

**SUBSTITUTE FOR
HOUSE BILL NO. 5156**

A bill to amend 2004 PA 403, entitled
"Michigan unarmed combat regulatory act,"
by amending sections 10, 11, 33b, and 54a (MCL 338.3610, 338.3611,
338.3633b, and 338.3654a), sections 10 and 11 as amended and
section 33b as added by 2015 PA 183, and section 54a as amended by
2017 PA 146, and by adding sections 33e, 52a, and 54b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 10. As used in this act:
- 2 (a) "Amateur" means any of following:
- 3 (i) An individual who is not competing and has never competed
- 4 for a prize or who is not competing and has not competed with or
- 5 against a professional for a prize.
- 6 (ii) For a boxing contest, an individual who is required to



1 register with USA Boxing, or any other amateur boxing organization
2 recognized by the department to participate.

3 (b) "Boxer" means an individual who is licensed to engage in
4 boxing.

5 (c) "Boxing" means the sport of attack and defense with fists,
6 using padded gloves, in a square ring.

7 (d) "Chemical dependency" means that term as defined in
8 section 16106a of the public health code, 1978 PA 368, MCL
9 333.16106a.

10 (e) "Commission" means the Michigan unarmed combat commission
11 created in section 20.

12 (f) "Complainant" means a person that files a complaint with
13 the department alleging that a person has violated this act or a
14 rule promulgated or an order issued under this act. If a complaint
15 is made by the department, complainant means 1 or more employees of
16 the department who act as the complainant.

17 (g) "Contest" means an individual bout between 2 boxers, 2
18 mixed martial artists, or 2 individuals engaged in other unarmed
19 combat that is subject to this act.

20 (h) "Contestant" means an individual who competes in an
21 unarmed combat contest or event.

22 (i) "Cornerperson" means an individual who provides assistance
23 to a contestant before or during a contest, including, but not
24 limited to, wrapping the contestant's hands for fighting or
25 providing water.

26 (j) "Cutperson" means an individual who prevents and treats
27 physical damage for a contestant for a contest.

28 (k) ~~(i)~~ "Department" means the department of licensing and
29 regulatory affairs.



1 (l) ~~(j)~~-"Director" means the director of the department or ~~his~~
2 ~~or her~~**the director's** designee.

3 (m) ~~(k)~~-"Emergency medical technician" means that term as
4 defined in section 20904 of the public health code, 1978 PA 368,
5 MCL 333.20904.

6 (n) ~~(l)~~-"Employee of the department" means an individual who is
7 employed by the department, or a person that is under contract to
8 the department, whose duty ~~it is~~ to enforce ~~the provisions of this~~
9 act or **the** rules promulgated or orders issued under this act.

10 (o) ~~(m)~~-"Event" means a program of unarmed combat that is
11 planned for a specific date and time by a promoter and is subject
12 to the approval of the department under this act.

13 (p) ~~(n)~~-"Fund" means the Michigan unarmed combat fund created
14 in section 22.

15 (q) ~~(o)~~-"Good moral character" means good moral character as
16 determined and defined under 1974 PA 381, MCL 338.41 to 338.47.

17 (r) ~~(p)~~-"Impaired" means the inability or immediately
18 impending inability of an individual to safely participate in a
19 contest or event ~~due to his or her~~**because of the individual's**
20 substance abuse, chemical dependency, or use of drugs or alcohol
21 that does not constitute substance abuse or chemical dependency.

22 (s) **"Manager" means an individual who acts in a representative**
23 **capacity on behalf of a contestant in certain situations related to**
24 **the contestant's career, including, but not limited to, identifying**
25 **a contest or event for the contestant to compete in, negotiating**
26 **terms and pay for a contest or event, or representing the interest**
27 **of the contestant.**

28 (t) **"Martial art" means a form of weaponless discipline of**
29 **combat or self-defense that uses physical skills and coordination**



1 and is practiced as a combat sport, subject to the limitations
2 contained in this act and rules promulgated under this act.

3 (u) ~~(q)~~—"Matchmaker" means an individual who is responsible
4 for arranging individual contests of unarmed combat.

5 (v) ~~(r)~~—"Medical clearance" means a determination by a
6 physician, made with reasonable medical certainty, that a
7 contestant does not have a medical condition that would prevent ~~him~~
8 ~~or her~~ **the contestant** from being able to participate in an event or
9 contest.

10 (w) ~~(s)~~—"Mixed martial artist" means an individual who is
11 licensed to compete in a mixed martial arts event or contest.

12 (x) ~~(t)~~—"Mixed martial arts" means a form of combat, either
13 amateur or professional, that involves the use of a combination of
14 techniques from different disciplines of the martial arts,
15 including grappling, kicking, and striking, subject to the
16 limitations contained in this act and rules promulgated under this
17 act.

18 Sec. 11. As used in this act:

19 (a) "Participant" means a referee, judge, matchmaker,
20 timekeeper, contestant, **second**, or promoter.

21 (b) "Person" means any of the following:

22 (i) An individual, corporation, limited liability company,
23 partnership, association, or other legal entity.

24 (ii) A department, board, commission, agency, or authority of
25 the United States, this state, or a political subdivision of this
26 state or a public school, community college, or university.

27 (iii) A training center or a school or other educational
28 institution.

29 (iv) A combination of persons described in subparagraphs (i) to



1 (iii).

2 (c) "Physician" means that term as defined in section 17001 or
3 17501 of the public health code, 1978 PA 368, MCL 333.17001 and
4 333.17501.

5 (d) "Prize" means currency or any other valuable compensation
6 or reward offered or given to a contestant. The term does not
7 include a watch, medal, article of jewelry, trophy, or ornament
8 that is suitably inscribed to show that it is given for
9 participation in a contest and costs \$200.00 or less.

10 (e) "Professional" means an individual who is competing or has
11 competed in unarmed combat for a prize.

12 (f) "Promoter" means a person that produces or stages, in
13 whole or in part, an unarmed combat contest or event.

14 (g) "Purse" means a prize or any other remuneration offered to
15 contestants to compete in a contest or event. The term includes a
16 professional's share of any payment received for radio, television,
17 motion picture rights, or other media.

18 (h) "Respondent" means a licensee or other person against
19 which a complaint is filed under this act.

20 (i) "Rule" means a rule promulgated under the administrative
21 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

22 (j) **"Second" means an individual who assists a contestant**
23 **during a contest, including, but not limited to, a cornerperson,**
24 **cutperson, or manager. Second does not include a cutperson who is**
25 **responsible for preventing and treating damage for both contestants**
26 **participating in a contest.**

27 (k) ~~(j)~~—"Settlement" means an agreement, stipulation, consent
28 order, waiver, default, or other method of settlement of a
29 complaint that is agreed to by the parties and the department.



1 (l) ~~(k)~~—"Substance abuse" means that term as defined in section
2 16106a of the public health code, 1978 PA 368, MCL 333.16106a.

3 (m) **"Third-party sanctioning body" means a person independent**
4 **of the department and commission that is approved by the commission**
5 **under section 33e to supervise, conduct, and oversee contests of**
6 **certain unarmed combat events in this state.**

7 (n) ~~(l)~~—"Training center" means an institution that is formed
8 or operated principally to provide instruction in boxing, mixed
9 martial arts, or other sports.

10 (o) ~~(m)~~—"Unarmed combat" means any of the following:

11 (i) Professional boxing.

12 (ii) Professional or amateur mixed martial arts.

13 (iii) Any other form of competition in which a blow is usually
14 struck or another fighting technique is applied that may reasonably
15 be expected to inflict injury.

16 Sec. 33b. (1) An individual shall not participate in a contest
17 or event as a referee, judge, matchmaker, **second**, or timekeeper
18 without a participant license ~~from~~ **issued by** the department under
19 this section. To obtain a participant license, an applicant must
20 submit all of the following to the department:

21 (a) An application. The department may prescribe the form and
22 the contents of the application form.

23 (b) With the application described in subdivision (a), a
24 nonrefundable application processing fee in the amount of \$30.00
25 and 1 of the following annual license fees, as applicable:

26 (i) Referee license, \$150.00.

27 (ii) Judge license, \$70.00.

28 (iii) Matchmaker license, \$150.00.

29 (iv) **Second license, \$50.00.**



1 (v) ~~(iv)~~ Timekeeper license, \$70.00.

2 (2) An applicant for a referee, judge, matchmaker, **second**, or
3 timekeeper participant license must demonstrate to the satisfaction
4 of the department that ~~he or she~~ **the applicant** meets all of the
5 following to receive a license under this section:

6 (a) Has good moral character.

7 (b) Is ~~at least~~ **not less than** 18 years of age.

8 (c) Any other **applicable** requirement **described in section 52a**
9 **or** established by rule.

10 **Sec. 33e. (1) A third-party sanctioning body may submit an**
11 **application to the commission on a form and in a manner prescribed**
12 **by the commission, along with a nonrefundable application**
13 **processing and event fee of \$500.00, to sanction an unarmed combat**
14 **event in 1 or more martial arts, including, but not limited to,**
15 **judo, taekwondo, karate, or kempo.**

16 (2) Not more than 2 business days after the date of an unarmed
17 combat event sanctioned by a third-party sanctioning body, the
18 third-party sanctioning body shall report the contest results of
19 the event to the department for review and to each national contest
20 results database selected by the department. On request of the
21 commission, the third-party sanctioning body shall make the contest
22 results available to the commission.

23 (3) The commission shall promulgate rules under the
24 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to
25 24.328, to implement this section. The rules must include, but need
26 not be limited to, all of the following:

27 (a) An evaluation of a third-party sanctioning body.

28 (b) Qualifications for approval of a third-party sanctioning
29 body to sanction an unarmed combat event in this state.



1 (c) Procedures to ensure that an approved third-party
2 sanctioning body complies with all applicable laws.

3 Sec. 52a. (1) To be eligible for a license, an applicant for a
4 referee, judge, or second license must complete a concussion
5 management and treatment training program acceptable to the
6 department. The department shall publish a list of acceptable
7 concussion management and treatment training programs on its
8 website. As a condition of license renewal, an applicant for a
9 referee, judge, or second license must complete the training
10 described in this subsection not less than once every 5 years.

11 (2) To be eligible for a license, an applicant for a referee,
12 judge, or timekeeper license may be required to serve as a referee,
13 judge, or timekeeper for a certain amount of time or number of
14 rounds, as determined by the department, in amateur-level unarmed
15 combat contests. The department shall publish minimum experience
16 requirements that satisfy this subsection on its website.

17 Sec. 54a. (1) A licensed promoter that presents an unarmed
18 combat event in this state must comply with all of the following:

19 (a) At least 30 days before the event, submit a request for
20 approval of the event to the department, on a form prescribed by
21 the department. The request shall include the names the promoter is
22 required to provide under subdivisions (d) ~~and~~ (e). ~~(f), and~~
23 ~~(g).~~

24 (b) Within the 5-day period ~~preceding~~ **before** a professional
25 ~~boxing or professional mixed martial arts~~ **unarmed combat** event,
26 submit the fight records of each contestant to the department.
27 "Fight records" means that term as defined by the department by
28 rule.

29 (c) Pay all obligations that are related to the normal course



1 of promoting an unarmed combat event, including, but not limited
2 to, venue rent and judge, physician, referee, and timekeeper fees.

3 (d) Arrange for a physician to attend the event for purposes
4 of subsection (2)(k), and arrange for an alternate physician to
5 attend the event if the original physician is unable to attend the
6 event. The promoter shall include the name of the physician and the
7 alternate physician described in this subdivision in the request
8 submitted under subdivision (a).

9 (e) Arrange for an ambulance that is staffed by emergency
10 medical technicians to be on the premises to attend the event for
11 purposes of subsection (2)(j), and arrange for an alternate
12 ambulance that is staffed by emergency medical technicians to be on
13 the premises to attend the event if the original ambulance and
14 emergency medical technicians are unable to attend the event. The
15 promoter shall include the name of the ambulance provider and the
16 alternate ambulance provider described in this subdivision in the
17 request submitted under subdivision (a).

18 ~~(f) Arrange for a referee, judges, and a timekeeper to attend~~
19 ~~the event for purposes of subsection (2)(l). The promoter shall~~
20 ~~include the names of the referee, judges, and timekeeper described~~
21 ~~in this subdivision in the request submitted under subdivision (a).~~

22 ~~(g) Arrange for an inspector who meets the requirements of~~
23 ~~section 33(11) to attend the event for purposes of subsection(2)(l).~~
24 ~~The promoter shall include the name of the inspector, and any other~~
25 ~~information about the inspector that is required by the department,~~
26 ~~in the request submitted under subdivision (a).~~

27 **(f)** ~~(h)~~ Maintain records of the event for at least 1 year
28 after the date of the scheduled event and make those records
29 available to the department or law enforcement officials on



1 request.

2 (2) A licensed promoter that is presenting an amateur mixed
3 martial arts, professional mixed martial arts, or professional
4 boxing event in this state shall ensure that all of the following
5 are met in the conduct of the event:

6 (a) Except as provided in subdivision (b), each individual
7 mixed martial arts contest consists of not more than 3 rounds, of
8 not more than 5 minutes' duration, with at least a 1-minute rest
9 period between each round; and the length of each individual boxing
10 contest is determined by the department but does not exceed 10
11 rounds, of not more than 5 minutes' duration, with at least a 1-
12 minute rest period between each round.

13 (b) Each individual national or international championship
14 mixed martial arts contest consists of not more than 5 rounds, of
15 not more than 5 minutes' duration, with at least a 1-minute rest
16 period between each round; and the length of each individual
17 national or international championship boxing contest is determined
18 by the department but does not exceed 12 rounds, of not more than 5
19 minutes' duration, with at least a 1-minute rest period between
20 each round.

21 (c) Each mixed martial arts contestant wears gloves, supplied
22 by the promoter, that weigh at least 4 ounces and not more than 8
23 ounces; and each boxing contestant wears gloves that each weigh at
24 least 8 ounces and not more than 16 ounces.

25 (d) The referee examines the gloves worn by each contestant
26 before and during a contest. If the referee finds that a glove is
27 misplaced, lumpy, broken, roughed, or otherwise unfit, the
28 contestant must change the glove before the start of the contest.

29 (e) Before a contestant participates in a contest, ~~he or she~~



1 **the contestant** is weighed and placed in the appropriate weight
2 class. The department by rule shall establish weight classes for
3 contestants.

4 (f) An individual does not compete as a contestant unless ~~he~~
5 ~~or she~~ **the individual** submits to the department a medical
6 certification of negative results for hepatitis B and C and HIV
7 tests that were performed on the ~~contestant~~ **individual** in the 180-
8 day period ~~that precedes~~ **before** the scheduled contest or event.

9 (g) An individual does not compete as a contestant unless ~~he~~
10 ~~or she~~ **the individual** submits to the department the results of an
11 ophthalmologic exam that was performed by a licensed optometrist or
12 ophthalmologist within the 12-month period ~~that precedes~~ **before** the
13 contest or event that indicate that the ~~contestant~~ **individual** is
14 medically cleared to fight. The individual shall submit the results
15 on a form prescribed by the department.

16 (h) A female individual does not compete as a contestant
17 unless ~~she~~ **the female individual** submits to the department the
18 results of a pregnancy test that was performed on ~~her~~ **the female**
19 **individual** in the 7-day period ~~that precedes~~ **before** the contest or
20 event and the results of the pregnancy test are negative.

21 (i) An individual is not allowed to compete as a contestant
22 without proper medical clearance.

23 (j) The event does not take place or continue without an
24 ambulance that is staffed by at least 2 emergency medical
25 technicians on the premises of the event.

26 (k) The event does not take place or continue without a
27 physician at the event.

28 (l) The event does not take place or continue without an
29 inspector and a trained and competent referee, judge, and



1 timekeeper.

2 (m) An individual is not allowed to compete as a contestant if
3 there is any reason to suspect that ~~he or she~~ **the individual** is
4 impaired or has used or uses performance enhancing drugs.

5 (n) A professional is not allowed to compete as a contestant
6 in an amateur contest.

7 (o) If an individual lost a contest by a technical knockout in
8 the 30-day period ~~preceding~~ **before** the event, ~~he or she~~ **the**
9 **individual** is not allowed to compete as a contestant unless ~~he or~~
10 ~~she~~ **the individual** submits the results of a physical examination to
11 the department that indicate that ~~he or she~~ **the individual** is fit
12 to compete.

13 (p) The physician at the event determines the status of a
14 contestant who is knocked out or whose contest is stopped by the
15 referee. The physician may make recommendations concerning either
16 of the following:

17 (i) The contestant's status, including, but not limited to, a
18 recommendation to the department that the contestant not compete
19 for a period of time specified by the physician.

20 (ii) The need for additional testing or examination of the
21 contestant, including, but not limited to, a postfight neurological
22 examination, which may include performing computerized axial
23 tomography (CAT) scans or magnetic resonance imaging (MRI) on the
24 contestant immediately after the contestant leaves the event venue.

25 (q) If a physician recommended that the contestant not compete
26 for a period of time under subdivision (p) (i), that contestant does
27 not compete in another contest during that time period.

28 (r) If a physician recommended further neurological
29 examination of a contestant under subdivision (p) (ii), that



1 contestant does not compete in another contest until those
 2 examinations are conducted, the promoter and department receive
 3 copies of the examination reports, and the reports demonstrate that
 4 the contestant is fit to compete.

5 (s) A contestant who sustains a severe injury or knockout in a
 6 contest is examined by a physician and is not permitted to compete
 7 in another contest until a physician certifies that the contestant
 8 is fully recovered.

9 (t) An individual who meets all of the following does not
 10 compete as a contestant:

11 (i) ~~He or she~~ **The individual** participated in multiple contests
 12 before the event.

13 (ii) In any 90-day period, ~~he or she~~ **the individual** was knocked
 14 out in 2 contests or 2 of ~~his or her~~ **the individual's** contests were
 15 stopped and a physician recommended **that the individual receive**
 16 neurological testing under subdivision (p) after any of those
 17 contests.

18 (iii) The second knockout or stoppage described in subparagraph
 19 (ii) occurred in the 120-day period ~~preceding~~ **before** the event.

20 (u) An individual who meets all of the following does not
 21 compete as a contestant:

22 (i) ~~He or she~~ **The individual** participated in multiple contests
 23 before the event.

24 (ii) In any 12-month period, ~~he or she~~ **the individual** was
 25 knocked out in 3 consecutive contests or 3 **of the individual's**
 26 consecutive contests were stopped and a physician recommended **that**
 27 **the individual receive** neurological testing under subdivision (p)
 28 after any of those contests.

29 (iii) The third knockout or stoppage described in subparagraph



1 (ii) occurred in the 1-year period ~~preceding~~**before** the event.

2 (v) If an individual was not allowed to compete as a
3 contestant in an earlier event because ~~he or she~~**the individual** met
4 the requirement of subdivision (s), (t), or (u) at the time of that
5 earlier event, ~~he or she~~**the individual** does not compete as a
6 contestant unless ~~he or she~~**the individual** provides the promoter
7 **and department** with proper medical clearance.

8 (w) Each contestant is at least 18 years of age.

9 (x) A contestant does not compete in more than 1 contest at an
10 event.

11 (y) All of the contestants in a contest are the same gender.

12 (z) An individual does not participate as a contestant if ~~he~~
13 ~~or she~~**the individual** participated in another contest in the 7-day
14 period ~~preceding~~**before** the event.

15 (aa) The results of each contest are reported to the
16 department, on a form prescribed by the department, ~~within~~**not**
17 **later than** 48 hours after the conclusion of the event. The report
18 ~~shall~~**must** include any physician recommendations under subdivision
19 (p). ~~Within~~**Not later than** 2 business days after it receives ~~those~~
20 **the** results, the department shall enter ~~those~~**the** results in each
21 national contest results database selected by the department.

22 (bb) In a professional event, that tickets sold by contestants
23 are not a factor in determining the amount of the purse.

24 (cc) If a mixed martial arts contest is a cage fight, the
25 referee conducts a safety inspection of the cage before the
26 contest.

27 **Sec. 54b. (1) The commission shall assign the following**
28 **individuals to each unarmed combat event held under section 54a:**

29 (a) **A referee, judge, and timekeeper to attend the event for**



1 purposes of section 54a(2) (l) .

2 (b) An inspector who meets the requirements of section 33(11)
3 to attend the event for purposes of section 54a(2) (l) .

4 (2) A manager, promoter, matchmaker, trainer, second, or
5 contestant shall not officiate a contest or event.

6 Enacting section 1. This amendatory act takes effect 180 days
7 after the date it is enacted into law.

