for radio broadcasting, television
6 and motion picture rights.

7 "Secretary." The Secretary of the Commonwealth.

8 Section 103. Act not to apply to schools.

9 No provision of this act nor any rule or regulation
10 promulgated hereunder shall apply to any boxing contest or
11 exhibition conducted or sponsored by any university, college,
12 secondary school or group of universities, colleges or secondary
13 schools or the Department of Corrections when all the
14 participants are students regularly enrolled in such
15 institutions or inmates confined within a State or county
16 correctional facility.

17 CHAPTER 3

18 COMMISSION; STAFF; MEDICAL ADVISORY BOARD

19 Section 301. State Athletic Commission.

20 (a) Composition.--The commission shall be comprised of three
21 members appointed by the Governor with the advice and consent of
22 a majority of the members elected to the Senate, one of whom
23 shall be a medical doctor or doctor of osteopathy licensed to
24 practice in this Commonwealth, with experience in sports
25 medicine. The Governor shall designate one of the members as a
26 chairman for a term of two years. The secretary shall be an ex
27 officio member of the commission.

28 (b) Appointments.--Each appointment shall be for a term of
29 two years. The terms of the members of the commission appointed
30 prior to the effective date of this act shall terminate on the

1 effective date of this act. Any commissioner so terminated shall
2 continue to hold office until his successor shall be appointed
3 pursuant to subsection (a).

4 (c) Compensation.--Each commissioner, except the secretary
5 and chairman, shall receive a salary of \$10,000 annually. The
6 chairman shall receive a salary of \$10,500 annually. The
7 commissioners shall also receive reasonable and necessary travel
8 expenses incurred in the performance of their duties as members
9 of the commission.

10 (d) Removal.--Except as authorized pursuant to this section,
11 no commissioner may be removed from office during his term. The
12 Governor may, upon clear and convincing evidence of misfeasance
13 or malfeasance in office or neglect of duty, remove a
14 commissioner prior to the expiration of his or her term. The
15 Governor shall then provide the commissioner so removed with a
16 detailed written statement of the reasons for his removal.

17 (e) Quorum requirement.--Two members of the commission shall
18 constitute a quorum.

19 Section 302. Duties of commission.

20 (a) Meetings.--The commission shall hold regular monthly
21 meetings to carry out the requirements of this act, which shall
22 include the consideration of any rules, regulations or
23 amendments thereto which are recommended by the executive
24 director. The meetings shall be open to the public. The meeting
25 times shall be scheduled one year in advance, and be published
26 in the Pennsylvania Bulletin.

27 (b) General duties.--Except as provided in section 103, the
28 commission is hereby granted authority to establish policy and
29 shall be directed to promulgate rules and regulations regarding
30 all the true sports of professional boxing and wrestling

1 contests, as distinguished from professional wrestling
2 exhibitions, held within this Commonwealth, except such contests
3 and exhibitions as are specifically exempted from the provisions
4 of this act.

5 Section 303. Appointment and qualifications of executive
6 director.

7 The secretary shall appoint an executive director of the
8 commission. The executive director shall have administrative
9 experience and other qualifications indicating he is familiar
10 with the activities to be regulated by this act and shall serve
11 at the pleasure of the secretary. The director's salary shall be
12 fixed by the secretary with the approval of the Governor, and
13 the director shall hold no other paid public position.

14 Section 304. Powers and duties of executive director.

15 The executive director shall supervise the administrative
16 work of the commission. The executive director shall have the
17 power and his duty shall be:

18 (1) To attend monthly meetings of the commission.

19 (2) To recommend to the commission suspension or
20 revocation of any license or permit issued pursuant to this
21 act for violations of any provisions of this act or the rules
22 and regulations of the commission, or when such action is
23 necessary to protect the public welfare.

24 (3) To supervise and direct staff appointed by the
25 secretary engaged in work directly related to the
26 implementation of this act.

27 (4) To prepare and recommend to the commission rules and
28 regulations and amendments thereto.

29 (5) To implement and supervise a drug testing program of
30 all athletes licensed under this act, in consultation with

1 the Medical Advisory Board and the Secretary of Health or his
2 designee.

3 (6) To present the standing committees of both Houses of
4 the General Assembly with an annual review of the
5 commission's rules and regulations.

6 (7) To establish and maintain a record of all athletes
7 licensed under this act, showing for each licensee the
8 following: the date licensed, the results of prefight and
9 postfight physicals, any fictitious or assumed names by which
10 the licensee competes, the number and dates of any
11 suspensions of the athlete, the dates when the athlete is
12 knocked out and the athlete's record from other states.

13 (8) To administer and make effective the provisions of
14 this act and the rules made thereunder.

15 (9) To conduct a substantial portion of the activities
16 required by this act at a single central location, wherein
17 all records of the commission shall be maintained.

18 (10) To prepare an annual budget for the consideration
19 of the commission, showing the costs of operation and
20 revenues received in the previous fiscal year and the
21 estimated costs of operations and revenues to be received in
22 the next fiscal year. The budget shall be approved by the
23 commission and forwarded to the secretary in a timely fashion
24 for his review and inclusion in the budget request of the
25 department.

26 (11) To aid the commission in the promotion of boxing
27 contests in the Commonwealth.

28 Section 305. Medical Advisory Board.

29 Within 60 days of the effective date of this act, the
30 commission shall appoint five physicians to serve on a Medical

1 Advisory Board for a term of two years. Each member shall be
2 paid a per diem rate to be established by the secretary, but not
3 in excess of \$150 per day. The Medical Advisory Board shall
4 issue an annual report to the commission which shall include a
5 review of the health status of each boxer who actually competed
6 during the prior fiscal year to identify those who may be at
7 risk of serious physical impairment and a review of the health
8 and safety regulations promulgated by the commission to
9 recommend changes or additions thereto.

10 CHAPTER 5

11 REGULATIONS OF BOXING CONTESTS AND EXHIBITIONS

12 Section 501. Boxing regulated.

13 Professional boxing contests or exhibitions, including kick
14 boxing, shall be held within this Commonwealth only in
15 accordance with the provisions of this act and the rules and
16 regulations promulgated hereunder. The contests or exhibitions
17 may be held on Sundays.

18 Section 502. Age of participants.

19 (a) General rule.--No person under the age of 18 shall be a
20 participant in any boxing contest or exhibition.

21 (b) Exception.--

22 (1) Any person between 12 and 17 years of age may
23 participate in amateur boxing contests or exhibitions under
24 such rules and regulations as the commission shall prescribe.

25 (2) Any person between 12 and 17 years of age may
26 participate after obtaining written permission from a parent
27 or legal guardian, as well as consent by the executive
28 director.

29 (3) Persons 12 to 16 years of age may only participate
30 in such contests with persons not more than one year older.

(c) Junior olympics.--The limitations set forth in subsections (a) and (b) shall not apply to sanctioned boxing events for the junior olympics under the direction of a national governing organization certified by the commission. For purposes of the junior olympic events, participants, with the written permission of a parent or legal guardian, may box only in the following age divisions:

(1) Ten and eleven years of age.

(2) Twelve and thirteen years of age.

(3) Fourteen and fifteen years of age.

Under no circumstances shall any participant take part in any event outside of the approved division for such age group.

Section 503. Fictitious names.

No person shall participate in any amateur boxing contest or exhibition under a fictitious or assumed name, unless such fictitious or assumed name has first been registered with the commission.

Section 504. Physician to be in attendance.

A physician shall be assigned to every boxing contest or exhibition by the executive director. The physician shall observe and continue to observe the physical condition of the participants and is authorized to stop any contest or exhibition at any time to examine a contestant and to terminate a bout when, in the judgment of the physician, severe injury could result to a contestant if the contest or exhibition were to continue. The commission shall establish by rule or regulation a schedule of fees to be paid to physicians for their services. The physician's fee shall be paid by the promoter of the contest or exhibition attended by the physician.

Section 505. Medical training seminars.

1 The commission shall conduct frequent mandatory medical
2 training seminars at least three times a year for all ring
3 personnel, commission personnel and other designated persons
4 employed by the secretary.

5 Section 506. Register.

6 The executive director shall establish and maintain a
7 register for all professional boxers licensed in this
8 Commonwealth. The register shall include a photograph of the
9 boxer. In the register, the executive director shall record the
10 results of each boxing contest or exhibition the boxer is
11 involved in, including technical knockouts, knockouts and other
12 boxing-related injuries, as well as the dates of each contest or
13 exhibition and the record of wins and losses.

14 Section 507. Medical equipment.

15 No professional boxing event shall be started unless there is
16 on the premises:

17 (1) An ambulance, together with emergency equipment.

18 (2) A portable resuscitator with oxygen and appropriate
19 endotracheal tubes and a qualified operator.

20 Section 508. Suspension.

21 For sound medical reasons and to protect the individual
22 boxers, the commission shall establish mandatory license
23 suspensions of those persons who sustain certain injuries. The
24 commission may suspend a boxer's license for up to:

25 (1) Sixty days for a laceration of the face.

26 (2) Thirty days for a technical knockout with minor
27 injuries.

28 (3) Forty-five days for head injuries.

29 (4) Ninety days for a boxer receiving a knockout. Such
30 boxer shall receive an EEG within 24 hours of the knockout.

1 Section 509. Examinations.

2 (a) Prefight physical.--

3 (1) In addition to any other examination required by
4 this act or the rules and regulations promulgated hereunder,
5 each boxer must be examined by the attending physician within
6 two hours before he enters the ring. If, in the opinion of
7 the physician, any boxer is physically or mentally unfit to
8 proceed, the physician shall notify the person in charge, who
9 shall immediately cancel the contest or exhibition.

10 (2) This required examination shall conform to the rules
11 and regulations promulgated by the commission.

12 (b) Postfight physical.--In addition to the examination
13 required in this act, every boxer shall be examined by a
14 physician designated by the executive director during the five
15 days following every contest or exhibition in which he was a
16 participant. Such examination shall be performed at the expense
17 of the promoter.

18 (c) Filing of results of physicals.--The results of the
19 examinations required by this section shall be reduced to
20 writing by the physician, signed by him and filed with the
21 commission within 48 hours after they have been performed.

22 Section 510. Weights and classes.

23 The commission shall establish classes of boxers by rules and
24 regulations promulgated under this act. Such classes shall be
25 based upon weights.

26 Section 511. Limitation on difference in weights.

27 No contest or exhibition shall be lawful in which the
28 difference in weight of the participants exceeds ten pounds.
29 This limitation shall not apply to contests or exhibitions
30 between participants in the light-heavyweight and heavyweight

1 classes, as defined by the commission, nor to exhibitions held
2 solely for training purposes.

3 Section 512. Gloves.

4 (a) General rule.--All boxers licensed under this act shall
5 be required to use thumbless or thumb-attached gloves. The
6 appropriate weight boxing gloves shall be worn by boxers as
7 follows:

8 (1) One hundred thirty-five pounds or under, boxing
9 gloves weighing not less than five ounces each.

10 (2) Over 135 pounds but not exceeding 160 pounds, boxing
11 gloves weighing not less than six ounces each.

12 (3) Over 160 pounds, boxing gloves weighing not less
13 than ten ounces each.

14 (b) Violation.--A violation of this section may subject the
15 participant, promoter and/or manager to suspension of not less
16 than 30 days or revocation of their licenses, at the discretion
17 of the commission, pursuant to section 1504.

18 Section 513. Duration of boxing bouts; length of rounds.

19 (a) Length of contest.--No boxing contest or exhibition
20 shall be more than 12 rounds in length, except for championship
21 contests sanctioned by recognized international or national
22 authorities, which may be up to 15 rounds in length.

23 (b) Duration of round.--No round shall be more than three
24 minutes in duration.

25 (c) Mandatory rest period.--There shall be at least a one
26 minute rest between consecutive rounds.

27 (d) Limitation on participation.--No boxer shall participate
28 in, nor be scheduled to participate in, more than 15 rounds
29 within 72 consecutive hours.

30 (e) Limitation on rounds.--The commission may, in respect to

1 any contest or exhibition or in respect to any class of
2 participants, limit the number of rounds in a contest or
3 exhibition to less than the maximum of 15 rounds.

4 Section 514. Attendance of referee and judges; scoring.

5 (a) Referee.--At each professional boxing contest or
6 exhibition, except an exhibition held solely for training
7 purposes, there shall be in attendance, at the expense of the
8 promoter, a duly licensed referee designated by the executive
9 director, who shall direct and control the contest or
10 exhibition.

11 (b) Judges.--There shall also be in attendance at every
12 boxing contest, at the expense of the promoter, two licensed
13 judges, each of whom shall, together with the referee, render
14 his individual decision, in writing, on a scorecard supplied by
15 the executive director at the end of every boxing contest which
16 continues for the scheduled number of rounds. Each judge and the
17 referee shall have one vote, and a majority of the votes cast
18 shall determine the winner.

19 (c) Scoring.--The commission shall by rule or regulation
20 prescribe the methods of scoring.

21 Section 515. Seconds.

22 Before the start of any boxing contest or exhibition, the
23 referee shall ascertain from each participant the name of the
24 chief second. The chief second shall be held responsible for the
25 conduct of his assistants during the contest or exhibition.

26 Section 516. Duty of disclosure.

27 Every licensee shall, immediately after learning thereof,
28 disclose to the executive director or his designee, or to the
29 official in charge or the attending physician or referee if one
30 of these persons is in attendance at any contest or exhibition,

1 all knowledge or information in his possession concerning any
2 mental or physical disability, injury, illness or incapacity of
3 any boxer.

4 Section 517. Sham or collusive contest prohibited.

5 (a) General rule.--No licensee or other person shall
6 knowingly conduct, give, participate in or be in any way
7 connected with any sham or collusive boxing contest.

8 (b) Reports.--Any licensee who knows or has reason to
9 suspect that a boxing contest is, was or is going to be a sham
10 or collusive contest shall have a duty to promptly report this
11 to the executive director or his designee. Such a report shall
12 be in writing or, if oral, shall be reduced to writing and shall
13 contain all of the reporter's reasons for the conclusions set
14 forth in his report.

15 (c) Definition.--A sham or collusive contest is one in which
16 one or both of the participants does not use his best efforts
17 and skill or does not strive earnestly in good faith to win. It
18 includes, but is not limited to, any pseudo contest, the result
19 of which has been prearranged or any pseudo contest in which
20 either participant does not, is not going to, or is unable to
21 use or is prevented from using his best efforts and skill as a
22 result of coercion, bribery, duress, threats, reward or promise
23 thereof, physical incapacity or disability, suggestion or
24 agreement, or any other improper or unlawful means.

25 (d) Penalty.--A violation of this section shall constitute a
26 misdemeanor of the third degree.

27 Section 518. Minimum purses for boxers.

28 No purse less than \$50 shall be paid by the promoter to any
29 professional boxer for any contest or exhibition, other than a
30 training exhibition.

1 Section 519. Distribution of purses to boxers; statements.

2 (a) Promoter distribution.--Unless otherwise directed by the
3 executive director, all boxing purses shall be distributed by
4 the promoter not later than 24 hours after the conclusion of the
5 contest or exhibition for which the purse is being paid. A
6 written statement showing the distribution of the purse,
7 including each item of receipt and each expenditure or
8 deduction, shall be furnished to the boxer and his manager,
9 together with his share of the purse, and a copy thereof
10 certified by the promoter to be true and correct shall be filed
11 in the office of the executive director. Receipted vouchers for
12 every expenditure or deduction shall be attached to the copy
13 filed with the department.

14 (b) Manager distribution.--Unless otherwise directed by the
15 executive director, every manager shall furnish a statement of
16 distribution to the boxer he manages, together with the boxer's
17 share of the purse, not later than 24 hours after he receives
18 the purse and statement from the promoter. A copy thereof,
19 certified by the manager to be true and correct, shall be filed
20 in the office of the department, and it shall have attached to
21 it receipted vouchers for every expenditure or deduction made by
22 the manager.

23 Section 520. Withholding of moneys.

24 (a) General rule.--The commission shall have the power to
25 order the promoter to withhold any purse, or any part thereof,
26 or any receipts or other funds belonging to or payable to any
27 contestant or for which any contestant is competing or of any
28 manager's share of, if it should appear that such contestant is
29 not competing honestly or is intentionally not competing to the
30 best of his ability and skill, or if it should appear that the

1 contestant, his manager or any of his seconds has violated any
2 provision of this act or the rules and regulations promulgated
3 under this act.

4 (b) Escrow.--The commission shall have the power to order
5 that the gross receipts shall be withheld and placed in escrow
6 if it should appear that the act has been violated.

7 Section 521. Hearing regarding withheld purse.

8 (a) Delivery to commission.--Any purse, or portion thereof,
9 so withheld shall be delivered by the promoter to the commission
10 within 48 hours after the end of the contest.

11 (b) Request for hearing.--Within ten days after the end of
12 the contest, the licensee from whom the sum was withheld shall
13 have the right to apply in writing to the commission for a
14 hearing. Upon receipt of such application, the commission shall
15 fix a date for a hearing.

16 Section 522. Hearing, disposition of withheld purse.

17 (a) General rule.--Within a reasonable time after the
18 hearing or after the expiration of ten days following the
19 contest, if no application for a hearing is filed, the
20 commission shall determine the disposition to be made of the
21 withheld purse.

22 (b) Withholding.--If the commission finds the charge or
23 charges upon which the withholding order was based to be true
24 and to be sufficient lawful reason upon which to base such an
25 order, it may, in its discretion, declare the funds withheld, or
26 any part thereof, forfeited.

27 (c) Distribution.--If the commission finds the charge or
28 charges to be untrue or not to be sufficient lawful reason upon
29 which to base a withholding order, it shall distribute the
30 withheld funds to the persons entitled thereto.

1 Section 523. Payments regulated.

2 (a) General rule.--No promoter or foreign copromoter shall
3 pay, lend or give any money to a contestant before any boxing
4 contest as an advance against his purse or for a similar
5 purpose. A promoter may, with the prior written permission of
6 the commission, pay or advance to a contestant necessary
7 expenses for transportation and maintenance in preparation for a
8 contest.

9 (b) Forfeiture of purse.--If a contestant's purse is
10 forfeited, the commission may include such payments or advances
11 as part of the forfeiture, and, if he does not forward such
12 amount to the department, it may be recovered in the same manner
13 as a debt due the Commonwealth.

14 Section 524. Insurance.

15 The commission may, by rules and regulations, require
16 licensed boxers to be covered by insurance for:

17 (1) Medical, surgical and hospital care resulting from
18 injuries sustained while preparing for or engaged in boxing
19 contests or exhibitions with the insured being the
20 beneficiary of such policies.

21 (2) Life, providing for payments to the estates or
22 beneficiaries of deceased boxers where death was caused by
23 injuries received while preparing for or engaged in boxing
24 contests or exhibitions.

25 The premiums for such insurance shall be paid by the insured's
26 manager.

27 CHAPTER 7

28 SAFETY REGULATIONS

29 Section 701. Mandatory eight count.

30 Whenever a boxer is knocked down, the boxer shall be required

1 to take a count of eight. The referee shall not permit the
2 contest or exhibition to be resumed until the count of eight has
3 actually been reached, except in professional championship
4 boxing contests and exhibitions.

5 Section 702. Knockout.

6 When a boxer is actually knocked out, the referee shall count
7 to ten, and shall not stop the count earlier and record a
8 technical knockout.

9 Section 703. Physician at knockout.

10 When a boxer has been knocked out, no one shall touch him,
11 except to remove his mouth protector, until after the attending
12 physician has entered the ring and issued such instructions as
13 he deems necessary.

14 Section 704. Ring padding.

15 All ring padding shall be subject to approval of the
16 commission. All padding shall be of soft felt, foam rubber or
17 similar material and shall be at least two inches thick.

18 Section 705. Boxer knocked unconscious.

19 A boxer who has been knocked unconscious or who has received
20 a concussion shall not be allowed to box again for 90 days, and
21 then only after having been pronounced fit after a thorough
22 physical examination by a physician.

23 Section 706. Boxer repeatedly knocked out.

24 A boxer who has been knocked out or severely beaten shall be
25 retired and not permitted to box again if, after subjecting him
26 to a thorough examination by a physician, the commission decides
27 such action is necessary in order to protect the health and
28 welfare of the boxer.

29 Section 707. Six consecutive defeats.

30 A boxer who has suffered six consecutive defeats shall be

1 investigated by the commission and examined by a physician.

2 CHAPTER 9

3 LICENSES AND PERMITS

4 Section 901. Power of commission to issue, withhold, suspend or
5 revoke licenses and permits.

6 The commission is hereby granted sole control, authority and
7 jurisdiction to issue, withhold, suspend or revoke any license
8 or permit provided for in this act.

9 Section 902. Promoters' licenses.

10 No promoter shall, either directly or indirectly, conduct,
11 hold or promote any professional boxing contest or exhibition
12 unless he has first procured a promoter's license from the
13 commission. A violation of this section may subject the promoter
14 to suspension of not less than 30 days or revocation of his
15 license at the discretion of the commission pursuant to section
16 1504.

17 Section 903. Representative managers' licenses.

18 (a) General rule.--Before acting as such, every
19 representative manager shall procure a manager's license. He
20 shall file with the department the name of each boxer whom he
21 represents, together with a written consent from each such boxer
22 and his manager authorizing him to transact business for such
23 manager or boxer or to act as or for the manager of such boxer.

24 (b) Presumption.--Every person other than the manager of a
25 professional boxer who performs any of the acts usually
26 performed by the manager or who aids, assists or substitutes for
27 the manager or who uses a licensed manager to conceal his own
28 actions as a manager shall be considered a representative
29 manager.

30 (c) Penalty.--A violation of this section may subject the

1 manager to suspension of not less than 30 days or revocation of
2 his license at the discretion of the commission pursuant to
3 section 1504.

4 Section 904. Foreign copromoters to procure permits.

5 (a) General rule.--No foreign copromoter shall directly or
6 indirectly participate in the promotion of or receive any
7 remuneration from or render any services in connection with any
8 professional boxing contest or exhibition held within this
9 Commonwealth unless he has first been granted a permit therefor
10 by the commission. No promoter shall be associated with any
11 foreign copromoter in promoting any contest or exhibition unless
12 the foreign copromoter has first secured a permit. A foreign
13 copromoter by accepting a permit agrees to be subject to all the
14 provisions of this act and the rules and regulations promulgated
15 under this act.

16 (b) Penalty.--A violation of this section may subject the
17 promoter and/or foreign copromoter to suspension of not less
18 than 30 days or revocation of his license or permit at the
19 discretion of the commission pursuant to section 1504.

20 Section 905. Other licenses required.

21 (a) Other licenses.--No professional boxer, manager, second,
22 trainer, matchmaker, timekeeper, referee, judge, announcer,
23 physician, booking agent or agency or representative of a
24 booking agent or agency shall directly or indirectly act in such
25 capacity in connection with any professional boxing contest or
26 exhibition unless he has first procured a license to act in such
27 a capacity from the commission.

28 (b) Penalty.--A violation of this section may subject the
29 boxer, manager, seconds, trainer, matchmaker, timekeeper,
30 referee, judge, announcer, physician, booking agent or agency or

1 representative of a booking agent or agency to suspension of not
2 less than 30 days or revocation of their licenses at the
3 discretion of the commission pursuant to section 1504.

4 Section 906. Permits required.

5 In addition to the promoter's license, each promoter shall be
6 required to procure a permit for each program of contests or
7 exhibitions before presenting that program. Each application for
8 a permit shall specify the premises where and time when the
9 program is to be held.

10 Section 907. Permits for amateurs.

11 (a) Permit required.--Except as otherwise provided in this
12 act, no amateur boxing contest or exhibition shall be held
13 without a permit having been first secured from the department.

14 (b) Eligibility.--Permits for amateur boxing contests or
15 exhibitions shall be issued only to bona fide recognized amateur
16 athletic associations, nonprofit organizations or other groups
17 or individuals approved by the commission.

18 (c) Miscellaneous.--Permits under this section may be issued
19 for a single contest or exhibition, a series of contests or
20 exhibitions, or for a period not exceeding one year. The
21 commission may issue amateur permits without charging any fee or
22 for a fee of \$5 per permit.

23 Section 908. Restrictions.

24 No officer, director, stockholder or employee of a licensed
25 promoter shall have any other interest in any professional boxer
26 or professional contests or exhibitions except as a matchmaker.

27 Section 909. Permits not to be issued.

28 No permit shall be issued for the holding of any boxing
29 contest or exhibition within any political subdivision of this
30 Commonwealth which has adopted, or which adopts, any local

1 ordinance or resolution prohibiting such contests or exhibitions
2 within its limits.

3 Section 910. Standards for the issuance of licenses and
4 permits.

5 (a) Consideration.--In determining whether to issue or renew
6 any license or permit, the commission shall consider the best
7 interest and welfare of the public, the preservation of the
8 safety and health of participants and the best interests of
9 boxing generally.

10 (b) Prerequisites.--Before being granted any permit or
11 license, the applicant must establish that the applicant is:

12 (1) Of a good moral character.

13 (2) Of good reputation.

14 (3) Physically fit and mentally sound.

15 (4) Skilled in his profession.

16 (5) Of requisite age and experience.

17 (6) Not addicted to the intemperate use of alcohol or to
18 the use of narcotic drugs.

19 In the case of a corporate applicant, these factors shall be
20 considered with reference to its officers, directors, employees
21 and principal stockholders.

22 Section 911. Duration of license.

23 Each license issued under this act shall expire on December
24 31 next following the date on which it was issued.

25 Section 912. Applications for licenses and permits.

26 Every application for a license or a permit shall:

27 (1) Be in writing on a form supplied by the commission.

28 (2) Be verified by the applicant.

29 (3) Set forth such information and have attached thereto
30 such photographs and other exhibits as are required by this

1 act, the rules and regulations promulgated under this act,
2 and the form of application.

3 Section 913. Oral examinations.

4 The commission shall have the right to require any applicant
5 for a license or permit, or in the case of a corporate
6 applicant, any officer, director, employee or stockholder
7 thereof, to appear before the commission for an oral
8 examination, under oath, as to qualifications of the applicant
9 before taking actions on that application.

10 Section 914. License fees.

11 The annual license fees which shall accompany each
12 application for a license or the renewal of a license shall be
13 fixed by commission regulation.

14 Section 915. Permit fees.

15 (a) General rule.--The required fees, based upon the seating
16 capacity of the premises where the program is to be presented,
17 shall accompany each application for a permit to present a
18 program of contests or exhibitions. The amount of the fee shall
19 be fixed by commission regulation.

20 (b) Foreign copromoter permit.--The fee for the issuance of
21 a foreign copromoter's permit for each program of contests or
22 exhibitions shall be fixed by commission regulation.

23 Section 916. Additional license fees; penalties.

24 (a) Gross receipts fees.--In addition to the payment of any
25 other fees and moneys due under this act, every promoter shall
26 pay an additional license fee of 5% of the total gross receipts
27 of any boxing contest or exhibition, exclusive of any Federal
28 tax or any tax imposed by any political subdivision of this
29 Commonwealth which was paid thereon. For the purposes of this
30 section, total gross receipts of every promoter upon which the

1 5% is to be computed shall include the gross price chargeable
2 for the sale, lease or other exploitation of broadcasting,
3 television and motion picture rights of such contest or
4 exhibition without any deductions whatsoever for commissions,
5 brokerage fees, distribution fees, advertising or other expenses
6 or charges in respect thereto. Gross receipts, for the purposes
7 of this section, shall also include the face value of all
8 tickets sold and complimentary tickets issued.

9 (b) Time period for payment.--The payment of the additional
10 license fee provided for in this section shall be made within 48
11 hours after the contest or exhibition and shall be accompanied
12 by a form prescribed by the Department of Revenue setting forth
13 the gross receipts received from the contest or exhibition,
14 together with such other information as the Department of
15 Revenue may require.

16 (c) Collection of fee.--The additional license fee provided
17 for in this section shall be collected by the department and
18 transmitted to the Department of Revenue, together with the
19 reports filed therewith.

20 (d) Penalties.--

21 (1) Any promoter who willfully makes a false and
22 fraudulent report under this section commits perjury, and
23 shall, upon conviction, be subject to punishment as provided
24 by law. Such penalty shall be in addition to any other
25 penalties imposed by this act.

26 (2) Any promoter who willfully fails, neglects or
27 refuses to make a report, or to pay the license fees as
28 herein prescribed, or who refuses to permit the department to
29 examine the books, papers and records of any promotion
30 commits a misdemeanor of the third degree and may be subject

1 to suspension or loss of his license at the discretion of the
2 commission.

3 CHAPTER 11

4 CONTRACTS, ADVERTISING, TICKETS AND SPECTATORS

5 Section 1101. Commission control of contracts.

6 The commission, with the approval of the department, is
7 required to promulgate rules and regulations governing the form
8 and content of all contracts entered into between or among
9 promoters and foreign copromoters and professional boxers and
10 managers and all contracts between managers and professional
11 boxers. All contracts required under the provisions of this act
12 shall be in writing.

13 Section 1102. Contracts subject to law.

14 Every contract subject to the provisions of this chapter
15 shall contain the following clause:

16 This agreement is subject to the provisions of this act
17 and to the rules and regulations of the Department of
18 State, and to any future amendments of either of them.

19 Section 1103. Provisions in contracts between managers and
20 professional boxers.

21 (a) General provisions.--Every contract between a manager
22 and a professional boxer shall contain provisions governing its
23 duration, division of the boxer's purses and the minimum sum to
24 be guaranteed annually to the boxer by the manager.

25 (b) Termination of contract.--Each contract shall further
26 provide that the contract shall be automatically terminated if
27 the license of either party is revoked by the commission or if
28 the manager fails to renew his license within 30 days after its
29 expiration. If the license of either party is suspended, the
30 contract shall not be binding upon the other party during the

1 period of such suspension.

2 Section 1104. Approval of contracts.

3 No contract between a manager and a professional boxer shall
4 be legally valid and binding until both parties to the contract
5 have appeared before the commission and have received its
6 approval which shall be endorsed on the contract.

7 Section 1105. Tickets.

8 (a) Scheduled date and price.--Every ticket of admission to
9 a boxing contest or exhibition shall clearly show on its face
10 the scheduled date of the contest or exhibition and its purchase
11 price, including any taxes thereon.

12 (b) Price limitation.--No ticket shall be sold by any
13 promoter or foreign copromoter for more than the price printed
14 thereon.

15 (c) Anti-scalping provision.--No other person shall sell any
16 ticket for more than 50¢ in excess of the price printed on the
17 ticket. No licensee under this act shall directly or indirectly
18 receive any part of any excess price.

19 (d) Numbering of tickets.--Tickets in each price range shall
20 be consecutively numbered, and the number of each ticket shall
21 be clearly printed on both the stub and main portion of the
22 ticket.

23 (e) Schedule of tickets.--A schedule of the numbers of all
24 tickets in each price range shall be furnished to the
25 department.

26 Section 1106. Misdemeanor to destroy tickets.

27 Except upon receipt of prior written authorization from the
28 department, it shall be a misdemeanor of the second degree for
29 any promoter or person associated with or employed by any
30 promoter to destroy any ticket or ticket stub, whether sold or

1 unsold, within six months after the date of any contest or
2 exhibition.

3 Section 1107. Ticket refunds.

4 (a) Full refund.--Upon postponement or cancellation of the
5 main event or the entire program of contests or exhibitions, the
6 promoter shall refund the full purchase price of each ticket to
7 any person who presents such ticket for a refund within 30 days
8 after the scheduled date of the event. Within 10 days after the
9 expiration of this 30-day period, the promoter shall pay all
10 unclaimed ticket receipts to the department. The department
11 shall hold these funds for a period of one year for the purpose
12 of making additional refunds. Thereafter, the department shall
13 pay all remaining moneys from such ticket sale to the State
14 Treasurer for deposit into the General Fund, without escheat.

15 (b) Forfeiture of security.--Failure of any promoter or
16 foreign copromoter to comply with the provisions of subsection
17 (a) shall be sufficient cause to warrant a forfeiture of his
18 bond, or other security, and an imposition of a penalty or
19 suspension or revocation of his license by the department as
20 provided in this act.

21 (c) Pro rata refunds.--From the fund produced by the
22 forfeiture, pro rata refunds shall be made by the department to
23 persons who purchased tickets, in accordance with the provisions
24 of subsection (a).

25 Section 1108. Advertising matter to state admission price.

26 Each showcard, bill, poster, newspaper or any other
27 advertisement of any contest or exhibition shall contain a
28 schedule of admission prices and a conspicuous statement of
29 whether a contest or exhibition is being presented. Failure to
30 comply with the provisions of this section shall constitute

1 grounds for the suspension or revocation of the promoter's
2 license.

3 Section 1109. Admissions not to exceed seating capacity.

4 It shall be a misdemeanor of the third degree for any
5 promoter to admit to any contest or exhibition more persons than
6 there are seats in the place where the contest or exhibition is
7 being held.

8 Section 1110. Age of spectators.

9 No minor 16 years of age or under shall be permitted to
10 attend any boxing contest or exhibition unless accompanied by an
11 adult.

12 CHAPTER 13

13 BONDS

14 Section 1301. Promoters and foreign copromoters required to
15 file bonds.

16 (a) General rule.--Before any license or renewal of a
17 license is issued to a promoter and before any permit is issued
18 to a foreign copromoter, he shall be required to execute and
19 file a surety bond with the department in such reasonable
20 amount, but not less than \$3,000, as the department shall
21 determine.

22 (b) Form of bond.--All such bonds shall be upon forms
23 supplied by the department, which shall have first adopted them
24 with the approval of the Office of Attorney General.

25 (c) Approval of sureties.--The sufficiency of the sureties
26 shall be subject to approval of the department and the Office of
27 Attorney General.

28 (d) Conditions.--The surety bond shall be conditioned upon
29 the faithful performance by the promoter or foreign copromoter
30 of his obligations under this act and the rules and regulations

1 promulgated pursuant hereto, including, but not limited to, the
2 fulfillment of his contractual obligations to contestants,
3 managers and other licensees, and the payment of all license and
4 permit fees provided for in this act. The aggregate annual
5 liability of the surety for all obligations and fees shall in no
6 event exceed the amount of the bond.

7 Section 1302. Deposit in lieu of surety bond.

8 In lieu of the surety bond required by section 1101, the
9 promoter may deposit with the department cash, a certified
10 check, or direct obligations of the United States or the
11 Commonwealth of Pennsylvania acceptable to the department, in an
12 equivalent amount and subject to the same conditions. Such
13 security shall not be returned to the promoter until one year
14 after the date on which it was deposited with the department,
15 unless a surety bond is substituted for the security. After the
16 expiration of one year from the date on which the security was
17 deposited, if no claim against the deposit is outstanding, it
18 shall be returned to the depositor.

19 Section 1303. Filing fee.

20 A filing fee fixed by the department shall accompany each
21 bond filed or cash or security deposited in lieu of the bond
22 under the provisions of this act.

23 Section 1304. Recovery on bond.

24 Recovery may be had on such bond or against such deposit of
25 cash or security in the same manner as penalties are recoverable
26 at law.

27 Section 1305. Application and fees.

28 (a) Fee.--An application for a permit or license shall be
29 accompanied by a nonrefundable application fee in an amount
30 established by the commission by regulation, which fee shall be

1 subject to review in accordance with the act of June 25, 1982
2 (P.L.633, No.181), known as the Regulatory Review Act. If the
3 revenues generated by fees, fines and civil penalties imposed in
4 accordance with the provisions of this act are not sufficient to
5 match expenditures over a two-year period, the commission shall
6 increase those fees by regulation, subject to review in
7 accordance with the Regulatory Review Act, such that the
8 projected revenues will meet or exceed projected expenditures.
9 If the department determines that fees and/or fines established
10 by the commission are inadequate to meet the minimum enforcement
11 efforts required by this act, then the department, after
12 consultation with the commission, shall increase the fees and/or
13 fines by regulations, subject to review in accordance with the
14 Regulatory Review Act, such that adequate revenues are raised to
15 meet the minimum enforcement efforts required under this act.

16 (b) Affidavit.--Each application shall be accompanied by an
17 affidavit or affirmation of the applicant as to its verity.

18 (c) Disposition and use of fees.--Fees shall be collected by
19 the commission and shall be paid into the Athletic Commission
20 Augmentation Account.

21 CHAPTER 15

22 HEARINGS AND TEMPORARY SUSPENSIONS

23 Section 1501. Commission hearings.

24 The commission shall conduct all hearings under the
25 provisions of Title 2 of the Pennsylvania Consolidated Statutes
26 (relating to administrative law and procedure), and must conduct
27 a hearing within ten business days from the time any
28 recommendation is made by the executive director that a permit
29 or license be suspended or revoked.

30 Section 1502. Subpoenas.

1 The commission may issue subpoenas in connection with the
2 investigations, requiring the attendance and testimony of or the
3 production of books and papers by any licensee or other person
4 whom the commission believes to have information, books or
5 papers of importance to it in making the investigation.

6 Section 1503. Temporary suspension of licenses or permits.

7 (a) General rule.--The commission shall have the power, upon
8 its own motion or upon the verified written complaint of any
9 person charging a licensee or permittee with violating any
10 provision of this act or the rules and regulations promulgated
11 under this act, to suspend temporarily any license or permit
12 until final determination by the commission, when such action is
13 necessary to protect the public welfare and the best interests
14 of boxing.

15 (b) Meetings.--Upon the request of the secretary and the
16 oral or written agreement of two members of the commission, the
17 commission may conduct meetings under subsection (a) by voice or
18 video electronic means, if the subject matter of the meeting is
19 so compelling or timely that considering the matter at the
20 commission's next regular meeting would render any decision
21 moot, adversely affect the rights of the aggrieved parties under
22 this act or threaten the safety or physical health of
23 participants. A stenographic record of such meetings shall be
24 made and maintained by the commission and be made available to
25 the parties upon request. The subject matter of any such meeting
26 shall then become the first item on the commission's agenda for
27 its next regularly scheduled meeting.

28 (c) Hearing date.--The commission shall hold a hearing
29 within ten business days after the date on which the license or
30 permit was suspended temporarily, at which time reasonable

1 efforts shall be made for the affected parties and the
2 commission to be physically present.

3 Section 1504. Suspension or revocation of licenses.

4 (a) General rule.--The commission shall have the power to
5 suspend or revoke a license or permit in any case where the
6 commission finds that the licensee or permittee:

7 (1) Is guilty of gross immorality.

8 (2) Is unfit or incompetent by reason of negligence or
9 habits.

10 (3) Is guilty of violating any provision of this act or
11 of the rules and regulations of the department.

12 (4) Has committed fraud or deceit in securing his or
13 another's license or permit.

14 (5) Has been convicted of, or pleaded guilty or entered
15 a plea of nolo contendere to, or has been found guilty by a
16 judge or jury of, a crime in any jurisdiction within ten days
17 preceding the suspension or revocation.

18 (6) Is an habitual drunkard, or is addicted to the use
19 of morphine, cocaine or other drugs having a similar effect.

20 (7) Is or has become mentally incompetent.

21 (8) Has been guilty of unprofessional or unethical
22 conduct, or such conduct as to require a suspension or
23 revocation in the public interest.

24 (9) Has made a misstatement of a material fact or
25 fraudulently concealed a material fact, or has induced, aided
26 or abetted any other person in misstating or concealing any
27 material fact in any application or other proceeding under
28 this act.

29 (10) Has failed to account for or pay over moneys
30 belonging to others which have come into his possession in

1 connection with a boxing contest or exhibition.

2 (11) Has failed to furnish to the proper party a copy of
3 any contract or statement required by this act or the rules
4 and regulations promulgated under this act, or has breached
5 such a contract.

6 (12) Has paid or agreed to pay any money or article of
7 value to any person not having a license or a permit for
8 soliciting or for business secured or for rendering of any
9 service or the doing of any of the acts forbidden by this act
10 and the rules and regulations promulgated under this act.

11 (13) Has loaned his license or permit to another person
12 or has borrowed or used the license or permit of another.

13 (14) Is guilty of any form of pretense which might
14 induce the public or citizens to become a prey to
15 professional exploitation.

16 (15) Has employed a person who has not been issued a
17 license or permit when so required by law.

18 (16) Has failed to maintain in force the bond required
19 by this act or has failed to deposit with the department the
20 required cash, check or securities required in lieu of the
21 bond.

22 (17) Has by act or omission conducted himself in a
23 manner detrimental to the best interests of boxing generally
24 or to the public interest and general welfare.

25 (18) Is associating or consorting with criminals,
26 bookmakers, gamblers or persons of similar ill repute, or
27 with persons of no known or visible means of livelihood, or
28 is himself engaged or engaging in similar pursuits or
29 conduct.

30 (19) Has been disciplined in any manner by the

1 department or similar agency or body of any jurisdiction.

2 (20) Has failed to pay a fine or any part thereof
3 imposed by this act.

4 (b) Hearings.--Any licensee or permittee whose license or
5 permit is suspended or revoked pursuant to the provisions of
6 this section shall have a right to a hearing before the
7 commission within ten business days after the date on which the
8 license or permit was suspended or revoked.

9 CHAPTER 17

10 PENALTIES

11 Section 1701. Misdemeanors.

12 Any person convicted of any misdemeanor under Chapters 1
13 through 19 of this act shall be sentenced to pay a fine of not
14 more than \$5,000, or to imprisonment, for not more than three
15 years, or both.

16 Section 1702. Fines.

17 The commission shall have the right to impose a fine of not
18 more than \$5,000 for any violation of Chapters 1 through 19 of
19 this act or the rules and regulations promulgated under Chapters
20 1 through 19 of this act, or in addition to any other punishment
21 herein provided for such violation. Any licensee or permittee
22 upon whom a fine is imposed under this section shall have a
23 right to a hearing before the commission within ten days after
24 the date on which the fine was imposed.

25 CHAPTER 19

26 FINANCIAL INTERESTS

27 Section 1901. Financial interest in boxer prohibited.

28 No licensed physician, referee, judge or promoter shall have
29 any direct or indirect financial or pecuniary interest in any
30 boxer. A violation of this section shall constitute a

1 misdemeanor of the third degree.

2 Section 1902. Financial interest in opponent prohibited.

3 No manager, trainer or second of any boxer shall have any
4 direct or indirect financial or pecuniary interest in the
5 opponent in any contest in which his own boxer participates. No
6 boxer shall have any direct or indirect financial or pecuniary
7 interest in his opponent in any contest. A violation of this
8 section shall constitute a misdemeanor.

9 Section 1903. Financial interest of matchmaker.

10 No matchmaker or promoter shall have any direct or indirect
11 financial or pecuniary interest in any boxer who is engaging in
12 a contest arranged by that matchmaker or promoter. A violation
13 of this section shall constitute a misdemeanor.

14 Section 1904. Fees, fines and forfeitures.

15 All fees, fines, forfeitures and other moneys collected under
16 the provisions of this act and the rules and regulations
17 promulgated under this act shall be collected by the commission
18 and transmitted to the Department of Revenue.

19 Section 1905. Rules and regulations.

20 The commission is hereby granted the power to promulgate
21 rules and regulations governing the presentation of professional
22 boxing and all matters pertaining thereto. Such rules and
23 regulations shall include those rules and regulations
24 specifically required by this act, together with such others as
25 the commission shall consider necessary in order to carry out
26 the provisions of this act.

27 CHAPTER 21

28 PROHIBITED COMPETITIONS

29 Section 2101. Prohibited competitions.

30 (a) Offense defined.--A person commits a misdemeanor of the

1 first degree if he promotes, sponsors or participates in any
2 manner in the staging of, or the conduct of, any tough guy
3 contest or battle of the brawlers or in any similar competition.

4 (b) Application of section.--

5 (1) This section shall not apply to the news media,
6 including, but not limited to, television, radio, newspapers
7 and periodicals for their reporting activities relating to
8 tough guy contests or battles of the brawlers.

9 (2) This section shall not apply to amateur or
10 professional contests or exhibitions for which a permit has
11 been issued under Chapter 7 nor to professional wrestling
12 exhibitions, nor to contests staged in connection with
13 athletic training programs nor to amateur or professional
14 contests of the martial arts nor to any collegiate or
15 scholastic boxing, wrestling or martial arts contests.

16 (c) Definition.--As used in this section, the term "tough
17 guy contest" or "battle of the brawlers" means any competition
18 which involves any physical contact bout between two or more
19 individuals, who attempt to knock out their opponent by
20 employing boxing, wrestling, martial arts tactics or any
21 combination thereof and by using techniques, including, but not
22 limited to, punches, kicks and choking.

23 CHAPTER 31

24 MISCELLANEOUS PROVISIONS

25 Section 3101. Repeals.

26 (a) Specific repeals.--The following acts and parts of acts
27 are repealed:

28 (1) Sections 427 and 2503 of the act of April 9, 1929
29 (P.L.177, No.175), known as The Administrative Code of 1929.

30 (2) Act of August 31, 1955 (P.L.531, No.131), known as

1 the Pennsylvania Athletic Code.

2 (b) Partial repeals.--Sections 202 and 207.1(d) of the act
3 of April 9, 1929 (P.L.177, No.175), known as The Administrative
4 Code of 1929, are repealed insofar as they relate to the State
5 Athletic Commission.

6 Section 3102. Status of existing licenses.

7 All licenses and permits issued pursuant to any act repealed
8 by this act, except with respect to professional and amateur
9 wrestling, shall continue with the same force and effect as if
10 such act had not been repealed, subject, however, to the power
11 of the department, as provided in this act, to suspend or revoke
12 the license or permit of any such person for any of the causes
13 or reasons set forth in this act and subject to the power of the
14 commission to require any such person to obtain a license or
15 permit pursuant to this act.

16 Section 3103. Effect of prior rules and regulations.

17 All rules and regulations made pursuant to any act repealed
18 by this act, except with respect to professional and amateur
19 wrestling, shall continue in full force and effect.

20 Section 3104. Saving clause.

21 The provisions of this act, so far as they are the same as
22 those of existing law, except with respect to professional and
23 amateur wrestling, are intended to be a continuation of such
24 existing law and not as new enactments. The provisions of this
25 act shall not affect any act done, liability incurred, right
26 accrued or vested or suit or prosecution pending as of the
27 effective date of this act, or any action to enforce any right
28 or penalty or punish any offense under authority of such
29 repealed laws.

30 Section 3105. Reestablishment of commission.

1 This act, with respect to the State Athletic Commission,
2 constitutes the legislation required to reestablish an agency
3 under the act of December 22, 1981 (P.L.508, No.142), known as
4 the Sunset Act.

5 Section 3106. Athletic Commission Augmentation Account.

6 Beginning July 1, 1989 and thereafter, all funds collected by
7 the commission shall be paid into the Athletic Commission
8 Augmentation Account which is hereby created and which shall be
9 a special restricted receipts account within the General Fund.
10 This account shall be used only for the support and operation of
11 the commission unless a surplus arises after two consecutive
12 years, at which time the secretary shall transfer any amount in
13 excess of the commission's budget into the General Fund.

14 ~~Section 3107. Appropriation.~~ <—

15 ~~The sum of \$350,000, or as much thereof as may be necessary,~~
16 ~~is hereby appropriated from the General Fund to the Athletic~~
17 ~~Commission in the Department of State for the payment of costs~~
18 ~~of processing permits, licenses and renewals, for the operation~~
19 ~~of the commission and for other general costs of the~~
20 ~~commission's operations relating to this act. The appropriation~~
21 ~~shall be offset by the fees, fines, forfeitures and other moneys~~
22 ~~collected under this act.~~

23 ~~Section 3108~~ 3107. Joint State Government Commission. <—

24 The Joint State Government Commission shall establish a task
25 force to conduct a study on boxing in this Commonwealth.

26 ~~Section 3109~~ 3108. Retroactivity. <—

27 Section 3105 of this act shall be retroactive to December 31,
28 1988.

29 ~~Section 3110~~ 3109. Effective date. <—

30 This act shall take effect immediately.