

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 635 Session of  
2013

INTRODUCED BY ROBBINS, COSTA, ALLOWAY AND BREWSTER,  
MARCH 8, 2013

REFERRED TO STATE GOVERNMENT, MARCH 8, 2013

AN ACT

1 Amending Title 5 (Athletics and Sports) of the Pennsylvania  
2 Consolidated Statutes, further providing for duties of State  
3 Athletic Commission; in boxing, further providing for age of  
4 participants, for gloves and for contracts; in wrestling,  
5 further providing for definitions, for physician to be in  
6 attendance and for penalties; and, in registration of athlete  
7 agents, further providing for bonding requirements.

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

10 Section 1. Section 103(b) of Title 5 of the Pennsylvania  
11 Consolidated Statutes is amended by adding a paragraph to read:  
12 § 103. Duties of commission.

13 \* \* \*

14 (b) General duties.--In addition to any other power  
15 specifically granted by this part, the commission:

16 \* \* \*

17 (4) May enter into agreements with other states,  
18 territories or possessions of the United States or tribal  
19 organizations to permit the commission to supervise boxing  
20 matches in the other states, territories or possessions or on

tribal reservations, in accordance with the Professional  
Boxing Safety Act of 1996 (Public Law 104-272, 15 U.S.C. §  
6301 et seq.)

Section 2. Sections 702 and 712 of Title 5 are amended to  
read:

§ 702. Age of participants.

(a) [General rule] Professional contests and exhibitions.--  
No person under 18 years of age shall be a participant in any  
professional contest or exhibition.

[(b) Exception.--

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

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

(3) A person 12 to 16 years of age may only participate  
in such contests with a person not more than one year older.

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

(1) Ten and eleven years of age.

(2) Twelve and thirteen years of age.

(3) Fourteen and fifteen years of age.

No participant shall take part in any event outside of the

1 approved division for that age group.]

2 (d) Amateur contests and exhibitions.--Any age restriction  
3 or requirement for amateur boxer participation in any amateur  
4 contest or exhibition shall conform with local amateur  
5 association rules as approved by the commission.

6 § 712. Gloves.

7 (a) General rule.--All boxers licensed under this subpart  
8 shall be required to use thumbless or thumb-attached gloves. The  
9 appropriate weight boxing gloves shall be [worn by boxers as  
10 follows:

11 (1) One hundred sixty pounds or under, boxing gloves  
12 weighing not less than eight ounces each.

13 (2) Over 160 pounds, boxing gloves weighing not less  
14 than ten ounces each.] set by regulation of the commission.

15 (b) Violation.--A violation of this section or of the  
16 commission's regulations may subject the participant, promoter  
17 or manager or any of them to suspension of not less than 30 days  
18 or revocation of their licenses, at the discretion of the  
19 commission, pursuant to section 1304 (relating to suspension or  
20 revocation of licenses or permits).

21 Section 3. Section 1103 of Title 5 is amended by adding a  
22 subsection to read:

23 § 1103. Provisions in contracts between managers and  
24 professional boxers.

25 \* \* \*

26 (c) Mandatory arbitration.--On or after the effective date  
27 of this subsection, a contract between a boxer and a manager  
28 that is executed on a form provided by the commission shall  
29 provide for binding arbitration of disputes by the commission.  
30 The arbitration must be conducted by a representative of the

commission appointed by the chairman. The arbitration must be  
conducted pursuant to the Uniform Arbitration Act, 42 Pa.C.S.  
Ch. 73 Subch. A (relating to statutory arbitration).

Section 4. The definition of "promoter" in section 1902 of Title 5 is amended to read:

§ 1902. Definitions.

Subject to additional definitions contained in subsequent provisions of this subpart which are applicable to specific provisions of this subpart, the following words and phrases when used in this subpart shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Promoter." Any person and, in the case of a corporation, an officer, director, employee or shareholder thereof who produces, arranges or stages any professional wrestling contest or exhibition.

\* \* \*

Section 5. Sections 2104 and 2109 of Title 5 are amended to read:

§ 2104. Physician or certified registered nurse practitioner to be in attendance.

Before any professional wrestling contest or exhibition shall take place, the promoter and the operator of the arena or facility shall employ a physician or certified registered nurse practitioner to be present at every wrestling contest or exhibition. The physician or certified registered nurse practitioner shall observe the physical condition of the participants throughout the contest or exhibition and shall be authorized to terminate the contest or exhibition when, in his judgment, severe injury would result if the contest or exhibition were to continue. A certified registered nurse

practitioner employed by the promoter shall practice in  
accordance with sections 8.2, 8.3 and 8.7 of the act of May 22,  
1951 (P.L.317, No.69), known as The Professional Nursing Law.

The [physician's] fee for the physician or certified registered  
nurse practitioner shall be paid by the promoter.

§ 2109. [Penalties.] Criminal and civil penalties.

(a) Criminal penalties.--Except for a violation of section  
2101 (relating to promoter's license) or 2107 (relating to  
prohibited acts), a knowing or reckless violation of any  
provision of this subpart shall be a summary offense. A knowing  
or reckless violation of section 2101 or 2107 shall be a  
misdemeanor of the third degree. In addition to any other  
procedure for instituting proceedings, the executive director  
may, upon receiving a report of an unlawful incident or a  
violation of this subpart, authorize the filing of a complaint  
or citation pursuant to the Pennsylvania Rules of Criminal  
Procedure.

(b) Civil penalty.--In addition to the penalties under  
subsection (a), the commission may impose a civil penalty of not  
more than \$5,000 for any violation of any provision of this  
subpart or the rules and regulations promulgated under those  
provisions. Any licensee or permittee upon whom a civil penalty  
is imposed under this subsection shall have a right to a hearing  
before the commission within ten days after notice of the  
commission's intent to impose the penalty is received.

Section 6. Section 3316(a) of Title 5 is amended and the  
section is amended by adding a subsection to read:

§ 3316. Bonding requirements.

(a) Amount.--[Before] Except as required by subsection (f),  
before any athlete agent registration is issued, the applicant

1 shall be required to execute and file a surety bond with the  
2 commission in such reasonable amount, but not less than \$20,000,  
3 as the commission shall require.

4 \* \* \*

5 (f) Athlete agents.--

6 (1) An athlete agent who:

7 (i) represents professional athletes only;

8 (ii) holds a current registration with a  
9 professional sports organization or association;

10 (iii) does not enter into agency contracts with  
11 student athletes; and

12 (iv) does not directly or indirectly recruit or  
13 solicit student athletes to enter into an agency  
14 contract;

15 is not required to execute and file a surety bond or  
16 alternate security under this section.

17 (2) An applicant under this subsection shall execute and  
18 file an affidavit with the commission verifying that the  
19 applicant does not act as an athlete agent with regard to  
20 student athletes as defined in section 3102 (relating to  
21 definitions).

22 Section 7. This act shall take effect in 60 days.