

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 971 Session of
1989

INTRODUCED BY RHOADES, MAY 23, 1989

SENATOR TILGHMAN, APPROPRIATIONS, RE-REPORTED AS AMENDED,
JUNE 19, 1989

AN ACT

1 Reestablishing a State Athletic Commission; establishing 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; and creating an Athletic
10 Commission Augmentation Account.

TABLE OF CONTENTS

11
12 Chapter 1. Preliminary Provisions
13 Section 101. Short title.
14 Section 102. Definitions.
15 Section 103. Act not to apply to schools.
16 Chapter 3. State Athletic Commission
17 Section 301. Commissioners.
18 Section 302. Duties of commission.
19 Section 303. Appointment and qualifications of Executive
20 Director.
21 Section 304. Powers and duties of director.

1 Section 305. Medical Advisory Board.

2 Chapter 5. Regulations of Boxing Contests and Exhibitions

3 Section 501. Boxing regulated.

4 Section 502. Age of participants.

5 Section 503. Fictitious names.

6 Section 504. Physician to be in attendance.

7 Section 505. Medical training seminars.

8 Section 506. Register.

9 Section 507. Medical equipment.

10 Section 508. Suspension.

11 Section 509. Examinations.

12 Section 510. Weights and classes.

13 Section 511. Limitation on difference in weights.

14 Section 512. Gloves.

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

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

17 Section 515. Seconds.

18 Section 516. Duty of disclosure.

19 Section 517. Sham or collusive contest prohibited.

20 Section 518. Minimum purses for boxers.

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

22 Section 520. Withholding of moneys.

23 Section 521. Hearing regarding withheld purse.

24 Section 522. Hearing, disposition of withheld purse.

25 Section 523. Payments regulated.

26 Section 524. Insurance.

27 Chapter 7. Safety Regulations

28 Section 701. Mandatory eight count.

29 Section 702. Knockout.

30 Section 703. Physician at knockout.

1 Section 704. Ring padding.
2 Section 705. Boxer knocked unconscious.
3 Section 706. Boxer repeatedly knocked out.
4 Section 707. Six consecutive defeats.
5 Chapter 9. Licenses and Permits
6 Section 901. Power of ~~department~~ COMMISSION to issue, withhold, <—
7 suspend or revoke licenses and permits.
8 Section 902. Promoters' licenses.
9 Section 903. Representative managers' licenses.
10 Section 904. Foreign copromoters to procure permits.
11 Section 905. Other licenses required.
12 Section 906. Permits required.
13 Section 907. Permits for amateurs.
14 Section 908. Restrictions.
15 Section 909. Permits not to be issued.
16 Section 910. Standards for the issuance of licenses and
17 permits.
18 Section 911. Duration of license.
19 Section 912. Applications for licenses and permits.
20 Section 913. Oral examinations.
21 Section 914. License fees.
22 Section 915. Permit fees.
23 Section 916. Additional license fees; penalties.
24 Chapter 11. Contracts, Advertising, Tickets and Spectators
25 Section 1101. Commission control of contracts.
26 Section 1102. Contracts subject to law.
27 Section 1103. Provisions in contracts between managers and
28 professional boxers.
29 Section 1104. Approval of contracts.
30 Section 1105. Tickets.

1 Section 1106. Misdemeanor to destroy tickets.
2 Section 1107. Ticket refunds.
3 Section 1108. Advertising matter to state admission price.
4 Section 1109. Admissions not to exceed seating capacity.
5 Section 1110. Age of spectators.
6 Chapter 13. Bonds, Applications and Fees
7 Section 1301. Promoters and foreign copromoters required to
8 file bonds.
9 Section 1302. Deposit in lieu of surety bond.
10 Section 1303. Filing fee.
11 Section 1304. Recovery on bond.
12 Section 1305. Application and fees.
13 Chapter 15. Hearings and Temporary Suspensions
14 Section 1501. Commission hearings.
15 Section 1502. Subpoenas.
16 Section 1503. Temporary suspension of licenses or permits.
17 Section 1504. Suspension or revocation of licenses.
18 Chapter 17. Penalties
19 Section 1701. Misdemeanors.
20 Section 1702. ~~Departmental fines~~ FINES.
21 Chapter 19. Financial Interests
22 Section 1901. Financial interest in boxer prohibited.
23 Section 1902. Financial interest in opponent prohibited.
24 Section 1903. Financial interest of matchmaker.
25 Section 1904. Rules and regulations.
26 Chapter 21. Prohibited Competitions
27 Section 2101. Prohibited competitions.
28 Chapter 31. Miscellaneous Provisions
29 Section 3101. Repeals.
30 Section 3102. Transfer of functions, records, etc.

<—

1 Section 3103. Status of existing licenses.
2 Section 3104. Effect of prior rules and regulations.
3 Section 3105. Saving clause.
4 Section 3106. Athletic Commission Augmentation Account.
5 Section 3107. Appropriation.
6 SECTION 3108. REESTABLISHMENT OF COMMISSION. <—
7 SECTION 3109. RETROACTIVITY.
8 Section ~~3108~~ 3110. Effective date. <—

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 CHAPTER 1
12 PRELIMINARY PROVISIONS

13 Section 101. Short title.

14 This act shall be known and may be cited as the Athletic
15 Code.

16 Section 102. Definitions.

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

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

25 "Boxing." The act of attack and defense with the fists,
26 practiced as a sport, subject to rules adopted by the
27 commission. The term includes all variations of the sport
28 permitting or using other parts of the human body, including,
29 but not limited to, the foot, knee, leg, elbow or head.

30 "Commission." The State Athletic Commission.

1 "Contest." An engagement in which the boxers strive
2 earnestly in good faith to win.

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

4 "Executive Director." The Executive Director of the State
5 Athletic Commission.

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

8 "Foreign copromoter." A promoter who has no place of
9 business within this Commonwealth.

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

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

14 "Matchmaker." A person who brings together professional
15 boxers or arranges professional boxing contests or exhibitions.

16 "Participant." A boxer who takes part in a boxing contest or
17 exhibition.

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

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

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

30 "Purse." The financial guarantee or any other remuneration,

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

5 "Secretary." The Secretary of the Department of State.
6 Section 103. Act not to apply to schools.

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

15 CHAPTER 3

16 STATE ATHLETIC COMMISSION

17 Section 301. State Athletic Commissioners.

18 (a) General rule.--The commission shall be comprised of
19 three members appointed by the Governor with the advice and
20 consent of a majority of the members elected to the Senate, one
21 of whom shall be a medical doctor or doctor of osteopathy
22 licensed to practice in the Commonwealth, with experience in
23 sports medicine. The Governor shall appoint a member to act as
24 chairman.

25 (b) Term.--Each appointment shall be for a term of two
26 years. The terms of the members of the commission appointed
27 prior to the effective date of this act shall terminate on the
28 effective date of this act. Any commissioner so terminated shall
29 continue to hold office until his successor shall be appointed
30 pursuant to subsection (a).

1 (c) Compensation.--The commissioners shall receive a per
2 diem salary, the amount of which shall be established by the
3 secretary. The commissioners shall also be entitled to
4 reimbursement for travel and other necessary expenses incurred
5 as a direct result of their duties as members of the commission.
6 The expenses incurred by the commissioners shall be allowed and
7 paid on the presentation of itemized vouchers therefore, which
8 vouchers shall be subject to the approval of the secretary.

9 (d) Quorum requirement.--A quorum shall consist of two
10 members.

11 Section 302. Duties of commission.

12 Except as provided in section 103, the commission is hereby
13 granted authority to establish policy and shall be directed to
14 promulgate rules and regulations regarding all the true sports
15 of professional boxing and wrestling contests, as distinguished
16 from professional wrestling exhibitions, held within the
17 Commonwealth, except such contests and exhibitions as are
18 specifically exempted from the provisions of this act. The
19 commission shall hold regular meetings to carry out the
20 requirements of this act which shall include the consideration
21 of any rules, regulations or amendments thereto which are
22 recommended by the director.

23 Section 303. Appointment and qualifications of Executive
24 Director.

25 The secretary shall appoint an Executive Director of the
26 State Athletic Commission. The director shall have
27 administrative experience and other qualifications indicating he
28 is familiar with the activities to be regulated by this act and
29 shall serve at the pleasure of the secretary. The director's
30 salary shall be fixed by the secretary with the approval of the

1 Governor and the director shall hold no other paid public
2 position.

3 Section 304. Powers and duties of director.

4 The director shall supervise the administrative work of the
5 commission. The director shall have the power and the duties to:

6 (1) Attend monthly meetings of the commission.

7 (2) Recommend to the commission suspension or revocation
8 of any license or permit issued pursuant to this act for
9 violations of any provisions of this act or the rules and
10 regulations of the commission, or when such action is
11 necessary to protect the public welfare.

12 (3) Supervise and direct staff appointed by the
13 secretary engaged in work directly related to the
14 implementation of this act.

15 (4) Prepare and recommend to the commission rules and
16 regulations and amendments thereto.

17 (5) Implement and supervise a drug testing program of
18 all athletes licensed under this act, in consultation with
19 the Medical Advisory Board and the Secretary of Health or his
20 designee.

21 (6) Present the standing committees of both houses of
22 the General Assembly with an annual review of the
23 commission's rules and regulations.

24 (7) Establish and maintain a record of all athletes
25 licensed under this act, showing for each licensee:

26 (i) the date licensed;

27 (ii) the results of prefight and postfight
28 physicals;

29 (iii) any fictitious or assumed names by which the
30 licensee competes;

1 (iv) the number and dates of any suspensions of the
2 athlete;

3 (v) the dates when the athlete is knocked out; and

4 (vi) the athletes' record from other states.

5 (8) Administer and make effective the provisions of this
6 act and the rules made thereunder.

7 (9) Conduct a substantial portion of the activities
8 required by this act at a single central location, wherein
9 all records of the commission shall be maintained.

10 (10) Prepare an annual budget for the consideration of
11 the commission, showing the costs of operation and revenues
12 received in the previous fiscal year and the estimated costs
13 of operations and revenues to be received in the next fiscal
14 year. The budget shall be approved by the commission and
15 forwarded to the Secretary of State in a timely fashion for
16 his review and inclusion in the budget request of the
17 Department of State.

18 (11) Aid the commission in the promotion of boxing
19 contests in the Commonwealth.

20 Section 305. Medical Advisory Board.

21 Within 60 days of the effective date of this act, the
22 commission shall appoint five physicians to serve on a Medical
23 Advisory Board for a term of two years. Each member shall be
24 paid a per diem rate to be established by the secretary, but not
25 in excess of \$150 per day. The Medical Advisory Board shall
26 issue an annual report to the commission which shall include a
27 review of the health status of each boxer who actually competed
28 during the prior fiscal year to identify those who may be at
29 risk of serious physical impairment and a review of the health
30 and safety regulations promulgated by the commission to

1 recommend changes or additions thereto.

2 CHAPTER 5

3 REGULATIONS OF BOXING CONTESTS AND EXHIBITIONS

4 Section 501. Boxing regulated.

5 Professional boxing contests or exhibitions, including kick
6 boxing, shall be held within this Commonwealth only in
7 accordance with the provisions of this act and the rules and
8 regulations promulgated hereunder. The contests or exhibitions
9 may be held on Sundays.

10 Section 502. Age of participants.

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

13 (b) Exception.--

14 (1) Any person between 12 and 17 years of age may
15 participate in amateur boxing contests or exhibitions under
16 such rules and regulations as the ~~director~~ COMMISSION shall
17 prescribe. <—

18 (2) Persons between 12 and 17 years of age may
19 participate after obtaining written permission from a parent
20 or legal guardian, as well as consent by the ~~director~~ <—
21 COMMISSION. <—

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

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

1 (1) Ten and eleven years of age.

2 (2) Twelve and thirteen years of age.

3 (3) Fourteen and fifteen years of age.

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

6 Section 503. Fictitious names.

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

11 Section 504. Physician to be in attendance.

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

23 Section 505. Medical training seminars.

24 The ~~director~~ COMMISSION shall conduct frequent mandatory <—
25 medical training seminars at least three times a year for all
26 ring personnel, ~~department~~ COMMISSION personnel and other <—
27 designated persons employed by the ~~department~~ SECRETARY. <—

28 Section 506. Register.

29 The director shall establish and maintain a register for all
30 professional boxers licensed in this Commonwealth. The register

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

7 Section 507. Medical equipment.

8 No professional ~~or amateur~~ boxing event shall be started <—
9 unless there is on the premises:

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

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

13 Section 508. Suspension.

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

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

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

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

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

24 Section 509. Examinations.

25 (a) Prefight physical.--

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

1 proceed, the physician shall notify the person in charge, who
2 shall immediately cancel the contest or exhibition.

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

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

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

15 Section 510. Weights and classes.

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

19 Section 511. Limitation on difference in weights.

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

26 Section 512. Gloves.

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

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

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

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

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

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

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

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

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

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

(e) Limitation on rounds.--The ~~director~~ COMMISSION may, in respect to any contest or exhibition or in respect to any class of participants, limit the number of rounds in a contest or exhibition to less than the maximum of 15 rounds.

Section 514. Attendance of referee and judges; scoring.

(a) Referee.--At each professional boxing contest or exhibition, except an exhibition held solely for training purposes, there shall be in attendance, at the expense of the

promoter, a duly licensed referee designated by the director,
who shall direct and control the contest or exhibition.

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

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

Section 515. Seconds.

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

Section 516. Duty of disclosure.

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

Section 517. Sham or collusive contest prohibited.

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

(b) Reports.--Any licensee who knows or has reason to

1 suspect that a boxing contest is, was or is going to be a sham
2 or collusive contest shall have a duty to promptly report this
3 to the director or his designee or a representative thereof.
4 Such a report shall be in writing or, if oral, shall be reduced
5 to writing and shall contain all of the reporter's reasons for
6 the conclusions set forth in his report.

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

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

19 Section 518. Minimum purses for boxers.

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

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

24 (a) Promoter distribution.--Unless otherwise directed by the
25 director, all boxing purses shall be distributed by the promoter
26 not later than 24 hours after the conclusion of the contest or
27 exhibition for which the purse is being paid. A written
28 statement showing the distribution of the purse, including each
29 item of receipt and each expenditure or deduction, shall be
30 furnished to the boxer and his manager, together with his share

1 of the purse, and a copy thereof certified by the promoter to be
2 true and correct shall be filed in the office of the director.
3 Receipted vouchers for every expenditure or deduction shall be
4 attached to the copy filed with the department.

5 (b) Manager distribution.--Unless otherwise directed by the
6 director, every manager shall furnish a statement of
7 distribution to the boxer he manages, together with the boxer's
8 share of the purse, not later than 24 hours after he receives
9 the purse and statement from the promoter. A copy thereof,
10 certified by the manager to be true and correct, shall be filed
11 in the office of the department, and it shall have attached to
12 it receipted vouchers for every expenditure or deduction made by
13 the manager.

14 Section 520. Withholding of moneys.

15 (a) General rule.--The ~~director~~ COMMISSION shall have the <—
16 power to order the promoter to withhold any purse, or any part
17 thereof, or any receipts or other funds belonging to or payable
18 to any contestant or for which any contestant is competing or of
19 any manager's share of, if it should appear that such contestant
20 is not competing honestly or is intentionally not competing to
21 the best of his ability and skill, or if it should appear that
22 the contestant, his manager or any of his seconds has violated
23 any provision of this act or the rules and regulations
24 promulgated under this act.

25 (b) Escrow.--The ~~director~~ COMMISSION shall have the power to <—
26 order that the gross receipts shall be withheld and placed in
27 escrow if it should appear that the act has been violated.

28 Section 521. Hearing regarding withheld purse.

29 (a) Delivery to ~~director~~ COMMISSION.--Any purse, or portion <—
30 thereof, so withheld shall be delivered by the promoter to the

1 ~~director~~ COMMISSION within 48 hours after the end of the <—
2 contest.

3 (b) Request for hearing.--Within ten days after the end of
4 the contest, the licensee from whom the sum was withheld shall
5 have the right to apply in writing to the ~~director~~ COMMISSION <—
6 for a hearing. Upon receipt of such application, the ~~director~~ <—
7 COMMISSION shall fix a date for a hearing. <—

8 Section 522. Hearing, disposition of withheld purse.

9 (a) General rule.--Within a reasonable time after the
10 hearing or after the expiration of ten days following the
11 contest, if no application for a hearing is filed, the ~~director~~ <—
12 COMMISSION shall determine the disposition to be made of the <—
13 withheld purse.

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

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

23 Section 523. Payments regulated.

24 (a) General rule.--No promoter or foreign copromoter shall
25 pay, lend or give any money to a contestant before any boxing
26 contest as an advance against his purse or for a similar
27 purpose. A promoter may, with the prior written permission of
28 the ~~director~~ COMMISSION, pay or advance to a contestant <—
29 necessary expenses for transportation and maintenance in
30 preparation for a contest.

1 (b) Forfeiture of purse.--If a contestant's purse is
2 forfeited, the ~~director~~ COMMISSION may include such payments or <—
3 advances as part of the forfeiture, and, if he does not forward
4 such amount to the department, it may be recovered in the same
5 manner as a debt due the Commonwealth.

6 Section 524. Insurance.

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

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

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

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

19 CHAPTER 7

20 SAFETY REGULATIONS

21 Section 701. Mandatory eight count.

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

27 Section 702. Knockout.

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

1 Section 703. Physician at knockout.

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

6 Section 704. Ring padding.

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

10 Section 705. Boxer knocked unconscious.

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

15 Section 706. Boxer repeatedly knocked out.

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

21 Section 707. Six consecutive defeats.

22 A boxer who has suffered six consecutive defeats shall be
23 investigated by the commission and examined by a physician.

24 CHAPTER 9

25 LICENSES AND PERMITS

26 Section 901. Power of ~~department~~ COMMISSION to issue, withhold, <—
27 suspend or revoke licenses and permits.

28 The ~~director~~ COMMISSION is hereby granted sole control, <—
29 authority and jurisdiction to issue, withhold, suspend or revoke
30 any license or permit provided for in this act.

1 Section 902. Promoters' licenses.

2 No promoter shall, either directly or indirectly, conduct,
3 hold or promote any professional boxing contest or exhibition
4 unless he has first procured a promoter's license from the
5 commission. A violation of this section may subject the promoter
6 to suspension of not less than 30 days or revocation of his
7 license at the discretion of the commission pursuant to section
8 1504.

9 Section 903. Representative managers' licenses.

10 (a) General rule.--Before acting as such, every
11 representative manager shall procure a manager's license. He
12 shall file with the department the name of each boxer whom he
13 represents, together with a written consent from each such boxer
14 and his manager authorizing him to transact business for such
15 manager or boxer or to act as or for the manager of such boxer.

16 (b) Presumption.--Every person other than the manager of a
17 professional boxer who performs any of the acts usually
18 performed by the manager or who aids, assists or substitutes for
19 the manager or who uses a licensed manager to conceal his own
20 actions as a manager shall be considered a representative
21 manager.

22 (c) Penalty.--A violation of this section may subject the
23 manager to suspension of not less than 30 days or revocation of
24 his license at the discretion of the commission pursuant to
25 section 1504.

26 Section 904. Foreign copromoters to procure permits.

27 (a) General rule.--No foreign copromoter shall directly or
28 indirectly participate in the promotion of or receive any
29 remuneration from or render any services in connection with any
30 professional boxing contest or exhibition held within this

1 Commonwealth unless he has first been granted a permit therefor
2 by the commission. No promoter shall be associated with any
3 foreign copromoter in promoting any contest or exhibition unless
4 the foreign copromoter has first secured a permit. A foreign
5 copromoter by accepting a permit agrees to be subject to all the
6 provisions of this act and the rules and regulations promulgated
7 under this act.

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

12 Section 905. Other licenses required.

13 (a) Other licenses.--No professional boxer, manager, second,
14 trainer, matchmaker, timekeeper, referee, judge, announcer,
15 physician, booking agent or agency or representative of a
16 booking agent or agency shall directly or indirectly act in such
17 capacity in connection with any professional boxing contest or
18 exhibition unless he has first procured a license to act in such
19 a capacity from the commission.

20 (b) Penalty.--A violation of this section may subject the
21 boxer, manager, seconds, trainer, matchmaker, timekeeper,
22 referee, judge, announcer, physician, booking agent or agency or
23 representative of a booking agent or agency to suspension of not
24 less than 30 days or revocation of their licenses at the
25 discretion of the commission pursuant to section 1504.

26 Section 906. Permits required.

27 In addition to the promoter's license, each promoter shall be
28 required to procure a permit for each program of contests or
29 exhibitions before presenting that program. Each application for
30 a permit shall specify the premises where and time when the

1 program is to be held.

2 Section 907. Permits for amateurs.

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

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

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

15 Section 908. Restrictions.

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

19 Section 909. Permits not to be issued.

20 No permit shall be issued for the holding of any boxing
21 contest or exhibition within any political subdivision of this
22 Commonwealth which has adopted, or which adopts, any local
23 ordinance or resolution prohibiting such contests or exhibitions
24 within its limits.

25 Section 910. Standards for the issuance of licenses and
26 permits.

27 (a) Consideration.--In determining whether to issue or renew
28 any license or permit, the commission shall consider the best
29 interest and welfare of the public, the preservation of the
30 safety and health of participants and the best interests of

1 boxing generally.

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

4 (1) Of a good moral character.

5 (2) Of good reputation.

6 (3) Physically fit and mentally sound.

7 (4) Skilled in his profession.

8 (5) Of requisite age and experience.

9 (6) Not addicted to the intemperate use of alcohol or to
10 the use of narcotic drugs.

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

14 Section 911. Duration of license.

15 Each license issued under this act shall expire on December
16 31 next following the date on which it was issued.

17 Section 912. Applications for licenses and permits.

18 Every application for a license or a permit shall:

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

20 (2) Be verified by the applicant.

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

25 Section 913. Oral examinations.

26 The commission shall have the right to require any applicant
27 for a license or permit, or in the case of a corporate
28 applicant, any officer, director, employee or stockholder
29 thereof, to appear before the commission for an oral
30 examination, under oath, as to qualifications of the applicant

1 before taking actions on that application.

2 Section 914. License fees.

3 The annual license fees which shall accompany each
4 application for a license or the renewal of a license shall be
5 fixed by commission regulation.

6 Section 915. Permit fees.

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

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

15 Section 916. Additional license fees; penalties.

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

1 (b) Time period for payment.--The payment of the additional
2 license fee provided for in this section shall be made within 48
3 hours after the contest or exhibition and shall be accompanied
4 by a form prescribed by the Department of Revenue setting forth
5 the gross receipts received from the contest or exhibition,
6 together with such other information as the Department of
7 Revenue may require.

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

12 (d) Penalties.--

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

18 (2) Any promoter who willfully fails, neglects or
19 refuses to make a report, or to pay the license fees as
20 herein prescribed, or who refuses to permit the department to
21 examine the books, papers and records of any promotion
22 commits a misdemeanor of the third degree and may be subject
23 to suspension or loss of his license at the discretion of the
24 commission.

25 CHAPTER 11

26 CONTRACTS, ADVERTISING, TICKETS AND SPECTATORS

27 Section 1101. Commission control of contracts.

28 The commission, with the approval of the department, is
29 required to promulgate rules and regulations governing the form
30 and content of all contracts entered into between or among

1 promoters and foreign copromoters and professional boxers and
2 managers and all contracts between managers and professional
3 boxers. All contracts required under the provisions of this act
4 shall be in writing.

5 Section 1102. Contracts subject to law.

6 Every contract subject to the provisions of this chapter
7 shall contain the following clause:

8 This agreement is subject to the provisions of this act
9 and to the rules and regulations of the Department of
10 State, and to any future amendments of either of them.

11 Section 1103. Provisions in contracts between managers and
12 professional boxers.

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

17 (b) Termination of contract.--Each contract shall further
18 provide that the contract shall be automatically terminated if
19 the license of either party is revoked by the commission or if
20 the manager fails to renew his license within 30 days after its
21 expiration. If the license of either party is suspended, the
22 contract shall not be binding upon the other party during the
23 period of such suspension.

24 Section 1104. Approval of contracts.

25 No contract between a manager and a professional boxer shall
26 be legally valid and binding until both parties to the contract
27 have appeared before the commission and have received its
28 approval which shall be endorsed on the contract.

29 Section 1105. Tickets.

30 (a) Scheduled date and price.--Every ticket of admission to

1 a boxing contest or exhibition shall clearly show on its face
2 the scheduled date of the contest or exhibition and its purchase
3 price, including any taxes thereon.

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

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

11 (d) Numbering of tickets.--Tickets in each price range shall
12 be consecutively numbered, and the number of each ticket shall
13 be clearly printed on both the stub and main portion of the
14 ticket.

15 (e) Schedule of tickets.--A schedule of the numbers of all
16 tickets in each price range shall be furnished to the
17 department.

18 Section 1106. Misdemeanor to destroy tickets.

19 Except upon receipt of prior written authorization from the
20 department, it shall be a misdemeanor of the second degree for
21 any promoter or person associated with or employed by any
22 promoter to destroy any ticket or ticket stub, whether sold or
23 unsold, within six months after the date of any contest or
24 exhibition.

25 Section 1107. Ticket refunds.

26 (a) Full refund.--Upon postponement or cancellation of the
27 main event or the entire program of contests or exhibitions, the
28 promoter shall refund the full purchase price of each ticket to
29 any person who presents such ticket for a refund within 30 days
30 after the scheduled date of the event. Within 10 days after the

1 expiration of this 30-day period, the promoter shall pay all
2 unclaimed ticket receipts to the department. The department
3 shall hold these funds for a period of one year for the purpose
4 of making additional refunds. Thereafter, the department shall
5 pay all remaining moneys from such ticket sale to the State
6 Treasurer for deposit into the General Fund, without escheat.

7 (b) Forfeiture of security.--Failure of any promoter or
8 foreign copromoter to comply with the provisions of subsection
9 (a) shall be sufficient cause to warrant a forfeiture of his
10 bond, or other security, and an imposition of a penalty or
11 suspension or revocation of his license by the department as
12 provided in this act.

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

17 Section 1108. Advertising matter to state admission price.

18 Each showcard, bill, poster, newspaper or any other
19 advertisement of any contest or exhibition shall contain a
20 schedule of admission prices and a conspicuous statement of
21 whether a contest or exhibition is being presented. Failure to
22 comply with the provisions of this section shall constitute
23 grounds for the suspension or revocation of the promoter's
24 license.

25 Section 1109. Admissions not to exceed seating capacity.

26 It shall be a misdemeanor of the third degree for any
27 promoter to admit to any contest or exhibition more persons than
28 there are seats in the place where the contest or exhibition is
29 being held.

30 Section 1110. Age of spectators.

1 No minor 16 years of age or under shall be permitted to
2 attend any boxing contest or exhibition unless accompanied by an
3 adult.

4 CHAPTER 13

5 BONDS, APPLICATIONS AND FEES

6 Section 1301. Promoters and foreign copromoters required to
7 file bonds.

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

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

17 (c) Approval of sureties.--The sufficiency of the sureties
18 shall be subject to approval of the department and the Office of
19 Attorney General.

20 (d) Conditions.--The surety bond shall be conditioned upon
21 the faithful performance by the promoter or foreign copromoter
22 of his obligations under this act and the rules and regulations
23 promulgated pursuant hereto, including, but not limited to, the
24 fulfillment of his contractual obligations to contestants,
25 managers and other licensees, and the payment of all license and
26 permit fees provided for in this act. The aggregate annual
27 liability of the surety for all obligations and fees shall in no
28 event exceed the amount of the bond.

29 Section 1302. Deposit in lieu of surety bond.

30 In lieu of the surety bond required by section 1101, the

1 promoter may deposit with the department cash, a certified
2 check, or direct obligations of the United States or the
3 Commonwealth of Pennsylvania acceptable to the department, in an
4 equivalent amount and subject to the same conditions. Such
5 security shall not be returned to the promoter until one year
6 after the date on which it was deposited with the department,
7 unless a surety bond is substituted for the security. After the
8 expiration of one year from the date on which the security was
9 deposited, if no claim against the deposit is outstanding, it
10 shall be returned to the depositor.

11 Section 1303. Filing fee.

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

15 Section 1304. Recovery on bond.

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

19 Section 1305. Application and fees.

20 (a) Fee.--An application for a permit or license shall be
21 accompanied by a nonrefundable application fee in an amount
22 established by the commission by regulation. If the revenues
23 generated by fees, fines and civil penalties imposed in
24 accordance with the provisions of this act are not sufficient to
25 match expenditures over a two-year period, the commission shall
26 increase those fees by regulation such that the projected
27 revenues will meet or exceed projected expenditures. If the
28 Department of State determines that fees and/or fines
29 established by the commission are inadequate to meet the minimum
30 enforcement efforts required by this act, then the department,

1 after consultation with the commission, shall increase the fees
2 and/or fines by regulations, subject to review in accordance
3 with the Independent Regulatory Review Act, such that adequate
4 revenues are raised to meet the minimum enforcement efforts
5 required under this act.

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

8 (c) Disposition and use of fees.--Fees shall be collected by
9 the commission and shall be paid into the Athletic Commission
10 Augmentation Account.

11 CHAPTER 15

12 HEARINGS AND TEMPORARY SUSPENSIONS

13 Section 1501. Commission hearings.

14 The commission shall conduct all hearings under the
15 provisions of Title 2 of the Pennsylvania Consolidated Statutes
16 (relating to administrative law and procedure), and must conduct
17 a hearing within ten business days from the time any
18 recommendation is made by the director that a permit or license
19 be suspended or revoked.

20 Section 1502. Subpoenas.

21 The commission may issue subpoenas in connection with the
22 investigations, requiring the attendance and testimony of or the
23 production of books and papers by any licensee or other person
24 whom the commission believes to have information, books or
25 papers of importance to it in making the investigation.

26 Section 1503. Temporary suspension of licenses or permits.

27 (a) General rule.--The commission shall have the power, upon
28 its own motion or upon the verified written complaint of any
29 person charging a licensee or permittee with violating any
30 provision of this act or the rules and regulations promulgated

1 under this act, to suspend temporarily any license or permit
2 until final determination by the commission, when such action is
3 necessary to protect the public welfare and the best interests
4 of boxing.

5 (b) Meetings.--Upon the oral or written agreement of two
6 members of the commission, the commission may conduct meetings
7 under subsection (a) by voice or video electronic means, if the
8 subject matter of the meeting is so compelling or timely that
9 considering the matter at the commission's next regular meeting
10 would render any decision moot, adversely affect the rights of
11 the aggrieved parties under this act or threatens the safety or
12 physical health of participants. A stenographic record of such
13 meetings shall be made and maintained by the commission and be
14 made available to the parties upon request.

15 (c) Hearing date.--The commission shall hold a hearing
16 within ten business days after the date on which the license or
17 permit was suspended temporarily at which time reasonable
18 efforts shall be made for the affected parties and the
19 commission to be physically present.

20 Section 1504. Suspension or revocation of licenses.

21 (a) Power to suspend or revoke.--The commission shall have
22 the power to suspend or revoke a license or permit in any case
23 where the commission finds that the licensee or permittee:

24 (1) Is guilty of gross immorality.

25 (2) Is unfit or incompetent by reason of negligence or
26 habits.

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

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

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

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

7 (7) Is or has become mentally incompetent.

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

11 (9) Has made a misstatement of a material fact or
12 fraudulently concealed a material fact, or has induced, aided
13 or abetted any other person in misstating or concealing any
14 material fact in any application or other proceeding under
15 this act.

16 (10) Has failed to account for or pay over moneys
17 belonging to others which have come into his possession in
18 connection with a boxing contest or exhibition.

19 (11) Has failed to furnish to the proper party a copy of
20 any contract or statement required by this act or the rules
21 and regulations promulgated under this act, or has breached
22 such a contract.

23 (12) Has paid or agreed to pay any money or article of
24 value to any person not having a license or a permit for
25 soliciting or for business secured or for rendering of any
26 service or the doing of any of the acts forbidden by this act
27 and the rules and regulations promulgated under this act.

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

30 (14) Is guilty of any form of pretense which might

1 induce the public or citizens to become a prey to
2 professional exploitation.

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

5 (16) Has failed to maintain in force the bond required
6 by this act or has failed to deposit with the department the
7 required cash, check or securities required in lieu of the
8 bond.

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

12 (18) Is associating or consorting with criminals,
13 bookmakers, gamblers or persons of similar ill repute, or
14 with persons of no known or visible means of livelihood, or
15 is himself engaged or engaging in similar pursuits or
16 conduct.

17 (19) Has been disciplined in any manner by the
18 department or similar agency or body of any jurisdiction.

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

21 (b) Meetings.--Upon the oral or written agreement of two
22 members of the commission, the commission may conduct meetings
23 under subsection (a) by voice or video electronic means, if the
24 subject matter of the meeting is so compelling or timely that
25 considering the matter at the commission's next regular meeting
26 would render any decision moot, adversely affect the rights of
27 the aggrieved parties under this act or threaten the safety or
28 physical health of participants. A stenographic record of such
29 meetings shall be made and maintained by the commission and be
30 made available to the parties upon request.

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

6 CHAPTER 17

7 PENALTIES

8 Section 1701. Misdemeanors.

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

13 Section 1702. ~~Departmental fines~~ FINES.

14 The ~~director~~ COMMISSION shall have the right to impose a fine
15 of not more than \$5,000 for any violation of Chapters 1 through
16 19 of this act or the rules and regulations promulgated under
17 Chapters 1 through 19 of this act in addition to any other
18 punishment herein provided for such violation. Any licensee or
19 permittee upon whom a fine is imposed under this section shall
20 have a right to a hearing before the commission within ten days
21 after the date on which the fine was imposed.

22 CHAPTER 19

23 FINANCIAL INTERESTS

24 Section 1901. Financial interest in boxer prohibited.

25 No licensed physician, referee, judge or promoter shall have
26 any direct or indirect financial or pecuniary interest in any
27 boxer. A violation of this section shall constitute a
28 misdemeanor of the third degree.

29 Section 1902. Financial interest in opponent prohibited.

30 No manager, trainer or second of any boxer shall have any

1 direct or indirect financial or pecuniary interest in the
2 opponent in any contest in which his own boxer participates. No
3 boxer shall have any direct or indirect financial or pecuniary
4 interest in his opponent in any contest. A violation of this
5 section shall constitute a misdemeanor.

6 Section 1903. Financial interest of matchmaker.

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

11 Section 1904. Rules and regulations.

12 The commission is hereby granted the power to promulgate
13 rules and regulations governing the presentation of professional
14 ~~and~~ boxing and all matters pertaining thereto. Such rules and <—
15 regulations shall include those rules and regulations
16 specifically required by this act, together with such others as
17 the ~~department~~ COMMISSION shall consider necessary in order to <—
18 carry out the provisions of this act.

19 CHAPTER 21

20 PROHIBITED COMPETITIONS

21 Section 2101. Prohibited competitions.

22 (a) Offense defined.--A person commits a misdemeanor of the
23 first degree if he promotes, sponsors or participates in any
24 manner in the staging of, or the conduct of, any tough guy
25 contest or battle of the brawlers or in any similar competition.

26 (b) Application of section.--

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

1 used, employed or expended in connection with the powers, duties
2 or functions of the State Athletic Commission transferred by
3 this act to the commission, the director or the Department of
4 State are hereby transferred to the commission, the director or
5 the Department of State with the same force and effect as if the
6 allocations and appropriations had been made to and said items
7 had been the personnel and property of the commission in the
8 first instance and if the contracts, agreements and obligations
9 had been incurred or entered into by the department.

10 Section 3103. Status of existing licenses.

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

20 Section 3104. Effect of prior rules and regulations.

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

24 Section 3105. Saving clause.

25 The provisions of this act, so far as they are the same as
26 those of existing law, except with respect to amateur wrestling,
27 are intended to be a continuation of such existing law and not
28 as new enactments. The provisions of this act shall not affect
29 any act done, liability incurred, right accrued or vested or
30 suit or prosecution pending as of the effective date of this

1 act, or any action to enforce any right or penalty or punish any
2 offense under authority of such repealed laws.

3 Section 3106. Athletic Commission Augmentation Account.

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

13 Section 3107. Appropriation.

14 The sum of \$350,000, or as much thereof as may be necessary,
15 is hereby appropriated from the General Fund to the Athletic
16 Commission in the Department of State for the payment of costs
17 of processing permits, licenses and renewals, for the operation
18 of the commission and for other general costs of the
19 commission's operations relating to this act. The appropriation
20 granted shall be repaid by the commission within five years of
21 the beginning of issuance of licenses and permits under this
22 act.

23 SECTION 3108. REESTABLISHMENT OF COMMISSION. <—

24 THIS ACT, WITH RESPECT TO THE STATE ATHLETIC COMMISSION,
25 CONSTITUTES THE LEGISLATION REQUIRED TO REESTABLISH AN AGENCY
26 UNDER THE ACT OF DECEMBER 22, 1981 (P.L.508, NO.142), KNOWN AS
27 THE SUNSET ACT.

28 SECTION 3109. RETROACTIVITY.

29 SECTION 3108 SHALL BE RETROACTIVE TO DECEMBER 31, 1988.

30 Section ~~3108~~ 3110. Effective date. <—

1 This act shall take effect immediately.