

AN ACT concerning regulation.

**Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:**

Section 5. The Professional Boxing Act is amended by changing Sections 0.05, 1, 6, 7, 8, 11, 16, and 25.1 as follows:

(225 ILCS 105/0.05)

(Section scheduled to be repealed on January 1, 2012)

Sec. 0.05. Declaration of public policy. Professional boxing and full-contact martial arts ~~other~~ contests in the State of Illinois, and amateur full-contact martial arts events, are hereby declared to affect the public health, safety, and welfare and to be subject to regulation and control in the public interest. It is further declared to be a matter of public interest and concern that these contests and events ~~boxing and other contests,~~ as defined in this Act, merit and receive the confidence of the public and that only qualified persons be authorized to participate in these contests and events ~~boxing and other contests~~ in the State of Illinois. This Act shall be liberally construed to best carry out these objects and purposes.

(Source: P.A. 95-593, eff. 6-1-08.)

(225 ILCS 105/1) (from Ch. 111, par. 5001)

(Section scheduled to be repealed on January 1, 2012)

Sec. 1. Short title and definitions.

(a) This Act may be cited as the Professional Boxing Act.

(b) As used in this Act:

1. "Department" means the Department of Financial and Professional Regulation.

2. "Secretary" means the Secretary of Financial and Professional Regulation.

3. "Board" means the State Professional Boxing Board appointed by the Secretary.

4. "License" means the license issued for promoters, contestants, or officials in accordance with this Act.

5. (Blank).

6. "Contest" means a professional boxing, ~~martial art,~~ or professional full-contact mixed martial arts ~~art~~ match or exhibition.

7. (Blank).

8. (Blank).

9. "Permit" means the authorization from the Department to a promoter to conduct contests.

10. "Promoter" means a person who is licensed and who holds a permit to conduct contests.

11. Unless the context indicates otherwise, "person" includes, but is not limited to, an individual, an association, organization, business entity ~~partnership,~~

~~corporation~~, gymnasium, or club.

12. (Blank).

13. (Blank).

14. (Blank).

15. "Judge" means a person licensed by the Department who is at ringside during a contest ~~match~~ and who has the responsibility of scoring the performance of the participants in the contest.

16. "Referee" means a person licensed by the Department who has the general supervision of a contest and is present inside of the ring during the contest.

17. "Amateur" means a person who is not competing for, and has never received or competed for, any purse or other article of value, directly or indirectly, either for participating in any contest or for the expenses of training therefor, other than a non-monetary prize that does not exceed \$50 in value.

18. "Contestant" means a person licensed by the Department who competes for a money prize, purse, or other type of compensation in a contest, ~~exhibition, or match~~ held in Illinois.

19. "Second" means a person licensed by the Department who is present at any contest to provide assistance or advice to a contestant during the contest.

20. "Matchmaker" means a person licensed by the Department who brings together contestants or procures

~~matches or~~ contests for contestants.

21. "Manager" means a person licensed by the Department who is not a promoter and who, under contract, agreement, or other arrangement with any contestant, undertakes to, directly or indirectly, control or administer the affairs of contestants.

22. "Timekeeper" means a person licensed by the Department who is the official timer of the length of rounds and the intervals between the rounds.

23. "Purse" means the financial guarantee or any other remuneration for which contestants are participating in a contest.

24. "Physician" means a person licensed to practice medicine in all its branches under the Medical Practice Act of 1987.

25. "Martial arts" means a discipline or combination of different disciplines that utilizes sparring techniques without the intent to injure, disable, or incapacitate one's opponent, such as, but not limited to, Karate, Kung Fu, Judo, and ~~Jujitsu, Muay Thai,~~ Tae Kwon Do, ~~and Kick-boxing.~~

26. "Full-contact ~~Mixed~~ martial arts" means the use of a singular discipline or a combination of techniques from different disciplines of the martial arts, including, without limitation, full-force grappling, kicking, and striking with the intent to injure, disable, or

incapacitate one's opponent.

27. "Amateur full-contact martial arts event" means a full-contact martial arts match or exhibition which all of the participants are amateurs.

(Source: P.A. 95-593, eff. 6-1-08.)

(225 ILCS 105/6) (from Ch. 111, par. 5006)

(Section scheduled to be repealed on January 1, 2012)

Sec. 6. Restricted contests and events ~~Prohibitions.~~

(a) All professional contests in which physical contact is made are prohibited in Illinois unless authorized by the Department pursuant to the requirements and standards stated in this Act and the rules adopted pursuant to this Act.

(b) Department authorization is not required for amateur full-contact martial arts events conducted in a manner that provides substantially similar protections for the health, safety, and welfare of the participants and the public as are required for professional events by this Act and the rules adopted by the Department under this Act. Those protections shall include, at a minimum, onsite medical staff and equipment, trained officials, adequate insurance coverage, weight classes, use of appropriate safety equipment by participants, adequate and safe competition surfaces, and standards regarding striking techniques and fouls. Anyone conducting an amateur full-contact martial arts event shall notify the Department in writing of the date, time, and

location of that event at least 20 days prior to the event.  
Failure to comply with the requirements of this Section shall  
render the event prohibited and unauthorized by the Department,  
and persons involved in the event are subject to the procedures  
and penalties set forth in Section 10.5. This provision does  
not apply to the following:

~~(1) Boxing contests or wrestling exhibitions conducted by accredited secondary schools, colleges or universities, although a fee may be charged. Institutions organized to furnish instruction in athletics are not included in this exemption.~~

~~(2) Amateur boxing matches sanctioned by the United States Amateur Boxing Federation, Inc., Golden Gloves of America, or other amateur sanctioning body, as determined by rule, and amateur wrestling exhibitions.~~

~~(3) Amateur martial art matches sanctioned by a sanctioning body approved by the Department, as determined by rule.~~

~~(4) Martial art instruction conducted by a martial art school and contests occurring within or amongst martial art schools, provided that (i) the contestants do not receive anything of value for participating other than an award, trophy, other item of recognition, or a prize that does not exceed \$50 in value and (ii) no entrance fee is charged to participate or watch the school contests.~~

(Source: P.A. 95-593, eff. 6-1-08.)

(225 ILCS 105/7) (from Ch. 111, par. 5007)

(Section scheduled to be repealed on January 1, 2012)

Sec. 7. In order to conduct a contest in this State, a promoter shall obtain a permit issued by the Department in accordance with this Act and the rules and regulations adopted pursuant thereto. This permit shall authorize one or more contests ~~or exhibitions~~. A permit issued under this Act is not transferable.

(Source: P.A. 95-593, eff. 6-1-08.)

(225 ILCS 105/8) (from Ch. 111, par. 5008)

(Section scheduled to be repealed on January 1, 2012)

Sec. 8. Permits.

(a) A promoter who desires to obtain a permit to conduct a contest shall apply to the Department at least 20 days prior to the event, in writing, on forms furnished by the Department. The application shall be accompanied by the required fee and shall contain at least the following information:

- (1) the names and addresses of the promoter;
- (2) the name of the matchmaker;
- (3) the time and exact location of the contest;
- (4) the seating capacity of the building where the event is to be held;
- (5) a copy of the lease or proof of ownership of the building where the event is to be held;

(6) the admission charge or charges to be made; and

(7) proof of adequate security measures and adequate medical supervision, as determined by Department rule, to ensure the protection of the health and safety of the general public while attending contests and the contestants' safety while participating in the events and any other information that the Department may determine by rule in order to issue a permit.

(b) After the initial application and within 10 days prior to ~~of~~ a scheduled event, a promoter shall submit to the Department all of the following information:

(1) The amount of compensation to be paid to each participant.

(2) The names of the contestants.

(3) Proof of insurance for not less than \$50,000 for each contestant participating in a contest ~~or exhibition~~.

Insurance required under this subsection shall cover (i) hospital, medication, physician, and other such expenses as would accrue in the treatment of an injury as a result of the contest ~~or exhibition~~ and (ii) payment to the estate of the contestant in the event of his or her death as a result of his or her participation in the contest ~~or exhibition~~.

(c) All promoters shall provide to the Department, at least 24 hours prior to commencement of the event, the amount of the purse to be paid for the event. The Department shall promulgate rules for payment of the purse.



(d) The contest shall be held in an area where adequate neurosurgical facilities are immediately available for skilled emergency treatment of an injured contestant. It is the responsibility of the promoter to ensure that the building to be used for the event complies with all laws, ordinances, and regulations in the city, town, or village where the contest is to be held. The Department may issue a permit to any promoter who meets the requirements of this Act and the rules. The permit shall only be issued for a specific date and location of a contest and shall not be transferable. In an emergency, the Department may allow a promoter to amend a permit application to hold a contest in a different location than the application specifies and may allow the promoter to substitute contestants.

(e) The Department shall be responsible for assigning the judges, timekeepers, referees, physicians, and medical personnel for a contest. It shall be the responsibility of the promoter to cover the cost of the individuals utilized at a contest.

(Source: P.A. 95-593, eff. 6-1-08.)

(225 ILCS 105/11) (from Ch. 111, par. 5011)

(Section scheduled to be repealed on January 1, 2012)

Sec. 11. Qualifications for license. The Department shall grant licenses to the following persons if the following qualifications are met:

(A) An applicant for licensure as a contestant in a contest

must: (1) be 18 years old, (2) be of good moral character, (3) file an application stating the applicant's correct name (and no assumed or ring name may be used unless such name is registered with the Department along with the applicant's correct name), date and place of birth, place of current residence, and a sworn statement that he is not currently in violation of any federal, State or local laws or rules governing boxing, ~~martial arts,~~ or full-contact ~~mixed~~ martial arts, (4) file a certificate of a physician licensed to practice medicine in all of its branches which attests that the applicant is physically fit and qualified to participate in contests, and (5) pay the required fee and meet any other requirements. Applicants over age 35 who have not competed in a contest within the last 36 months may be required to appear before the Board to determine their fitness to participate in a contest. A picture identification card shall be issued to all contestants licensed by the Department who are residents of Illinois or who are residents of any jurisdiction, state, or country that does not regulate professional boxing, ~~martial arts,~~ or full-contact ~~mixed~~ martial arts. The identification card shall be presented to the Department or its representative upon request at weigh-ins.

(B) An applicant for licensure as a referee, judge, manager, second, matchmaker, or timekeeper must: (1) be of good moral character, (2) file an application stating the applicant's name, date and place of birth, and place of current

residence along with a certifying statement that he is not currently in violation of any federal, State, or local laws or rules governing boxing, ~~martial arts,~~ or full-contact ~~mixed~~ martial arts, (3) have had satisfactory experience in his field, (4) pay the required fee, and (5) meet any other requirements as determined by rule.

(C) An applicant for licensure as a promoter must: (1) be of good moral character, (2) file an application with the Department stating the applicant's name, date and place of birth, place of current residence along with a certifying statement that he is not currently in violation of any federal, State, or local laws or rules governing boxing, ~~martial arts,~~ or full-contact ~~mixed~~ martial arts, (3) provide proof of a surety bond of no less than \$5,000 to cover financial obligations pursuant to this Act, payable to the Department and conditioned for the payment of the tax imposed by this Act and compliance with this Act and the rules promulgated pursuant to this Act, (4) provide a financial statement, prepared by a certified public accountant, showing liquid working capital of \$10,000 or more, or a \$10,000 performance bond guaranteeing payment of all obligations relating to the promotional activities, and (5) pay the required fee and meet any other requirements.

In determining good moral character, the Department may take into consideration any violation of any of the provisions of Section 16 of this Act and any felony conviction of the

applicant, but such a conviction shall not operate as a bar to licensure. No license issued under this Act is transferable.

The Department may issue temporary licenses as provided by rule.

(Source: P.A. 95-593, eff. 6-1-08.)

(225 ILCS 105/16) (from Ch. 111, par. 5016)

(Section scheduled to be repealed on January 1, 2012)

Sec. 16. Discipline and sanctions.

(a) The Department may refuse to issue a permit or license, refuse to renew, suspend, revoke, reprimand, place on probation, or take such other disciplinary action as the Department may deem proper, including the imposition of fines not to exceed \$5,000 for each violation, with regard to any license for one or any combination of the following reasons:

(1) gambling, betting, or wagering on the result of or a contingency connected with a contest or permitting such activity to take place;

(2) participating in or permitting a sham or fake contest;

(3) holding the contest at any other time or place than is stated on the permit application;

(4) permitting any contestant other than those stated on the permit application to participate in a contest, except as provided in Section 9;

(5) violation or aiding in the violation of any of the

provisions of this Act or any rules or regulations promulgated thereto;

(6) violation of any federal, State or local laws of the United States or other jurisdiction governing contests or any regulation promulgated pursuant thereto;

(7) charging a greater rate or rates of admission than is specified on the permit application;

(8) failure to obtain all the necessary permits, registrations, or licenses as required under this Act;

(9) failure to file the necessary bond or to pay the gross receipts tax as required by this Act;

(10) engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public, or which is detrimental to honestly conducted contests;

(11) employment of fraud, deception or any unlawful means in applying for or securing a permit or license under this Act;

(12) permitting a physician making the physical examination to knowingly certify falsely to the physical condition of a contestant;

(13) permitting contestants of widely disparate weights or abilities to engage in contests;

(14) participating in a contest as a contestant while under medical suspension in this State or in any other state, territory or country;

(15) physical illness, including, but not limited to, deterioration through the aging process, or loss of motor skills which results in the inability to participate in contests with reasonable judgment, skill, or safety;

(16) allowing one's license or permit issued under this Act to be used by another person;

(17) failing, within a reasonable time, to provide any information requested by the Department as a result of a formal or informal complaint;

(18) professional incompetence;

(19) failure to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied;

(20) (blank);

(21) habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug that results in an inability to participate in an event; or

(22) failure to stop a contest ~~or exhibition~~ when requested to do so by the Department.

(b) The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code operates as an automatic suspension. The suspension will

end only upon a finding by a court that the licensee is no longer subject to involuntary admission or judicial admission, issuance of an order so finding and discharging the licensee, and upon the recommendation of the Board to the Director that the licensee be allowed to resume his or her practice.

(c) In enforcing this Section, the Board, upon a showing of a possible violation, may compel any individual licensed to practice under this Act, or who has applied for licensure pursuant to this Act, to submit to a mental or physical examination, or both, as required by and at the expense of the Department. The examining physicians or clinical psychologists shall be those specifically designated by the Board. The Board or the Department may order the examining physician or clinical psychologist to present testimony concerning this mental or physical examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician or clinical psychologist. Eye examinations may be provided by a licensed and certified therapeutic optometrist. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of the examination. Failure of any individual to submit to a mental or physical examination, when directed, shall be grounds for suspension of a license until such time as the individual submits to the examination if the Board finds, after notice and

hearing, that the refusal to submit to the examination was without reasonable cause.

(d) If the Board finds an individual unable to practice because of the reasons set forth in this Section, the Board shall require the individual to submit to care, counseling, or treatment by physicians or clinical psychologists approved or designated by the Board, as a condition, term, or restriction for continued, reinstated, or renewed licensure, or in lieu of care, counseling, or treatment, the Board may recommend to the Department to file a complaint to immediately suspend, revoke, or otherwise discipline the license of the individual. Any individual whose license was granted pursuant to this Act, or continued, reinstated, renewed, disciplined, or supervised, subject to such conditions, terms, or restrictions, who shall fail to comply with such conditions, terms, or restrictions, shall be referred to the Director for a determination as to whether the individual shall have his or her license suspended immediately, pending a hearing by the Board.

(Source: P.A. 95-593, eff. 6-1-08.)

(225 ILCS 105/25.1)

(Section scheduled to be repealed on January 1, 2012)

Sec. 25.1. Medical Suspension. A licensee who is determined by the examining physician to be unfit to compete or officiate shall be immediately suspended until it is shown that he or she is fit for further competition or officiating. If the licensee



disagrees with a medical suspension set at the discretion of the ringside physician, he or she may request a hearing to show proof of fitness. The hearing shall be provided at the earliest opportunity after the Department receives a written request from the licensee.

If the referee has rendered a decision of technical knockout against a contestant or if the contestant is knocked out other than by a blow to the head, the contestant shall be immediately suspended for a period of not less than 30 days. In a full-contact ~~mixed~~ martial arts ~~art~~ contest, if the contestant has tapped out or has submitted, the referee shall stop the contest and the ringside physician shall determine the length of suspension.

If the contestant has been knocked out by a blow to the head, he or she shall be suspended immediately for a period of not less than 45 days.

Prior to reinstatement, any contestant suspended for his or her medical protection shall satisfactorily pass a medical examination upon the direction of the Department. The examining physician may require any necessary medical procedures during the examination.

(Source: P.A. 95-593, eff. 6-1-08.)

(225 ILCS 105/1.5 rep.)

Section 10. The Professional Boxing Act is amended by repealing Section 1.5.

Public Act 096-0663

HB0786 Enrolled

LRB096 07372 ASK 17458 b

Section 99. Effective date. This Act takes effect upon becoming law.