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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 1728

Session of  
1987

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INTRODUCED BY LINTON, MILLER, OLIVER, BUNT AND SCHULER,  
SEPTEMBER 28, 1987

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AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,  
DECEMBER 8, 1987

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AN ACT

1 Permitting and regulating boxing contests and exhibitions;  
2 requiring licenses and permits; providing for the granting,  
3 suspension and revocation of licenses and permits issued by  
4 the Department of Health; preserving the rights of existing  
5 licensees and permittees; prescribing penalties, fines,  
6 forfeitures and misdemeanors; requiring bonds and insurance;  
7 and providing for rules and regulations.

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26 The General Assembly of the Commonwealth of Pennsylvania  
27 hereby enacts as follows:

28 CHAPTER 1

29 PRELIMINARY PROVISIONS

30 Section 101. Short title.

1 This act shall be known and may be cited as the Pennsylvania  
2 Boxing Code.

3 Section 102. Definitions.

4 The following words and phrases when used in this act shall  
5 have the meanings given to them in this section unless the  
6 context clearly indicates otherwise:

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

12 "Boxing." The act of attack and defense with the fists,  
13 practiced as a sport, subject to rules adopted by the  
14 department. The term includes all variations of the sport  
15 permitting or using other parts of the human body, including,  
16 but not limited to, the foot, knee, leg, elbow or head.

17 "Contest." An engagement in which the boxers strive  
18 earnestly in good faith to win.

19 "Department." The Department of Health of the Commonwealth.

20 "Exhibition." An engagement in which the participants show  
21 or display their skill without necessarily striving to win.

22 "Foreign copromoter." A promoter who has no place of  
23 business within this Commonwealth.

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

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

28 "Matchmaker." A person who brings together professional  
29 boxers or arranges professional boxing contest or exhibitions.

30 "Participant." A boxer who takes part in a boxing contest or

1 exhibition.

2 "Physician." An individual licensed to practice medicine and  
3 surgery or osteopathy or osteopathic surgery in this  
4 Commonwealth.

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

10 "Promoter." Any person, and in the case of a corporate  
11 promoter, any officer, director, employee or stockholder  
12 thereof, who produces, arranges or stages any professional  
13 boxing contest or exhibition.

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

19 Section 103. Act not to apply to schools.

20 No provision of this act nor any rule or regulation  
21 promulgated hereunder shall apply to any boxing contest or  
22 exhibition conducted or sponsored by any university, college,  
23 secondary school or group of universities, colleges or secondary  
24 schools OR THE DEPARTMENT OF CORRECTIONS when all the <—  
25 participants are students regularly enrolled in such  
26 institutions OR INMATES CONFINED WITHIN A STATE OR COUNTY <—  
27 CORRECTIONAL FACILITY.

## 28 CHAPTER 3

### 29 REGULATIONS OF BOXING CONTESTS AND EXHIBITIONS

30 Section 301. Power of department to control boxing.

1 Except as provided in section 103, except such contests and  
2 exhibitions as are specifically exempted from the provisions of  
3 this act, the department is hereby granted sole direction,  
4 control and jurisdiction over all amateur and professional  
5 boxing contests and exhibitions or any variations thereof held  
6 within this Commonwealth.

7 Section 302. Boxing regulated.

8 Amateur or professional boxing contests or exhibitions,  
9 including kick boxing, shall be held within this Commonwealth  
10 only in accordance with the provisions of this act and the rules  
11 and regulations promulgated hereunder. The contests or  
12 exhibitions may be held on Sundays.

13 Section 303. Age of participants.

14 (a) General rule.--No person 18 years of age or under shall  
15 be a participant in any boxing contest or exhibition.

16 (b) Exception.--

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

20 (2) Persons under 18 years of age may participate after  
21 obtaining written permission from a parent or legal guardian,  
22 as well as consent by the department.

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

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

1 following age divisions:

2 (1) Ten and eleven years of age.

3 (2) Twelve and thirteen years of age.

4 (3) Fourteen and fifteen years of age.

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

7 Section 304. Fictitious names.

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

12 Section 305. Physician to be in attendance.

13 A physician shall be assigned to every boxing contest or  
14 exhibition by the department. The physician shall observe and  
15 continue to observe the physical condition of the participants  
16 and is authorized to stop any contest or exhibition at any time  
17 to examine a contestant and to terminate a bout when, in the  
18 judgment of the physician, severe injury could result to a  
19 contestant if the contest or exhibition were to continue. The  
20 department shall establish by rule or regulation a schedule of  
21 fees to be paid to physicians for their services. The  
22 physician's fee shall be paid by the promoter of the contest or  
23 exhibition attended by the physician.

24 Section 306. Medical training seminars.

25 The department shall conduct frequent mandatory medical  
26 training seminars at least three times a year for all ring  
27 personnel, department personnel and other designated persons  
28 employed by the department.

29 Section 307. Register.

30 The department shall establish and maintain a register for



1 all professional boxers licensed in this Commonwealth. The  
2 register shall include a photograph of the boxer. In the  
3 register, the department shall record the results of each boxing  
4 contest or exhibition the boxer is involved in, including  
5 technical knockouts, knockouts and other boxing-related  
6 injuries, as well as the dates of each contest or exhibition and  
7 the record of wins and losses.

8 Section 308. Medical equipment.

9 No professional or amateur boxing event shall be started  
10 unless there is on the premises:

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

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

14 Section 309. Suspension.

15 For sound medical reasons and to protect the individual  
16 boxers, the department shall establish mandatory license  
17 suspensions of those persons who sustain certain injuries. The  
18 department may suspend a boxer's license for up to:

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

20 (2) Thirty days for a technical knockout with minor  
21 injuries.

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

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

25 Section 310. Examinations.

26 (a) Prefight physical.--

27 (1) In addition to any other examination required by  
28 this act or the rules and regulations promulgated hereunder,  
29 each boxer must be examined by the attending physician within  
30 two hours before he enters the ring. If, in the opinion of

1 the physician, any boxer is physically or mentally unfit to  
2 proceed, the physician shall notify the person in charge, who  
3 shall immediately cancel the contest or exhibition.

4 (2) This required examination shall conform to the rules  
5 and regulations promulgated by the department.

6 (b) Postfight physical.--In addition to the examination  
7 required in this act, every boxer shall be examined by a  
8 physician designated by the department during the five days  
9 following every contest or exhibition in which he was a  
10 participant. Such examination shall be performed at the expense  
11 of the promoter.

12 (c) Filing of results of physicals.--The results of the  
13 examinations required by this section shall be reduced to  
14 writing by the physician, signed by him and filed with the  
15 department within 48 hours after they have been performed.

16 Section 311. Weights and classes.

17 The department shall establish classes of boxers by rules and  
18 regulations promulgated under this act. Such classes shall be  
19 based upon weights.

20 Section 312. Limitation on difference in weights.

21 No contest or exhibition shall be lawful in which the  
22 difference in weight of the participants exceeds ten pounds.  
23 This limitation shall not apply to contests or exhibitions  
24 between participants in the light-heavyweight and heavyweight  
25 classes, as defined by the department, nor to exhibitions held  
26 solely for training purposes.

27 Section 313. Gloves.

28 The appropriate weight boxing gloves shall be worn by boxers  
29 as follows:

30 (1) One hundred thirty-five pounds or under, boxing

1 gloves weighing not less than five ounces each.

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

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

6 Section 314. Duration of boxing bouts; length of rounds.

7 (a) Length of contest.--No boxing contest or exhibition  
8 shall be more than 15 rounds in length.

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

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

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

16 (e) Limitation on rounds.--The department may, in respect to  
17 any contest or exhibition or in respect to any class of  
18 participants, limit the number of rounds in a contest or  
19 exhibition to less than the maximum of 15 rounds.

20 Section 315. Attendance of referee and judges; scoring.

21 (a) Referee.--At each professional boxing contest or  
22 exhibition, except an exhibition held solely for training  
23 purposes, there shall be in attendance, at the expense of the  
24 promoter, a duly licensed referee designated by the department,  
25 who shall direct and control the contest or exhibition.

26 (b) Judges.--There shall also be in attendance at every  
27 boxing contest, at the expense of the promoter, two licensed  
28 judges, each of whom shall, together with the referee, render  
29 his individual decision, in writing, on a scorecard supplied by  
30 the department at the end of every boxing contest which

1 continues for the scheduled number of rounds. Each judge and the  
2 referee shall have one vote, and a majority of the votes cast  
3 shall determine the winner.

4 (c) Scoring.--The department shall by rule or regulation  
5 prescribe the methods of scoring.

6 Section 316. Seconds.

7 Before the start of any boxing contest or exhibition, the  
8 referee shall ascertain from each participant the name of the  
9 chief second. The chief second shall be held responsible for the  
10 conduct of his assistants during the contest or exhibition.

11 Section 317. Duty of disclosure.

12 Every licensee shall, immediately after learning thereof,  
13 disclose to the department, or to the official in charge or the  
14 attending physician or referee if one of these persons is in  
15 attendance at any contest or exhibition, all knowledge or  
16 information in his possession concerning any mental or physical  
17 disability, injury, illness or incapacity of any boxer.

18 Section 318. Sham or collusive contest prohibited.

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

22 (b) Reports.--Any licensee who knows or has reason to  
23 suspect that a boxing contest is, was or is going to be a sham  
24 or collusive contest shall have a duty to promptly report this  
25 to the department or a representative thereof. Such a report  
26 shall be in writing or, if oral, shall be reduced to writing and  
27 shall contain all of the reporter's reasons for the conclusions  
28 set forth in his report.

29 (c) Definition.--A sham or collusive contest is one in which  
30 one or both of the participants does not use his best efforts

1 and skill or does not strive earnestly in good faith to win. It  
2 includes, but is not limited to, any pseudo contest, the result  
3 of which has been prearranged or any pseudo contest in which  
4 either participant does not, is not going to, or is unable to  
5 use or is prevented from using his best efforts and skill as a  
6 result of coercion, bribery, duress, threats, reward or promise  
7 thereof, physical incapacity or disability, suggestion or  
8 agreement, or any other improper or unlawful means.

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

11 Section 319. Minimum purses for boxers.

12 No purse less than \$25 shall be paid by the promoter to any  
13 professional boxer for any contest or exhibition, other than a  
14 training exhibition.

15 Section 320. Distribution of purses to boxers; statements.

16 (a) Promoter distribution.--Unless otherwise directed by the  
17 department, all boxing purses shall be distributed by the  
18 promoter not later than 24 hours after the conclusion of the  
19 contest or exhibition for which the purse is being paid. A  
20 written statement showing the distribution of the purse,  
21 including each item of receipt and each expenditure or  
22 deduction, shall be furnished to the boxer and his manager,  
23 together with his share of the purse, and a copy thereof  
24 certified by the promoter to be true and correct shall be filed  
25 in the office of the department. Receipted vouchers for every  
26 expenditure or deduction shall be attached to the copy filed  
27 with the department.

28 (b) Manager distribution.--Unless otherwise directed by the  
29 department, every manager shall furnish a statement of  
30 distribution to the boxer he manages, together with the boxer's

1 share of the purse, not later than 24 hours after he receives  
2 the purse and statement from the promoter. A copy thereof,  
3 certified by the manager to be true and correct, shall be filed  
4 in the office of the department, and it shall have attached to  
5 it receipted vouchers for every expenditure or deduction made by  
6 the manager.

7 Section 321. Withholding of moneys.

8 (a) General rule.--The department shall have the power to  
9 order the promoter to withhold any purse, or any part thereof,  
10 or any receipts or other funds belonging to or payable to any  
11 contestant or for which any contestant is competing or of any  
12 manager's share of, if it should appear that such contestant is  
13 not competing honestly or is intentionally not competing to the  
14 best of his ability and skill, or if it should appear that the  
15 contestant, his manager or any of his seconds has violated any  
16 provision of this act or the rules and regulations promulgated  
17 under this act.

18 (b) Escrow.--The department shall have the power to order  
19 that the gross receipts shall be withheld and placed in escrow  
20 if it should appear that the act has been violated.

21 Section 322. Hearing regarding withheld purse.

22 (a) Delivery to department.--Any purse, or portion thereof,  
23 so withheld shall be delivered by the promoter to the department  
24 within 48 hours after the end of the contest.

25 (b) Request for hearing.--Within ten days after the end of  
26 the contest, the licensee from whom the sum was withheld shall  
27 have the right to apply in writing to the department for a  
28 hearing. Upon receipt of such application, the department shall  
29 fix a date for a hearing.

30 Section 323. Hearing, disposition of withheld purse.

1 (a) General rule.--Within a reasonable time after the  
2 hearing or after the expiration of ten days following the  
3 contest, if no application for a hearing is filed, the  
4 department shall determine the disposition to be made of the  
5 withheld purse.

6 (b) Withholding.--If the department finds the charge or  
7 charges upon which the withholding order was based to be true  
8 and to be sufficient lawful reason upon which to base such an  
9 order, it may, in its discretion, declare the funds withheld, or  
10 any part thereof, forfeited.

11 (c) Distribution.--If the department finds the charge or  
12 charges to be untrue or not to be sufficient lawful reason upon  
13 which to base a withholding order, it shall distribute the  
14 withheld funds to the persons entitled thereto.

15 Section 324. Payments regulated.

16 (a) General rule.--No promoter or foreign copromoter shall  
17 pay, lend or give any money to a contestant before any boxing  
18 contest as an advance against his purse or for a similar  
19 purpose. A promoter may, with the prior written permission of  
20 the department, pay or advance to a contestant necessary  
21 expenses for transportation and maintenance in preparation for a  
22 contest.

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

28 Section 325. Insurance.

29 The department may, by rules and regulations, require  
30 licensed boxers to be covered by insurance for:

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

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

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

## CHAPTER 5

## SAFETY REGULATIONS

Section 501. Mandatory eight count.

Whenever a boxer is knocked down, the boxer shall be required to take a count of eight. The referee shall not permit the contest or exhibition to be resumed until the count of eight has actually been reached, except in professional championship boxing contests and exhibitions.

Section 502. Knockout.

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

Section 503. Physician at knockout.

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

Section 504. Ring padding.

All ring padding shall be subject to approval of the department. All padding shall be of soft felt, foam rubber or



1 similar material and shall be at least two inches thick.

2 Section 505. Boxer knocked unconscious.

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

7 Section 506. Boxer repeatedly knocked out.

8 A boxer who has been knocked out or severely beaten shall be  
9 retired and not permitted to box again if, after subjecting him  
10 to a thorough examination by a physician, the department decides  
11 such action is necessary in order to protect the health and  
12 welfare of the boxer.

13 Section 507. Six consecutive defeats.

14 A boxer who has suffered six consecutive defeats shall be  
15 investigated by the department and examined by a physician.

16 CHAPTER 7

17 LICENSES AND PERMITS

18 Section 701. Power of department to issue, withhold, suspend or  
19 revoke licenses and permits.

20 The department is hereby granted sole control, authority and  
21 jurisdiction to issue, withhold, suspend or revoke any license  
22 or permit provided for in this act.

23 Section 702. Promoters' licenses.

24 No promoter shall, either directly or indirectly, conduct,  
25 hold or promote any professional boxing contest or exhibition  
26 unless he has first procured a promoter's license from the  
27 department. A violation of this section shall constitute a  
28 misdemeanor of the third degree.

29 Section 703. Representative managers' licenses.

30 (a) General rule.--Before acting as such, every

1 representative manager shall procure a manager's license. He  
2 shall file with the department the name of each boxer whom he  
3 represents, together with a written consent from each such boxer  
4 and his manager authorizing him to transact business for such  
5 manager or boxer or to act as or for the manager of such boxer.

6 (b) Presumption.--Every person other than the manager of a  
7 professional boxer who performs any of the acts usually  
8 performed by the manager or who aids, assists or substitutes for  
9 the manager or who uses a licensed manager to conceal his own  
10 actions as a manager shall be considered a representative  
11 manager.

12 (c) Penalty.--A violation of this section shall constitute a  
13 misdemeanor of the third degree.

14 Section 704. Foreign copromoters to procure permits.

15 (a) General rule.--No foreign copromoter shall directly or  
16 indirectly participate in the promotion of or receive any  
17 remuneration from or render any services in connection with any  
18 professional boxing contest or exhibition held within this  
19 Commonwealth unless he has first been granted a permit therefor  
20 by the department. No promoter shall be associated with any  
21 foreign copromoter in promoting any contest or exhibition unless  
22 the foreign copromoter has first secured a permit. A foreign  
23 copromoter by accepting a permit agrees to be subject to all the  
24 provisions of this act and the rules and regulations promulgated  
25 under this act.

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

28 Section 705. Other licenses required.

29 (a) Other licenses.--No professional boxer, manager, second,  
30 trainer, matchmaker, timekeeper, referee, judge, announcer,

1 physician, booking agent or agency or representative of a  
2 booking agent or agency shall directly or indirectly act in such  
3 capacity in connection with any professional boxing contest or  
4 exhibition unless he has first procured a license to act in such  
5 a capacity from the department.

6 (b) Penalty.--A violation of this section shall constitute a  
7 misdemeanor of the third degree.

8 Section 706. Permits required.

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

14 Section 707. Permits for amateurs.

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

18 (b) Eligibility.--Permits for amateur boxing contests or  
19 exhibitions shall be issued only to bona fide recognized amateur  
20 athletic associations, nonprofit organizations or other groups  
21 or individuals approved by the department.

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

27 Section 708. Restrictions.

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

1 Section 709. Permits not to be issued.

2 No permit shall be issued for the holding of any boxing  
3 contest or exhibition within any political subdivision of this  
4 Commonwealth which has adopted, or which adopts, any local  
5 ordinance or resolution prohibiting such contests or exhibitions  
6 within its limits.

7 Section 710. Standards for the issuance of licenses and  
8 permits.

9 (a) Consideration.--In determining whether to issue or renew  
10 any license or permit, the department shall consider the best  
11 interest and welfare of the public, the preservation of the  
12 safety and health of participants and the best interests of  
13 boxing generally.

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

16 (1) Of a good moral character.

17 (2) Of good reputation.

18 (3) Physically fit and mentally sound.

19 (4) Skilled in his profession.

20 (5) Of requisite age and experience.

21 (6) Not addicted to the intemperate use of alcohol or to  
22 the use of narcotic drugs.

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

26 Section 711. Duration of license.

27 Each license issued under this act shall expire on December  
28 31 next following the date on which it was issued.

29 Section 712. Applications for licenses and permits.

30 Every application for a license or a permit shall:

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

2 (2) Be verified by the applicant.

3 (3) Set forth such information and have attached thereto  
4 such photographs and other exhibits as are required by this  
5 act, the rules and regulations promulgated under this act,  
6 and the form of application.

7 Section 713. Oral examinations.

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

14 Section 714. Fingerprints.

15 The department shall have taken, in duplicate, the  
16 fingerprints of each applicant for a license or permit or, in  
17 the case of a corporate applicant, of such of its officers,  
18 directors, employees or stockholders as the department may  
19 require. One set of fingerprints shall be filed in the  
20 Harrisburg office of the Pennsylvania State Police and the other  
21 set shall be filed in the department.

22 Section 715. License fees.

23 The annual license fees which shall accompany each  
24 application for a license or the renewal of a license shall be  
25 fixed by departmental regulation. The department may issue  
26 licenses without fees to referees and physicians authorizing  
27 them to officiate only at boxing contests or exhibitions between  
28 amateurs.

29 Section 716. Permit fees.

30 (a) General rule.--The required fees, based upon the seating

1 capacity of the premises where the program is to be presented,  
2 shall accompany each application for a permit to present a  
3 program of contests or exhibitions. The amount of the fee shall  
4 be fixed by departmental regulation.

5 (b) Foreign copromoter permit.--The fee for the issuance of  
6 a foreign copromoter's permit for each program of contests or  
7 exhibitions shall be fixed by departmental regulation.

8 Section 717. Additional license fees; penalties.

9 (a) Gross receipts fees.--In addition to the payment of any  
10 other fees and moneys due under this act, every promoter shall  
11 pay an additional license fee of 5% of the total gross receipts  
12 of any boxing contest or exhibition, exclusive of any Federal  
13 tax or any tax imposed by any political subdivision of this  
14 Commonwealth which was paid thereon. For the purposes of this  
15 section, total gross receipts of every promoter upon which the  
16 5% is to be computed shall include the gross price chargeable  
17 for the sale, lease or other exploitation of broadcasting,  
18 television and motion picture rights of such contest or  
19 exhibition without any deductions whatsoever for commissions,  
20 brokerage fees, distribution fees, advertising or other expenses  
21 or charges in respect thereto. Gross receipts, for the purposes  
22 of this section, shall also include the face value of all  
23 tickets sold and complimentary tickets issued.

24 (b) Time period for payment.--The payment of the additional  
25 license fee provided for in this section shall be made within 48  
26 hours after the contest or exhibition and shall be accompanied  
27 by a form prescribed by the Department of Revenue setting forth  
28 the gross receipts received from the contest or exhibition,  
29 together with such other information as the Department of  
30 Revenue may require.

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

5 (d) Penalties.--

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

11 (2) Any promoter who willfully fails, neglects or  
12 refuses to make a report, or to pay the license fees as  
13 herein prescribed, or who refuses to permit the department to  
14 examine the books, papers and records of any promotion  
15 commits a misdemeanor of the third degree.

## 16 CHAPTER 9

### 17 CONTRACTS, ADVERTISING, TICKETS AND SPECTATORS

18 Section 901. Department control of contracts.

19 The department is required to promulgate rules and  
20 regulations governing the form and content of all contracts  
21 entered into between or among promoters and foreign copromoters  
22 and professional boxers and managers and all contracts between  
23 managers and professional boxers. All contracts required under  
24 the provisions of this act shall be in writing.

25 Section 902. Contracts subject to law.

26 Every contract subject to the provisions of this chapter  
27 shall contain the following clause:

28 This agreement is subject to the provisions of this act  
29 and to the rules and regulations of the Department of  
30 Health, and to any future amendments of either of them.

1 Section 903. Provisions in contracts between managers and  
2 professional boxers.

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

7 (b) Termination of contract.--Each contract shall further  
8 provide that the contract shall be automatically terminated if  
9 the license of either party is revoked by the department or if  
10 the manager fails to renew his license within 30 days after its  
11 expiration. If the license of either party is suspended, the  
12 contract shall not be binding upon the other party during the  
13 period of such suspension.

14 Section 904. Approval of contracts.

15 No contract between a manager and a professional boxer shall  
16 be legally valid and binding until both parties to the contract  
17 have appeared before the department and have received  
18 departmental approval which shall be endorsed on the contract.

19 Section 905. Tickets.

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

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

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



1 (d) Numbering of tickets.--Tickets in each price range shall  
2 be consecutively numbered, and the number of each ticket shall  
3 be clearly printed on both the stub and main portion of the  
4 ticket.

5 (e) Schedule of tickets.--A schedule of the numbers of all  
6 tickets in each price range shall be furnished to the  
7 department.

8 Section 906. Misdemeanor to destroy tickets.

9 Except upon receipt of prior written authorization from the  
10 department, it shall be a misdemeanor of the second degree for  
11 any promoter or person associated with or employed by any  
12 promoter to destroy any ticket or ticket stub, whether sold or  
13 unsold, within six months after the date of any contest or  
14 exhibition.

15 Section 907. Ticket refunds.

16 (a) Full refund.--Upon postponement or cancellation of the  
17 main event or the entire program of contests or exhibitions, the  
18 promoter shall refund the full purchase price of each ticket to  
19 any person who presents such ticket for a refund within 30 days  
20 after the scheduled date of the event. Within 10 days after the  
21 expiration of this 30-day period, the promoter shall pay all  
22 unclaimed ticket receipts to the department. The department  
23 shall hold these funds for a period of one year for the purpose  
24 of making additional refunds. Thereafter, the department shall  
25 pay all remaining moneys from such ticket sale to the State  
26 Treasurer for deposit into the General Fund, without escheat.

27 (b) Forfeiture of security.--Failure of any promoter or  
28 foreign copromoter to comply with the provisions of subsection  
29 (a) shall be sufficient cause to warrant a forfeiture of his  
30 bond, or other security, and an imposition of a penalty or

1 suspension or revocation of his license by the department as  
2 provided in this act.

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

7 Section 908. Advertising matter to state admission price.

8 Each showcard, bill, poster, newspaper or any other  
9 advertisement of any contest or exhibition shall contain a  
10 schedule of admission prices and a conspicuous statement of  
11 whether a contest or exhibition is being presented. Failure to  
12 comply with the provisions of this section shall constitute  
13 grounds for the suspension or revocation of the promoter's  
14 license.

15 Section 909. Admissions not to exceed seating capacity.

16 It shall be a misdemeanor of the third degree for any  
17 promoter to admit to any contest or exhibition more persons than  
18 there are seats in the place where the contest or exhibition is  
19 being held.

20 Section 910. Age of spectators.

21 No minor 16 years of age or under shall be permitted to  
22 attend any boxing contest or exhibition unless accompanied by an  
23 adult.

## 24 CHAPTER 11

### 25 BONDS

26 Section 1101. Promoters and foreign copromoters required to  
27 file bonds.

28 (a) General rule.--Before any license or renewal of a  
29 license is issued to a promoter and before any permit is issued  
30 to a foreign copromoter, he shall be required to execute and

1 file a surety bond with the department in such reasonable  
2 amount, but not less than \$3,000, as the department shall  
3 determine.

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

7 (c) Approval of sureties.--The sufficiency of the sureties  
8 shall be subject to approval of the department and the Office of  
9 Attorney General.

10 (d) Conditions.--The surety bond shall be conditioned upon  
11 the faithful performance by the promoter or foreign copromoter  
12 of his obligations under this act and the rules and regulations  
13 promulgated pursuant hereto, including, but not limited to, the  
14 fulfillment of his contractual obligations to contestants,  
15 managers and other licensees, and the payment of all license and  
16 permit fees provided for in this act. The aggregate annual  
17 liability of the surety for all obligations and fees shall in no  
18 event exceed the amount of the bond.

19 Section 1102. Deposit in lieu of surety bond.

20 In lieu of the surety bond required by section 1101, the  
21 promoter may deposit with the department cash, a certified  
22 check, or direct obligations of the United States or the  
23 Commonwealth of Pennsylvania acceptable to the department, in an  
24 equivalent amount and subject to the same conditions. Such  
25 security shall not be returned to the promoter until one year  
26 after the date on which it was deposited with the department,  
27 unless a surety bond is substituted for the security. After the  
28 expiration of one year from the date on which the security was  
29 deposited, if no claim against the deposit is outstanding, it  
30 shall be returned to the depositor.

1 Section 1103. Filing fee.

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

5 Section 1104. Recovery on bond.

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

9 CHAPTER 13

10 HEARINGS AND TEMPORARY SUSPENSIONS

11 Section 1301. Department hearings.

12 The department shall conduct all hearings under the  
13 provisions of Title 2 of the Pennsylvania Consolidated Statutes  
14 (relating to administrative law and procedure).

15 Section 1302. Subpoenas.

16 The department may issue subpoenas in connection with the  
17 investigations, requiring the attendance and testimony of or the  
18 production of books and papers by any licensee or other person  
19 whom the department believes to have information, books or  
20 papers of importance to it in making the investigation.

21 Section 1303. Temporary suspension of licenses or permits.

22 (a) General rule.--The department shall have the power, upon  
23 its own motion or upon the verified written complaint of any  
24 person charging a licensee or permittee with violating any  
25 provision of this act or the rules and regulations promulgated  
26 under this act, to suspend temporarily any license or permit  
27 until final determination by the department, when such action is  
28 necessary to protect the public welfare and the best interests  
29 of boxing.

30 (b) Hearing date.--The department shall hold a hearing

1 within ten days after the date on which the license or permit  
2 was suspended temporarily.

3 Section 1304. Suspension or revocation of licenses.

4 The department shall have the power to suspend or revoke a  
5 license or permit in any case where the department finds that  
6 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 CHAPTER 15

#### 5 PENALTIES

6 Section 1501. Misdemeanors.

7 Any person convicted of any misdemeanor in this act shall be  
8 sentenced to pay a fine of not more than \$5,000, or to  
9 imprisonment, for not more than three years, or both.

10 Section 1502. Departmental fines.

11 The department shall have the right to impose a fine of not  
12 more than \$5,000 for any violation of this act or the rules and  
13 regulations promulgated under this act, in lieu of or in  
14 addition to any other punishment herein provided for such  
15 violation.

#### 16 CHAPTER 17

#### 17 MISCELLANEOUS PROVISIONS

18 Section 1701. Financial interest in boxer prohibited.

19 No licensed physician, referee, judge or promoter shall have  
20 any direct or indirect financial or pecuniary interest in any  
21 boxer. A violation of this section shall constitute a  
22 misdemeanor of the third degree.

23 Section 1702. Financial interest in opponent prohibited.

24 No manager, trainer or second of any boxer shall have any  
25 direct or indirect financial or pecuniary interest in the  
26 opponent in any contest in which his own boxer participates. No  
27 boxer shall have any direct or indirect financial or pecuniary  
28 interest in his opponent in any contest. A violation of this  
29 section shall constitute a misdemeanor.

30 Section 1703. Financial interest of matchmaker.

1 No matchmaker or promoter shall have any direct or indirect  
2 financial or pecuniary interest in any boxer who is engaging in  
3 a contest arranged by that matchmaker or promoter. A violation  
4 of this section shall constitute a misdemeanor.

5 Section 1704. Fees, fines and forfeitures.

6 All fees, fines, forfeitures and other moneys collected under  
7 the provisions of this act and the rules and regulations  
8 promulgated under this act shall be paid by the department to  
9 the State Treasurer through the Department of Revenue, and are  
10 hereby appropriated to the department to be placed in a  
11 restricted receipts account for the administration and  
12 enforcement of the provisions of this act. Such moneys shall be  
13 specifically appropriated by the General Assembly. All moneys  
14 received by the Commonwealth for payment of the gross receipts  
15 tax enumerated in section 4 of the act of (P.L. ,  
16 No. ), known as the Professional Wrestling Act are hereby  
17 appropriated to the department to be placed in a restricted  
18 receipts account.

19 Section 1705. Rules and regulations.

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

27 Section 1706. Repeals.

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

30 (1) Sections 427 and 2503 of the act of April 9, 1929



1 (P.L.177, No.175), known as The Administrative Code of 1929.

2 (2) Act of August 31, 1955 (P.L.531, No.131), known as  
3 the Pennsylvania Athletic Code.

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

8 Section 1707. Transfer of functions, records, etc.

9 All allocations, appropriations, equipment, files, records,  
10 contracts, agreements, obligations and other materials which are  
11 used, employed or expended in connection with the powers, duties  
12 or functions of the State Athletic Commission transferred by  
13 this act to the Department of Health are hereby transferred to  
14 the Department of Health with the same force and effect as if  
15 the allocations and appropriations had been made to and said  
16 items had been the personnel and property of the commission in  
17 the first instance and if the contracts, agreements and  
18 obligations had been incurred or entered into by the department.

19 Section 1708. Status of existing licenses.

20 All licenses and permits issued pursuant to any act repealed  
21 by this act, except with respect to professional and amateur  
22 wrestling, shall continue with the same force and effect as if  
23 such act had not been repealed, subject, however, to the power  
24 of the department, as provided in this act, to suspend or revoke  
25 the license or permit of any such person for any of the causes  
26 or reasons set forth in this act and subject to the power of the  
27 department to require any such person to obtain a license or  
28 permit pursuant to this act.

29 Section 1709. Effect of prior rules and regulations.

30 All rules and regulations made pursuant to any act repealed

1 by this act, except with respect to professional and amateur  
2 wrestling, shall continue in full force and effect.

3 Section 1710. Saving clause.

4 The provisions of this act, so far as they are the same as  
5 those of existing law, are intended to be a continuation of such  
6 existing law and not as new enactments. The provisions of this  
7 act shall not affect any act done, liability incurred, right  
8 accrued or vested or suit or prosecution pending as of the  
9 effective date of this act, or any action to enforce any right  
10 or penalty or punish any offense under authority of such  
11 repealed laws.

12 Section 1711. Effective date.

13 This act shall take effect immediately or December 31, 1987,  
14 whichever is later.