

State of Wisconsin



2015 Senate Bill 599

Date of enactment: **March 24, 2016**

Date of publication*: **March 25, 2016**

2015 WISCONSIN ACT 277

AN ACT *to amend* 20.165 (1) (im), chapter 444 (title), 444.01 (1g), 444.01 (3), 444.01 (4), 444.02 (1), 444.02 (2), 444.02 (3) (intro.), 444.03, 444.035, 444.04, 444.06, 444.095 (title), 444.095 (1), 444.095 (2) (intro.), 444.095 (2) (c), 444.095 (3) (intro.), 444.095 (3) (a), 444.095 (3) (b) (intro.), 444.11, 444.12, 444.13, 444.14, 444.15 and 444.18; *to repeal and recreate* 444.01 (1j); and *to create* 444.01 (1h), 444.01 (5) and 444.22 of the statutes; **relating to:** regulation of unarmed combat sports and granting rule-making authority.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 20.165 (1) (im) of the statutes is amended to read:

20.165 (1) (im) *Boxing and mixed martial arts fighting* unarmed combat sports; enforcement. Fifty percent of all moneys received in forfeitures imposed under s. 444.14, for enforcement of ch. 444.

SECTION 2. Chapter 444 (title) of the statutes is amended to read:

CHAPTER 444 REGULATION OF BOXING AND MIXED MARTIAL ARTS FIGHTING UNARMED COMBAT SPORTS

SECTION 3. 444.01 (1g) of the statutes is amended to read:

444.01 (1g) “Amateur ~~mixed martial arts fighting~~ unarmed combat sports contest” means a ~~mixed martial arts fighting~~ contest or exhibition of unarmed combat sports in which none of the ~~fighters~~ contestants are compensated for participating in the contest or exhibition.

SECTION 4. 444.01 (1h) of the statutes is created to read:

444.01 (1h) “Boxing” means the act of attack and defense with the fists, using padded gloves, that is practiced as a sport under the rules described under s. 444.05, or other, comparable rules.

SECTION 5. 444.01 (1j) of the statutes is repealed and recreated to read:

444.01 (1j) “Mixed martial arts fighting” means fighting that involves the use of a combination of techniques from different disciplines of martial arts, including grappling, kicking, and striking.

SECTION 6. 444.01 (3) of the statutes is amended to read:

444.01 (3) “Professional contest” means a professional boxing contest or a professional ~~mixed martial arts fighting~~ unarmed combat sports contest.

SECTION 7. 444.01 (4) of the statutes is amended to read:

444.01 (4) “Professional ~~mixed martial arts fighting~~ unarmed combat sports contest” means a ~~mixed martial arts fighting~~ contest or exhibition of unarmed combat sports in which one or more of the ~~fighters~~ contestants is compensated for participating in the contest or exhibition.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. “Every act and every portion of an act enacted by the legislature over the governor’s partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication.”

SECTION 8. 444.01 (5) of the statutes is created to read:

444.01 (5) “Unarmed combat sports” means any form of fighting in which the objective is for a contestant to injure, disable, or incapacitate one’s opponent, but does not include any fighting in a contest for which the rules prohibit a contestant from striking an opponent’s head.

SECTION 9. 444.02 (1) of the statutes is amended to read:

444.02 (1) The department shall have the sole direction, management, and control of, and jurisdiction over, all professional contests and all amateur ~~mixed martial arts fighting~~ unarmed combat sports contests conducted within the state by any promoter or club. No club or promoter may conduct professional contests or amateur ~~mixed martial arts fighting~~ unarmed combat sports contests within the state except under authority granted by the department and in accordance with this chapter and the rules of the department.

SECTION 10. 444.02 (2) of the statutes is amended to read:

444.02 (2) The department may issue, and for cause limit, suspend, or revoke, a license to conduct professional contests or amateur ~~mixed martial arts fighting~~ unarmed combat sports contests to any promoter or incorporated club formed as provided in this chapter. Every license shall be subject to the department’s rules and regulations. The department may limit the number of professional contests and amateur ~~mixed martial arts fighting~~ unarmed combat sports contests given by any promoter or club in any city, village, or town and may reprimand a promoter or club for violating this chapter or any rule of the department.

SECTION 11. 444.02 (3) (intro.) of the statutes is amended to read:

444.02 (3) (intro.) No professional contest or amateur ~~mixed martial arts fighting~~ unarmed combat sports contest may be conducted by any licensed club without a permit from the department. An application for a permit shall be accompanied by a nonrefundable \$300 processing fee. Every permit shall be conditioned on payment by the promoter or club to the department, within 2 business days after the event for which the permit was issued, of the following fees:

SECTION 12. 444.03 of the statutes is amended to read:

444.03 Application for license; fee. No professional contest or amateur ~~mixed martial arts fighting~~ unarmed combat sports contest may be conducted by any promoter or club except by license granted to it by the department. An application for a license shall be in writing, addressed to the department, and verified by the promoter or by an officer of the club. An application shall be accompanied by an annual fee of \$500. The application must show that the promoter or club has entered into

a valid agreement for the use of the building, amphitheater, or stadium in which contests are to be held.

SECTION 13. 444.035 of the statutes is amended to read:

444.035 Bond. The department shall by rule require a promoter or club conducting a professional contest or amateur ~~mixed martial arts fighting~~ unarmed combat sports contest to post a bond or other surety in a reasonable amount determined by the department to ensure payment of the promoter’s or club’s expenses in conducting the contest, including payments to contestants and to the department.

SECTION 14. 444.04 of the statutes is amended to read:

444.04 Promoter and club reports. Within 2 business days after a promoter or club holds a professional contest or amateur ~~mixed martial arts fighting~~ unarmed combat sports contest, the club shall furnish to the department a written report, verified by the promoter or by one of the club’s officers under penalty of perjury, showing the number of tickets sold for the contest, the amount of gross proceeds, and all other information the department requires by rule to be included in the report. The department may limit, suspend, revoke, or assess a forfeiture to the promoter or club for failure to comply with this section or failure to provide accurate information to the department. Any forfeiture collected under this section shall be deposited in the appropriation account under s. 20.165 (1) (jm).

SECTION 15. 444.06 of the statutes is amended to read:

444.06 Inspectors. The department shall appoint official inspectors, each of whom shall receive a card authorizing the inspector to act wherever the department designates. The department may be, and at least one inspector shall be present at all professional contests and all amateur ~~mixed martial arts fighting~~ unarmed combat sports contests and see that the rules are strictly observed. Inspectors shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties. The department may require a promoter or club to pay the cost of designating additional inspectors, who may include a referee or judge performing the duties of an inspector, for an event. The department may require a promoter or club to pay the department an amount not to exceed \$250 for each additional inspector designated by the department.

SECTION 16. 444.095 (title) of the statutes is amended to read:

444.095 (title) Conduct of ~~mixed martial arts fighting~~ unarmed combat sports contests regulated.

SECTION 17. 444.095 (1) of the statutes is amended to read:

444.095 (1) No individual may be a contestant in an amateur ~~mixed martial arts fighting~~ unarmed combat

sports contest unless the individual can provide evidence that he or she is covered by adequate health insurance.

SECTION 18. 444.095 (2) (intro.) of the statutes is amended to read:

444.095 (2) (intro.) No promoter or club may conduct ~~a mixed martial arts fighting~~ an unarmed combat sports contest unless all of the following apply:

SECTION 19. 444.095 (2) (c) of the statutes is amended to read:

444.095 (2) (c) ~~A~~ At least one physician, or more at the discretion of the department, is present during each match to provide emergency care in the event of an injury.

SECTION 20. 444.095 (3) (intro.) of the statutes is amended to read:

444.095 (3) (intro.) The department shall promulgate rules that establish all of the following with respect to ~~mixed martial arts fighting~~ unarmed combat sports contests:

SECTION 21. 444.095 (3) (a) of the statutes is amended to read:

444.095 (3) (a) Qualifications and fees for licensure of referees and judges for ~~mixed martial arts fighting~~ unarmed combat sports contests.

SECTION 22. 444.095 (3) (b) (intro.) of the statutes is amended to read:

444.095 (3) (b) (intro.) Requirements for regular health examinations of ~~mixed martial arts fighting~~ unarmed combat sports contestants, including all of the following:

SECTION 23. 444.11 of the statutes is amended to read:

444.11 Licenses to matchmakers, referees, contestants, etc. The department may grant licenses upon application and the payment of the prescribed fees to matchmakers, managers, referees, boxers, ~~mixed martial arts fighters~~ unarmed combat sports contestants, seconds, and ~~trainers~~ timekeepers in professional contests and amateur ~~mixed martial arts fighting~~ unarmed combat sports contests. The fees to be paid per year shall be: Matchmakers and managers, \$10; referees and judges, \$15; examining physicians, \$10; boxers and ~~mixed martial arts fighters~~ unarmed combat sports contestants, \$40; seconds, \$40; and timekeepers, \$10. The department may limit, suspend, or revoke any license granted under this section or reprimand the licensee upon such cause as it deems sufficient.

SECTION 24. 444.12 of the statutes is amended to read:

444.12 Referee to stop contest. The referee must shall stop a professional contest or amateur ~~mixed martial arts fighting~~ unarmed combat sports contest when either of the contestants shows a marked superiority or is apparently outclassed. The referee shall be the sole arbiter of the contest and may consult ~~the a~~ a physician identified in s. 444.095 (2) (c) during the contest.

SECTION 25. 444.13 of the statutes is amended to read:

444.13 Sham contests, license revoked. Any promoter or club that conducts, holds, gives, or participates in any sham or fake professional contest or amateur ~~mixed martial arts fighting~~ unarmed combat sports contest shall forfeit its license. That license shall be revoked by the department, and the promoter or club shall not be entitled to another license.

SECTION 26. 444.14 of the statutes is amended to read:

444.14 Sham contests; contestants penalized; forfeitures; hearing. The department shall ban a contestant who participates in any sham or fake professional contest or amateur ~~mixed martial arts fighting~~ unarmed combat sports contest or violates any rule promulgated by the department, and may require the contestant, the contestant's manager, or the promoter of the contest to forfeit an amount determined by the department, but not more than \$500. Fifty percent of all forfeitures collected under this section shall be deposited in the appropriation account under s. 20.165 (1) (im).

SECTION 27. 444.15 of the statutes is amended to read:

444.15 Reports; examination of books and officers. Whenever any promoter or club fails to make a report of any professional contest or amateur ~~mixed martial arts fighting~~ unarmed combat sports contest at the time prescribed or whenever a report is unsatisfactory to the department, the secretary may examine the books and records of the promoter or club, may subpoena and examine, under oath, the promoter or the club's officers and other witnesses to determine the total amount of its gross receipts for any contest, and may hire an independent auditor to assist in making the determination. The secretary may require the promoter or club to pay the expenses of conducting the examination or the independent auditor's fee. If a promoter or club fails to pay the amount of expenses determined by the secretary to be due within 20 days after receiving notice of the amount, the promoter or club shall forfeit its license, be disqualified from receiving any license under this chapter, and forfeit to the state the sum of \$1,000, which may be recovered by the department of justice in the name of the state.

SECTION 28. 444.18 of the statutes is amended to read:

444.18 Insurance on certain contestants. Any licensee authorized to conduct professional contests or amateur ~~mixed martial arts fighting~~ unarmed combat sports contests shall insure each contestant participating for hospital, nursing, and medication expenses and physician's and surgeon's services according to an equitable fee schedule, not to exceed in the aggregate \$25,000, to be paid to, or for the use of, any contestant to compensate for injuries sustained in any such contest; and shall insure

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each contestant for not less than \$25,000 to be paid to the contestant's estate in the event of the contestant's death as the result of participation in such professional contest or amateur ~~mixed martial arts fighting~~ unarmed combat sports contest.

SECTION 29. 444.22 of the statutes is created to read:
444.22 Rules. The department may promulgate any

rules necessary to implement and enforce this chapter.

SECTION 30m. Effective dates. This act takes effect on the first day of the 12th month beginning after publication, except as follows:

(1m) The treatment of section 444.22 of the statutes takes effect on the day after publication.
