

PROPOSED

SENATE AMENDMENTS TO S.B. 1689

(Reference to the proposed Gowan s/e amendment dated 2/8/24; 1:16pm)

1 Page 1, between lines 1 and 2, insert:

2 "Section 1. Heading change

3 A. The chapter heading of title 5, chapter 2, Arizona Revised  
4 Statutes, is changed from "BOXING AND SPARRING" to "BOXING AND MIXED  
5 MARTIAL ARTS".

6 B. The article heading of title 5, chapter 2, article 2, Arizona  
7 Revised Statutes, is changed from "ARIZONA STATE BOXING COMMISSION" to  
8 "ARIZONA STATE BOXING AND MIXED MARTIAL ARTS COMMISSION".

9 Sec. 2. Section 5-221, Arizona Revised Statutes, is amended to read:  
10 5-221. Definitions

11 In this article, unless the context otherwise requires:

12 1. "Boxing":

13 (a) Means the act of attack and defense with the fists, using padded  
14 gloves, that is practiced as a sport. ~~Where applicable, boxing~~

15 (b) Includes kickboxing, WHERE APPLICABLE.

16 2. "COMBATANT" MEANS ANY PERSON WHO PRACTICES THE SPORT OF UNARMED  
17 COMBAT.

18 ~~2.~~ 3. "Commission" means the Arizona state boxing and mixed martial  
19 arts commission.

20 ~~3.~~ 4. "Contest" means any boxing or mixed martial arts bout, event,  
21 contest, match or exhibition between two ~~persons~~ COMBATANTS.

22 ~~4.~~ 5. "Department" means the department of gaming.

23 ~~5.~~ 6. "Director" means the director of the department ~~of gaming~~.

1           ~~6.~~ 7. "Executive director" means the executive director of the  
2 commission.

3           ~~7.~~ 8. "Kickboxing" means a form of boxing, including muay thai  
4 pursuant to rules and regulations of the United States muay thai  
5 association or another muay thai sanctioning body that is approved by the  
6 commission, in which blows are delivered with any part of the arm below the  
7 shoulder, including the hand, and any part of the leg below the hip,  
8 including the foot.

9           ~~8.~~ 9. "Mixed martial arts" means any form of competition or  
10 contest, other than boxing or kickboxing, in which blows are delivered and  
11 in which the ~~competitors~~ COMBATANTS use any combination of tactics,  
12 including boxing, wrestling, striking, kicking, martial arts and submission  
13 techniques.

14           ~~9.~~ 10. "Professional" means any person who competes for any money  
15 prize or a prize that exceeds the value of ~~thirty-five dollars~~ \$35 or  
16 teaches, ~~or~~ pursues or assists in the practice of boxing or mixed martial  
17 arts as a means of obtaining a livelihood or pecuniary gain.

18           ~~10.~~ 11. "Tough man contest":

19           (a) Means any boxing match ~~consisting~~ THAT CONSISTS of one minute  
20 rounds, between two or more persons who use their hands, wearing padded  
21 gloves that weigh at least twelve ounces, or their feet, or both, in any  
22 manner. ~~Tough man contest~~

23           (b) Does not include kickboxing or any recognized martial arts  
24 competition.

25           Sec. 3. Section 5-222, Arizona Revised Statutes, is amended to read:

26           5-222. Application of this chapter

27           A. This chapter does not apply to any amateur boxing or mixed  
28 martial arts contest conducted by the following:

29           1. Any school, community college, college or university or an  
30 association or organization composed exclusively of schools, community  
31 colleges, colleges or universities ~~when~~ IF each ~~contestant~~ COMBATANT is a  
32 student enrolled in a school, community college, college or university.

1 ~~As used in this section~~ FOR THE PURPOSES OF THIS PARAGRAPH, "school,  
2 community college, college or university" means every school, community  
3 college, college or university and every other school, community college,  
4 college or university determined by the state board of education, community  
5 college districts as defined in section 15-1401 or the Arizona board of  
6 regents to be maintained primarily for the giving of general academic  
7 education.

8 2. A government unit or agency of the United States, this state or a  
9 POLITICAL subdivision of this state or a unit of the United States armed  
10 forces or the national guard if all ~~contestants~~ COMBATANTS are members of  
11 that unit of the armed forces or the national guard.

12 3. An amateur athletic program that is authorized by and sanctioned  
13 under the rules, regulations and policies of a national governing body that  
14 is recognized by the United States olympic committee in which all  
15 ~~contestants~~ COMBATANTS are amateur ~~contestants~~ COMBATANTS.

16 4. Kickboxing events that are sanctioned by and conducted under the  
17 direct supervision of the United States muay thai association or another  
18 muay thai sanctioning body that is approved by the commission if all  
19 ~~contestants~~ COMBATANTS are amateur ~~contestants~~ COMBATANTS.

20 5. Any bona fide private school whose primary purpose is instruction  
21 and training in the martial arts, if:

22 (a) The contests held in conjunction with the instruction and  
23 training are amateur.

24 (b) The contests are of a sparring nature with no official decisions  
25 awarded.

26 (c) At least one ~~contestant~~ COMBATANT in each contest has been a  
27 member in good standing of the sponsoring private school for at least sixty  
28 continuous days before the contest.

29 (d) An admission fee or a mandatory donation or other form of  
30 payment is not charged for attendance.



1 ~~or rubberized floor covering if approved by a representative of the~~  
2 ~~commission~~ A BOXING COMMISSION OR ANY ALTERNATIVE RULES OF MIXED MARTIAL  
3 ARTS APPROVED BY ANOTHER JURISDICTION WITHIN THE UNITED STATES. ~~Nothing in~~  
4 This subsection ~~prevents~~ DOES NOT PREVENT a promoter of a mixed martial  
5 arts event in this state from adopting more restrictive rules for that  
6 particular event than would otherwise be allowed. In addition to ~~the~~ ANY  
7 applicable provisions of the mixed martial arts ~~unified~~ rules adopted by  
8 the COMMISSION ~~New Jersey state athletic control board under New Jersey~~  
9 ~~administrative code title 13, chapter 46, subchapter 24A~~, amateur mixed  
10 martial arts bouts shall consist of three rounds of three minutes per round  
11 and the amateur ~~contestants~~ COMBATANTS shall not strike with elbows to the  
12 head of a grounded opponent, use twisting leg submissions, use linear kicks  
13 to the knee joint or use foot stomps. Amateur mixed martial arts bouts  
14 shall be clearly designated as such in all promotional materials and at the  
15 event.

16 D. The commission may establish a uniform nonrefundable fee for  
17 mixed martial arts and boxing events in an amount determined by the  
18 commission that shall be paid to the commission by a promoter when  
19 submitting an event application. In determining the amount of the fee, the  
20 executive director may consider factors, including whether the event is  
21 televised, whether the event will be transmitted on pay-per-view, the  
22 amount of time likely to be expended in processing the event application  
23 and the complexity of the application. The commission may establish a  
24 nonrefundable fee that shall be paid to the commission by a promoter if the  
25 promoter submits a request to change a previously approved event date.  
26 Monies that are derived from the fees charged pursuant to this subsection  
27 and monies derived from intergovernmental tribal agreements shall be  
28 available to the commission for the administration and regulation of mixed  
29 martial arts and boxing, and those monies are exempt from the provisions of  
30 section 35-190 relating to lapsing of appropriations.

31 E. Weigh-ins for all contests shall not be more than ~~twenty-four~~  
32 ~~hours~~ ONE CALENDAR DAY before the scheduled time of the event or less than

1 three hours before the scheduled time of the event. A representative of  
2 the commission shall attend and supervise all weigh-ins. ~~The weigh-in~~  
3 ~~period shall be one hour.~~

4 Sec. 5. Section 5-228, Arizona Revised Statutes, is amended to read:

5 5-228. Persons required to procure licenses; requirements;  
6 background information; fee; bond; examination  
7 results

8 A. All referees, judges, matchmakers, promoters, trainers, ring  
9 announcers, timekeepers, ringside physicians, inspectors, mixed martial  
10 arts ~~contestants~~ COMBATANTS, boxers, managers and seconds are required to  
11 be licensed by the commission. The commission shall not ~~permit~~ ALLOW any  
12 of these persons to participate in ~~the~~ holding ~~of~~ any contest unless the  
13 person has first procured a license.

14 B. Before participating in ~~the~~ holding ~~of~~ any boxing or mixed  
15 martial arts contest, a corporation, its officers and directors and any  
16 person ~~holding~~ THAT HOLDS twenty-five ~~per cent~~ PERCENT or more of the  
17 ownership of the corporation shall obtain a license from the  
18 commission. Such a corporation must be authorized to do business under the  
19 laws of this state.

20 C. The commission shall require referees, judges, matchmakers,  
21 promoters and managers to furnish fingerprints and background information  
22 pursuant to section 41-1750, subsection G before licensure. The commission  
23 shall charge a fee for fingerprints and background information in an amount  
24 determined by the commission. The commission may require referees, judges,  
25 matchmakers, promoters and managers to furnish fingerprints and background  
26 information pursuant to section 41-1750, subsection G before license  
27 renewal if the commission determines the fingerprints and background  
28 information are necessary. The fee may include a reasonable charge for  
29 expenses incurred by the commission or the department of public  
30 safety. For such purpose, the commission and the department of public  
31 safety may enter into an intergovernmental agreement pursuant to title 11,

1 chapter 7, article 3. The fee shall be credited pursuant to sections  
2 35-148 and 41-1750.

3 D. Before the commission issues a license to a promoter, matchmaker  
4 or corporation, the applicant shall:

5 1. Provide the commission with a copy of any agreement between any  
6 ~~contestant~~ COMBATANT and the applicant that binds the applicant to pay the  
7 ~~contestant~~ COMBATANT a certain fixed fee or percentage of the gate  
8 receipts.

9 2. Show on the application the owner or owners of the applicant  
10 entity and the ~~per cent~~ PERCENT interest if they hold twenty-five ~~per cent~~  
11 PERCENT or more interest in the applicant.

12 3. Provide the commission with a copy of the latest financial  
13 statement of the entity.

14 4. Provide the commission with a copy of the insurance contract  
15 required by this chapter.

16 E. Before the commission issues a license to a promoter, the  
17 applicant shall deposit with the department a cash bond or surety bond in  
18 an amount set by the commission. The bond shall be executed in favor of  
19 this state and shall be conditioned on the faithful performance by the  
20 promoter of the promoter's obligations pursuant to this chapter and the  
21 rules adopted pursuant to this chapter.

22 F. Before the commission issues a license to a ~~boxer or a mixed~~  
23 ~~martial arts contestant~~ REFEREE OR COMBATANT, the applicant shall submit to  
24 the commission the results of a current medical examination performed by a  
25 physician licensed ~~pursuant to title 32, chapter 13 or 17~~ IN THE UNITED  
26 STATES on forms furnished or approved by the commission. In addition to  
27 the medical examination, the following information must be submitted:

28 1. The results of an ophthalmological examination that is recorded  
29 on forms furnished or approved by the commission.

30 2. FOR COMBATANTS, negative test results for the human  
31 immunodeficiency virus, the hepatitis B surface antigen and the hepatitis C  
32 antibody.

1           3. For ~~persons over the age of thirty-six~~ COMBATANTS WHO ARE AT  
2 LEAST THIRTY-EIGHT years OF AGE, the results of a stress test that is  
3 administered by a physician licensed ~~pursuant to title 32, chapter 13 or 17~~  
4 IN THE UNITED STATES AND THAT IS accompanied by a clearance letter and the  
5 results of an electrocardiogram that demonstrates normal cardiovascular  
6 function. These results shall be completed within twenty-four months  
7 before the person submits the license application.

8           4. For ~~persons over~~ COMBATANTS WHO ARE AT LEAST forty years of age,  
9 if recommended by an examining physician, the results of a brain magnetic  
10 resonance imaging scan.

11           5. For female ~~contestants~~ COMBATANTS, a pregnancy test that  
12 demonstrates a negative result. A pregnancy test that demonstrates a  
13 negative result shall also be submitted to the commission by a female  
14 ~~contestant~~ COMBATANT before each weigh-in.

15           6. Any other examination or testing ordered by the commission.

16           G. ~~Unless otherwise prescribed in subsection F of this section, the~~  
17 ~~medical examinations and tests prescribed in subsection F of this section~~  
18 ~~must be completed after December 15 of the year before the year that the~~  
19 ~~license is issued or before December 15 of the same year that the license~~  
20 ~~is issued.~~ All medical examinations and tests, license applications,  
21 national identification card applications, photographs and any other  
22 required documents must be completed and received by the commission staff  
23 ~~no~~ NOT later than 4:30 p.m. on the day that begins forty-eight hours before  
24 the scheduled event. An exception to the ~~forty-eight hour~~ FORTY-EIGHT-HOUR  
25 requirement prescribed in this subsection may be granted by the executive  
26 director if a person is a late substitute or is traveling from outside this  
27 state and demonstrates good cause for not meeting the ~~forty-eight hour~~  
28 FORTY-EIGHT-HOUR requirement.

29           Sec. 6. Section 5-230, Arizona Revised Statutes, is amended to read:  
30 5-230. License fees; expiration; renewal; medical examinations

31           A. The commission may establish and issue annual licenses and may  
32 establish and collect fees for those licenses.

1           B. A license expires ~~December 31 at midnight in the year of its~~  
2 ~~issuance~~ AT MIDNIGHT THREE HUNDRED SIXTY-FIVE DAYS AFTER THE DATE OF  
3 ISSUANCE and may be renewed on filing an application for renewal of a  
4 license with the commission and payment of the license fee prescribed in  
5 subsection A OF THIS SECTION. The application for renewal of a license  
6 shall be on a form provided by the commission. There is a ~~thirty day~~  
7 THIRTY-DAY grace period during which a license may be renewed if a late  
8 filing penalty fee equal to the license fee is submitted with the regular  
9 license fee. A licensee that files late shall not conduct any activity  
10 regulated by this chapter until the commission has renewed the license. If  
11 the licensee fails to apply to the commission within the ~~thirty day~~  
12 THIRTY-DAY grace period, the licensee must apply for a new license pursuant  
13 to subsection A OF THIS SECTION.

14           C. THE RESULTS OF ALL COMBATANT MEDICAL EXAMINATIONS EXPIRE THREE  
15 HUNDRED SIXTY-FIVE DAYS AFTER THE DATE THE MEDICAL EXAMINATION IS  
16 PERFORMED. THE COMMISSION MAY GRANT A GRACE PERIOD OF UP TO FIFTEEN DAYS  
17 TO ALIGN WITH THE LICENSING PERIOD.

18           Sec. 7. Section 5-233, Arizona Revised Statutes, is amended to read:

19           5-233. Combatants and referees; physical examination;  
20           attendance of physician; payment of fees; insurance

21           A. All boxers, mixed martial arts ~~contestants~~ COMBATANTS and  
22 referees shall be examined by a physician licensed pursuant to title 32,  
23 chapter 13 or 17 before entering the ring, and the examining physician  
24 shall immediately file with the commission a written report of the  
25 examination. The physician's report of the examination shall include  
26 specific mention as to the condition of the boxer's or mixed martial arts  
27 ~~contestant's~~ COMBATANT'S heart and general physical condition. The  
28 physician's report may include specific mention as to the condition of the  
29 boxer's or mixed martial arts ~~contestant's~~ COMBATANT'S nerves and brain as  
30 required by the commission. The cost of the examination is payable by the  
31 person conducting the contest or exhibition. All boxers and mixed martial  
32 arts ~~contestants~~ COMBATANTS shall receive a post-bout physical examination

1 from a physician licensed pursuant to title 32, chapter 13 or 17 and may be  
2 suspended from participation in additional contests for a period of time  
3 based on the evaluation by the examining physician.

4 B. Every person holding or sponsoring any contest shall have in  
5 attendance at every contest regulated by the commission at least one  
6 physician who is licensed pursuant to title 32, chapter 13 or 17 and who is  
7 assigned by the commission or the executive director. The commission may  
8 establish a schedule of fees to be paid to each physician by the person or  
9 by the promoter.

10 C. The commission shall:

11 1. Require insurance coverage for a ~~boxer~~ COMBATANT to provide for  
12 medical, surgical and hospital care for injuries sustained in the ring in  
13 an amount of ~~twenty thousand dollars~~ \$20,000 with ~~twenty-five dollars~~ \$25  
14 deductible and payable to the ~~boxer~~ COMBATANT as beneficiary. INSURANCE  
15 COVERAGE REQUIRED PURSUANT TO THIS PARAGRAPH IS THE PRIMARY INSURANCE AND  
16 SHALL BE EXHAUSTED BEFORE A COMBATANT USES ANY OTHER FORM OF INSURANCE.

17 2. Require life insurance for a ~~boxer~~ COMBATANT in the amount of  
18 ~~fifty thousand dollars~~ \$50,000 payable in case of accidental death  
19 resulting from injuries sustained in the ring.

20 D. The cost of the insurance required by this section and any  
21 deductible amount ~~that exceeds twenty-five dollars~~ OF MORE THAN \$25 is  
22 payable by the promoter.

23 Sec. 8. Section 5-234, Arizona Revised Statutes, is amended to read:

24 5-234. Attendance by peace officers; duty of chief of police  
25 or sheriff; private security

26 If a ~~boxing~~ contest is held within the corporate limits of a city or  
27 town, the PROMOTER SHALL REQUEST THAT THE chief of police ~~shall~~ assign not  
28 less than one officer to attend the contest, and if a ~~boxing~~ contest is  
29 held outside the corporate limits of a city or town, THE PROMOTER SHALL  
30 REQUEST THAT the county sheriff ~~shall~~ assign not less than one of ~~his~~ THE  
31 SHERIFF'S deputies to attend. The officer or deputy shall be charged with  
32 the duty of preventing disturbances amounting to breach of the peace by

1 spectators. The cost of providing such officer or deputy shall be paid by  
2 the promoter. IF LAW ENFORCEMENT OFFICERS OR SHERIFF'S DEPUTIES ARE NOT  
3 AVAILABLE TO ATTEND THE CONTEST, THE COMMISSION MAY GRANT THE PROMOTER  
4 PERMISSION TO USE PRIVATE SECURITY SERVICES TO ATTEND THE CONTEST.

5 Sec. 9. Section 5-235.01, Arizona Revised Statutes, is amended to  
6 read:

7 5-235.01. Disciplinary action; grounds; civil penalty;  
8 emergency suspension; injunction

9 A. The commission may take any one or a combination of the following  
10 disciplinary actions:

- 11 1. Revoke a license.
- 12 2. Suspend a license.
- 13 3. Impose a civil penalty in an amount of not ~~to exceed one thousand~~  
14 ~~dollars~~ MORE THAN \$1,000 per violation of this chapter.

15 B. The commission may take disciplinary action or refuse to issue or  
16 renew a license for any of the following causes:

- 17 1. Committing an act involving dishonesty, fraud or deceit with the  
18 intent to substantially benefit oneself or another or substantially injure  
19 another.
- 20 2. Advertising by means of known false, misleading, deceptive or  
21 fraudulent statements through any communication medium.
- 22 3. Violating this chapter or any rule adopted pursuant to this  
23 chapter.
- 24 4. Making oral or written false statements to the commission.
- 25 5. Failing to complete the license application as prescribed by the  
26 commission.

27 C. The commission may conduct tests for the use of alcohol and drugs  
28 determined by the commission to impair ~~contestants~~ COMBATANTS.  
29 Notwithstanding any other provision of this article, the commission may  
30 immediately suspend the license OF, immediately revoke the license OF or  
31 immediately impose a civil penalty OF not ~~to exceed five hundred dollars,~~  
32 ~~or any combination of these actions,~~ MORE THAN \$500 against, OR ANY

1 COMBINATION OF THESE ACTIONS, a ~~contestant~~ COMBATANT who tests positive for  
2 alcohol and drugs, who refuses or fails to take a test for alcohol and  
3 drugs under rules adopted by the commission or who refuses or fails to take  
4 a test for alcohol and drugs after a test is requested by the commission or  
5 the executive director. All civil penalties assessed pursuant to this  
6 subsection shall be deposited, pursuant to sections 35-146 and 35-147, in  
7 the state general fund. The rules adopted pursuant to this subsection may  
8 include appropriate definitions for drugs determined by the commission to  
9 impair ~~contestants~~ COMBATANTS.

10 D. In case of emergency, a member of the commission, on ~~his~~ THE  
11 MEMBER'S own motion or on the verified complaint of any person charging a  
12 violation of this chapter or of the rules ~~promulgated~~ ADOPTED by the  
13 commission, may suspend for a period of not to exceed ten days any license  
14 until final determination by the commission, if in ~~his~~ THE MEMBER'S opinion  
15 the action is necessary to protect the public welfare and the best  
16 interests of boxing.

17 E. The commission, the attorney general or a county attorney may  
18 apply to the superior court in the county in which acts or practices of any  
19 person that constitute a violation of this chapter or the rules adopted  
20 pursuant to this chapter are alleged to have occurred for an order  
21 enjoining those acts or practices.

22 Sec. 10. Section 5-236, Arizona Revised Statutes, is amended to  
23 read:

24 5-236. Violation; classification

25 A. A person is guilty of a class 2 misdemeanor and may be subject to  
26 license revocation, denial or suspension if the person DOES EITHER OF THE  
27 FOLLOWING:

28 ~~1. Conducts, holds, sponsors, sanctions or gives boxing or other~~  
29 ~~contests that are subject to regulation by the commission or participates~~  
30 ~~in any contest that is subject to regulation by the commission without~~  
31 ~~first having procured an appropriate license or approval as prescribed in~~  
32 ~~this article.~~

1           ~~2. Violates any provision of this chapter or any rule or regulation~~  
2 ~~adopted pursuant to this chapter.~~

3           1. CONDUCTS, HOLDS, SPONSORS, SANCTIONS OR GIVES BOXING OR OTHER  
4 CONTESTS THAT ARE SUBJECT TO REGULATION BY THE COMMISSION WITHOUT FIRST  
5 PROCURING AN APPROPRIATE LICENSE OR APPROVAL AS PRESCRIBED IN THIS ARTICLE.

6           2. VIOLATES THIS CHAPTER OR ANY RULE OR REGULATION ADOPTED PURSUANT  
7 TO THIS CHAPTER.

8           B. A PERSON IS GUILTY OF A CLASS 1 MISDEMEANOR AND MAY BE SUBJECT TO  
9 LICENSE REVOCATION, DENIAL OR SUSPENSION IF THE PERSON PARTICIPATES IN ANY  
10 CONTEST THAT IS SUBJECT TO REGULATION BY THE COMMISSION WITHOUT FIRST  
11 PROCURING AN APPROPRIATE LICENSE OR APPROVAL AS PRESCRIBED IN THIS ARTICLE.

12           Sec. 11. Section 5-237, Arizona Revised Statutes, is amended to  
13 read:

14           5-237. Selection of referees

15           The commission shall select and assign referees. The matchmaker may  
16 protest the assignment of a referee and REQUEST A REFEREE REASSIGNMENT. In  
17 such AN event the commission shall ~~furnish a list of all licensed referees~~  
18 ~~within the state to the protesting matchmaker. The protesting matchmaker~~  
19 ~~shall have the right to select another referee from such list~~ MAKE A  
20 REASONABLE EFFORT TO GRANT THE REQUEST FOR REFEREE REASSIGNMENT.

21           Sec. 12. Section 5-238, Arizona Revised Statutes, is amended to  
22 read:

23           5-238. Sham contest; withholding a purse

24           A. The commission may withhold all or part of a purse or other  
25 monies payable to any ~~contestant~~ COMBATANT, manager or second if in the  
26 judgment of the commission a ~~boxing contestant~~ COMBATANT is participating  
27 in a sham or fake ~~boxing~~ contest or is otherwise not competing honestly or  
28 to the best of the ~~contestant's~~ COMBATANT'S ability.

29           B. If the commission withholds a purse or part of a purse or other  
30 monies, the commission shall give notice to all interested parties and hold  
31 a hearing ~~upon~~ ON the matter within ten days.

1           C. If the commission determines that a ~~contestant~~ COMBATANT, manager  
2           or second is not entitled to a purse, part of a purse or other monies, the  
3           promoter shall turn such monies over to the director to be applied pursuant  
4           to section 5-226, subsection C."

5 Renumber to conform

6 Amend title to conform

DAVID GOWAN

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