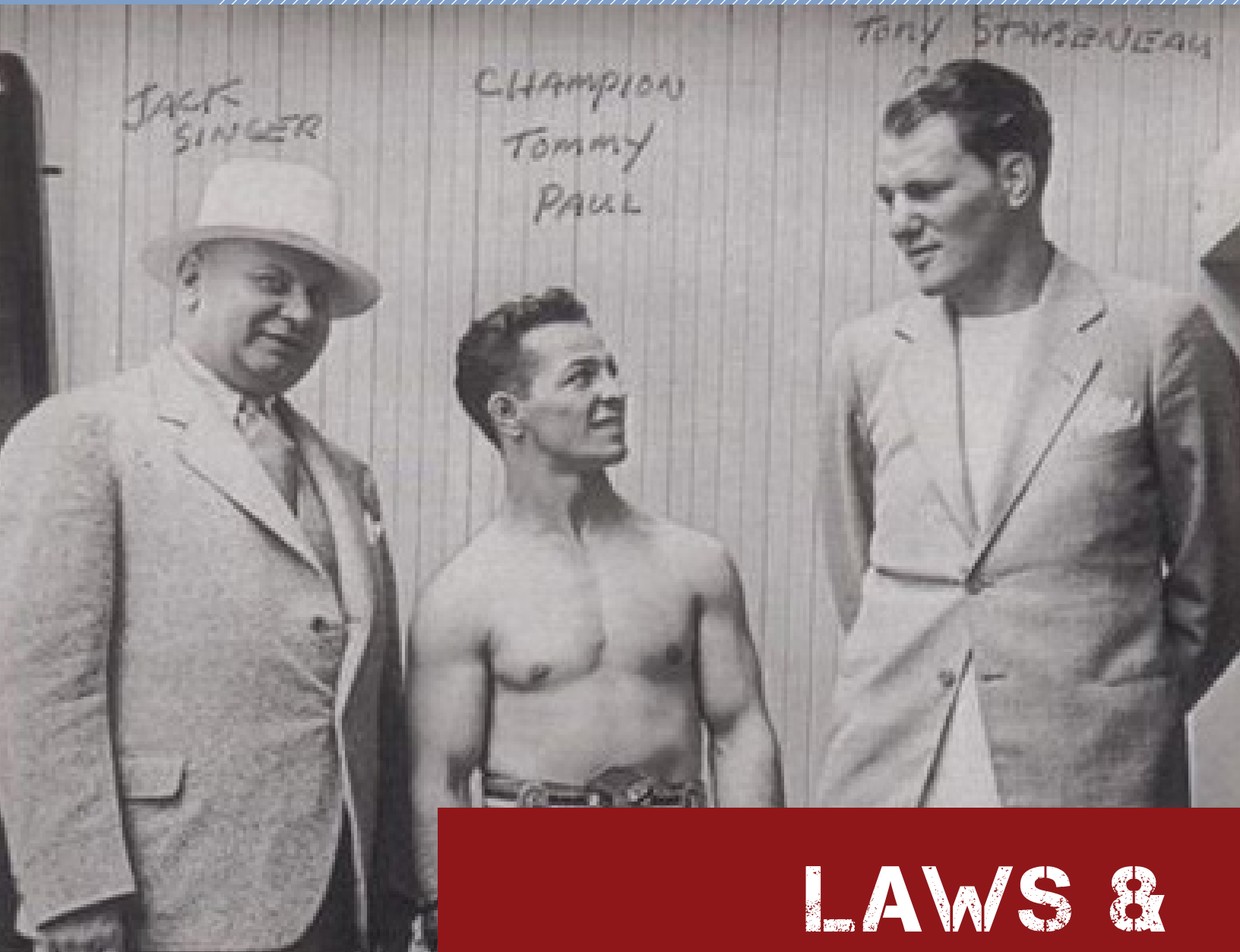


SEPTEMBER 2018



LAWS & REGULATIONS

GUIDELINES AND POLICIES FOR OFFICIALS



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BUSINESS AND PROFESSIONS CODE

SECTION 18600-18618

18600. This chapter shall be known and may be cited as the Boxing Act or the State Athletic Commission Act.

Whenever a reference is made to the Boxing Act or the State Athletic Commission Act by the provisions of any statute, it is to be construed as referring to the provisions of this chapter.

18601. The Legislature may amend, revise, or supplement any part of this chapter.

18602. (a) Except as provided in this section, there is in the Department of Consumer Affairs the State Athletic Commission, which consists of seven members. Five members shall be appointed by the Governor, one member shall be appointed by the Senate Rules Committee, and one member shall be appointed by the Speaker of the Assembly.

The members of the commission appointed by the Governor are subject to confirmation by the Senate pursuant to Section 1322 of the Government Code.

No person who is currently licensed, or who was licensed within the last two years, under this chapter may be appointed or reappointed to, or serve on, the commission.

(b) In appointing commissioners under this section, the Governor, the Senate Committee on Rules, and the Speaker of the Assembly shall make every effort to ensure that at least four of the members of the commission shall have experience and demonstrate expertise in one of the following areas:

- (1) A licensed physician or surgeon having expertise or specializing in neurology, neurosurgery, head trauma, or sports medicine. Sports medicine includes, but is not limited to, physiology, kinesiology, or other aspects of sports medicine.
 - (2) Financial management.
 - (3) Public safety.
 - (4) Past experience in the activity regulated by this chapter, either as a contestant, a referee or official, a promoter, or a venue operator.
- (c) Each member of the commission shall be appointed for a term of four years. All terms shall end on January 1. Vacancies occurring prior to the

expiration of the term shall be filled by appointment for the unexpired term. No commission member may serve more than two consecutive terms.

- (d) Notwithstanding any other provision of this chapter, members first appointed shall be subject to the following terms:
- (1) The Governor shall appoint two members for two years, two members for three years, and one member for four years.
 - (2) The Senate Committee on Rules shall appoint one member for four years.
 - (3) The Speaker of the Assembly shall appoint one member for four years.
- (e) (1) This section shall remain in effect only until January 1, 2016, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2016, deletes or extends that date.
- (2) Notwithstanding any other law, the repeal of this section renders the board subject to review by the appropriate policy committees of the Legislature.

18602.1. Protection of the public shall be the highest priority for the State Athletic Commission in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount.

18602.5. (a) The commission shall adopt and submit a strategic plan to the Governor and the Legislature on or before September 30, 2008. The commission shall also submit a report to the Governor and the Legislature on the status of the adoption of the strategic plan during the commission's next regularly scheduled sunset review after January 1, 2007. The strategic plan shall include, but shall not be limited to, efforts to resolve prior State Athletic Commission deficiencies in the following areas:

- (1) Regulation of the profession, what fees should be paid for this regulation, and the structure and equity of the fees charged.
- (2) The effect and appropriateness of contracts made pursuant to Section 18828.
- (3) Costs to train ringside physicians, referees, timekeepers, and judges.

- (4) Steps that need to be taken to ensure sufficient sources of revenue and funding.
 - (5) Necessity for review and modification of organizational procedures, the licensing process, and the complaint process.
 - (6) Outdated information technology.
 - (7) Unorganized and improper accounting.
 - (8) Miscalculations at events, a lack of technology to record proper calculations, and funding issues.
 - (9) The health and safety of the participants and the public in attendance at events regulated under this chapter, including costs of examinations under Section 18711.
- (b) The commission shall solicit input from the public, the State Auditor, the Little Hoover Commission, the Center for Public Interest Law, and others as necessary in preparing and adopting the strategic plan.
 - (c) The commission shall report on progress in implementing the strategic plan to the Director of Consumer Affairs, the Governor, and the Legislature on or before September 30, 2009.

18604. The appointing authority may remove any member of the commission for causes specified in Section 106.

18605. A majority of the appointed members of the commission constitute a quorum for the transaction of business. The affirmative vote of a majority of those commissioners present at a meeting of the commission constituting at least a quorum is necessary to render a decision or pass a motion.

18606. The members of the commission shall elect one of their number as the chair and another member as the vice-chair. The chair and vice-chair shall be elected at the first meeting of each calendar year or when a vacancy exists.

18607. Each member of the commission shall receive a per diem and necessary travel expenses as provided in Section 103.

18608. The commission is subject to all of the provisions of Division 1 (commencing with Section 100) and for the purposes of that division shall be deemed to

be a board, except for the purposes of Section 102 the commission shall not be deemed to be a board created by an initiative act.

18610. The commission shall adopt a seal.

18611. The commission shall adopt, amend, or repeal, in accordance with the Administrative Procedure Act, rules and regulations as may be necessary to enable it to carry out the laws relating to boxing and the martial arts.

18613. (a) (1) The commission shall appoint a person exempt from civil service who shall be designated as an executive officer and who shall exercise the powers and perform the duties delegated by the commission and vested in him or her by this chapter. The appointment of the executive officer is subject to the approval of the Director of Consumer Affairs.

(2) The commission may employ in accordance with Section 154 other personnel as may be necessary for the administration of this chapter.

(b) This section shall remain in effect only until January 1, 2016, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2016, deletes or extends that date.

18615. No inspector shall be assigned to regulate an event under the authority or jurisdiction of the commission, who, within the preceding six months, has not participated in an inspectors' clinic or received formal training, at which the laws and rules of the commission and related problems have been discussed. The commission is authorized to pay the necessary traveling expenses of an inspector while in attendance at the clinic or formal training.

18618. The commission shall furnish to the Governor and the Legislature a report, on or before July 30, 2012, on the following:

(a) The condition of the State Athletic Commission Neurological Examination Account. This report shall include the amount of the assessment collected from each promoter pursuant to Section 18711, the purposes for which moneys in the account are expended, and findings and recommendations on the amounts, appropriateness, and effectiveness of these assessments. The report shall also include a recommendation on the viability and need for creating a medical database that would be used

for identifying trends in medical records and data associated with injuries and deaths related to competing.

- (b) The condition of the Boxers' Pension Fund. This report shall include a recommendation on whether the fund should be continued and, if so, whether it should be expanded to include all athletes licensed under this chapter and appropriate fees paid into the fund.

SECTION 18620-18631

18620. The definitions contained in this article shall be for terms used in this chapter and shall be applicable unless otherwise specifically provided.

18621. "Commission" means the State Athletic Commission.

18622. The words "club" and "promoter" are synonymous, may be used interchangeably, and mean a corporation, partnership, association, individual, or other organization which conducts, holds, or gives a boxing or martial arts contest, match, or exhibition.

18623. A professional or amateur boxer or martial arts fighter is one who engages in a boxing or martial arts contest and who possesses fundamental skills in his or her respective sport.

18624. "Committee" means an advisory committee on medical and safety standards created by this article.

18625. (a) As described in the specific provisions of the act, whether referring to a professional or amateur contest or match, the terms "contest" and "match" are synonymous, may be used interchangeably, include boxing, kickboxing, and martial arts exhibitions, and mean a fight, prizefight, boxing contest, pugilistic contest, kickboxing contest, martial arts contest, or sparring match, between two or more persons, where full contact is used or intended that may result or is intended to result in physical harm to the opponent.

- (b) (1) An amateur contest or match includes a contest or match where full contact is used, even if unintentionally.
- (2) An amateur contest or match does not include light contact karate, tae kwon do, judo, or any other light contact martial arts as approved by the commission and recognized by the International Olympic Committee as an Olympic sport.

18627. (a) "Martial arts" means any form of karate, kung fu, tae kwon do, kickboxing or any combination of full contact martial arts, including mixed martial arts, or self-defense conducted on a full contact basis where a weapon is not used.

- (b) "Kickboxing" means any form of boxing in which blows are delivered with the hand and any part of the leg below the hip, including the foot.
- (c) "Full contact" means the use of physical force in a martial arts contest that may result or is intended to result in physical harm to the opponent, including any contact that does not meet the definition of light contact or noncontact.
- (d) "Light contact" means the use of controlled martial arts techniques whereby no contact to the face is permitted and no contact is permitted which may result or is intended to result in physical harm to the opponent.
- (e) "Noncontact" means that no contact occurs between either contestant.

18628. "Manager" means any person who does any of the following:

- (a) By contract, agreement, or other arrangement with any person, undertakes or has undertaken to represent in any way the interest of any professional boxer, or martial arts fighter in procuring, or with respect to the arrangement or conduct of, any professional contest in which the boxer or fighter is to participate as a contestant; except that the term "manager" shall not be construed to mean any attorney licensed to practice in this state whose participation in these activities is restricted to representing the legal interests of a professional boxer or fighter as a client. Otherwise, an attorney shall be licensed as a manager in order to engage in any of the activities described in this section.
- (b) Directs or controls the professional boxing or martial arts activities of any professional boxer or martial arts fighter.
- (c) Receives or is entitled to receive more than 10 percent of the gross purse of any professional boxer or martial arts fighter for any services relating to such person's participation in a professional contest.
- (d) Is an officer, director, shareholder, or member of any corporation or organization which receives, or is entitled to receive more than 10 percent of the gross purse of any professional boxer or martial arts fighter for any services relating to the person's participation in a professional contest.

18629. "School, college, or university" means a secondary school, the University of California, a California State University, public community college, or any other private, postsecondary educational institution meeting the requirements of Section 94739, or Article 8 (commencing with Section 94900) or Article 9 (commencing with Section 94915) of Chapter 7 of Part 59 of the Education Code.

18630. "Proprietary interest" means any membership, coownership, stock ownership, legal or beneficial interest, profit-sharing arrangement, or other proprietary interest, designated arranged or held, directly or indirectly in any form.

18631. "License" as used in this chapter also includes a "permit".

SECTION 18640-18656

18640. The commission has the sole direction, management, control of, and jurisdiction over all professional and amateur boxing, professional and amateur kickboxing, all forms and combinations of forms of full contact martial arts contests, including mixed martial arts, and matches or exhibitions conducted, held, or given within this state. No event shall take place without the prior approval of the commission. No person shall engage in the promotion of, or participate in, a boxing or martial arts contest, match, or exhibition without a license, and except in accordance with this chapter and the rules adopted hereunder.

18640.5. (a) The commission, at its regularly scheduled meetings, shall invite testimony from boxing stakeholders to identify actions that may lead to greater opportunities for its licensees to participate in major professional championship boxing contests in the State of California. The commission shall invite testimony that shall include, but not be limited to, the following:

- (1) What cooperative actions may be taken by the private sector boxing stakeholders that may lead to greater opportunities for the commission's licensees to participate in major professional championship boxing contests in the State of California.
- (2) What role may public-private partnerships play that may lead to greater opportunities for the commission's licensees to participate in major professional championship boxing contests in the State of California.

(3) What actions may local agencies take that may lead to greater opportunities for the commission's licensees to participate in major professional championship boxing contests in the State of California.

(4) What actions may the commission take that may lead to greater opportunities for the commission's licensees to participate in major professional championship boxing contests in the State of California.

(5) What actions may other state agencies take that may lead to greater opportunities for the commission's licensees to participate in major professional championship boxing contests in the State of California.

(b) The stakeholders shall include, but not be limited to, boxing promoters, boxing event venues, boxers, sports news outlets, and local agencies that have an interest in providing greater opportunities for the commission's licensees to participate in major professional championship boxing contests in the State of California.

(c) Nothing in this section shall jeopardize the commission's duties and responsibilities to protect the safety and welfare of boxers and the public.

(d) Costs incurred by the commission in implementing this section shall be covered by existing resources of the commission.

18641. The commission may license clubs to conduct, hold, or give, and shall license referees, judges, matchmakers, and timekeepers, and may license assistant matchmakers and corporation treasurers, to participate in, or be employed in connection with, professional or amateur boxing contests, sparring matches, or exhibitions.

No club may conduct, hold, or give, and no person performing tasks for which licensure is required by the commission may participate in, or be employed in connection with, those boxing contests, sparring matches, or exhibitions unless the club or person has been licensed for that purpose by the commission.

18642. The commission may license professional and amateur boxers, professional and amateur martial arts fighters, and booking agents, managers of professional boxers and professional martial arts fighters, trainers, chief seconds, and seconds of each.

No person shall participate in any contest or serve in the capacity of a booking agent, manager, trainer, or second, unless he or she has been licensed for that purpose by the commission.

18642.5. A professional boxer or martial arts fighter shall, prior to licensure by the commission, demonstrate his or her ability to perform. If at any time a licensed boxer or fighter's ability to perform is questionable the commission shall revalidate the licensee using standards adopted in regulation by the commission.

The commission may accept whatever evidence is available to demonstrate the "ability to perform" at the initial time of licensure. However, all commission evaluations or reevaluations shall be recorded on a form approved by the commission and maintained with the fighter's licensing file.

The evaluation or reevaluation may be used by the commission when approving bouts for not more than 120 days from the date of the evaluation.

18645. There is hereby created within the jurisdiction of the State Athletic Commission an Advisory Committee on Medical and Safety Standards.

The committee shall consist of six licensed physicians and surgeons appointed by the commission. The commission may call meetings of those physicians and surgeons at such times and places as it deems appropriate for the purpose of studying and recommending medical and safety standards for the conduct of boxing, wrestling, and martial arts contests.

It shall require a majority vote of the commission to appoint a person to the committee. Each appointment shall be at the pleasure of the commission for a term not to exceed four years.

18646. (a) This chapter applies to all amateur boxing, wrestling, and full contact martial arts contests.

(b) The commission may, however, authorize one or more nonprofit boxing, wrestling, or martial arts clubs, organizations, or sanctioning bodies, upon approval of its bylaws, to administer its rules for amateur boxing, wrestling, and full contact martial arts contests, and may, therefore, waive direct commission application of laws and rules, including licensure, subject to the commission's affirmative finding that the standards and enforcement of similar rules by a club or organization meet or exceed the safety and fairness standards of the commission. The commission shall review the performance of any such club, organization, or sanctioning body annually.

(c) Every contest subject to this section shall be preceded by a physical examination, specified by the commission, of every contestant. A physician and surgeon shall be in attendance at the contest. There shall be a medical insurance program satisfactory

to the commission provided by an amateur club, organization, or sanctioning body in effect covering all contestants. The commission shall review compliance with these requirements.

- (d) Any club, organization, or sanctioning body that conducts, holds, or gives amateur contests pursuant to this section, which collects money for the event, shall furnish a written financial report of receipts and disbursements within 90 days of the event.
- (e) The commission has the right to have present without charge or restriction such representatives as are necessary to obtain compliance with this section.
- (f) The commission may require any additional notices and reports it deems necessary to enforce the provisions of this section.
- (g) The commission, at its discretion, may rescind previously approved authorization of a nonprofit boxing, wrestling, or martial arts club, organization, or sanctioning body to administer its rules for amateur boxing, wrestling, and full contact martial arts contests.

18648. The commission shall prescribe standards as necessary, for the licensure of any persons required to be licensed by this chapter or by the commission's regulations.

18653. No person shall train a professional boxer or kickboxer or martial arts athlete unless he or she has been licensed by the commission. A professional trainer is someone who is responsible for the day-to-day training of those athletes and possesses a minimum of five years experience in combative sports. Only professional trainers licensed by the commission may make a recommendation to the commission on whether a contestant is prepared for his or her first amateur mixed martial arts bout or to turn professional in boxing, kickboxing, or mixed martial arts. A professional trainer shall be present in the corner of the contestant unless otherwise authorized by the commission or the executive director.

18654. Failure of a licensed professional trainer, fighter, boxer, second, or manager to report an injury or knockout of a licensed boxer or fighter to the commission and to a database designated by the commission, which may include the national athlete and bout results databases approved by the Association of Boxing Commissions for boxing and mixed martial arts, shall be grounds for the suspension or revocation of his or her license pursuant to this chapter.

18655. This chapter does not apply to any contest conducted under the supervision or control of an entity of the United States Government.

18656. This chapter does not apply to any contest conducted by, or participated in exclusively by, any school, college, or university, or by any association or organization composed exclusively of schools, colleges, or universities when each contestant in such contest is a bona fide student regularly enrolled for not less than one-half time in a school, college, or university.

SECTION 18660-18679

18660. Any person desiring a license issued under this chapter shall submit an application to the commission on an application form provided by the commission. The application shall contain any and all information requested by the commission and be accompanied by any fee required in Article 10.

18661. The executive officer or his or her designee shall review and investigate all applications filed with the commission. The executive officer or designee shall file a written recommendation over his or her signature with regard to the granting or denial of the license. The executive officer or his or her designee shall also, when directed by the commission, investigate appeals from the denial by the commission of any license. The findings from such investigation shall be reported to the commission.

18662. Any applicant for a license may be required to appear before the commission as it or the executive officer may deem necessary.

18665. (a) All applications for a promoter's license shall contain a true statement of all persons connected with or having a proprietary interest in the promoter.

(b) Any person connected with, or having a proprietary interest in, an applicant for a promoter's license shall provide the commission with such financial information, or access to such financial information, as the commission deems necessary in order to determine whether the applicant is financially responsible.

(c) Any application for a promoter's license shall be signed under penalty of perjury by the sole proprietor, a general partner, or an officer of the corporation or association, as the case may be.

18666. All promoters shall submit in writing for prior approval by the commission, any change at any time in the persons connected with or having a proprietary interest in the promoter, including any change in the shareholders of a corporate entity.

18667. The commission shall not issue any promoter's license to an applicant unless the commission is satisfied that the applicant is the real party in interest, and intends to conduct, hold, or give such contests itself. In no case shall the commission issue a license to a promoter unless, the promoter will receive at least 25 percent of the net receipts of any promotion.

18668. Licensed promoters may engage in promotions with other licensed promoters, so long as each promoter holds a valid, unexpired license, and receives the written approval of the commission prior to the promotion. The co-promoters shall file a bond or bonds sufficient to meet the requirements of Section 18680.

18673. (a) All applications for a manager's license shall contain a true statement of all persons connected with, or having a proprietary interest in, the management of the boxer or martial arts fighter.

(b) Any application for a manager's license shall be signed under penalty of perjury by the sole proprietor, a general partner, or an officer of the corporation or association, as the case may be.

18674. All managers shall submit in writing, for prior approval by the commission, any change at any time in the persons connected with or having a proprietary interest in the management of the boxer or martial arts fighter, including any change in the shareholders of a corporate entity.

18679. The commission may issue temporary permits prior to licensure, as provided by regulations of the commission.

SECTION 18680-18685

18680. Before any license is issued to any club to conduct, hold, or give a contest or match, other than an amateur contest or match, the applicant shall file a bond with the commission, in an amount determined by the commission, conditioned for the faithful performance by the club of the provisions of this chapter. For the purpose of this section, "faithful performance by the

club" shall include the cancellation of a contest or match without good cause once the contest or match has been approved by the commission.

After the issuance of a license to a club, the commission may modify the amount of a bond to insure adequate coverage for payments specified in Section 18684.

18681. Before any license is issued to any club to conduct, hold, or give an amateur contest or match, the applicant shall file a bond with the commission in an amount not less than one thousand dollars (\$1,000), conditioned for the faithful performance by the club of the provisions of this chapter. For the purpose of this section, "faithful performance by the club" shall include the cancellation of a contest or match without good cause once the contest or match has been approved by the commission.

18684. The bonds required under this article shall guarantee, in order of priority, the payment of all taxes and fines due and payable to the state, the payment of contributions for medical insurance and to the pension fund, the payment of assessments for neurological examinations, as specified in subdivision (c) of Section 18711, the payment of the purses to the competitors, the repayment to consumers of purchased tickets, the payment of fees to the referees, judges, timekeepers, and physicians, and in the event of the cancellation of a contest or match approved by the commission without good cause, an amount determined by the commission which does not exceed the commission's actual cost in connection with the approval of the contest or match. The circumstances and allocation of bond payment shall be determined by the commission.

18685. For the purposes of this article, a certificate of deposit payable to the commission, or a savings account assigned to the commission, shall be considered equivalent to a bond as provided in Section 995.710 of the Code of Civil Procedure, and shall be acceptable to the commission upon such terms and conditions as it may prescribe.

SECTION 18700-18748

18700. All buildings or structures used or intended to be used to conduct, hold, give a contest or match, or exhibition shall be safe and shall conform to the laws, ordinances, and regulations pertaining to the buildings in the jurisdiction where the building or structure is situated.

18701. There shall be posted in public view at every place that a contest is held a notice in English and Spanish which states that it is unlawful to throw any object in the direction of the ring.

18702. (a) No person under 18 years of age shall participate as a contestant in any professional contest or match or exhibition.

- (b) Any person, irrespective of age, may participate as a contestant in an amateur contest, match, or exhibition with the approval of the commission subject to Section 18642.
- (c) Consistent with Section 18640, the commission shall have jurisdiction over all forms and combinations of forms of full contact martial arts contests involving participants 18 years of age or younger.

18703. All admission tickets to any contest or exhibition shall have printed clearly upon the face thereof the purchase price of the ticket, and no ticket shall be sold for more than that price. The tickets shall have the number of the ticket printed clearly on both ends of the ticket.

18705. Every promoter shall have at its own expense in attendance at every contest, a licensed physician approved by the commission who has had not less than three years experience in the practice of medicine since licensure, who shall perform the physical examination of the contestants and observe the physical condition of the contestants during the contest or match.

The services of the physician shall be paid according to a schedule of fees adopted by the commission. The fees shall be paid by the club to the commission, and it shall remit the payment to the physician.

18705.5. The commission shall adopt regulations detailing the criteria for approval of a licensed physician pursuant to Section 18705.

18706. (a) Not later than at the weigh-in time, which shall be not more than 30 hours prior to the beginning of the first event, the physician provided for in Section 18705 shall conduct a physical examination of the contestant and certify in writing as to the contestant's physical condition to engage in the contest or match.

- (1) The commission shall make the contestants' medical records available to the physician and the physician shall review the contestant's medical records as part of the certification of the contestant's physical condition.

- (2) The physician shall determine whether the contestant may have any knowledge, manifestations, symptoms, or prior history of a physical condition that may affect the contestant's ability to perform or present a potential threat to the contestant's health as a result of competing in the contest or match. The contestant shall complete a questionnaire developed by the commission. The contestant shall be asked to disclose on the questionnaire any conditions of which the contestant is aware, including, but not limited to, any of the following:
- (A) Significant weight gain or loss and any change in weight in the seven days prior to the contest.
 - (B) Neuromuscular condition, including peripheral nerves, muscle problems, and brain problems.
 - (C) Pregnancy.
 - (D) Bone fractures and all forms of arthritis.
 - (E) Any condition related to vision or changes in hearing function.
 - (F) Heart condition or other cardiovascular condition.
 - (G) Pulmonary or respiratory condition.
 - (H) Renal or urological condition.
 - (I) Hematological condition, including manifestations of any unusual bleeding or bruising.
- If any condition is disclosed under this paragraph, the physician shall not allow the contestant to compete unless the physician or, at the contestant's discretion, the contestant's personal physician, who is licensed to practice medicine in the United States, has conducted a physical examination and determined that the specific condition does not affect the contestant's ability to perform or present a potential threat to the contestant's health as a result of competing in the contest or match.
- (3) The questionnaire shall be developed by the commission through promulgated regulations in consultation with qualified medical professionals.
- (4) Nothing in this chapter may be construed to require a contestant to submit to a pregnancy test.
- (b) On the day of the event, and no later than one hour before the contestants enter the ring, the physician provided for in Section 18705 shall conduct a brief reexamination and certify in writing as to the contestant's physical condition to engage in the contest or match. This reexamination shall include an evaluation of any significant changes since the physical examination provided under subdivision (a).
 - (c) A report of the medical examinations shall be filed with the commission not later than 24 hours after the termination of the contest or match. The physician's report of the examination shall include specific mention as to the condition of the contestant's heart, nerves and brain.
- 18707.** A physician in attendance at any contest or match pursuant to Section 18705 shall have the authority to stop any contest or match that is conferred upon the referee. The physician's authority shall be limited to a medically related injury and the physical condition of a contestant.
- 18710.** In its discretion, the commission may order a special medical examination to be undertaken by any licensee, the report of which shall be made to the commission. The cost of the examination shall be shared equally by the commission and the licensee.
- 18711.** (a) (1) (A) The commission shall require, as a condition of licensure and as a part of the application process, the examination by a licensed physician and surgeon who specializes in neurology and neurosurgery of each applicant for a license as a professional athlete or contestant licensed under this chapter or, if for the renewal of a license, this examination every year, in addition to any other medical examinations.
- (i) Upon initial licensure, the examination shall include tests and examinations designed to detect physical conditions that could place the athlete or contestant at risk for serious injury or permanent or temporary impairment of any bodily function. These tests or examinations shall include, but not be limited to, a neurological examination or a neuro-psychological examination, a brain imaging scan, and an electrocardiogram (EKG). The physician may recommend any additional tests or evaluations he or she deems necessary.

- (ii) For renewal of a license, the physician shall determine the tests or evaluations necessary, if any.
 - (iii) The commission may require an athlete or contestant licensed under this chapter to undergo additional neurological tests where, based on the totality of the athlete's or contestant's records, it appears the athlete or contestant may be at risk of cognitive impairment.
 - (iv) On the basis of a physical examination under this subdivision, and any additional tests that are conducted, the physician may recommend to the commission whether the applicant may be permitted to be licensed in California or not. The executive officer shall review these recommendations and report any denials of licensure. If, as a result of these recommendations, the executive officer refuses to grant the applicant a license or to renew a license, the applicant shall not compete in California until the denial has been overruled by the commission as provided in this chapter.
 - (v) The commission may waive the requirement for a brain imaging scan or an EKG if a brain imaging scan or EKG was completed as part of the licensing requirements in another state, the commission determines that this brain imaging scan or EKG creates a reliable baseline for the athlete or contestant, and the commission has been provided with a copy of the brain imaging scan or EKG reports.
 - (vi) This subparagraph shall become inoperative on the date the regulations adopted by the commission pursuant to subparagraph (B) become operative.
- (B) On and after January 1, 2008, all professional athletes licensed under this chapter shall be required by the commission to complete a medical examination process, which shall include the completion of specific medical examinations, to be determined by the commission through regulations, as a condition of initial licensure and license renewal. This medical examination process may include examinations required under current law and any additional medical examinations determined to be medically necessary. In adopting the medical examination process, the commission shall consider the health and safety of contestants, the medical necessity of any examinations required, and the financial aspects of requiring those medical examinations.
- (2) In the absence of any pertinent untoward medical event, the commission may, in its discretion, on forms prescribed by the commission, accept tests or evaluations that are equivalent to those described in paragraph (1) and that have been completed within one year of licensure to meet the requirements of this subdivision.
 - (3) (A) Any medical records obtained, reviewed, or created under this chapter shall be utilized only for purposes of administering this chapter. The commission and any physician may not disclose the athlete's medical records without a signed authorization from the athlete, except that the commission may disclose those records to other state licensing boards and commissions to which the athlete has applied for licensure or has an enforcement action pending, or upon court order in a criminal or civil action.
 - (B) After the adoption of regulations to establish a process for participating in medical research studies, the commission may use medical information for purposes of participating in medical research studies of the effects on the human body of contests and exhibitions regulated under this chapter. However, medical information shall not include any personal identifying information on any contestant, including, but not limited to, the contestant's name, address, telephone number, social security number, license number, federal identification number, or any other information identifying the contestant. The medical information shall only be provided if the licensed athlete has consented in writing to participate in the research study. The regulations adopted by the commission shall include a process to ensure that no conflicts of interest arise regarding which medical examinations are required to be completed by contestants.
- (b) If an applicant for licensure as a professional athlete under this chapter undergoes a neurological examination for purposes of licensure within the 120-day period immediately preceding the normal expiration of that license, the applicant shall not be required to undergo an additional neurological examination within the following 12 consecutive

month license period unless the commission, for cause, orders that the examination be taken. The commission shall notify all commission-approved physicians and referees that the commission has the authority to order any professional athlete to undergo a neurological examination.

- (c) The cost of the examinations required by this section shall be paid from assessments on any one or more of the following: promoters of professional matches, managers, and professional athletes or other contestants licensed under this chapter. The rate and manner of assessment shall be set by the commission, and may cover all costs associated with the requirements of this section. This assessment shall be imposed on all contests approved by the commission under this chapter. As of July 1, 1994, all moneys received by the commission pursuant to this section shall be deposited in and credited to the State Athletic Commission Neurological Examination Account which is hereby created in the General Fund. The administrative costs associated with managing and distributing the State Athletic Commission Neurological Examination Account shall be limited to no more than 20 percent of the prior year's contributions.
- (d) The commission may use no more than 30 percent of moneys from the State Athletic Commission Neurological Examination Account, upon appropriation by the Legislature, to fund special neurological examinations and new diagnostic imaging and testing to be used in relation to the examinations required by this section.
- (e) Whenever a reference is made to the Boxers' Neurological Examination Account, it is to be construed as referring to the State Athletic Commission Neurological Examination Account.

18712. (a) Notwithstanding any other provision of law, any person applying for a license or the renewal of a license as a professional boxer or as a professional martial arts fighter shall present documentary evidence satisfactory to the commission that the applicant has been administered a test, by a laboratory in the United States that possesses a certificate under the Clinical Laboratory Improvement Act (42 U.S.C. Sec. 263a), to detect the presence of antibodies both to the human immunodeficiency virus (HIV) and to hepatitis C virus (HCV) and to detect the presence of the antigen of hepatitis B virus (HBV) within 30 days prior to the date of the application and that the results of all three tests are negative. A negative report for all three tests shall also be required of a professional boxer or professional martial arts fighter prior to competing in a match that

will occur 180 days or more after the date of the tests submitted for the issuance or renewal of his or her license.

- (b) Information received under this section and any other medical information about an applicant or licensee shall be confidential and not subject to discovery or subpoena. If the commission denies a license or the renewal of a license or suspends or revokes a license because of a licensee's HIV or HCV antibody status or HBV antigen status, it shall state only that the action was taken for medical reasons. An applicant or licensee may appeal the commission's denial, suspension, or revocation of a license under this section. The commission shall notify each person in writing of his or her right to a closed hearing for that appeal. An applicant or licensee must make a request for a hearing to the commission within 30 days of receiving notification from the commission of the applicant's or licensee's right to a hearing.

18714. For the purpose of studying and recommending medical and safety standards for the conduct of boxing and martial arts, the commission may call meetings of those licensed physicians and surgeons as it deems necessary at such times and places it deems appropriate. The commission is authorized to pay the necessary traveling expenses and per diem, as provided in Section 103, to the committee members in attendance at these meetings.

18720. (a) No boxing contest or match shall be more than 12 rounds of not more than three minutes each in length, except that championship contests may, if the written approval of the commission is first obtained, be 15 rounds of not more than three minutes each in length. The commission may limit the number of rounds in a contest within the maximum.

(b) There shall be one minute rest between consecutive rounds.

18721. The commission may by rule specify the frequency with which boxers may participate in a contest.

18723. All gloves used by contestants in professional and amateur boxing contests or matches shall be approved by the commission and constructed so that:

- (a) The thumb is not detached from the glove in such a manner that injury could result.

(b) The soft padding between the outside coverings shall be evenly distributed over the back of the gloves, and cover the knuckles and back of the hands.

(c) All paddings shall be consistent with the best available material and technology in order to reduce the cumulative effects of repetitive impacts.

18724. All professional and amateur boxing contests or matches shall be performed on a ring floor and padding which meet at least the following specifications:

(a) The ring floor shall be constructed of 1 1/4 inch plywood.

(b) The ring floor padding shall be of 1 3/4 inch thickness consisting of closed cellular foam in combination with high density polyvinylchloride (PVC) bonded together in solid sections, or equivalent covering.

18725. In addition to the requirements of this act, the commission may establish glove weights, equipment standards, safety standards, and the length of rounds in order to protect the health and safety of contestants.

18728. The commission shall establish by rule the weight spreads and classes of contestants.

18730. A referee shall be in attendance and direct and control at every boxing contest. Referees shall enforce the rules of the commission at every boxing contest.

18731. (a) In addition to the other requirements of this chapter and regulations adopted thereunder, no referee or physician and surgeon shall be assigned to a boxing contest if he or she has not completed a clinic offered by a provider approved by the commission.

(b) A referee or physician and surgeon shall complete a clinic within the preceding six months of a boxing contest.

(c) The commission shall approve a clinic provider if the clinic includes, at a minimum, but is not limited to, the following topics related to a boxing contest: the subjects of the rules of the commission, the recognition and diagnosis of serious or life-threatening, boxing-related and neurological injuries and disorders, and refereeing a bout.

(d) The clinic provider may charge a referee or physician and surgeon participating in a clinic a fee in an amount not to exceed the reasonable cost of the clinic.

(e) Nothing in this section shall be construed to prohibit the commission from offering a clinic subject to the requirements of this section.

18732. Before starting a contest, the referee shall ascertain from each contestant, the name of his or her chief second, and shall hold such chief second responsible for the conduct of assistants during the contest.

18733. The referee shall stop a contest when a contestant shows a marked superiority, or is apparently outclassed.

18734. (a) The commission shall designate the scoring officials for each contest.

(b) The referee may render a decision at the end of a boxing contest if authorized by a representative of the commission.

(c) The commission may require that judges be used in conjunction with the referee at any boxing contest.

18735. Referees and other boxing officials appointed by the commission while performing duties required under this chapter by the commission shall be entitled to the same rights and immunities granted to public employees by the provisions of Article 3 (commencing with Section 820), Chapter 1, Part 2, Division 3.6, Title 1 of the Government Code. The provisions of this section shall not be construed to affect, create, or destroy any rights or obligations of any public or private employer of a referee or other boxing official.

18738. (a) A boxer who intentionally hits a contestant with a rabbit punch or with a punch on that part of the body over the kidneys shall be penalized by the loss of a point for each such punch.

(b) Determination that a boxer has violated this section shall be made at the end of the round in which the violation occurred and prior to the next round by the referee or, if judges are used in conjunction with the referee, by any two officials. Upon such a determination, each such official shall penalize the boxer pursuant to subdivision (a).

(c) Upon a determination that this section has been violated, the referee shall inform both boxers and their managers at the end of the round in which the violation occurred and prior to the next round, and inform the audience of the penalty thus assessed. In any such case, the rest period may be extended by the referee.

18748. Recognizing the need for uniformity in championship contests, the commission may exempt championship contests from any provision of this chapter and authorize alternate provisions as long as the safety and welfare of the boxers and the public are not jeopardized.

SECTION 18750-18758

18750. No person shall appear as a contestant in any amateur boxing contest who has received any compensation or reward, except for actual expenses or trophies, in any form, for displaying, exercising, or giving any example of his or her skill in knowledge of boxing exercises, or for rendering services of any kind to any boxing organization, or to any person or persons as trainer, coach, instructor or otherwise, or who shall have been employed in any manner professionally by reason of his or her boxing skill or knowledge.

18751. Except as provided in Section 18752, only an award may be given to each contestant in any amateur boxing contest which does not exceed the sum of five hundred dollars (\$500). No portion of an admission fee or fees charged or received for any boxing contest shall be paid or given, either directly or indirectly, to any contestant in an amateur boxing contest.

18752. Unless the written permission of the commission is first obtained, it is a misdemeanor for any promoter to pay or cause to be paid to any coach, trainer, or manager of any amateur boxer participating in a contest, any sum of money other than the actual traveling and per diem expenses incurred by such coach, trainer, or manager and amateur boxer in traveling to and from their respective residences to the boxing contest in an amount to be determined by the commission.

18755. No contestant in an amateur boxing contest shall use any bandage on his or her hand or arm except soft surgical bandages not over two inches wide and ten yards in length for each hand, and one winding of surgeon's adhesive tape not over 1 1/2 inches wide placed directly on the hand to protect that part of the hand near the wrist. This may cross the back of the hand twice, but not extend within one inch of the knuckles.

18756. No amateur boxing contest shall be more than four rounds of not more than two minutes each, or three rounds of three minutes each, in length.

There shall be one minute rest between rounds.

18757. At every amateur boxing contest, any representative of the commission shall stop the contest whenever it appears that the contestants are unevenly matched, either of them has been seriously injured, or that there is danger that either of them will be seriously injured if the contest continues. The person may call to his or her assistance in enforcing an order to stop the contest, as many peace officers or able-bodied citizens of the state as may be necessary.

18758. No amateur boxing contest shall be held in conjunction with vaudeville shows, dances, or entertainments of any sort.

SECTION 18760-18770

18760. Except as otherwise provided by this article, "boxing" as used in this chapter includes "kickboxing" and "martial arts." Sections 18720, 18721, 18723, 18725, 18728, 18755, and 18756, and Article 15 (commencing with Section 18870) shall not apply to kickboxing and martial arts.

18761. Rules and regulations of the commission relating to professional boxing shall apply to kickboxing and martial arts, except where specifically excluded by the commission's regulations.

18763. The commission shall by rule and regulation, regulate kickboxing and martial arts in accordance with Section 18640.

18765. The commission shall, by rule and regulation, prescribe the length and duration of professional and amateur kickboxing and martial arts contests, the weight classifications, the manner in which the contestants engage in such contests, and such further safeguards and conditions as shall insure fair, sportsmanlike, and scientific contests.

No contest shall be conducted unless each contestant uses protective gear approved by the commission.

18766. Every contestant in an amateur kickboxing or martial arts contest under the age of 18 years shall wear protective headgear approved by the commission.

18767. This chapter shall not apply to light and noncontact kickboxing and martial arts, and kickboxing and martial arts instruction and schools.

18768. The commission shall not function as a sanctioning body, nor shall it grant titles to fighters or to individual events. This function shall be retained by such professional and amateur full-contact kickboxing and martial arts associations operating on a local, statewide, regional, national or international level, which shall, when operating in California, observe such rules and regulations adopted by the commission.

18769. (a) The commission may appoint an advisory committee to advise the commission on the provisions of this article.

(b) The advisory committee shall be composed of individuals, residing in California, who have prior to their appointment, been promoters, fighters, trainers, managers, or officials in publicly held kickboxing or full-contact martial arts events.

(c) The advisory committee may elect its own officers.

18770. (a) (1) The commission shall establish an advisory pankration subcommittee to investigate the rules and conduct of contests involving or claiming to involve pankration by persons under 18 years of age, or any style deemed by the subcommittee to be sufficiently similar thereto.

(2) The pankration subcommittee shall consist of three members of the commission.

(b) The subcommittee shall meet and examine the following matters, including, but not limited to:

(1) In general, the legality and safety of the contests described in subdivision (a).

(2) Whether or not legislation should be enacted to impose age-based requirements or restrictions, which may include a prohibition on participants engaging in the contests described in subdivision (a).

(3) Appropriate safety precautions for persons under 18 years of age engaging in the contests described in subdivision (a).

(c) By July 1, 2014, the subcommittee shall make recommendations to the commission regarding any legislative changes to be enacted that may be necessary to improve the commission's regulation and oversight of the contests described in subdivision (a) in order to adequately protect participants.

SECTION 18800-18828

18800. As of July 1, 2004, all moneys received by the commission under this chapter shall be accounted for and reported by detailed statements furnished by the commission to the Controller at least once a month. At the same time, these moneys, other than those that have been received by the commission pursuant to Section 18882, shall be remitted to the Treasurer and shall be deposited in the Athletic Commission Fund, which is hereby created.

18801. The salaries and expenses of the members and employees, and the operating expenses of the commission shall be paid by the Treasurer on the warrant of the Controller from the funds appropriated therefor upon the certification of the executive officer.

18802. The commission is, with respect to accounting, auditing, budget, financial and personal matters, subject to all laws and requirements now or hereafter imposed by law upon, or applicable to state agencies.

18804. The application and renewal fee for a license to promote or conduct a professional contest or exhibition shall be one thousand dollars (\$1,000).

18805. The application and renewal fee for a license to promote or conduct amateur boxing contests shall be two hundred fifty dollars (\$250).

18806. The application and renewal fee for a boxing, kickboxing, or martial arts matchmaker's license shall be two hundred dollars (\$200).

18807. The application and renewal fee for a boxing, kickboxing, or martial arts assistant matchmaker's license shall be two hundred dollars (\$200).

18808. The application and renewal fee for a booking agent's license shall be two hundred dollars (\$200).

18809. The application and renewal fee for a professional boxer, kickboxer, or martial arts fighter license shall be sixty dollars (\$60).

18810. The application and renewal fee for a boxing, kickboxing, and martial arts manager's license shall be one hundred fifty dollars (\$150).

18811. The application and renewal fee for a boxing, kickboxing, and martial arts trainer's license, chief second's and second's license shall be fifty dollars (\$50).

18812. The application and renewal fee for a professional boxing, kickboxing, and martial arts referee's or judge's license shall be one hundred fifty dollars (\$150).

18813. The application and renewal fee for an amateur boxing, kickboxing, and martial arts referee's and judge's license shall be seventy-five dollars (\$75).

18814. The application and renewal fee for a timekeeper's license shall be fifty dollars (\$50) unless the commission establishes a lower fee by regulation.

18815. The application and renewal fee for a sparring permit shall be twenty-five dollars (\$25).

18816. The application and renewal fee for a licensed professional trainer, as described in Section 18653, shall be two hundred dollars (\$200).

18819. The fee for a simultaneous telecast permit under Section 18831 shall be fifty dollars (\$50) per event.

18820. The commission shall charge a twenty-dollar (\$20) fee to issue federal identification cards. Cards shall be reissued once every four years.

18822. (a) For licenses issued before January 1, 2007, a license may be renewed at any time prior to midnight on December 31 of the year in which it was issued. If not renewed, the license shall expire at that time.

(b) A license issued on or after January 1, 2007, shall expire 12 months after issuance, on the last day of the 12th month. To renew an unexpired license, the licenseholder shall, on or before midnight of the day on which the license would otherwise

expire, apply for renewal on a form prescribed by the commission and pay the prescribed renewal fee. If the licenseholder is a boxer or martial arts contestant, the renewal application shall also be accompanied by the required medical examinations and test results. Renewal of an unexpired license shall continue the license in effect for one year from the expiration date of the license, when it shall again expire if it is not renewed.

18824. (a) Except as provided in Sections 18646 and 18832, every person who conducts a contest or wrestling exhibition shall, within 72 hours after the determination of every contest or wrestling exhibition for which admission is charged and received, furnish to the commission the following:

(1) A written report executed under penalty of perjury by one of the officers, showing the amount of the gross receipts, not to exceed two million dollars (\$2,000,000), and the gross price for the contest or wrestling exhibition charged directly or indirectly and no matter by whom received, for the sale, lease, or other exploitation of broadcasting and television rights of the contest or wrestling exhibition, and without any deductions, except for expenses incurred for one broadcast announcer, telephone line connection, and transmission mobile equipment facility, which may be deducted from the gross taxable base when those expenses are approved by the commission.

(2) A fee of 5 percent, exclusive of any federal taxes paid thereon, of the amount paid for admission to the contest or wrestling exhibition, except that for any one contest, the fee shall not exceed the amount of one hundred thousand dollars (\$100,000). The commission shall report to the Legislature on the fiscal impact of the one-hundred-thousand-dollar (\$100,000) limit on fees collected by the commission for admissions revenues during its next sunset review.

(A) The amount of the gross receipts upon which the fee provided for in paragraph (2) is calculated shall not include any assessments levied by the commission under Section 18711.

(B) If the fee for any one boxing contest exceeds seventy thousand dollars (\$70,000), the amount in excess of seventy thousand dollars (\$70,000) shall be paid one-half to the commission and one-half to the Boxers' Pension Fund.

- (C) The fee shall apply to the amount actually paid for admission and not to the regular established price.
 - (D) No fee is due in the case of a person admitted free of charge. However, if the total number of persons admitted free of charge to a boxing, kickboxing, or martial arts contest, or wrestling exhibition exceeds 33 percent of the total number of spectators, then a fee of one dollar (\$1) per complimentary ticket or pass used to gain admission to the contest shall be paid to the commission for each complimentary ticket or pass that exceeds the numerical total of 33 percent of the total number of spectators.
 - (E) The minimum fee for an amateur contest or exhibition shall not be less than one thousand dollars (\$1,000). The minimum fee for a professional contest or exhibition shall not be less than one thousand two hundred fifty dollars (\$1,250).
- (3) A fee of up to 5 percent, to be established by the commission through regulations to become operative on or before July 1, 2008, and updated periodically as needed, of the gross price, exclusive of any federal taxes paid thereon, for the sale, lease, or other exploitation of broadcasting or television rights thereof, except that in no case shall the fee be less than one thousand dollars (\$1,000) or more than thirty-five thousand dollars (\$35,000).
- (b) As used in this section, "person" includes a promoter, club, individual, corporation, partnership, association, or other organization, and "wrestling exhibition" means a performance of wrestling skills and techniques by two or more individuals, to which admission is charged or which is broadcast or televised, in which the participating individuals are not required to use their best efforts in order to win, and for which the winner may have been selected before the performance commences.

18825. An inspector or other representative of the commission duly authorized by the executive officer shall be admitted to the box office, and is authorized to assist in the counting of tickets and in the computation of the tax due thereon, and to take any other action necessary for the administration and enforcement of this chapter. The inspector or other representative shall immediately transmit to the commission the official statement of gross receipts received by him or her from the promoter.

18826. Whenever any promoter fails to make a report of any contest or wrestling exhibition within the period prescribed by this chapter, or whenever such report is unsatisfactory to the commission, the executive officer, or his or her duly authorized representative may examine, or cause to be examined, the books and records of the promoter and any other persons or organizations, and subpoena and examine under oath, such persons for the purpose of determining the total amount of the gross receipts for any contest or wrestling exhibition and the amount of tax due pursuant to this chapter, which tax he or she may fix and determine as a result of such examination.

18827. If a promoter fails to pay any tax ascertained to be due under this chapter, in addition to the costs of the examination under Section 18826, if any, within 30 days after receipt of notice by the executive officer, the commission may without hearing revoke or suspend the promoter's license and authorize the Attorney General to bring an action in superior court to collect the amount due, any fines authorized by this chapter, and attorney's fees.

The action shall be speedily determined by the court and shall take precedence over all matters pending therein except criminal cases, applications for injunction or other matters to which special precedence has been given by law.

18828. (a) The commission may enter into a contract to sanction, supervise, or provide other services for contests under this chapter for which the fees under this chapter do not apply only if the contract provides for a payment to the commission for reasonable and necessary services provided under the contract.

- (b) It is the intent of the Legislature that payment under subdivision (a) shall include the following:
 - (1) Consideration of costs incurred by the commission.
 - (2) A contribution into the Boxers' Pension Fund of not less than 20 percent of the commission's costs under paragraph (1).
 - (3) A contribution into the State Athletic Commission Neurological Examination Account of not less than 20 percent of the commission's costs under paragraph (1).
- (c) A contestant's participation in a contest subject to this section shall be deemed to be a commission-approved contest for purposes of participation in the Boxers' Pension Plan.

SECTION 18830-18837

18830. As used in this article:

- (a) "Person" includes a promoter, club, individual, corporation, partnership, limited liability company, association, or other organization.
- (b) "Closed circuit telecast" includes any telecast or broadcast, transmitted by any means, including subscription where an extra or additional fee is charged or where an identifiable or particular fee is charged for the viewing within this state of a simultaneous telecast of any live, current, or spontaneous match or wrestling exhibition.

18831. No person shall charge or receive an admission fee for exhibiting a simultaneous telecast of any live, current, or spontaneous contest or wrestling exhibition on a closed-circuit telecast viewed within this state without a permit issued by the commission.

Application for such a permit shall be on a form provided by the commission, shall include a bond as required in Article 5, and shall contain such information as the commission may require, including, but not limited to, the locations where such telecasts are to be viewed. A permit shall be issued for each location where such telecast is to be viewed. The applicant shall pay the permit fee required in Section 18819.

The bond shall guarantee payment of taxes and fines due and payable to the state.

The permit may be denied only for the following reasons:

- (a) The information required by the commission is not supplied by the applicant.
- (b) The applicant is or has been in default for the payment of any taxes or fees required by this chapter.
- (c) The permit fee has not been paid by the applicant.

18832. Every person who charges and receives a fee for exhibiting a simultaneous telecast of any live, current, or spontaneous contest or wrestling exhibition on a closed-circuit telecast viewed within this state shall, within 72 hours after such event, furnish to the commission, a written report under penalty of perjury on a form which shall be provided by the commission showing the number of tickets or subscriptions where an extra or additional fee is charged for the viewing, which were issued or sold, and the gross receipts therefor without any deductions whatsoever. The person shall also, at the same time, pay to the commission a 5 percent tax, exclusive of federal taxes thereon, of the

amount paid for admission or subscription telecast, as defined in Section 18830, to the showing or viewing of the contest or wrestling exhibition. In no event, however, shall the tax be less than fifty dollars (\$50). The tax shall apply uniformly to all persons subject to the tax.

The tax on admission shall apply to the amount actually paid for admission and not the regular established price.

No tax is due in the case of a person admitted free of charge.

18833. The commission may designate a representative to be present at, and observe the computation of the number of tickets issued or sold, and the determination of the gross receipts. Where a telecast or broadcast is accomplished by subscription, records in support of the receipts shall be made available to the commission upon request.

18834. Whenever any person fails to make a report of a closed-circuit television showing of any contest or wrestling exhibition within the period prescribed by Section 18832, or whenever the report is unsatisfactory to the commission, the executive officer or his or her representative may examine or cause to be examined, the books and records of the permit holder or any other person, and subpoena and examine under oath those persons for the purposes of determining the total amount of the gross receipts of a closed-circuit television showing of any contest or wrestling exhibition and the amount of tax due pursuant to this chapter, which tax he or she may fix or determine as the result of the examination.

18835. If a permitholder fails to pay any tax ascertained to be due under this chapter, in addition to the costs of the examination under Section 18834, if any, within 30 days after receipt of notice by the executive officer, the commission may authorize the Attorney General to bring an action in superior court to collect the amount due, any fines authorized by this chapter and attorney's fees.

The action shall be speedily determined by the court and shall take precedence over all matters pending therein except criminal cases, applications for injunction, or other matters to which special precedence has been given by law.

18836. In case of default in the payment of any tax due under this chapter, the commission may refuse to issue a permit to any person so defaulting regardless of whether the application for the permit is made solely in the name of the person, or together with others.

18837. This article does not apply to a cable television's system franchised under Section 53066 of the Government Code.

SECTION 18840-18869

18840. Notwithstanding any other provision of this code, if in the judgment of the commission the financial responsibility, experience, character and general fitness of an applicant for a license or renewal thereof, or any person connected with the applicant, are such that the participation of the applicant will be consistent with the public interest, convenience or necessity, and with the best interests of boxing and martial arts generally, and in conformity with the purposes of this chapter, and the rules or regulations adopted pursuant thereto, the commission may grant an unrestricted license or issue a license subject to terms and conditions.

18841. Notwithstanding any other provision of this code, licenses issued under this chapter may be revoked, suspended, or placed on probation under terms and conditions including, but not limited to, the making of restitution, for any violation or attempted violation of this chapter, any rule or regulation adopted pursuant thereto, or for any cause for which a license may be denied.

Such action shall be final, except that the propriety of such action is subject to review, upon questions of law only, by the superior court. The action of the commission shall stand unless and until reversed by the court.

18842. The commission, the executive officer and other employees duly authorized by the executive officer, shall have the power to suspend temporarily, any license until final determination by the commission when, in his or her opinion, the action is necessary to protect the public welfare or is in the best interest of boxing or martial arts.

The suspension may be without advance hearing, but the suspended licensee may apply to the commission for a hearing on the matter to determine if the suspension should be modified or set aside. The application for a hearing shall be in writing and shall be received by the commission within 30 days after the date of suspension. Upon receipt of such written request, the commission shall set the matter for hearing within 30 days.

18843. In addition to its authority under other provisions of this chapter to take action against a licensee, the commission, its executive officer, or his or her duly authorized representative shall have the authority to assess fines not to exceed two thousand five hundred dollars (\$2,500) for each violation of any of the provisions of this chapter or any of the rules and regulations of the commission.

This fine may be assessed without advance hearing, but the licensee may apply to the commission for a hearing on the matter if such fine should be modified or set aside. This application for a hearing shall be in writing and shall be received by the commission within 30 days after service of notice of the fine. Upon receipt of this written request, the commission shall set the matter for hearing within 30 days.

18844. If a licensee fails to pay any fine assessed under this chapter within 30 days after receipt of notice by the executive officer, after time for appeal has passed or after action on an appeal by the commission, the commission may, without hearing, revoke or suspend the license held by the licensee and authorize the Attorney General to bring an action in superior court to collect the amount due and attorney's fees.

The action shall be speedily determined by the court and shall take precedence over all matters pending therein except criminal cases, applications for injunction, or other matters to which special precedence has been given by law.

18845. (a) The commission, its executive officer, or any other employee duly authorized by the executive officer may issue subpoenas for the attendance of witnesses, giving of testimony, or the production of documents before the commission, any member thereof, the executive officer, or any other duly authorized employee with the same effect as if they were issued in an action in the superior court. They may also administer oaths in all matters appertaining to their duties or connected with the administration of the affairs of the commission.

(b) No witness shall be obliged to attend at a place out of the county in which the witness resides unless the distance is less than 150 miles from the witness's residence, except the commission or its designee may endorse on a subpoena an order requiring the attendance of such witness upon a showing that the testimony of such witness is material and necessary.

(c) Disobedience to a subpoena may be punished as a contempt by the superior court.

18846. Notwithstanding any other provision of law, the commission, its executive officer, or his or her duly authorized representative may issue subpoenas for the attendance of witnesses or the production or examination of documents before the commission, any member thereof, its executive officer, or his or her duly authorized representative. The subpoenas shall have the same effect as if they were issued in an action in superior court. The persons may also administer oaths, in all matters appertaining to their duties, the enforcement of this chapter, or otherwise connected with the administration of the affairs of the commission.

18847. The disobedience of a subpoena issued under Section 18846 shall be attended by the same consequences and subject to the same penalties as if such disobedience occurred in an action in the superior court.

18848. The license of any promoter or matchmaker found guilty of managing a boxer or martial arts fighter, either directly or indirectly, without written approval from the commission shall be subject to disciplinary action.

18849. No promoter, nor any person having a proprietary interest in the promoter, shall have, either directly or indirectly, any proprietary interest in a boxer or martial arts fighter competing on the premises owned, leased, or rented by the promoter without written approval from the commission.

18850. (a) Any boxer or martial arts fighter who participates in a contest or match while under suspension by the commission, or any other recognized commission, shall have his or her license revoked.

(b) Any licensee who, directly or indirectly, aids or abets a boxer or martial arts fighter in violation of this section shall be subject to disciplinary action.

18852. A manager of a boxer or martial arts fighter shall maintain an accurate annual record showing all of the following with respect to each contest in which the boxer or martial arts fighter has participated.

- (a) Training expenses.
- (b) Amount of money actually paid to the contestant.
- (c) Amount of money which the manager received from the purse.
- (d) Amount of money owed to the manager by the contestant.

The manager's record shall be supported by documentation, shall be made available to both the fighter under contract and the commission upon request, and shall be kept in the manager's possession for a period of five years from the transaction.

18853. No fighter shall be paid before a contest, except that a promoter may, with the written approval of the commission, advance to the fighter before the contest, up to one thousand dollars (\$1,000) plus any necessary transportation and living expenses. However, such advance, except necessary transportation and living expenses, shall not exceed 20 percent of the fighter's purse.

18854. No fighter, nor his or her manager, shall be paid for the services of the fighter except in the presence of an authorized commission representative. The commission representative shall report to the executive officer any payment made contrary to the provisions of the contract on file with the commission.

18855. Any official who fails to enforce the provisions of this act or the commission's rules and regulations shall be subject to disciplinary action.

18860. (a) The commission, the executive officer, or authorized representative shall have power to order a promoter to withhold any purse, any part thereof, any receipts or other funds owing or payable to any contestant, or the share thereof of any manager, if, in his or her judgment, it should appear that such contestant is not competing honestly, or is intentionally not competing to the best of his or her ability, or if it should appear that the contestant, manager, or any seconds have violated any provision of this act, or the rules and regulations adopted by the commission.

- (b) Any purse, or portion thereof, so withheld, shall be delivered by the promoter to the commission upon demand. Any contestant claiming the money withheld shall within 10 days after the end of the contest apply in writing to the commission for a hearing, the commission shall fix a date for the hearing, and after the hearing determines the disposition to be made of the money held by the commission.
- (c) If no application for a hearing is filed within the time prescribed the commission shall meet and determine the disposition to be made of the money held by the commission.
- (d) This section does not apply to any exhibition where the participants are not competing to the best of their ability.

18861. The commission, the executive officer, or authorized representative shall have the power to order a promoter to withhold 10 percent of the total purse payable to a contestant if the manager of the contestant does not present an itemized statement of expenses incurred in connection with the contest. The money so withheld shall be paid to the commission and held in trust for payment to the contestant or his or her manager, upon presentation by the manager to the commission of the itemized statement of expenses.

18865. Any licensee who directly or indirectly holds, participates in, aids or abets any sham or fake contest or match shall be subject to disciplinary action.

This section does not apply to any exhibition.

18868. (a) The commission shall have the authority to obtain and review criminal history information to determine whether an applicant or licensee has been convicted of any offense or has been arrested for any offense for which disposition is still pending. A conviction, or a plea of guilty or nolo contendere to an offense, may be cause to deny an application or take disciplinary action against a licensee dependent on the relevancy of the offense to the licensed activity.

(b) The commission may require applicants to submit two sets of fingerprints which shall be furnished to the Department of Justice. Upon the request of the commission, the Department of Justice shall submit one set of the fingerprints to the Federal Bureau of Investigation to obtain a copy of the Federal Bureau of Investigation's record and shall retain one set to search the California criminal history system.

18869. Nothing in this chapter shall prevent any county, city, or city and county from prohibiting the holding or participating in any contest, match, or exhibition.

SECTION 18870-18878

18870. Any person or promoter to whom this chapter applies who directly or indirectly holds, aids or abets, or attempts to hold, aid or abet the holding of, any contest, match or exhibition without first having obtained a license or permit therefor under this chapter, is guilty of a misdemeanor.

18871. Any contestant who continues to participate in a professional or amateur contest or match after an order to stop the contest is given by an official, or authorized representative of the commission, is guilty of a misdemeanor.

18872. Any promoter who directly or indirectly destroys, or aids and abets in the destruction of, any ticket or ticket stub to a contest, match, or exhibition within six months after the event without written authorization from the commission is guilty of a misdemeanor.

18873. Any person who throws any object at the ring during a contest, match, or exhibition is guilty of a misdemeanor.

18878. Any person who otherwise violates any provision of this chapter is guilty of a misdemeanor.

SECTION 18880-18887

18880. (a) The Legislature finds and declares all of the following:

- (1) That professional athletes licensed under this chapter, as a group, for many reasons, do not retain their earnings, and are often injured or destitute, or both, and unable to take proper care of themselves, whether financially or otherwise, and that the enactment of this article is to serve a public purpose by making provisions for a needy group to insure a modicum of financial security for professional athletes.
- (2) Athletes licensed under this chapter may suffer extraordinary disabilities in the normal course of their trade. These may include acute and chronic traumatic brain injuries, resulting from multiple concussions as well as from repeated exposure to a large number of subconcussive punches, eye injuries, including retinal tears, holes, and detachments, and other neurological impairments.
- (3) The pension plan of the commission is part of the state's health and safety regulatory scheme, designed to protect boxers licensed under this chapter from the health-related hazards of their trade. The pension plan addresses those health and safety needs, recognizing the disability and health maintenance expenses those needs may require.

- (4) The regulatory system of California is interrelated with the conduct of the trade in every jurisdiction. Athletes licensed under this chapter participate in contests in other states and many athletes who are based in those other jurisdictions may participate in California on a single-event basis.
- (5) The outcomes and natures of fights in other jurisdictions are relevant to California regulatory jurisdiction and are routinely monitored for health and safety reasons, so that, for example, a knockout of an athlete licensed under this chapter in another jurisdiction is paid appropriate heed with respect to establishing a waiting period before that athlete may commence fighting in California.
- (6) The monitoring of other jurisdictions is an integral part of the health and safety of California athletes licensed under this chapter due to the interstate nature of the trade, and therefore the regulatory scheme for contests and athletes under this chapter should reflect this accordingly.
- (b) The provisions of this article pertain only to professional boxers licensed under this chapter.
- 18881.** (a) The commission shall, consistent with the purposes of this article, establish a pension plan for professional boxers who engage in boxing contests in this state.
- (b) The commission shall, consistent with the purposes of this article, establish the method by which the pension plan will be financed, including those who shall contribute to the financing of the pension plan. The method of financing the pension plan may include, but is not limited to, assessments on tickets and contributions by boxers, managers, promoters, or any one or more of these persons, in an amount sufficient to finance the pension plan. For purposes of this section, the term "sufficient" means that the annual contributions shall be calculated to achieve no less than the average level of annual aggregate pension plan contributions from all sources for the period from July 1, 1981, through December 31, 1994, and adjusted thereafter to reflect changes in the Consumer Price Index for California as set forth by the Bureau of Labor Statistics.
- (c) Any pension plan established by the commission shall be actuarially sound.
- 18882.** (a) At the time of payment of the fee required by Section 18824, a promoter shall pay to the commission all amounts scheduled for contribution to the pension plan. If the commission, in its discretion, requires pursuant to Section 18881, that contributions to the pension plan be made by the boxer and his or her manager, those contributions shall be made at the time and in the manner prescribed by the commission.
- (b) All contributions to finance the pension plan shall be deposited in the State Treasury and credited to the Boxers' Pension Fund, which is hereby created. Notwithstanding the provisions of Section 13340 of the Government Code, all moneys in the Boxers' Pension Fund are hereby continuously appropriated to be used exclusively for the purposes and administration of the pension plan.
- (c) The Boxers' Pension Fund is a retirement fund, and no moneys within it shall be deposited or transferred to the General Fund. (d) The commission has exclusive control of all funds in the Boxers' Pension Fund. No transfer or disbursement in any amount from this fund shall be made except upon the authorization of the commission and for the purpose and administration of the pension plan.
- (e) Except as otherwise provided in this subdivision, the commission or its designee shall invest the money contained in the Boxers' Pension Fund according to the same standard of care as provided in Section 16040 of the Probate Code. The commission has exclusive control over the investment of all moneys in the Boxers' Pension Fund. Except as otherwise prohibited or restricted by law, the commission may invest the moneys in the fund through the purchase, holding, or sale of any investment, financial instrument, or financial transaction that the commission in its informed opinion determines is prudent.
- (f) The administrative costs associated with investing, managing, and distributing the Boxers' Pension Fund shall be limited to no more than 2 percent of the corpus of the fund. Diligence shall be exercised by administrators in order to lower the fund's expense ratio as far below 2 percent as feasible and appropriate. The commission shall report to the Legislature on the impact of this provision during the next regularly scheduled sunset review.

18884. a) A promoter may, but is not required to, add to the price of each ticket sold for a professional boxing contest, an amount specifically designated on the ticket for contribution as a donation, either or both, to the pension plan established pursuant to Section 18881. The additional amount shall not be subject to the admissions tax required by Section 18824 or any other deductions. Nothing in this section shall authorize the addition of such amounts to less than all the tickets sold for the professional boxing contest involved. The promoter shall pay additional contributions collected in accordance with Section 18881.

(b) Any additional contributions received pursuant to this section shall not be considered to offset any of the contributions required by the commission under Section 18881.

18887. In addition to any other form in which retirement benefits may be distributed under the pension plan, the commission may, in its discretion, award to a covered boxer a medical early retirement benefit in the amount contained in the covered boxers' pension plan account at the time the commission makes this award and in the manner provided in the regulations governing the boxers' pension plan. This benefit shall be in lieu of a pension.

FEDERAL BOXING ACT 2000

One Hundred Sixth Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday,
the twenty-fourth day of January, two thousand*

An Act

To reform unfair and anticompetitive practices in the professional boxing industry.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the “Muhammad Ali Boxing Reform Act”.

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) Professional boxing differs from other major, interstate professional sports industries in the United States in that it operates without any private sector association, league, or centralized industry organization to establish uniform and appropriate business practices and ethical standards. This has led to repeated occurrences of disreputable and coercive business practices in the boxing industry, to the detriment of professional boxers nationwide.

(2) State officials are the proper regulators of professional boxing events, and must protect the welfare of professional boxers and serve the public interest by closely supervising boxing activity in their jurisdiction. State boxing commissions do not currently receive adequate information to determine whether boxers competing in their jurisdiction are being subjected to contract terms and business practices which may violate State regulations, or are onerous and confiscatory.

(3) Promoters who engage in illegal, coercive, or unethical business practices can take advantage of the lack of equitable business standards in the sport by holding boxing events in States with weaker regulatory oversight.

(4) The sanctioning organizations which have proliferated in the boxing industry have not established credible and objective criteria to rate professional boxers, and operate with virtually no industry or public oversight. Their ratings are susceptible to manipulation, have deprived boxers of fair opportunities for advancement, and have undermined public confidence in the integrity of the sport.

(5) Open competition in the professional boxing industry has been significantly interfered with by restrictive and anti-competitive business practices of certain promoters and sanctioning bodies, to the detriment of the athletes and the ticket-buying public. Common practices of promoters and sanctioning organizations represent restraints of interstate trade in the United States.

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(6) It is necessary and appropriate to establish national contracting reforms to protect professional boxers and prevent exploitive business practices, and to require enhanced financial disclosures to State athletic commissions to improve the public oversight of the sport.

SEC. 3. PURPOSES.

The purposes of this Act are—

(1) to protect the rights and welfare of professional boxers on an interstate basis by preventing certain exploitive, oppressive, and unethical business practices;

(2) to assist State boxing commissions in their efforts to provide more effective public oversight of the sport; and

(3) to promote honorable competition in professional boxing and enhance the overall integrity of the industry.

SEC. 4. PROTECTING BOXERS FROM EXPLOITATION.

The Professional Boxing Safety Act of 1996 (15 U.S.C. 6301 et seq.) is amended—

(1) by redesignating sections 9 through 15 as sections 17 through 23, respectively; and

(2) by inserting after section 8 the following new sections:

“SEC. 9. CONTRACT REQUIREMENTS.

“Within 2 years after the date of the enactment of the Muhammad Ali Boxing Reform Act, the Association of Boxing Commissions (ABC) shall develop and shall approve by a vote of no less than a majority of its member State boxing commissioners, guidelines for minimum contractual provisions that should be included in bout agreements and boxing contracts. It is the sense of the Congress that State boxing commissions should follow these ABC guidelines.

“SEC. 10. PROTECTION FROM COERCIVE CONTRACTS.

“(a) GENERAL RULE.—

“(1)(A) A contract provision shall be considered to be in restraint of trade, contrary to public policy, and unenforceable against any boxer to the extent that it—

“(i) is a coercive provision described in subparagraph (B) and is for a period greater than 12 months; or

“(ii) is a coercive provision described in subparagraph (B) and the other boxer under contract to the promoter came under that contract pursuant to a coercive provision described in subparagraph (B).

“(B) A coercive provision described in this subparagraph is a contract provision that grants any rights between a boxer and a promoter, or between promoters with respect to a boxer, if the boxer is required to grant such rights, or a boxer’s promoter is required to grant such rights with respect to a boxer to another promoter, as a condition precedent to the boxer’s participation in a professional boxing match against another boxer who is under contract to the promoter.

“(2) This subsection shall only apply to contracts entered into after the date of the enactment of the Muhammad Ali Boxing Reform Act.

“(3) No subsequent contract provision extending any rights or compensation covered in paragraph (1) shall be enforceable against a boxer if the effective date of the contract containing

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such provision is earlier than 3 months before the expiration of the relevant time period set forth in paragraph (1).

“(b) PROMOTIONAL RIGHTS UNDER MANDATORY BOUT CONTRACTS.—No boxing service provider may require a boxer to grant any future promotional rights as a requirement of competing in a professional boxing match that is a mandatory bout under the rules of a sanctioning organization.

“(c) PROTECTION FROM COERCIVE CONTRACTS WITH BROADCASTERS.—Subsection (a) of this section applies to any contract between a commercial broadcaster and a boxer, or granting any rights with respect to that boxer, involving a broadcast in or affecting interstate commerce, regardless of the broadcast medium. For the purpose of this subsection, any reference in subsection (a)(1)(B) to ‘promoter’ shall be considered a reference to ‘commercial broadcaster’.

“SEC. 11. SANCTIONING ORGANIZATIONS.

“(a) OBJECTIVE CRITERIA.—Within 2 years after the date of the enactment of the Muhammad Ali Boxing Reform Act, the Association of Boxing Commissions shall develop and shall approve by a vote of no less than a majority of its member State boxing commissioners, guidelines for objective and consistent written criteria for the ratings of professional boxers. It is the sense of the Congress that sanctioning bodies and State boxing commissions should follow these ABC guidelines.

“(b) APPEALS PROCESS.—A sanctioning organization shall not be entitled to receive any compensation, directly or indirectly, in connection with a boxing match, until it provides the boxers with notice that the sanctioning organization shall, within 7 days after receiving a request from a boxer questioning that organization’s rating of the boxer—

“(1) provide to the boxer a written explanation of the organization’s criteria, its rating of the boxer, and the rationale or basis for its rating (including a response to any specific questions submitted by the boxer); and

“(2) submit a copy of its explanation to the Association of Boxing Commissions.

“(c) NOTIFICATION OF CHANGE IN RATING.—A sanctioning organization shall not be entitled to receive any compensation, directly or indirectly, in connection with a boxing match, until, with respect to a change in the rating of a boxer previously rated by such organization in the top 10 boxers, the organization—

“(1) posts a copy, within 7 days of such change, on its Internet website or home page, if any, including an explanation of such change, for a period of not less than 30 days; and

“(2) provides a copy of the rating change and explanation to an association to which at least a majority of the State boxing commissions belong.

“(d) PUBLIC DISCLOSURE.—

“(1) FEDERAL TRADE COMMISSION FILING.—A sanctioning organization shall not be entitled to receive any compensation directly or indirectly in connection with a boxing match unless, not later than January 31 of each year, it submits to the Federal Trade Commission and to the ABC—

“(A) a complete description of the organization’s ratings criteria, policies, and general sanctioning fee schedule;

“(B) the bylaws of the organization;

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“(C) the appeals procedure of the organization for a boxer’s rating; and

“(D) a list and business address of the organization’s officials who vote on the ratings of boxers.

“(2) **FORMAT; UPDATES.**—A sanctioning organization shall—

“(A) provide the information required under paragraph (1) in writing, and, for any document greater than 2 pages in length, also in electronic form; and

“(B) promptly notify the Federal Trade Commission of any material change in the information submitted.

“(3) **FEDERAL TRADE COMMISSION TO MAKE INFORMATION AVAILABLE TO PUBLIC.**—The Federal Trade Commission shall make information received under this subsection available to the public. The Commission may assess sanctioning organizations a fee to offset the costs it incurs in processing the information and making it available to the public.

“(4) **INTERNET ALTERNATIVE.**—In lieu of submitting the information required by paragraph (1) to the Federal Trade Commission, a sanctioning organization may provide the information to the public by maintaining a website on the Internet that—

“(A) is readily accessible by the general public using generally available search engines and does not require a password or payment of a fee for full access to all the information;

“(B) contains all the information required to be submitted to the Federal Trade Commission by paragraph (1) in an easy to search and use format; and

“(C) is updated whenever there is a material change in the information.

“SEC. 12. REQUIRED DISCLOSURES TO STATE BOXING COMMISSIONS BY SANCTIONING ORGANIZATIONS.

“A sanctioning organization shall not be entitled to receive any compensation directly or indirectly in connection with a boxing match until it provides to the boxing commission responsible for regulating the match in a State a statement of—

“(1) all charges, fees, and costs the organization will assess any boxer participating in that match;

“(2) all payments, benefits, complimentary benefits, and fees the organization will receive for its affiliation with the event, from the promoter, host of the event, and all other sources; and

“(3) such additional information as the commission may require.

“SEC. 13. REQUIRED DISCLOSURES FOR PROMOTERS.

“(a) **DISCLOSURES TO THE BOXING COMMISSIONS.**—A promoter shall not be entitled to receive any compensation directly or indirectly in connection with a boxing match until it provides to the boxing commission responsible for regulating the match in a State a statement of—

“(1) a copy of any agreement in writing to which the promoter is a party with any boxer participating in the match;

“(2) a statement made under penalty of perjury that there are no other agreements, written or oral, between the promoter and the boxer with respect to that match; and

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“(3)(A) all fees, charges, and expenses that will be assessed by or through the promoter on the boxer pertaining to the event, including any portion of the boxer’s purse that the promoter will receive, and training expenses;

“(B) all payments, gifts, or benefits the promoter is providing to any sanctioning organization affiliated with the event; and

“(C) any reduction in a boxer’s purse contrary to a previous agreement between the promoter and the boxer or a purse bid held for the event.

“(b) DISCLOSURES TO THE BOXER.—A promoter shall not be entitled to receive any compensation directly or indirectly in connection with a boxing match until it provides to the boxer it promotes—

“(1) the amounts of any compensation or consideration that a promoter has contracted to receive from such match;

“(2) all fees, charges, and expenses that will be assessed by or through the promoter on the boxer pertaining to the event, including any portion of the boxer’s purse that the promoter will receive, and training expenses; and

“(3) any reduction in a boxer’s purse contrary to a previous agreement between the promoter and the boxer or a purse bid held for the event.

“(c) INFORMATION TO BE AVAILABLE TO STATE ATTORNEY GENERAL.—A promoter shall make information required to be disclosed under this section available to the chief law enforcement officer of the State in which the match is to be held upon request of such officer.

“SEC. 14. REQUIRED DISCLOSURES FOR JUDGES AND REFEREES.

“A judge or referee shall not be entitled to receive any compensation, directly or indirectly, in connection with a boxing match until it provides to the boxing commission responsible for regulating the match in a State a statement of all consideration, including reimbursement for expenses, that will be received from any source for participation in the match.

“SEC. 15. CONFIDENTIALITY.

“(a) IN GENERAL.—Neither a boxing commission or an Attorney General may disclose to the public any matter furnished by a promoter under section 13 except to the extent required in a legal, administrative, or judicial proceeding.

“(b) EFFECT OF CONTRARY STATE LAW.—If a State law governing a boxing commission requires that information that would be furnished by a promoter under section 13 shall be made public, then a promoter is not required to file such information with such State if the promoter files such information with the ABC.

“SEC. 16. JUDGES AND REFEREES.

“No person may arrange, promote, organize, produce, or fight in a professional boxing match unless all referees and judges participating in the match have been certified and approved by the boxing commission responsible for regulating the match in the State where the match is held.”.

SEC. 5. CONFLICT OF INTEREST.

Section 17 of the Professional Boxing Safety Act of 1996 (15 U.S.C. 6308) (as redesignated by section 4 of this Act) is amended—

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- (1) in the first sentence by striking “No member” and inserting “(a) REGULATORY PERSONNEL.—No member”; and
- (2) by adding at the end the following:
- “(b) FIREWALL BETWEEN PROMOTERS AND MANAGERS.—
- “(1) IN GENERAL.—It is unlawful for—
- “(A) a promoter to have a direct or indirect financial interest in the management of a boxer; or
- “(B) a manager—
- “(i) to have a direct or indirect financial interest in the promotion of a boxer; or
- “(ii) to be employed by or receive compensation or other benefits from a promoter, except for amounts received as consideration under the manager’s contract with the boxer.
- “(2) EXCEPTIONS.—Paragraph (1)—
- “(A) does not prohibit a boxer from acting as his own promoter or manager; and
- “(B) only applies to boxers participating in a boxing match of 10 rounds or more.
- “(c) SANCTIONING ORGANIZATIONS.—
- “(1) PROHIBITION ON RECEIPTS.—Except as provided in paragraph (2), no officer or employee of a sanctioning organization may receive any compensation, gift, or benefit, directly or indirectly, from a promoter, boxer, or manager.
- “(2) EXCEPTIONS.—Paragraph (1) does not apply to—
- “(A) the receipt of payment by a promoter, boxer, or manager of a sanctioning organization’s published fee for sanctioning a professional boxing match or reasonable expenses in connection therewith if the payment is reported to the responsible boxing commission; or
- “(B) the receipt of a gift or benefit of de minimis value.”.

SEC. 6. ENFORCEMENT.

Subsection (b) of section 18 of the Professional Boxing Safety Act of 1996 (15 U.S.C. 6309) (as redesignated by section 4 of this Act) is amended—

- (1) in paragraph (1) by inserting a comma and “other than section 9(b), 10, 11, 12, 13, 14, or 16,” after “this Act”;
- (2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;
- (3) by inserting after paragraph (1) the following:
- “(2) VIOLATION OF ANTIEXPLOITATION, SANCTIONING ORGANIZATION, OR DISCLOSURE PROVISIONS.—Any person who knowingly violates any provision of section 9(b), 10, 11, 12, 13, 14, or 16 of this Act shall, upon conviction, be imprisoned for not more than 1 year or fined not more than—
- “(A) \$100,000; and
- “(B) if a violation occurs in connection with a professional boxing match the gross revenues for which exceed \$2,000,000, an additional amount which bears the same ratio to \$100,000 as the amount of such revenues compared to \$2,000,000, or both.”; and
- (4) in paragraph (3) (as redesignated by paragraph 2 of this subsection) by striking “section 9” and inserting “section 17(a)”; and
- (5) by adding at the end the following:

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“(c) ACTIONS BY STATES.—Whenever the chief law enforcement officer of any State has reason to believe that a person or organization is engaging in practices which violate any requirement of this Act, the State, as *parens patriae*, may bring a civil action on behalf of its residents in an appropriate district court of the United States—

“(1) to enjoin the holding of any professional boxing match which the practice involves;

“(2) to enforce compliance with this Act;

“(3) to obtain the fines provided under subsection (b) or appropriate restitution; or

“(4) to obtain such other relief as the court may deem appropriate.

“(d) PRIVATE RIGHT OF ACTION.—Any boxer who suffers economic injury as a result of a violation of any provision of this Act may bring an action in the appropriate Federal or State court and recover the damages suffered, court costs, and reasonable attorneys fees and expenses.

“(e) ENFORCEMENT AGAINST FEDERAL TRADE COMMISSION, STATE ATTORNEYS GENERAL, ETC.—Nothing in this Act authorizes the enforcement of—

“(1) any provision of this Act against the Federal Trade Commission, the United States Attorney General, or the chief legal officer of any State for acting or failing to act in an official capacity;

“(2) subsection (d) of this section against a State or political subdivision of a State, or any agency or instrumentality thereof; or

“(3) section 10 against a boxer acting in his capacity as a boxer.”.

SEC. 7. ADDITIONAL AMENDMENTS.

(a) DEFINITIONS.—Section 2(a) of the Professional Boxing Safety Act of 1996 (15 U.S.C. 6301(a)) is amended—

(1) in paragraph (9) by inserting after “match.” the following: “The term ‘promoter’ does not include a hotel, casino, resort, or other commercial establishment hosting or sponsoring a professional boxing match unless—

“(A) the hotel, casino, resort, or other commercial establishment is primarily responsible for organizing, promoting, and producing the match; and

“(B) there is no other person primarily responsible for organizing, promoting, and producing the match.”;

(2) in paragraph (10) by striking the period at the end and inserting “, including the Virgin Islands.”; and

(3) by adding at the end the following:

“(11) EFFECTIVE DATE OF THE CONTRACT.—The term ‘effective date of the contract’ means the day upon which a boxer becomes legally bound by the contract.

“(12) BOXING SERVICE PROVIDER.—The term ‘boxing service provider’ means a promoter, manager, sanctioning body, licensee, or matchmaker.

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“(13) CONTRACT PROVISION.—The term ‘contract provision’ means any legal obligation between a boxer and a boxing service provider.

“(14) SANCTIONING ORGANIZATION.—The term ‘sanctioning organization’ means an organization that sanctions professional boxing matches in the United States—

“(A) between boxers who are residents of different States; or

“(B) that are advertised, otherwise promoted, or broadcast (including closed circuit television) in interstate commerce.

“(15) SUSPENSION.—The term ‘suspension’ includes within its meaning the revocation of a boxing license.”.

(b) STATE BOXING COMMISSION PROCEDURES.—Section 7(a)(2) of the Professional Boxing Safety Act of 1996 (15 U.S.C. 6306(a)(2)) is amended—

(1) in subparagraph (C) by striking “or”;

(2) in subparagraph (D) by striking “documents.” at the end and inserting “documents; or”; and

(3) by adding at the end the following:

“(E) unsportsmanlike conduct or other inappropriate behavior inconsistent with generally accepted methods of competition in a professional boxing match.”.

(c) RENEWAL PERIOD FOR IDENTIFICATION CARDS.—Section 6(b)(2) of the Professional Boxing Safety Act of 1996 (15 U.S.C. 6305(b)(2)) is amended by striking “2 years.” and inserting “4 years.”.

(d) REVIEW OF SUSPENSIONS.—Section 7(a)(3) of the Professional Boxing Safety Act of 1996 (15 U.S.C. 6306(a)(3)) is amended by striking “boxer” and inserting “boxer, licensee, manager, matchmaker, promoter, or other boxing service provider”.

(e) ALTERNATIVE SUPERVISION.—Section 4 of the Professional Boxing Safety Act of 1996 (15 U.S.C. 6303) is amended—

(1) by striking “No person” and inserting “(a) No person”; and

(2) by inserting at the end thereof the following:

“(b) For the purpose of this Act, if no State commission is available to supervise a boxing match according to subsection (a), then—

“(1) the match may not be held unless it is supervised by an association of boxing commissions to which at least a majority of the States belong; and

“(2) any reporting or other requirement relating to a supervising commission allowed under this section shall be deemed to refer to the entity described in paragraph (1).”.

(f) HEALTH AND SAFETY DISCLOSURES.—Section 6 of the Professional Boxing Safety Act of 1996 (15 U.S.C. 6305) is amended by adding at the end the following new subsection:

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“(c) HEALTH AND SAFETY DISCLOSURES.—It is the sense of the Congress that a boxing commission should, upon issuing an identification card to a boxer under subsection (b)(1), make a health and safety disclosure to that boxer as that commission considers appropriate. The health and safety disclosure should include the health and safety risks associated with boxing, and, in particular, the risk and frequency of brain injury and the advisability that a boxer periodically undergo medical procedures designed to detect brain injury.”.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*

LIBRARY OF CONGRESS SUMMARY 2000 AMENDMENT

The summary below was written by the Congressional Research Service, which is a nonpartisan division of the Library of Congress.

4/7/2000. Amends the Professional Boxing Safety Act of 1996 (the Act) to direct the Association of Boxing Commissions (ABC) to develop and approve by a vote of at least a majority of its member State boxing commissioners guidelines for: (1) minimum contractual provisions that should be included in bout agreements and boxing contracts; and (2) objective and consistent written criteria for the ratings of professional boxers. Expresses the sense of Congress that State boxing commissions should follow such guidelines.

Declares that a contract provision shall be considered to be in restraint of trade, contrary to public policy, and unenforceable, against any boxer to the extent that it contains a coercive provision as provided in this Act and that: (1) it is for a period greater than a year; or (2) the other boxer under contract to the promoter came under that contract pursuant to a coercive provision. Specifies that no subsequent contract provision extending any rights or compensation covered herein shall be enforceable against a boxer if the effective date of the contract containing such provision is earlier than three months before the expiration of the relevant time period. Makes this paragraph applicable to any contract between a commercial broadcaster and a boxer, or granting any rights with respect to that boxer, involving a broadcast in or affecting interstate commerce, regardless of the broadcast medium.

Prohibits a boxing service provider from requiring a boxer to grant any future promotional rights as a requirement of competing in a professional boxing match (match) that is a mandatory bout under the rules of the sanctioning organization.

Prohibits a sanctioning organization from receiving any compensation, directly or indirectly, in connection with a match until: (1) it provides the boxers with notice that the sanctioning organization shall, within seven days after receiving a request from a boxer questioning that organization's rating of the boxer, provide to the boxer a written explanation of the organization's criteria, its rating of the boxer, and the rationale or basis for its rating (including a response to any specific questions submitted by the boxer), and submits a copy of its explanation to the ABC; and (2) with respect to a change in the rating of a boxer previously rated by such organization in the top ten boxers, the organization posts a copy, within seven days of such change, on the Internet website or home page, if any, including

an explanation of such change, for a period of not less than 30 days, and provides a copy of the rating change and explanation to an association to which at least a majority of the State boxing commissions belong.

Prohibits a sanctioning organization from receiving any compensation, directly or indirectly, in connection with a match unless, not later than January 31 of each year, it submits to the Federal Trade Commission (FTC) and to the ABC: (1) a complete description of the organization's ratings criteria, policies, and general sanctioning fee schedule; (2) the bylaws of the organization; (3) the appeals procedure of the organization for a boxer's rating; and (4) a list and business address of the organization's officials who vote on the ratings of boxers.

Requires a sanctioning organization to: (1) provide such information in writing and, for any document greater than two pages in length, also in electronic form; and (2) promptly notify the FTC of any material change in the information submitted.

Directs the FTC to make such information received available to the public. Allows the FTC to assess sanctioning organizations a fee to offset the costs it incurs in processing the information and making it available to the public. Permits a sanctioning organization, in lieu of submitting the information required above to the FTC, to provide the information to the public by maintaining a website on the Internet that: (1) is readily accessible by the general public using generally available search engines and does not require a password or payment of a fee for full access to all the information; (2) contains all the information required to be submitted to the FTC in an easy to search and use format; and (3) is updated whenever there is a material change in the information.

Sets forth provisions regarding required disclosures: (1) to State boxing commissions by sanctioning organizations; (2) for promoters; and (3) for judges and referees.

Provides that neither a boxing commission nor an Attorney General may disclose to the public any matter required to be furnished by a promoter under this Act, except to the extent required in a legal, administrative, or judicial proceeding. Specifies that if a State law governing a boxing commission requires that such information be made public, a promoter is not required to file such information with such State if the promoter files such information with the ABC.

Prohibits any person from arranging, promoting, organizing, producing, or fighting in a match unless all referees and judges participating have been certified and approved by the boxing commission responsible for regulating the match in the State where the match is held.

Amends the Act to prohibit: (1) a promoter from having a direct or indirect financial interest in the management of a boxer; or (2) a manager from having a direct or indirect financial interest in the promotion of a boxer, or from being employed by or receiving compensation or other benefits from a promoter, except for amounts received as consideration under the manager's contract with the boxer. Specifies that this provision does not prohibit a boxer from acting as his own promoter or manager, and that it only applies to boxers participating in a boxing match of ten rounds or more.

Prohibits an officer or employee of a sanctioning organization from receiving any compensation, gift, or benefit from a promoter, boxer, or manager, except for the receipt of: (1) payment by a promoter, boxer, or manager of a sanctioning organization's published fee for sanctioning a match or reasonable expenses in connection therewith if the payment is reported to the responsible boxing commission; or (2) the receipt of a gift or benefit of de minimis value.

Amends the Act to set penalties for violation of anti-exploitation, sanctioning organization, or disclosure provisions. Authorizes specified civil actions by States and a private right of action by any boxer suffering economic injury because of a violation of this Act. Provides that nothing in this Act authorizes enforcement against the FTC, specified Federal or State officers or entities, or a boxer acting in his capacity as a boxer.

Amends the Act to: (1) define "promoter" to exclude a hotel, casino, resort, or other commercial establishment hosting or sponsoring a professional boxing match unless the establishment is primarily responsible for organizing, promoting, and producing the match, and there is no other person primarily responsible for organizing, promoting, and producing the match; and (2) include the Virgin Islands within the definition of "State" under the Act. Defines "suspension" to include revocation of a boxing license.

Requires each boxing commission to establish procedures to: (1) ensure that no boxer is permitted to box (with exceptions) while under suspension from any boxing commission due to unsportsmanlike conduct or other inappropriate behavior inconsistent with generally accepted methods of competition in a match; and (2) review a suspension where appealed by a licensee, manager, matchmaker, promoter, or other boxing service provider (currently limited to appeals by a boxer).

Changes the renewal period for professional boxer identification cards from two to four years.

Provides that if no State commission is available to supervise a boxing match: (1) the match may not be held unless it is supervised by an association of boxing commissions to which at least a majority of the States belong; and (2) any reporting or other requirement relating to a supervising commission allowed under the Act shall be deemed to refer to such entity.

Expresses the sense of Congress that a boxing commission should, upon issuing an identification card to a boxer, make an appropriate health and safety disclosure to that boxer, including the risks associated with boxing (in particular, the risk and frequency of brain injury and the advisability that a boxer periodically undergo medical procedures designed to detect brain injury).

CALIFORNIA CODE OF REGULATIONS

CHAPTER 1. PROFESSIONAL BOXING RULES

Article 1. General Provisions

Barclays Official California Code of Regulations
Currentness

Title 4. Business Regulations

Division 2. State Athletic Commission

Chapter 1. Professional Boxing Rules

Article 1. General Provisions (Refs & Annos)

§ 201. Citation.

The rules in this subchapter shall be cited as the "Professional Boxing Rules."

§ 201.5. Definitions, Gender-Neutral Pronouns.

As used in this chapter:

- (a) "Commission" means the State Athletic Commission;
- (b) "Code" means the Business and Professions Code;
- (c) "Rules" means the Professional Boxing Rules.
- (d) The terms "club" and "promoter" are synonymous and used interchangeably, and include any person, partnership, club, corporation, organization or association conducting, holding or giving boxing contests.
- (e) All pronouns are gender-neutral unless the context clearly indicates otherwise.

§ 202. Filing of Applications and Reports.

Any application or report required under law or any rule of the commission to be filed with the commission, unless otherwise specified, shall be filed at the commission's general office at 2005 Evergreen Street, Suite 2010, Sacramento, CA 95827.

§ 204. Forms.

Ring officials, licensees and applicants for licenses shall submit to the commission such forms, records and statements at such times and in such manner as directed by the commission.

§ 205. Filing of Change of Address.

Every person, corporation, association or other organization holding a license issued by the commission, or any such person or entity with an application on file with the commission shall immediately notify the commission in writing at one of its offices of any and all changes of address, giving both the old and new address.

§ 206. Authority of Employees.

The jurisdiction, duties and responsibilities of all commission representatives and employees shall be established by the executive officer subject to the approval of the commission.

§ 208. License Fees.

Each application for a license to conduct or operate a professional boxer's gymnasium within the meaning of Section 18685 of the code shall be accompanied by the annual license fee of \$10.00. Every such license expires at midnight on December 31 of each year.

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Article 2. Licenses and Applications

Barclays Official California Code of Regulations
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Title 4. Business Regulations

Division 2. State Athletic Commission

Chapter 1. Professional Boxing Rules

Article 2. Licenses and Applications (Refs & Annos)

§ 210. Application for License; Contents, Falsification.

- (a) Applications for licenses shall be in writing on a form supplied by the commission and shall be verified under oath by the applicant. Every license issued shall be subject to the conditions and agreements set forth in the application therefor, the statutes and laws relating to boxing and the rules and regulations of the commission.
- (b) Falsification in whole or in part of a material fact or presentation on any application for a license shall result in a license being denied, and if previously granted, revoked unless otherwise ordered by the commission.

§ 211. Fingerprints and Photographs.

- (a) An applicant for any license issued by the commission shall submit two classifiable sets of fingerprints at the time the initial application is filed with the commission, or at such other times as deemed necessary by the commission. The applicant shall also furnish two passport-size photographs as required by the commission.
- (b) This rule applies to any of the following:
 - (1) Sole proprietor;
 - (2) Every partner in a partnership;
 - (3) All members of a limited liability company;
 - (4) Every shareholder, officer or director of a nonpublic corporation; and
 - (5) Every officer and director of a public corporation.

§ 212. Use of Ring Names.

Boxers and wrestlers may assume and use ring names, but the right to use any certain ring name is subject to the approval of the commission and may be denied either at the time of presenting application for license, or later, should reason for such denial be brought before the commission.

§ 213. Promoter's License.

In order to be issued a boxing promoter's license, an applicant shall meet all the following requirements:

- (a) An applicant shall demonstrate financial responsibility. For purposes of section 18665(b) of the code, "financial responsibility" means no less than \$50,000 in cash or the equivalent in liquid assets, as demonstrated by the applicant's financial statement. The financial statement shall be prepared by and be on the letterhead of a certified public accountant or public accountant within sixty (60) days of the date the application is filed.
- (b) An applicant shall demonstrate either that the applicant possesses the necessary knowledge and experience to act as a promoter or employs a person who possesses those qualifications.
- (c) The bond required by section 18680 of the code, which shall be set by the commission in an amount no less than \$50,000.
- (d) The fee specified in section 18804 of the code.
- (e) Evidence that the applicant is in compliance with Rule 290 regarding medical insurance.
- (f) The applicant shall meet the requirements for licensure as a matchmaker, or in the alternative submit evidence that the promoter employs a licensed matchmaker.
- (g) An application for a promoter's license shall be signed by an owner or officer of the applicant.

§ 213.2. Changes in Promoter Personnel.

- (a) The requirements of section 18666 of the code shall not apply to changes in the shareholders of a publicly traded corporation.
- (b) In accordance with section 18666 of the code, a licensed promoter shall provide fingerprints (in accordance with Rule 211) and a financial statement that complies with Rule 213 for persons who become connected with or obtain a proprietary interest in the promoter during the term of an existing promoter's license.

§ 214. Professional Boxer's License-HIV/HCV/ HBV Testing.

- (a) As used in Section 18712(a) of the code:
 - (1) The phrase "within 30 days prior to the date of application" means that the blood test will be accepted for licensure purposes for 30 days from the date of the test report.
 - (2) The phrase "documentary evidence satisfactory to the commission" means the original or a copy of the test report on letterhead of the the laboratory, accompanied by the applicant's declaration under penalty of perjury that the report represents the applicant's HIV/HCV/HBV test results.
- (b) The tests described in Section 18712(a) of the code shall be referred to collectively as the "HIV/HCV/ HBV tests."

§ 215. Manager Acting As Second.

A licensed manager may act as a second without the necessity of a second's license.

§ 216. License Required.

Boxer and managers licensed in other jurisdictions signing a contract with a promoter to box in this state shall have made application for a license with this commission and the boxer shall have been issued a license prior to signing any contract. Failure to comply with this rule may result in denial of any application received from such boxer or manager pending a hearing before the commission.

§ 217. Matchmaker's License.

In order to be licensed as a matchmaker, an applicant shall pass a written examination administered by the commission on California laws and regulations relating to boxing. The examination may be waived if the applicant possesses a current and valid license as a matchmaker in another state or country and has not been subject to any disciplinary action.

§ 218. Manager's, Second's and Timekeeper's License

- (a) **Boxing Manager.** In order to be issued a boxing manager's license, an applicant shall pass a written examination administered by the commission on the fundamentals of boxing, the management of boxers, and California laws and regulations relating to boxing. The examination may be waived if the applicant possesses a current and valid license as a boxing manager in another state or country and has not been subject to any disciplinary action.
- (b) **Boxing Second.** In order to be issued a boxing second's license, an applicant shall meet all the following requirements:
- (1) Pass a written examination administered by the commission on the fundamentals of boxing and California laws and regulations relating to boxing.
 - (2) Perform a demonstration of competence by demonstrating the duties of a second before a representative of the commission.
 - (3) The examination and demonstration of competence may be waived if the applicant possesses a current and valid license as a boxing second in another state or country and has not been subject to any disciplinary action.
- (c) **Timekeeper.** In order to be issued a timekeeper's license, an applicant shall meet all the following requirements:
- (1) Pass a written examination administered by the commission on the California laws and regulations relating to boxing.
 - (2) Perform a demonstration of competence by demonstrating the duties of a timekeeper before a representative of the commission.
 - (3) The examination and demonstration of competence may be waived if the applicant possesses a current and valid license as a timekeeper in another state or country and has not been subject to any disciplinary action.

§ 219. Temporary Permits.

Pending investigation of the qualifications or fitness of an applicant for a license, the commission may grant such applicant a temporary license to act in the capacity for which a license is required. The granting of a temporary license shall, however, carry no presumption of the qualification or fitness of such applicant having a license, and the same may at any time be summarily terminated in the event the application for a license is denied by the commission. No such temporary permit shall be issued to any boxer whose application is not accompanied by satisfactory physical and eye examination reports from duly licensed physicians.

All temporary licenses issued by the commission shall be valid for a period not to exceed 120 days. Under no circumstances shall any temporary license extend from one license year to another.

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Article 3. Contracts and Financial Arrangements

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Title 4. Business Regulations

Division 2. State Athletic Commission

Chapter 1. Professional Boxing Rules

Article 3. Contracts and Financial Arrangements
(Refs & Annos)

§ 220. Form of Contract.

Contracts between boxers and managers and between boxers or managers and licensed clubs shall be executed on printed forms approved by the commission. The commission may recognize or enforce a contract not on its printed form if entered into in another jurisdiction. No other contract or agreement may be recognized or enforced by the commission.

§ 221. Provisions of Contract.

- (a) The original contract entered into between managers and boxers and promoters and boxers shall be placed on file with the commission at the time it is approved pursuant to Rule 222. Except as provided below, a contract becomes null and void if at any time during its term the manager or promoter, after notice from the commission, is not licensed by the commission. If a manager or promoter is not licensed because the license has been revoked or suspended for 60 calendar days or more by the commission, all contracts with the manager or promoter shall become void on the 30th day after the date of the order of revocation or suspension unless a court of competent jurisdiction, upon notice to the commission, issues an order staying the commission's order within the 30-day period. If a manager or promoter is not licensed because the license has been suspended by the commission for less than 60 calendar days, all contracts with the manager or promoter are

voidable by the boxer if written notice is given by the boxer to the manager or promoter and to the commission within the period of license suspension.

- (b) No manager or group of managers shall be allowed to participate in more than 33 1/3 percent of the gross ring earnings of the boxer. No assignment of any part or parts of the boxer's or manager's interest in a contract, filed and approved by the commission, shall be permitted without the approval and consent of the commission. The consent to assign shall not be granted unless a copy of the proposed assignment is submitted to the commission for its approval. No manager may negotiate or sign for matches for a boxer not under contract to him. Any boxer not having a contract with a licensed manager shall sign for his own contests and receipt for his full purse. All disputes between the parties to the contract, including the validity of the contract, shall be arbitrated pursuant to the provisions of the contract.

§ 222. Execution of Contract.

Unless otherwise directed by the commission, a contract between a boxer and a manager or a boxer and a promoter is not valid unless both parties appear at the same time before the commission or a commission representative and it receives written approval. No contract shall be approved between a manager and a boxer or a promoter and a boxer for a period exceeding five years. No option to extend the initial period shall be permitted.

§ 223. Number of Boxers. [Repealed]

§ 224. Advances by Manager, Accounting For.

Any manager who advances or loans any money to any boxer or incurs indebtedness on behalf of any boxer shall furnish a statement under penalty of perjury to the boxer every ninety days. The statement shall be specific and shall set forth as to each transaction or item at least the following information: the amount of money involved, the date that the indebtedness occurred, the purpose of the indebtedness, and the name of the person to whom the debt is owed.

The manager shall obtain the boxer's signature and date of signature on each accounting and within ten days after furnishing the accounting to the boxer, the manager shall file with the commission a true copy of the accounting.

If the boxer refuses to date and sign the accounting, the manager shall file the accounting with the commission along with a statement that the manager provided the boxer with the accounting but that the boxer refused to date and sign it and the reason given by the boxer if any.

§ 225. Manager's Written Report.

The manager's written report required to be filed with the commission under Section 18852 of the code shall itemize and specify each expense listed as a training expense and set forth with regard to each training expense itemized at least the date the expense was incurred and the kind of expense involved.

§ 226. Expiration of Contract.

No manager shall be allowed to contract for the services of a boxer under his management for a match to take place on a date after the expiration of the contract between the boxer and manager.

No promoter shall be allowed to contract for the service of a boxer to take place on a date after the expiration of the contract between the boxer and the promoter.

§ 227. Arbitration Procedures.

- (a) A person who seeks arbitration of a contract dispute pursuant to Rule 221 shall send a written request for arbitration to the commission's headquarters and to the Office of the Attorney General at the address designated on the form. The request shall be on a form prescribed by the commission and shall contain all of the following information:
- (1) The person's name, address, telephone number, e-mail address if available.
 - (2) The date of the request.
 - (3) Type of license held and license number.
 - (4) A detailed statement showing the ground for the request.
 - (5) A copy of each contract over which arbitration is sought.
 - (6) Whether the services of an interpreter are required and if so, for which language.
 - (7) Three dates of availability for arbitration within the next 90 days after the date of the request.
 - (8) Which of the following geographic locations is preferred: Sacramento, Los Angeles, San Francisco or San Diego.
 - (9) The requester's signature.

The commission shall return to the requester without action any request that is incomplete because it lacks one or more of the items described above.

- (b) Within five (5) working days after receipt of a complete request for arbitration, the commission shall serve the request and any accompanying documents on the other party to the contract and provide that party with an opportunity to respond. If the commission does not receive a response from the other party not later than twenty (20) calendar

days from the date of service of the request, the matter shall proceed by default.

- (c) The arbitrator shall be the executive officer of the commission or that person's designee.
- (d) Not less than ten (10) days prior to the hearing, the parties shall exchange and also serve on the commission's designated representative a detailed list of the evidence expected to be presented during the hearing, which shall include a list of the names of witnesses and a copy of every document that the party intends to present.
- (e) An arbitration proceeding shall not exceed four (4) hours unless the arbitrator determines that additional time is needed, based on the detailed statement required in subsection (a)(4), in which case the arbitrator may permit the hearing to proceed a maximum of six (6) hours total. The time shall be divided evenly among the parties. Each party may make either an oral or a written statement of the case. The party requesting arbitration shall proceed first. Every person who will be testifying shall be sworn in.
- (f) The party requesting arbitration bears the burden of proving his or her case by a preponderance of the evidence.
- (g) The arbitrator shall serve the written decision on the parties not later than forty-five (45) calendar days after the matter has been submitted.
- (h) Unless good cause is shown, a request for arbitration shall be deemed abandoned and the request dismissed if the party who requests arbitration fails to appear at a duly noticed hearing two times.

§ 230. Contract Provisions.

- (a) No verbal agreement or written agreement other than a contract on the commission's official form shall be accepted by the commission.
- (b) No contract between a promoter and manager or boxer shall be enforced by the commission until all contracts between the promoter and the contestants for a particular match are filed with the commission and meet the requirements of these rules and the provisions of the code applicable to professional boxing. All contracts for an event shall be filed with the commission no later than the time periods specified in Rule 240.
- (c) Contracts are prohibited wherein a certain sum other than federal, state or local government taxes is taken by the club from the gate receipts or, where applicable, receipts from the sale, lease, transfer, or other exploitation of broadcasting and television rights, before a boxer is paid a percentage of the balance of said receipts for his or her services.

Deductions may be allowed only if the amount to be deducted is clearly specified and itemized in the contract signed by the club with the boxer. If the commission determines that the deductions are not sufficiently itemized and specific, it may disallow such deductions.

- (d) "Blanket contracts" or options on a boxer's services shall not be recognized unless written approval is obtained from the commission.
- (e) Contracts wherein a boxer agrees to accept a certain percentage for his services with the understanding that at the same time he is to pay his opponent a stipulated amount of this percentage are not acceptable to the commission unless such a contract is submitted to the commission for examination and approval.

§ 231. Failure to Appear.

- (a) Any contestant absenting himself from a show in which he has signed or has been signed by his duly licensed manager to appear, without a written valid excuse or a certificate from a commission physician in advance in case of physical disability, is subject to disciplinary action.
- (b) Any boxer who files a certificate from a commission physician stating that he is unable to fulfill a contract on account of physical disability shall on being restored to the eligible list, fulfill his contract with the same opponent or a suitable substitute at the club specified in the contract within a reasonable time, such period to be set by the commission, unless the boxer is released from the contract by mutual agreement.

§ 232. Payment of Contestants.

- (a) All contestants shall be paid in full according to their contracts, and no part or percentage of their remuneration may be withheld except by order of a representative of the commission, nor shall any part thereof be returned through arrangement with the boxer or his manager to any matchmaker, assistant matchmaker, or club official. The boxer or manager may not assign his respective share of the purse, or any portion thereof, without the approval of the commission, upon written request filed with the commission at least 72 hours before the contest.
- (b) At no time shall the contracted purse amount paid to the boxer be less than one hundred dollars (\$100) per round.

§ 233. Time and Manner of Payment.

All payment of purses shall be made immediately after the contest or exhibition, or, in case of a percentage contract, immediately after the percentage is determined by the commission inspectors unless otherwise ordered by the commission.

The club's authorized representative shall, unless otherwise ordered by the commission's representative in the club office, deliver check or checks made out by the club as payor to all parties entitled to payment. The club shall take a receipt for all payments made by checks, and deliver a copy of such receipt to the commission. The form of this payoff sheet shall be furnished by the commission and completed by the inspector.

§ 234. No Decision Bout.

In the event the referee fails to render a decision at the termination of any bout, the club shall deliver payment checks covering such bout to the commission representative for determination of payment to boxers and their managers.

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Article 4. Conduct of Promotions

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Chapter 1. Professional Boxing Rules

Article 4. Conduct of Promotions (Refs & Annos)

§ 240. Approval of Contestants.

- (a) All boxing contests shall be approved by the executive officer or his designee. Main event contracts shall be placed on file with the commission for approval at least 72 hours prior to the event unless an exception is made by the executive officer or his designee. Contracts for all other boxers contending on the card shall be filed prior to the scheduled weigh-in time for the event unless an exception is made by the executive officer or his designee. No promoter may release the names of contestants to the media or otherwise publicize a contest unless a contract has been executed between the parties and the contest is approved by the executive officer or his designee.
- (b) The grounds for denial of a promoter's request to hold a boxing contest are as follows:
 - (1) The failure of the promoter or any person connected with the promotion and under the jurisdiction of the commission to comply with any statute or rule regulating boxing in California.

- (2) The contest would tend to be a mismatch based on the record, experience, skill and condition of the contestants.
- (3) The commission does not have adequate staff to enforce the statutes and rules regulating boxing enacted and adopted to protect the health, safety and welfare of the participants and consumers and guarantee the collection of revenue due to the state from the contest and all ancillary rights incidental thereto.

§ 241. Approval of 12-or 15-Round Contests.

No club may schedule or advertise a 12-round contest or a 15-round championship boxing contest without written approval of the commission.

§ 242. Number of Rounds Scheduled.

Clubs shall not schedule less than 26 rounds of boxing, nor more than 40 rounds, except with the approval of the commission for any one program. A standby bout shall be provided in the event an arranged card breaks down, and if it is necessary to put on another bout in order to meet the minimum requirement.

§ 243. Matches by Whom Made.

No match shall be made on behalf of any club or promoter except by the promoter, or a licensed matchmaker or assistant matchmaker.

§ 246. Postponement.

If, through inclement weather (in case of any outdoor show) or other happening not within the control of the club, a postponement becomes necessary, the commission may grant an extension of the contracts and set a new date, and the action of the commission if a show called off shall be binding upon all parties to the contracts. A small advance sale shall not be regarded as legitimate reason for a postponement. Indoor boxing shows shall not be canceled for any reason except with the written approval of the commission.

§ 247. Notice of Change in Program.

Notice of any change in announced or advertised programs for any main event boxing contest shall be filed with the commission and the press at least 24 hours before the contest. Notice of such change or substitution shall also be conspicuously posted at the box office, and announced from the ring before the opening contest. If any of the patrons desire to have the price of their tickets refunded, such refund shall be made immediately if the tickets or the ticket stubs are presented at the box office. The box office shall remain open a reasonable length of time to redeem such tickets.

§ 248. Substitutions.

Substitutions shall not be permitted in a main event contest except in cases of emergency where the commission finds such action is justified and then only where the substitute has been approved by the commission in accordance with these rules.

§ 249. Substitute Boxers.

If a substitute boxer who is requested to appear at any club for any show is not used, he shall be used on the next succeeding show staged by the club or shall be reimbursed by the club for training expenses and transportation.

§ 252. Solicitation in Arena.

No soliciting of any kind by any individual or organization shall be allowed in any boxing arena without the written permission of the commission.

§ 253. Drinks.

Clubs shall be responsible to see that all drinks are dispensed in paper cups.

§ 254. Introduction from Ring.

No person other than a boxer or person officially identified with the sport, shall be introduced from the ring, except with specific authority from the commission representative.

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Article 5. Control of Sales; Revenue

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Title 4. Business Regulations

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Chapter 1. Professional Boxing Rules

Article 5. Control of Sales; Revenue (Refs & Annos)

§ 260. Approval of Sale of Tickets.

The sale of tickets to an event is prohibited until there is a current seating plan on file with the commission applicable to the event's arena. Any change in the seating plan submitted also shall be filed prior to the sale of any tickets intended for use with the changed arrangement.

§ 261. Complimentary Tickets.

- (a) No club or employee shall sell complimentary tickets. All clubs shall be held responsible for the actions of their employees in this connection.
- (b) A complimentary ticket is a priced flat ticket for which no charge is made. Complimentary tickets shall be over stamped with the wording "Complimentary -Not to be sold" on the printed face of the ticket. The over stamp shall include the stub end of the ticket retained by the ticket holder. The promoter shall retain a clipped end of each complimentary ticket in the box-office.

§ 262. Courtesy Passes. [Repealed]**§ 263. Ancillary Rights.**

Whenever a club, promoter, matchmaker, assistant matchmaker or anyone else acting for or under the management or control of the club is negotiating for the sale, lease, transfer, or other exploitation of broadcasting and television rights of a contest, match, or exhibition, the club shall file with the commission no later than three days before the contest, match or exhibition a copy of any and all contracts which exist at the time for the sale, lease, transfer, or other exploitation of such rights. If no such contract is in existence at that time then the club shall file a statement under penalty of perjury setting forth the gross price or value which the club reasonably anticipates receiving directly or indirectly for such rights.

In addition to suspension, revocation, or fine, if a club violates this rule, the commission or its duly authorized representative may withhold from the club's gross receipts sufficient funds to cover any taxes which may reasonably be anticipated to be due pursuant to Section 18824 of the code.

§ 264. Admission of Employees, Press, Commission Members.

No person other than a representative of a commission shall have the right of admission without a ticket for value or complimentary ticket or pass.

For purposes of computing whether the total number of complimentary tickets exceeds thirty-three percent (33%) of the total number of spectators pursuant to Section 18824, a complimentary ticket issued to any person listed below shall be excluded from the calculation of the thirty-three percent (33%) threshold.

- (a) Bona fide employees of the management of the club and municipal or county officers on official business. Bona fide employees are:
- (1) Those persons, including directors and officers, regularly employed by, or under contract to, the club or regularly engaged in work in business

transacted there, when their duties require admission to the place, and when on duty at the time admitted; and

- (2) Other persons whose admission to the place is required for the performance of some duty to, or work for, the management of the club.
- (b) Newspaper reporters, photographers, telegraphers, and radio announcers, assigned to work by their recognized employers or superiors, policemen and firemen in uniform and on duty, and persons of similar vocation who are admitted with a complimentary ticket to any club for the performance of special duties in connection with any event and whose special duties are the sole reason for their presence and free admission.

§ 266. Printing of Tickets.

All tickets shall have the price, the name of the club and date of show printed or date stamped plainly thereon.

§ 267. Reduced Price Tickets.

Any ticket for a boxing event sold for less than the printed price thereon shall be over stamped with the actual price charged. The over stamp shall be placed on the printed face of the ticket as well as the stub retained by the ticket holder.

§ 268. Color of Tickets.

Tickets of different prices shall be printed on cardboard of different colors. Use of passout tickets is prohibited unless the club receives written permission from the commission to use them.

§ 269. Ticket Inventories.

Promoters shall use only tickets from a printer approved by the commission or its authorized representative. Printers shall send by mail to the district office and to the Sacramento commission office a sworn inventory of all tickets delivered to any club. This inventory shall account for any overprints, changes or extras, and a printer's sample shall be attached. Promoters shall notify printers of this requirement.

§ 271. Exchanges.

No exchange of tickets shall be made except at the box office, and no ticket shall be redeemed after the show has taken place. Tickets in the hands of agencies shall be returned to the box office not later than one hour after the show has started.

§ 272. Refunds.

Every club holding either boxing or martial arts matches shall have printed on the stub of every ticket sold the following statement:

"Retain this coupon in event of postponement or cancellation. Refund \$_____."

The price paid for the ticket shall be printed in the foregoing blank space, and the coupon detached and returned to the ticket holder at the entrance gate. This coupon check shall also show the name of the club and date of the contest or exhibition, and shall be redeemed at its face value by the club upon presentation by the purchaser if the advertised main event is postponed or does not take place as advertised. The surety bond shall be conditioned upon the compliance by the club with the provisions of this rule.

§ 273. Ticket Stubs.

Under no circumstances shall a ticket holder be passed through the gate without having the ticket separated from the stub, or be allowed to occupy a seat unless in possession of the ticket stub. The ticket taker at the door shall separate the ticket from the stub and deposit the ticket in the locked ticket box provided.

§ 274. Seats to Correspond to Tickets.

Ushers shall see that spectators get the seats corresponding with their ticket stubs, and that anyone occupying such seat unlawfully be asked to vacate, and if necessary be ejected.

§ 276. Counting Tickets.

The commission representative shall check numbers and places of ticket cans at gates and cause them to be sealed and padlocked, and after the show have them opened and tickets counted under his supervision.

§ 277. Destruction of Tickets.

Tickets and stubs of every description sold or unsold, other than unsold reel tickets, used for any boxing contest or wrestling exhibition shall be removed to the commission district office for audit, if necessary, by a representative of the commission after the promoter and representative have completed computation of gate receipts and taxes due thereon. In the event tickets are not taken by a commission representative they shall be retained by the promoters for a period not to exceed six months. Such tickets may be destroyed after they have been held for at least 30 days and written permission has been granted by the commission for the destruction of such tickets. Tickets shall be kept in separate packages for each show in order that an audit can be made at any time by the commission.

§ 278. Show Reports.

Every club shall when applicable, submit within 72 hours after the determination of every contest, match or exhibition for which an admission fee is charged and received, the following:

- (a) Contracts between club and boxers.
- (b) Club report of tax.
- (c) Itemized statement under penalty of perjury of specific receipts and specific disbursements to contestants.

- (d) Itemized and specific statement under penalty of perjury showing the number of tickets issued or sold, the amount of the gross receipts of value thereof, and the gross price charged directly or indirectly and no matter by whom received for the sale, lease, transfer, or other exploitation of broadcasting and television rights, and the name and business address of the person or entity from whom value has been received for the sale, lease, transfer, or other exploitation of such rights.
- (e) A written contract setting forth the gross price charged directly or indirectly, and no matter by whom, received for the sale, lease, transfer, or other exploitation of broadcasting and television rights, and the name and business address of the person or entity from whom value has been received for the sale, lease, transfer, or other exploitation of such rights. No oral contracts shall be accepted by the commission.
- (f) A fee of 5 percent of the gross price, or \$35,000, whichever is less, but in no case shall the fee be less than \$1,000, exclusive of any federal taxes paid thereon, for the sale, lease, or other exploitation of broadcasting or television rights thereof.

NOTE: Authority cited: Section 18611, Business and Professions Code. Reference: Sections 18640, 18824 and 18832, Business and Professions Code.

§ 279. Videotaping.

- (a) A promoter or his, her or its agent or employee shall obtain the name, address and telephone number of any person who records all or part of a boxing contest on videotape. As a condition to granting permission to videotape a boxing contest, a promoter shall also obtain the consent of such a person to obtain a copy of any videotape made of the contest if necessary to comply with a request made by the commission under subs. (b) for a copy of videotape.
- (b) If requested by the commission, a promoter shall be responsible for providing the commission with a copy of any available videotape or other reproduction of a boxing contest which is made with the permission of the promoter. Such a request shall be made by the commission within 30 days after the date of the contest. The promoter shall comply with the request within 30 days of the date on which the commission's request is postmarked.
- (c) Any copies made under such a request shall be at the commission's expense.

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Article 6. Physical Examinations and Safety

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Title 4. Business Regulations

Division 2. State Athletic Commission

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Article 6. Physical Examinations and Safety (Refs & Annos)

§ 280. Examination of Boxer Applicants.

- (a) Any boxer applying for a license or renewal thereof shall be examined by a physician currently licensed by this state to establish both physical and mental fitness for competition. Such examination shall be taken at such time as directed by the commission. Any boxer licensed by the commission who participates in a boxing match or contest outside the State of California may be required, upon his return to California, to again take this examination before being allowed to box in California. The results of such contests shall be reported to the nearest commission office by the licensee within 72 hours of his return to California.
- (b) An examination of an applicant or licensee may be accepted by the commission if it is performed by a physician authorized to perform such examinations by the state or nation in which the examination is conducted and if it is conducted in accordance with commission instructions, including the use of applicable forms prescribed by the commission.

§ 281. Physical Condition of Boxer.

- (a) With respect to Section 18642.5 of the code, the commission shall evaluate an applicant's or licensee's fitness for licensure as a boxer based on the totality of the person's physical condition, taking into account the following indicators:
 - (1) Under the age of 18
 - (2) Actual age
 - (3) Number of bouts
 - (4) Number of rounds fought
 - (5) Number of hard fights
 - (6) Number of identified injuries
 - (7) Number of knockouts suffered within the last 12 months, including particularly those where the contestant lost consciousness

- (8) Periods of inactivity in excess of 12 calendar months
- (9) Ring record for the past twenty-four months
- (10) Weight, including fluctuations in weight
- (11) Whether the person is missing all or part of a limb.
- (b) No license shall be issued to any applicant for a boxer's license who does not meet the vision requirements of Rule 282.
- (c) No license shall be issued to any boxer who has suffered cerebral hemorrhage or any other serious head injury.

§ 282. Vision Requirements.

The commission shall deny, suspend, revoke, or place restrictions on the license of a professional or amateur boxer if it determines that the applicant or licensee cannot safely engage in boxing activities because of a visual condition, including but not limited to one of the following:

- (a) Uncorrected visual acuity of less than 20/200 in either eye or 20/60 with both eyes;
- (b) Corrected visual acuity of less than 20/60 in either eye, regardless of its cause;
- (c) A visual field of 60° or less extending over one or more quadrants of the visual field;
- (d) Presence or history of retinal detachment or retinal tear unless treated by an ophthalmologist and then approved by an ophthalmologist specified by the commission who then assesses that the boxer is at no significant risk of further injury to the retina if boxing is resumed. Such assessment shall occur both within five days before and five days after the contest;
- (e) Presence of primary or secondary glaucoma, whether or not such condition has been treated;
- (f) Presence of aphakia, pseudophakia or dislocated lens in either eye;
- (g) Any other visual condition which the commission determines would prevent the applicant or licensee from safely engaging in boxing activities.

§ 283. Ability to Perform.

Before a license is issued to any boxer, the boxer shall satisfy the commission that the boxer has the ability to compete. If at any time a boxer's ability to perform is questionable, whether from reasons of health, mental condition or no longer possessing the ability to compete or for any other reason, the commission may, upon being satisfied of the boxer's lack of ability to perform, retire the boxer from further competition.

Any applicant for a boxer's license or a renewal thereof shall furnish a verified record of the applicant's last six boxing contests.

§ 285. Examination Ordered by Commission.

Any boxer who has been signed to a contract to box at any club may be ordered by the commission to appear at any time to be weighed by a commission representative.

§ 286. Report of Illness.

Whenever a licensed boxer is unable because of injuries or illness to take part in a contest for which he is under contract, he (or his manager) shall immediately report that fact to the commission, and the boxer shall be required to submit to an examination by a physician designated by the commission. The examination fee of the physician shall be paid by the boxer, except if the club has requested an examination, it shall pay the cost thereof.

§ 287. Physicians; Certification of Physicians.

The commission shall certify each year a list of commission-approved physicians who will be appointed by the commission as ringside physicians at each boxing match. The list of certified physicians shall be available in the headquarters and district offices of the commission.

§ 288. Ringside Physicians.

Ringside physicians shall meet all of the following criteria:

- (a) The physician shall possess a current and unrestricted license issued by the Medical Board of California or the Board of Osteopathic Examiners.
- (b) A physician who has not previously been a ringside physician shall hold staff privileges in medicine, surgery, or emergency medicine in a general acute care facility accredited by the Joint Commission on Accreditation of Health Organizations.
- (c) A physician who has not previously been approved as a ringside physician shall attend at least two ringside physician training clinics which are sponsored by the commission.
- (d) A physician who has not previously been approved as a ringside physician shall be precepted at six (6) contests by a ringside physician, and receive a satisfactory evaluation on at least five (5) of the precepted contests. The preceptee may act as the second physician in attendance at a contest.
- (e) "Ringside physician," as used in this section, means a physician who is approved by the commission to attend boxing and martial arts contests as required by Section 18705 of the code.

§ 289. Medical Insurance. [Repealed]

§ 290. Medical Insurance for Professional Boxers.

- (a) A promoter shall maintain a short-term medical assistance insurance program, approved by the commission, for professional boxers with whom it contracts for bouts to be conducted in California or shall qualify such boxers for a program which has been approved by the commission. The cost of such insurance program or coverage shall be set forth in the contract between the boxer/manager and the promoter. The promoter shall be responsible for paying any deductible amounts.
- (b) "Short term medical assistance insurance," as used in this section, refers to direct expenses of medical treatment, including emergency aid, medical treatment, drugs, operations and physical therapy, arising directly from injuries incurred during a boxing contest in California which has been approved by the commission.

§ 292. Sanitation.

All clubs are held responsible for and shall correct any violation of commission rules or applicable local health department requirements regarding sanitary conditions of dressing rooms, showers, water bottles, towels or other equipment.

§ 293. Examination Facilities.

Ringside physicians shall have dressing rooms and facilities which meet the requirements of Rule 292 in which to make their examinations.

§ 294. Emergency Equipment and Access Required.

The club shall ensure that an ambulance staffed by at least one paramedic is available at the site during a show and after a show until released by a ringside physician. The club shall also ensure that there is adequate access, as determined by a commission representative and a ringside physician on a case-by-case basis, for a medical evacuation should that become necessary.

§ 295. Only Authorized Persons in Dressing Rooms.

No one shall be allowed in the boxers' dressing rooms except their manager, seconds, news media, and commission or club representatives. The club management shall furnish a doorman in dressing rooms to enforce this rule.

§ 297. Weighing Time.

Contestants shall be weighed within 30 hours of the scheduled match, at a time and place designated by the commission, in the presence of a commission representative on scales approved by the commission. A club may obtain advance written permission of the commission to allow preliminary boxers to weigh in and be examined not later than one hour before the scheduled time of the first match on the card. All weights shall be taken with the contestants stripped.

§ 298. Weights and Classes.

(a)

STRAWWEIGHT/MINI FLYWEIGHT	105 pounds and under
LIGHT FLYWEIGHT/JUNIOR FLYWEIGHT	over 105 pounds to 108 pounds
FLYWEIGHT	over 108 to 112 pounds
SUPER FLYWEIGHT/JUNIOR BANTAMWEIGHT	over 112 to 115 pounds
BANTAMWEIGHT	over 115 to 118 pounds
SUPER BANTAMWEIGHT/JUNIOR FEATHERWEIGHT	over 118 to 122 pounds
FEATHERWEIGHT	over 122 to 126 pounds
SUPER FEATHERWEIGHT/JUNIOR LIGHTWEIGHT	over 126 to 130 pounds
LIGHTWEIGHT	over 130 to 135 pounds
SUPER LIGHTWEIGHT/JUNIOR WELTERWEIGHT	over 135 to 140 pounds
WELTERWEIGHT	over 140 to 147 pounds
SUPER WELTERWEIGHT/JUNIOR MIDDLEWEIGHT	over 147 to 154 pounds
MIDDLEWEIGHT	over 154 to 160 pounds
SUPER MIDDLEWEIGHT	over 160 to 168 pounds
LIGHT HEAVYWEIGHT	over 168 to 175 pounds
CRUISERWEIGHT	over 175 to 195 pounds
HEAVYWEIGHT OVER	195 pounds

- (b) No contest shall be scheduled, and no contestants shall engage in a boxing contest where the weight difference exceeds the allowance as shown in the following schedule, without the written approval of the commission. In the event contestants are in different weight classes the weight difference allowance shall be that for the lower class.

118 lbs. and under	not more than 3 pounds
119 lbs. to 126 lbs.	not more than 5 pounds
127 lbs. to 135 lbs.	not more than 7 pounds
136 lbs. to 147 lbs.	not more than 9 pounds
148 lbs. to 160 lbs.	not more than 11 pounds
161 lbs. to 175 lbs.	not more than 12 pounds
176 lbs. and over.	no limit

§ 299. Dehydration and Rehydration.

- (a) Contestants shall only rehydrate orally. Use of intravenous therapies to rehydrate shall prohibit the athlete from competing.
- (b) Contestants may be required to submit a urine specimen for a urine specific gravity test prior to competition to verify proper hydration.

§ 300. Time for Examinations.

A thorough physical and eye examination shall be given to each contestant by the commission-appointed physician at least one hour before the contestant enters the ring to compete. The commission physicians shall test for signs of dehydration. Referees also shall be given physical examinations immediately before officiating at any match.

§ 301. Rejection and Reports.

Should any contestant examined prove unfit for competition or any referee unfit for officiating, the contestant or referee shall be rejected and immediate report of that fact made to the club and the commission representative.

§ 302. Continuous Presence of Physician.

A minimum of two (2) commission-appointed physicians shall have seats at the immediate ringside at all boxing matches. No bout shall be allowed to proceed unless one (1) of the physicians is seated at ringside. The physicians shall not leave until after the decision in the final bout. They shall be prepared to assist if any serious emergency shall arise, and shall render temporary or emergency treatments for cuts and minor injuries sustained by the contestants.

No manager or second shall attempt to render aid to a boxer during the course of a round before the ringside physician has had an opportunity to examine the boxer who may have been injured. Time out shall be called for such examination.

§ 303. Administration or Use of Prohibited Substances, Prohibited Methods.

- (a) Intent of the Commission: It is each athlete's personal duty to ensure that no Prohibited Substance enters his or her body. Athletes are responsible for any Prohibited Substance or its metabolites or markers found to be present in their Samples. All athletes licensed by the commission may be required to submit to testing for prohibited substances at any time whether in-competition or out-of-competition and whether or not they have a competition scheduled.
- (b) Definitions. As used in this Regulation, the following terms have the following meanings:
- (1) The "WADA Prohibited List" refers to the most current edition of "The World Anti-Doping Code, The Prohibited List International Standard" (World Anti-Doping Agency) <https://www.wada-ama.org/en/resources/science-medicine/prohibited-list> which is hereby incorporated by reference.
 - (2) "Prohibited Substance" means those substances included in the WADA Prohibited List.
 - (3) "Prohibited Method" means those methods included in the WADA Prohibited List.
- (c) Athletes with documented medical conditions requiring the use of a Prohibited Substance or a Prohibited Method in any event sanctioned by the commission or its authorized amateur sanctioning bodies shall request a Therapeutic Use Exemption (TUE) from the commission pursuant to Regulation 424.
- (d) A person who applies for or holds a license from the commission and who has at any time tested positive for a Prohibited Substance or Prohibited Method that has been confirmed by any state athletic commission shall be required as a condition of licensure or renewal to provide a urine specimen. In addition, as directed by the commission representative, a licensed athlete shall provide a urine specimen for drug testing either before or after the bout.
- (e) A violation of this Regulation shall subject the athlete to administrative enforcement action pursuant to Business and Professions Code section 18841, et seq.

§ 304. Monsel's Solution.

The use during a boxing match of Monsel's Solution, or any similar drug or compound for the stopping of hemorrhage in the ring, is prohibited. Only preparations approved by the commission may be used to stop hemorrhage in the ring.

§ 305. Contestants' Appearance.

All contestants shall be clean and present a tidy appearance. It shall be at the sole discretion of the commission or its representative to determine whether facial adornments (mustaches, goatees, excessive

sideburns) and length of hair presents any potential hazard to the safety of the contestant or his or her opponent, or will interfere with the supervision and conduct of the contest. The excessive use of petroleum jelly or other similar substances shall not be permitted and such substances shall be applied to the face only. Referees or the commission representative in charge shall cause any such excessive substance to be removed.

§ 306. Boxers' Equipment.

- (a) The ring costume for each boxer on a program shall be approved by the commission, and shall include two pair of trunks, shoes, and a custom-made individually fitted mouthpiece. The commission staff shall not approve ring costumes that are so similar as to possibly cause confusion as to the identity of the contenders.
- (b) In addition to the items described in subsection (a), the costume for each male boxer shall include an abdominal guard that does not extend above the boxer's hipline.
- (c) In addition to the items described in subsection (a), the costume for each female boxer shall also include a breast protector and body shirt.

§ 307. Report of Injury.

All club physicians shall report on the physician's report all cases where boxers or wrestlers have been injured during a bout, or have applied for medical aid after a contest.

A boxer who has suffered a knockout or any other serious injury, whether or not arising from boxing, and who has been treated for such injury by his personal physician or has been hospitalized, shall, with his manager, promptly submit to the commission a full report from the physician.

§ 308. Suspension for Disability.

Any licensee rejected by an examining physician shall be suspended until it is shown that he is fit for further competition or officiating.

Any boxer suspended for 30 days for his medical protection or when he has been suspended for a hard fight, shall take the same examination as required for the annual physical examination except as directed by the commission. The physician may require any other diagnostic procedures including an electroencephalogram or CAT scan if indicated.

§ 309. Time Between Bouts.

Unless written approval is obtained from the commission, a boxer who has competed anywhere in a bout of four rounds or less shall not be allowed to box in this State until two days have elapsed. Four days shall elapse after a six-round bout, five days after an eight-round bout, six days after a 10-round bout, seven days

after a 12-round bout and ten days after a 15-round bout. This database is current through 1/3/14 Register 2014, No. 1

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Article 7. Ring and Equipment

Barclays Official California Code of Regulations
Currentness

Title 4. Business Regulations

Division 2. State Athletic Commission

Chapter 1. Professional Boxing Rules

Article 7. Ring and Equipment (Refs & Annos)

§ 310. Ring.

The ring shall be not less than 17 feet square within the ropes. The ring floor shall extend beyond the ropes not less than 18 inches. The ring floor shall be padded in a manner as approved by the commission. Padding must extend beyond the ring ropes and over the edge of the platform.

§ 311. Height of Ring.

The ring platform shall not be more than four feet above the floor of the building, and shall be provided with suitable steps for use of contestants. Ring posts shall be of metal, not more than four inches in diameter, extending from the floor of the building to a height of 58 inches above the ring floor, and shall be properly padded.

§ 312. Ring Ropes.

Ring ropes shall be at least four in number, not less than one inch in diameter; the lower rope 18 inches above the ring floor, the second rope 30 inches above the floor, the third rope 42 inches above the floor, and the fourth rope 54 inches above the ring floor. The lower rope shall have applied around it a padding of a thickness of not less than one-half inch and of a type and construction to be approved by the commission.

§ 313. Ring Equipment. [Repealed]

§ 314. Alternate Ring Specifications.

Notwithstanding Rules 310 through 312, the commission may, after inspecting a ring, permit a club to hold professional boxing matches in a ring that it determines meets the specifications prescribed in Rule 523, except that subsection (d)(1) permitting a contest to be held in a ring enclosed by a fence shall not apply to boxing contests and the commission shall not permit a boxing contest to be held in a ring enclosed by a fence. A club shall not hold any professional

boxing match in a ring described in Rule 523 until it has received written approval by the commission indicating that the ring has been inspected and meets the criteria set forth in that rule.

§ 318. Gloves.

- (a) Gloves shall be examined by the commission representative and the referee. If padding is found to be misplaced or lumpy, or if gloves are found to be imperfect or clearly ill-fitting, they shall be changed before the contest starts. No breaking, skinning, roughing or twisting of gloves shall be permitted.
- (b) Gloves for all main events shall be new, furnished by club management, and so made as to fit the hands of any contestant whose hands may be unusual in size.
- (c) If gloves used in preliminary bouts have been used before, they shall be whole, clean, in sanitary condition and subject to inspection by the referee or commission representative as to condition. Any such gloves found to be unfit shall be immediately discarded and replaced with gloves meeting the above requirements.
- (d) All clubs shall have on hand an extra set of eight-ounce and an extra set of ten-ounce gloves to be used in case gloves are broken or in any way damaged during the course of a bout. These extra sets of gloves will be placed in the custody of the commission representative at ringside.

§ 319. Gloves-Main Event. [Repealed]

§ 320. Gloves-Preliminaries. [Repealed]

§ 321. Gloves-Extra Set. [Repealed]

§ 322. Gloves-Weight.

Contestants in all weights up to and including the welterweight class shall wear no less than eight-ounce gloves. In heavier classes, contestants shall wear no less than ten-ounce gloves.

When two contestants differ in weight classes, the contestants shall wear the gloves required for the higher weight classification.

All gloves must be approved by the commission.

§ 323. Bandages.

Bandages shall not exceed the following restrictions:

One winding of surgeon's adhesive tape, not over one and one-half inches wide, placed directly on the hand to protect that part of the hand near the wrist. Said tape may cross the back of the hand twice but shall not extend within one inch of the knuckles when hand is clenched to make a fist.

Contestants shall use soft surgical bandage not over two inches wide, held in place by not more than ten yards of

surgeon's adhesive tape for each hand. Not more than twenty yards of bandage may be used to complete the wrappings for each hand.

Bandages shall be applied in the dressing room in the presence of a commission representative and both contestants. Either contestant may waive his privilege of witnessing the bandaging of his opponent's hands.

§ 327. Gong or Bell.

There shall be a bell or gong at the ring no higher than the floor level of the ring. The bell or gong shall be of a clear tone so that the contestants may easily hear it.

§ 328. Equipment.

Timekeepers shall provide themselves with such equipment as prescribed by the commission and shall carry out such duties as directed by the commission representative.

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Article 8. Conduct of the Bout

Barclays Official California Code of Regulations
Currentness

Title 4. Business Regulations

Division 2. State Athletic Commission

Chapter 1. Professional Boxing Rules

Article 8. Conduct of the Bout (Refs & Annos)

§ 330. Officials.

The officials referred to in Section 18735 of the code shall consist of referees, judges, timekeepers, announcers, physicians in attendance at a contest or exhibition at the commission's direction in accordance with Section 18705 of the code, physicians appointed by the commission to perform any examination of boxers for licensure purposes or under Section 18711 of the code, and commission representatives. The referees, judges, physicians described in this section, commission representative and timekeepers shall be assigned by the commission.

The club may, with the approval of the commission, select the announcers at boxing contests or exhibitions held under the auspices of the club.

§ 332. Contestants Must Report.

Contestants shall report to the commission representative in charge of dressing rooms at least one hour before the scheduled time of the first match.

§ 334. Persons Allowed in Ring.

No persons other than the contestants and the referee may be in the ring during the progress of a round.

§ 335. Referee - Instruction.

The referee shall call contestants together, either in the ring or in another appropriate location before each bout for final instructions, at which time each contestant shall be accompanied by his or her designated chief second only.

§ 337. Fouls in Boxing.

- (1) Hitting below the hip line.
- (2) Hitting an opponent who is down, is getting up after being down or who is hanging helplessly over the ropes.
- (3) Holding an opponent with one hand and hitting with the other.
- (4) Excessive holding or deliberately maintaining a clinch.
- (5) Wrestling, kicking, or biting.
- (6) Grabbing and/or holding the ropes.
- (7) Butting with the head or shoulder.
- (8) Hitting with the open glove, or with the butt of the hand, the wrist, the forearm, the elbow, the knee, and all backhand blows.
- (9) Deliberate use of the rabbit punch (hitting behind the head).
- (10) Striking deliberately at that part of the body over the kidneys.
- (11) Spinning and hitting.
- (12) Excessive taunting, abusive language or gestures.
- (13) Any unsportsmanlike act.
- (14) Hitting on the break.
- (15) Hitting after the bell has sounded ending the round, including the last round.
- (16) Hitting an opponent who is entangled in the ropes.
- (17) Pushing an opponent.
- (18) Continuous dropping of the mouthpiece.
- (19) Striking a blow during intervention by the referee under Rule 349.

§ 338. Intentional Fouling.

- (a) In the case of an intentional foul, the referee may interrupt the bout for the purpose of allowing the injured boxer time to recover.

- (b) Any boxer guilty of an intentional foul shall be penalized one or more points as determined by the referee. If the injured boxer is unable to continue, the offending boxer shall be disqualified, his or her purse may be withheld, and he or she may be subject to suspension. Disposition of the purse and the penalty to be imposed upon the boxer shall be determined by action of the commission or the commission's representative.

§ 339. Unintentional Fouling.

- (a) When a bout is interrupted due to an injury caused by an unintentional foul, the referee in consultation with the ringside physician shall determine whether the boxer who has been fouled can continue or not. If the referee sees, or if after consultation with the judges, determines that a boxer is unintentionally fouled and if the boxer's chance of winning has not been seriously jeopardized as a result of a foul, the referee may order the bout continued after a reasonable interval.
- (b) If the referee and/or the ringside physician determine that the bout may not continue because of an injury suffered as the result of an unintentional foul or because of an injury inflicted by an unintentional foul which later becomes aggravated by fair blows, the bout must be declared a draw if the bout is stopped before the bell rings to begin the fourth round. After the bell rings to begin the fourth round, the outcome shall be determined by scoring the completed rounds and the round during which the referee or ringside physician stopped the bout.
- (c) When an unintentional foul causes the bout to be interrupted for the purpose of allowing the injured boxer time to recover, the referee shall penalize the boxer guilty of the foul one or more points.

§ 340. Method of Scoring When There Is an Injury Not Resulting from a Foul.

- (a) If the referee determines that the injured fighter was responsible for his own injury, the referee will not penalize his opponent in any manner. In this case, if the referee or ringside physician determines that the injured fighter is unable to continue, he will lose by "technical knockout."
- (b) If the referee determines that no fault was attributable to either fighter, the referee shall allow the injured fighter reasonable recovery time, not to exceed 5 minutes. If, at the end of the recovery period, the referee or the ringside physician determines that the injured fighter cannot continue, the bout will be decided on the score cards if the bell has rung to begin the fourth round or, if the bell has not rung to start the fourth round, the bout will be called a technical draw.

§ 341. Unfair Practices Likely to Cause Injury.

Referees shall not permit unfair practices that may cause injuries to a contestant, and are held strictly responsible for the enforcement of the rules. The only fair blow is a blow delivered with the padded knuckle part of the glove on the front or sides of the head and body above the hip line. After sufficient warning has been given the referee shall punish persistent disregard of the rules.

§ 342. Penalizing Contestant.

The referee may penalize any contestant who fouls his or her opponent during a contest, by charging such contestant with the loss of points, whether such foul or fouls be intentional or unintentional. However, the referee shall use his or her own discretion in determining the number of points, if any, chargeable against the contestant in each instance, depending upon the severity or harmlessness of the foul and its effect upon the opponent. The referee shall, at the time of the infraction, inform each judge and the supervising commission representative of the nature of the foul, the identity of the offending boxer and the number of points deducted. At the conclusion of the round, the referee shall verify with the judges the identity of the boxer causing the foul and the number of points deducted in accordance with the referee's determination.

When necessary to deduct points because of fouls or other infractions of the rules, the referee shall warn the offender and at the end of the round notify both contestants of any penalties which may be assessed against either boxer.

Points deducted for any foul or infraction of the rules shall be deducted in the round in which they occur. No boxer shall be penalized in a later round by virtue of a previous foul or infraction of the rules.

§ 345. The Referee Shall Have Power to Stop Contest.

The referee shall have the power to stop a contest at any stage if he or she considers it too one-sided, or if either contestant is in such condition that to continue might subject him or her to serious injury, and in either case to render a decision in the manner prescribed by Rule 339.

Regardless of any examination by the ringside physician, if a boxer unequivocally manifests an intent to stop fighting, the referee shall immediately stop the contest. If the referee is unclear whether the boxer intends to stop fighting, then the referee shall ask the boxer if the boxer wishes to stop fighting and if the response is affirmative, then the referee shall immediately stop the contest.

§ 346. Procedure Where Failure to Compete.

In any case where the referee decides that the contestants are not honestly competing, that the

knockdown is a "dive," or the foul a prearranged termination of the bout, the referee shall not finish the knockdown count or disqualify for fouling or render a decision, but shall stop the bout not later than before the end of the last round and order purses of both boxers held pending investigation and disposition of the funds by the commission. The announcer shall inform the audience that no decision has been rendered.

§ 347. Failure to Resume Boxing.

No contestant shall leave the ring during any one minute rest period between rounds. Should any contestant fail or refuse to resume boxing when the timekeeper indicates the start of the next round, the referee may either disqualify that contestant or award a KO decision to his or her opponent as of the round which has last been finished, unless the circumstances indicate to the referee the requirement for investigation or punitive action, in which event the referee shall not give a decision and shall order withheld the purse or purses of either or both boxers.

§ 349. Method of Counting over a Boxer Who Is Down.

When the contestant is knocked down or as the result of a punch is knocked through the ropes the referee shall order the opponent to retire to a corner of the ring, pointing to the corner, and immediately pick up the count from the timekeeper. He shall audibly announce the passing of the count. No contestant who is knocked down shall be allowed to resume boxing until the referee has finished counting eight. The contestant may take the count either on the floor or standing. The timekeeper, by effective signalling, shall give the referee the correct one-second interval for his count. The referee's count is the official count.

Should the opponent fail to stay in the designated corner the referee shall cease counting until he has returned to it, and then go on with the count from the point from which it was interrupted. If the boxer who is down arises before the count of ten, the referee shall evaluate his or her ability to continue. If assured that the boxer who has just arisen is fit to continue, the referee shall without loss of time, order both boxers to go on with the contest. Should a contestant who is "down" arise before the count of "10" is reached, and go down immediately without being struck, the referee shall resume the count where it was left off.

If the contestant taking the count is still down when the referee calls the count of 10 or if in the opinion of the referee the fighter who was knocked down is in no condition to continue, the referee shall wave both arms to indicate a knockout.

If both boxers go down at the same time, counting shall be continued as long as one of them is still down. If both

boxers remain down until the count of 10 the contest shall be stopped and the decision shall be a technical draw. If at the end of a round a boxer is "down" and the referee is in the course of counting, the gong indicating the end of the round will not be sounded except for the final scheduled round. The gong will be sounded only when the referee gives the command "box" indicating the continuation of the match.

§ 350. A Boxer Shall Be Deemed "Down" When.

A boxer shall be deemed to be "down" when any part of his body but his feet is on the floor, or if he is hanging helplessly over the ropes. A referee may count (see Counting) a contestant out either on the ropes or on the floor.

§ 351. When Boxer Falls or Is Knocked from Ring During Round.

A contestant who has been wrestled, pushed, or has fallen through the ropes during a contest may be helped back by anyone and the referee shall allow a reasonable time for the return. When on the ring platform outside the ropes, the contestant shall enter the ring immediately.

Should the contestant stall for time outside the ropes, the referee shall start the count without waiting for him to re-enter the ring.

When one boxer has fallen through the ropes, the other boxer shall retire to a designated corner and stay there until ordered to continue the contest by the referee. When a boxer is knocked outside of the ropes by a legal punch, the referee shall begin the count. If at the count of eight the boxer is no longer down, he or she shall be allowed reasonable time to reenter the ring.

A contestant who deliberately wrestles or throws an opponent from the ring, or who hits him when he is partly out of the ring, and prevented by the ropes from assuming a position of defense may be penalized.

§ 352. Boxers Knocked Out.

A boxer who has been knocked out shall be kept in a prone position until the boxer has recovered. When a boxer is knocked out, no one is to touch him or her, except the referee who will remove his or her mouthpiece, until the ring physician enters the ring and personally attends to the fallen boxer, and issues such instructions as he or she sees fit to the boxer's handlers. If a boxer has been knocked out or if a technical knockout decision has been rendered against him by the referee, such boxer shall be placed on the commission's ill and unavailable list for such a period of time as may be recommended by the ringside physician or any approved commission physician who may examine him or her but such period of time shall not be less than 30 days.

A boxer shall not be permitted to engage in any contact boxing during this period without the approval of the commission physician.

§ 353. Wiping Gloves and Rinsing Mouthpieces.

- (a) Before a boxer resumes boxing after having been knocked or having fallen or slipped to the floor, the referee shall wipe any accumulated debris from the boxer's gloves.
- (b) When a mouthpiece is knocked out, the referee may allow the exchange to continue until there is a break in the action. Timeout shall then be called and the mouthpiece rinsed and replaced. No contestant shall be permitted to continue to box without a mouthpiece.

§ 354. Warning.

Ten seconds before the beginning and ending of each round the timekeeper shall give warning to the seconds of the contestants by suitable signal.

No second shall be in contact with the ring apron prior to the sounding of the bell ending the round.

§ 356. Scorecard to Referee and Judges.

The commission representative in charge at all boxing shows shall, before the start of each bout, give the judges and/or referees, when the latter are used as judges, a regulation scorecard. The judges shall score each round of the bout on the card and sign it. At the discretion of the commission, individual round scorecards may be used in contests and, if so used, shall be picked up at the end of each round by the referee and delivered to the ringside inspector. At the conclusion of the contest, the commission representative may then show the cards to accredited press representatives and immediately thereafter mail or deliver the score cards with the rest of his or her reports to the commission office.

§ 357. Method of Scoring.

Judges shall score all contests and determine the winner through the use of the ten point must system. In this system the winner of each round receives ten points and the opponent a proportionately less number. If the round is even, each boxer receives ten points. No fraction of points may be given.

At the termination of the round or contest, the referee shall pick up the cards of the judges. The referee shall then deliver the cards to the commission representative assigned to check and total them. The majority opinion shall be conclusive and if there is no majority then the decision shall be a draw unless otherwise determined by the referee or commission representative. When the commission representative has completed verifying and totalling the scores, the ring announcer shall be informed of the decision and shall announce the decision.

§ 358. Announcing Winner.

At the termination of all boxing bouts the winner shall be announced by the announcer and the referee shall raise the winner's hand.

§ 360. Abuse of Officials.

No licensee shall verbally or physically abuse an official or commission representative.

§ 361. Seconds: Number and Costume.

Each contestant may have four seconds of the contestant's choice and each such second while assisting in the boxer's corner shall present a neat and tidy appearance. Only one of the seconds may be inside the ring ropes between rounds with no more than two seconds on the apron. One second must remain on the floor.

§ 362. Excessive Coaching.

A second shall not excessively coach a boxer during a round and shall remain seated and silent when so directed by the commission representative on duty.

Excessive coaching may lead to point deduction by the referee, ejection from the venue, and/or disciplinary action by the commission.

§ 363. Throwing Water Prohibited.

Excessive use of water and/or ice between rounds is prohibited. The designated chief second shall be responsible to assure that the corner is dry at the start of each round.

§ 364. Determining Defeat.

A manager or chief second of a contestant may toss a towel into the ring in token of defeat. However, such manager or chief second shall follow the towel into the ring as soon as it is possible to do so.

§ 365. Fans and Towels.

Fans and swinging of towels are prohibited.

§ 368. Change of Decision.

- (a) A decision rendered at the termination of any boxing contest is final and shall not be changed unless following the rendition of a decision the commission determines that any one of the following occurred:
- (1) There was collusion affecting the result of any contest;
 - (2) The compilation of the scorecard of the judges, and the referee when used as a judge, shows an error which would mean that the decision was given to the wrong boxer;

(3) There was a violation of the laws or rules and regulations governing boxing which affected the result of any contest.

(4) The winner of a bout tested positive immediately after the bout for a substance listed in Rule 303(c).

- (b) A petition to change a decision shall be in writing and filed by a boxer or the boxer's manager within five (5) calendar days from the date the decision was rendered.
- (c) If a petition to change a decision is not filed in writing within five (5) days of the decision, the commission may, upon the vote of at least a majority of the commissioners present, hold a hearing to change the decision at any time.
- (d) If the commission determines that any of the above occurred with regards to any contest then the decision rendered shall be changed as the commission may direct.

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Article 9. Referees and Judges

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Title 4. Business Regulations

Division 2. State Athletic Commission

Chapter 1. Professional Boxing Rules

Article 9. Referees and Judges (Refs & Annos)

§ 370. Commission Shall Select Referee.

The commission or its duly authorized representative shall select and assign all referees. A licensee who wishes to protest the assignment of a referee or judge, shall file a written protest with the commission at least five days prior to the scheduled contest and shall state the reason for the protest. The protesting licensee and the referee and/or judge shall be given thereafter a hearing before a commission representative and the representative shall make such disposition of the protest as the facts may justify.

§ 371. Referee's License.

- (a) In order to be licensed as a referee, an applicant shall meet all the following requirements:

- (1) Have demonstrated prior experience in refereeing and judging boxing matches and perform in a series of training sessions as a referee to successfully demonstrate proficiency. Training sessions shall be conducted by a commission representative or commission appointed licensed referee(s) and shall be approved by the commission.
 - (2) Be found after examination by a licensed physician to be physically and mentally fit to referee a boxing contest and to have uncorrected visual acuity of at least 20/100 in both eyes. Weight shall be proportionate to height in accordance with the standards of the American Medical Association in effect at the time of the effective date of this regulation.
 - (3) Be in good physical condition with the speed and reflexes in the ring necessary for the protection of the boxers.
 - (4) Pass a written examination administered by the commission on the fundamentals of boxing, refereeing and judging boxing matches and contests, and California law and regulations relating to boxing.
 - (5) Perform in a series of training sessions as a judge to successfully demonstrate proficiency. Training sessions shall be conducted by a commission representative or commission-appointed licensed referees or judges.
 - (6) These requirements may be waived for any applicant who is licensed and in good standing with another state athletic commission or any commission-approved sanctioning body such as the World Boxing Council, World Boxing Association, International Boxing Federation, and World Boxing Organization.
 - (7) In order to renew a referee's license, a referee shall comply with subsections (b) and (c) in addition to any other requirements for renewal set forth in the law or these regulations.
- (b) A person who possesses a valid California license as a referee may judge a boxing contest without the need to obtain a judge's license.

§ 372. Referee's Uniform.

Referees shall wear such apparel as may be approved by the commission.

§ 373. Fees for Officials.

At all boxing events each timekeeper, referee and judge on duty directed by the commission to be in attendance thereat, shall be paid by the club such fee as the commission shall order, in accordance with the schedule furnished to the club and on file with the commission.

§ 375. Referee's Physical Examination.

- (a) In addition to any other qualifications for referees established by the commission, each applicant for a boxing referee's license who has not been previously licensed and examined shall submit to an initial physical examination which shall include all tests necessary to determine an applicant's physical fitness, agility, reflexes, and reaction time as specified by the commission which examination shall be taken at a facility and by a physician or physicians specified by the commission. The cost of the examination shall be the responsibility of the applicant.
- (b) All boxing referees, in addition to being examined by a physician prior to officiating, shall submit to an annual regular examination to establish their physical fitness to perform as a referee.

§ 376. Grading of Referee's Performance.

- (a) It shall be the duty of the assigned commission representative to evaluate each boxing referee's performance for each contest presided over by the referee. The evaluation shall result in a grade of satisfactory, unsatisfactory, or needs improvement. The grade shall be arrived at by considering, among other things, the referee's reflexes, and overall ability to direct and control the contest in a manner designed to ensure the protection of the participants and to obtain the contestants' compliance with the statutes and rules of the commission applicable to the particular contest. The evaluator may include written comments where a satisfactory grade is rendered but shall make specific written comments where a grade of unsatisfactory or needs improvement is rendered. The grade and any comments pertaining thereto shall be filed with the executive officer in the Sacramento office and may be inspected or copied by the referee or anyone designated in writing by the referee so graded. Any referee wishing to protest an evaluation shall do so in writing within 30 days after the evaluation has been served on the referee.
- (b) If a referee files a written protest of any evaluation, the executive officer or that person's designee shall, in consultation with the evaluator, discuss the evaluation with the referee. Where the evaluation was unsatisfactory or needs improvement, the referee shall be given recommendations for improving his or her performance.

§ 377. Hearing to Remove Referee's License.

- (a) At any time during the course of a boxing contest should it become apparent to any duly authorized representative of the commission that any referee is not discharging his responsibilities in a manner

which ensures the safety of the participants, a written report shall be filed with the executive officer. The referee shall be notified that he shall not be assigned to referee another contest until a hearing is held. If the referee requests a hearing, a hearing shall be held within thirty days of the request. The commission itself may conduct the hearing, or it may delegate this responsibility to any duly authorized representative of the commission, who shall then make a recommendation to the commission in the matter. The hearing shall be held to determine whether the referee's license shall be revoked or suspended or other appropriate action taken by the commission. The decision of the commission shall be final.

- (b) If the executive officer becomes aware of two or more bouts where a referee has not discharged the referee's responsibilities with the requisite skill to ensure the safety of the participants, the executive officer shall notify the referee of his or her specific deficiencies and each date and bout where the deficiencies were noted. The executive officer may consider all bouts over which the referee presided, regardless of whether the referee received any formal evaluation and regardless of whether that evaluation was satisfactory. The referee may request a hearing within thirty days from the date of the notification. If the referee requests a hearing, a hearing shall be held within thirty days of the request. The commission itself may conduct the hearing, or it may delegate this responsibility to any duly authorized representative of the commission, who shall then make a recommendation to the commission in the matter. The hearing shall be held to determine whether the referee's license shall be revoked or suspended or other appropriate action taken by the commission. The decision of the commission shall be final.

§ 378. Officials to Be Admitted.

Any licensed boxing referee, judge, timekeeper or physician shall be admitted to any boxing show in this State on presentation of his or her license card. A ticket shall be issued to any referee when he or she shows his or her card but the commission shall not collect a tax on any ticket so issued.

§ 379. Judge's License.

In order to be licensed as a judge for boxing contests, an applicant shall meet all the following:

- (a) Shall have been assigned by the California Athletic Commission for at least three years in such a capacity as to have judged, supervised or evaluated professional boxing judges.

- (b) Pass a written examination administered by the commission on the fundamentals of boxing, judging boxing contests and knowledge of California law and regulations relating to boxing.
- (c) These requirements may be waived for any applicant who possesses a current and valid license as a boxing judge in another state or country and has not been the subject of any disciplinary action.
- (d) Must have demonstrated prior experience in judging boxing contests and must demonstrate judging proficiency. Proficiency shall be determined by a commission representative or commission-appointed licensed referees or judges and the method of evaluations shall be approved by the commission.

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Article 10. Champions

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Article 10. Champions (Refs & Annos)

§ 380. Definition.

A champion is one formally acknowledged supreme in a branch of athletics or game of skill, and ready to contend with any qualified challenger.

§ 381. Alternative Provisions.

Recognizing the need for uniformity of rules governing world championship contests notwithstanding any Boxing Rule the commission may, in its discretion, authorize alternate provisions from time to time as long as the safety and welfare of the boxers and the public are not jeopardized.

§ 382. Defense of Title.

Rules governing champions shall apply to state champions except that titles shall be defended at least once every six months if a suitable challenger is available and a challenge is made. If a boxer does not defend his title within this period of time or refuses to accept a reasonable offer to defend against a challenger, the title automatically shall be vacated.

§ 384. Determination of Title.

The commission may once a year name state professional boxing champions in each weight class. A championship may be lost by default, forfeit, or inability to make the weight, but a championship can only be won in a contest.

§ 386. Advertising Appearance of Champion or Contender.

No person shall advertise a boxer in California as a champion or contender in any manner which is false or misleading.

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Article 11. Enforcement

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Chapter 1. Professional Boxing Rules

Article 11. Enforcement (Refs & Annos)

§ 389. Appeal Procedures.

- (a) A person who wishes to appeal either a fine issued pursuant to Section 18843 of the code or a temporary suspension issued pursuant to Section 18842 of the code, shall send a written request for a hearing on a form prescribed by the commission. The request shall be sent to the commission's headquarters and to the Office of the Attorney General at the address designated on the form. The form shall contain all of the following information:
- (1) The person's name, address, telephone number, e-mail address if available.
 - (2) The date of the request.
 - (3) Type of license held and license number.
 - (4) A detailed statement showing grounds for reduction or dismissal of the fine or suspension, as applicable.
 - (5) A statement whether the requester is represented by an attorney. If the requester is represented by an attorney, the name, address, telephone number and e-mail address of the attorney.

(6) Whether the services of an interpreter are required and if so, for which language.

(7) The requester's signature.

The commission shall return to the requester without action any request that is incomplete because it lacks one or more of the items described above.

- (b) Within 30 days after receipt of a complete request, the commission shall set the matter for hearing.
- (c) A hearing shall not exceed one (1) hour. The time shall be divided evenly between the requester and the commission representative ("the parties"). Each party may make either an oral or a written statement of the case. The commission representative shall proceed first. If the requester elects to address the commission, the requester shall be placed under oath. The sequence of, and time limitations on, argument before the commission are as follows:
 - (1) First-the staff representative and/or deputy attorney general, who shall be limited to twenty minutes.
 - (2) Second-the requester and/or his or her legal counsel, who shall be limited to twenty minutes.
 - (3) Third-the rebuttal of the staff representative and/or deputy attorney general, which shall be limited to ten minutes.
 - (4) Fourth-the rebuttal of the requester and/or his or her legal counsel, which shall be limited to ten minutes.
- (d) The commission staff bears the burden of proving his or her case by a preponderance of the evidence.
- (e) The commission shall serve the written decision on the parties not later than forty-five (45) calendar days after the matter has been submitted. The decision shall contain factual findings, legal conclusions, and an order describing the action taken by the commission at a duly noticed meeting.
- (f) A request for hearing shall be deemed abandoned and the request dismissed if the party who appealed and requested a hearing fails to appear at a duly noticed meeting, unless the party demonstrates good cause for that failure to appear.

§ 390. Violations of Laws or Rules.

Any licensee who violates the laws of the State of California, with the exception of minor traffic violations, or the rules of the Athletic Commission, or who fails or refuses to comply with a valid order of a commission representative, or who conducts himself or herself at any time or place in a manner which is deemed by the commission to reflect discredit to boxing, may have his

or her license revoked, or may be fined, suspended or otherwise disciplined in such manner as the commission may direct.

§ 391. Dealing with Certain Persons Prohibited.

The commission may deny an application, or suspend or revoke any license if it finds that at any time the licensee or any partner, officer, director, stockholder, or thereof, in this state or elsewhere,

- (a) has engaged in illegal bookmaking or other illegal gambling activities,
- (b) has been convicted of a crime substantially related to the regulations of boxing,
- (c) who engages in illegal bookmaking or other illegal gambling activities,
- (d) who is a reputed underworld character,
- (e) who has been convicted of any such offense in any jurisdiction,
- (f) who is under suspension or revocation in any other state, or
- (g) is engaged in any activity or practices which are detrimental to the best interests of boxing.

§ 392. Dealing with Unlicensed or Suspended Persons Prohibited.

No licensee shall enter into any agreement under the jurisdiction of the commission with any unlicensed person, nor shall any licensee have any such dealings related to boxing with any person or club whose license is currently under suspension, or revoked, or whose application for a license has been denied.

§ 394. Records.

Every club and manager shall maintain a full, true and accurate set of books and records in connection with all licensed activities. These records and any other records required by statute or commission rule shall be kept for at least five years and shall be open to inspection and audit by representatives of the commission upon reasonable notice.

§ 395. Financial Reports.

As a part of any investigation conducted by the commission concerning the regulation of boxing in California and for good cause shown, upon written request by the commission a licensee or applicant for a license shall submit a written financial statement to the commission made under penalty of perjury which shall include an itemization of all assets and liabilities of the licensee or applicant and such other financial information as the commission may request.

§ 396. Financial Interest.

No club or any member, stockholder, director or officer thereof or matchmaker or assistant matchmaker shall act directly or indirectly as manager of a boxer.

§ 397. Advances to Boxer or Manager.

Without prior written permission of the commission, no club shall, directly or indirectly, incur any indebtedness on behalf of a boxer or manager whereby such person is obligated to repay such indebtedness.

No club at any time shall, directly or indirectly, make any loan or advance to any manager.

§ 398. Licensees Must Report Sham Contests.

Any person, licensed by the commission who is approached with a request or suggestion that a sham or collusive contest be entered into or that the contest shall not be conducted honestly and fairly shall immediately report the matter to the commission.

§ 399. Procedure When License Denied or Revoked.

- (a) Any applicant who has been denied an application for a license may not file a similar application until one year from the date of the last previous denial by the commission. Any application filed within the one year period may be denied without the necessity of a hearing.
- (b) Any person who has had his or her license revoked may not petition for reinstatement or apply for a new license until one year after the date of such revocation. Any petition for reinstatement filed within the one year period may be denied without the necessity of a hearing.
- (c) When considering the denial or reinstatement of a license, the commission, on a case by case basis, shall consider the following criteria in evaluating the rehabilitation of the applicant or petitioner and his or her present eligibility for a license:
 - (1) The nature and severity of the act(s) or crime(s) that led to license revocation or that are under consideration as grounds for denial.
 - (2) Evidence of any act(s) or crime(s) committed subsequent to the act(s) or crime(s) that led to revocation or that are under consideration as grounds for denial.
 - (3) The time that has elapsed since commission of the act(s) or crime(s) referred to in subsections (1) or (2).
 - (4) The extent to which the applicant or petitioner has complied with any terms of parole, probation, restitution or any other sanctions lawfully imposed against the applicant or petitioner.

- (5) Evidence, if any, of rehabilitation submitted by the applicant or petitioner.

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Article 12. Pension Plan

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Title 4. Business Regulations

Division 2. State Athletic Commission

Chapter 1. Professional Boxing Rules

Article 12. Pension Plan (Refs & Annos)

§ 400. Professional Boxer's Pension Plan.

The commission hereby restates the professional boxer's pension plan (Plan) previously established by the commission. The commission may, in its discretion, contract with a private or public entity for the administration of such plan.

NOTE: *Authority cited: Sections 18611 and 18881, Business and Professions Code. Reference: Section 18881, Business and Professions Code.*

§ 401. Definitions.

- (a) Account.

"Account" means either the participating boxer's regular account or refund account.

- (1) Regular Account.

"Regular Account" means the account maintained by the commission on the records of the Plan for each participating boxer representing allocations of contributions and forfeitures, adjusted for withdrawals, income, expenses and realized and unrealized gains and losses attributable thereto.

Each boxer's regular account shall be created as of the effective date of this restated Plan on May 1, 1996. An amount equal to the actuarial equivalent, or the present value of accrued benefit ("PVAB") of a participating boxer's benefit under the Boxer's Retirement Plan as of April 30, 1996 shall be allocated to the boxer's regular account on that date. This amount in the boxer's regular account shall be referred to as the participating boxer's "grandfathered PVAB balance".

- (2) Refund Account.

"Refund Account" means an account maintained by the commission on the records of the Plan for each boxer who has incurred a break in service and who has made contributions to the Plan under the terms of this Article. Such account shall be created as a sub-account within the Pension Fund and shall exist until January 1, 2002 in accordance with the vesting provisions of this Plan.

- (b) Accrued Benefit.

"Accrued benefit" means the aggregate amount in all of a participating boxer's accounts and shall include the actuarial equivalent of any participating benefit under the Plan as of April 30, 1996.

- (c) Actuarial Equivalent.

"Actuarial equivalent" means the equivalent in value of the accrued benefit expected to be received based upon actuarial assumptions adopted from time to time by an enrolled actuary appointed by the commission.

- (d) Beneficiary.

"Beneficiary" means all persons entitled under the provisions of this Plan to receive benefits after the death of a participating boxer

- (e) Boxer.

"Boxer" means a licensed professional boxer.

- (f) Boxers' Pension Account.

"Boxers' pension account" means the fund held by the commission in the boxers' pension account established pursuant to section 18882 of the Code for the exclusive purpose of paying benefits under this Plan.

- (g) Break In Service.

"Break in service" occurs when a participating boxer fails to fight at least ten (10) scheduled rounds in California during any thirty-six (36) consecutive calendar months, after July 1, 1981, and prior to age 50. A participating boxer who suffers a break in service forfeits all credit earned for rounds fought up to that date unless such participating boxer is a covered boxer at the end of the plan year in which the break in service occurs. For purposes of this Article, a boxer's service in the armed forces of the United States in a time of war or national emergency shall not be counted in determining when a break in service occurs.

- (h) Covered Boxer.

"Covered Boxer" means a participating boxer who has satisfied the vesting requirements of section 405(a).

- (i) Forfeiture Reserve.

"Forfeiture Reserve" means the reserve set aside from each year's total forfeitures due to the

potential claimant not claiming his or her accrued benefit before January 1st of the year in which their 54th birthday occurs as adjusted to reflect the recommendation of a pension fund audit conducted at least once every two calendar years.

- (j) Forfeiture.
"Forfeiture" means the reallocation within the Plan of that portion of a participating boxer's regular account that is not vested prior to the date on which the boxer incurs a break in service.
- (k) Participating Boxer.
"Participating Boxer" means a boxer who participates in a contest after July 1, 1981, and who is or may become eligible to receive a benefit under the Plan, or whose beneficiary may be eligible to receive any such benefit, and who has not incurred a break in service. A boxer who has incurred a break in service shall nonetheless be deemed a "participating boxer" for any year after that break in service in which the boxer participates in a contest.
- (l) Plan Year.
"Plan year" means the calendar year. The first plan year for this restated Plan shall be the period between May 1 and December 31, 1996.
- (m) Suspense Account.
"Suspense account" means the account provided for in the funding and allocation provisions of this Plan.
- (n) Vested.
"Vested" means that the participating boxer or the participating boxer's beneficiary has an unconditional, nonforfeitable right in the participating boxer's accrued benefit.
- (o) Forfeited Vested Account.
"Forfeited Vested Account" means an accrued benefit that has been forfeited by a covered boxer as a result of the covered boxer's failure to file a claim with the commission for his or her accrued benefit prior to January 1st of the year in which their 54th birthday occurs.
- (p) Potential Timely Claimant.
"Potential Timely Claimant" means a covered boxer who has not filed a claim with the commission for his or her accrued benefit between their 50th birthday and January 1st of the year in which their 54th birthday occurs.
- (q) Timely Claimant.
"Timely Claimant" means a covered boxer who has filed a claim with the commission for his or her accrued benefit between their 50th birthday and January 1st of the year in which their 54th birthday occurs.
- (r) Late Claimant.
"Late Claimant" means a covered boxer who has filed a claim with the commission for his or her

accrued benefit on or after January 1st of the year in which their 54th birthday occurs.

- (s) Potential Late Claimant.
"Potential Late Claimant" means a covered boxer who has not filed a claim with the commission for his or her accrued benefit on or after January 1st of the year in which their 54th birthday occurs.

NOTE: Authority cited: Sections 18611 and 18881, Business and Professions Code. Reference: Section 18881, Business and Professions Code.

§ 402. Eligibility For Participation.

Any boxer who fights in a commission-approved contest shall be required to have contributions made to the Plan and shall participate in allocations of contributions and forfeitures in the Plan beginning with the first fight in which such requirements are met. The boxer shall sign a waiver of privacy rights to the extent necessary to enable the commission to locate the boxer in order to assure the boxer's receipt of benefits under the Plan. Any boxer who was participating in the Plan prior to May 1, 1996 shall continue to participate in the Plan and share in allocations to the boxer's accounts under the terms of this article.

- a) Effect Of Break In Service On Current Participation.
Any boxer who incurs a break in service prior to becoming a covered boxer shall cease to be a participating boxer in the Plan. If the participating boxer is a covered boxer pursuant to this Plan at the time he or she incurs a break in service, then such participating boxer's regular accounts shall be placed on inactive status, and the participating boxer shall not continue to share in the allocation of contributions but shall continue to receive allocations of the Plan's forfeitures and investment results.
- (b) Determination of Eligibility. The commission shall determine the eligibility of each boxer for participation in the Plan based upon information gathered for the commission by the commission staff. Each such determination shall be conclusive and binding on all persons. Any misrepresentation by a boxer, manager, promoter, or beneficiary shall be grounds for the denial, suspension or discontinuance of benefits, in whole or in part, or for the cancellation or recovery of benefit payments made in reliance thereon by the commission. Each participating boxer shall participate in the Plan until such time as the boxer incurs a break in service or begins receiving all or a portion of his or her accrued benefit from the Plan.

NOTE: Authority cited: Sections 18611 and 18881, Business and Professions Code. Reference: Section 18881, Business and Professions Code.

§ 403. Funding And Contributions.

- a) Contributions.
Contributions shall be assessed as follows:
The promoter shall contribute 88 cents (\$.88) on every ticket, excluding a working complimentary ticket as described in section 264, up to a maximum contribution of \$4,600 per show.
- (b) Formula for Allocation of Contributions.
Contributions shall be allocated to each participating boxer's account on the last day of the plan year in the following proportions:
- (1) One half (1/2) of the contributions for the plan year shall be allocated among the regular accounts of participating boxers who have not incurred a break in service as of the last day of the plan year in the proportion that each such boxer's scheduled rounds fought for the plan year bears to the total scheduled rounds fought in the plan year; and
 - (2) One half (1/2) of the contributions for the plan year shall be allocated among the regular accounts of participating boxers who have not incurred a break in service as of the last day of the plan year in the proportion that each such boxer's total purses for the plan year bears to the total purses paid for all fights fought by participating boxers in the plan year.
- (c) Formula for Allocation of Forfeitures.
Forfeitures and forfeited vested accounts, excluding the 20% of all forfeited vested accounts reserved for any late claimants who, pursuant to 405(d), files a claim for his or her accrued benefit, which become available in a plan year for allocation shall be allocated to each participating boxer's regular account on the last day of the plan year in the following proportions:
- (1) One half (1/2) of the allocable forfeitures and forfeited vested accounts shall be allocated among all regular accounts as of the last day of the plan year in the proportion that each such regular account bears to the total regular accounts in the Plan; and
 - (2) One half (1/2) of the allocable forfeitures and forfeited vested accounts shall be added to the contributions for the plan year and shall be allocated among the regular accounts of participating boxers who have fought in the current plan year according to the formula set forth in subsection (b) above.
- (d) Forfeiture Reserve Account Calculation and Allocation.
20% of all forfeited vested accounts, as provided in section 405(d) below, shall be held in a separate account from which all reinstatement claims

filed by late claimants shall be paid. The size of the forfeiture reserve account shall be reviewed and adjusted at the discretion of the commission pursuant to 404(b) and (c). The amount distributed to each late claimant who files a claim with the commission for his or her accrued benefit on or after January 1st of the year in which their 54th birthday occurs shall receive the accrued benefit as of his or her 50th birthday, as provided in 406(a), unadjusted for any subsequent gains.

- (e) Forfeiture and Reallocation of Unvested Amounts.
If any participating boxer incurs a break in service prior to becoming a covered boxer, then such participating boxer's regular account shall be held in a suspense account on the records of the Plan after incurring such break in service until such time as it shall be forfeited and reallocated.

Suspense account balances shall be forfeited and reallocated under the Formula set forth in subsection (c) above, as of the last day of the plan year following the plan year in which the participating boxer completes a break in service.

NOTE: *Authority cited: Sections 18611 and 18881, Business and Professions Code. Reference: Sections 18881 and 18882, Business and Professions Code.*

§ 404. Valuation And Earnings.

- (a) Valuation Of The Pension Fund.
The assets of the pension fund shall be valued annually at fair market value on the last day of the plan year. The commission shall determine the net worth of the assets of the pension fund at their fair market value on the last day of the plan year.
- (b) Audit of the Boxers' Pension Account.
The boxers' pension account shall be subject to audit at least once every two calendar years to calculate:
- (1) The amount in the boxers' pension account for distribution;
 - (2) Boxers' pension account income over the previous five years and as projected for the next five years;
 - (3) Existing obligations to those boxers: (i) who have vested; (ii) who are timely claimants; (iii) who are potential timely claimants; (iv) and projected boxers likely to vest for benefit status in the next five years.
- (c) Re-Evaluating the Forfeiture Reserve Account
After each audit of the boxers' pension account, the commission may adjust pursuant to the Administrative Procedure Act the following:
- (1) The percentage of forfeited vested accounts reserved in the §403(d) forfeiture reserve

account, which is currently set at 20% of all forfeited vested accounts; and

- (2) The source of funding for the forfeiture reserve account. If the commission staff determines that forfeited vested accounts fail or may fail to provide funding to the forfeiture reserve account sufficient to pay projected late claimants in a given plan year, the commission may utilize all forfeitures in a plan year to fund the forfeiture reserve account.
- (d) Order of Adjustment.
Subject to the provisions governing allocations of contributions and valuation, the commission shall adjust the regular accounts as of the last day of the plan year as follows, in the order stated:
 - (1) First, the regular accounts shall reflect proportionately any adjustment of fair market value of assets in the manner provided in subsection (e) below;
 - (2) Second, the commission shall allocate proportionately any income or loss in the manner provided in subsection (e) below;
 - (3) Third, the commission shall deduct all fees and expenses for the administration of the Plan;
 - (4) Fourth, the commission shall allocate contributions in the manner provided in section 403(b);
 - (5) Fifth, the commission shall allocate forfeitures in the manner provided in section 403(c).
 - (6) Sixth, the commission shall allocate forfeited vested accounts in the manner provided in section 405(d).
- (e) Allocation Of Investment Results.
As of the last day of each plan year, the income or loss attributable to the assets of the pension fund, reduced by expenses incurred since the last day of the prior plan year, shall be allocated to the regular accounts of the participating boxers who had unpaid balances in their regular accounts as of such date in proportion to the balances in such accounts as of the last day of the prior plan year, after reducing such prior plan year balances by amounts withdrawn or distributed since last day of the the prior plan year, if any.

NOTE: Authority cited: Sections 18611 and 18881, Business and Professions Code. Reference: Sections 18881 and 18882, Business and Professions Code.

§ 405. Vesting.

- (a) Vesting.
A participating boxer shall become vested in the amount credited to the participating boxer's regular account when the participating boxer has:

- (1) Fought in at least ten (10) scheduled rounds per calendar year during each of four (4) calendar years without an intervening break in service; and
- (2) Has fought in at least seventy-five (75) scheduled rounds without a break in service.
- (b) Scheduled Rounds for Vesting.
A participating boxer shall be credited for fighting in one (1) round for each scheduled round of professional boxing fought in California in a commission-approved bout as part of a contest in which at least one (1) round was commenced after June 30, 1978; provided however, that the boxer must fight in at least twenty (20) scheduled rounds in the thirty-six (36) calendar month period following July 1, 1981, in order to receive any credit for scheduled rounds fought beginning after June 30, 1978 but prior to July 1, 1981.
- (c) Refund of Unvested Pre-1996 Boxer Contributions.
A separate refund account shall be created on the records of the Plan as of May 1, 1996, which shall contain all unvested boxer contributions made prior to May 1, 1996, for all boxers who have incurred a break in service as of April 30, 1996 under the terms of the Plan as it existed prior to such date. The commission will continue to invest and safeguard those assets within the investment vehicle in which it is investing the participating boxers and covered boxers accounts.

On or after May 1, 1996 a participating boxer who has not vested but who has contributed a portion of his or her purse (under the provisions of this Plan in this article in effect prior to May 1, 1996), and who has incurred a break in service may request a refund from the commission of the pre-1996 amounts contributed by him or her, plus 6% interest up to May 1, 1996 and plus his or her share of applicable earnings allocated to his or her account since that date. No boxer who has vested and become a covered boxer is eligible for such a refund. All amounts not claimed by these boxers before January 1, 2000, shall constitute forfeitures and shall be allocated in accordance with section 403(c), in three (3) equal installments for the plan years ending December 31, 1999, December 31, 2000, and December 31, 2001.

- (d) Forfeited Vested Account.
If, according to the records of the commission, a participating boxer has reached age 50 and the participating boxer or his or her beneficiary has not made a claim for benefits, the participating boxer's accrued benefit shall be held until the last day of the third plan year after the participating boxer reached age 50, at which time it shall be reallocated pursuant to section 403(c) and 403(d); provided,

however, that if a claim is later made by the participating boxer or beneficiary for the forfeited vested account, the commission shall reinstate the amount of the vested account balance that had been forfeited, unadjusted by any gains or losses attributable to such amount. Such reinstatement shall be made from the forfeiture reserve account pursuant to 403(d).

- (e) Vesting of Pre-1996 Regular Account Balance. Each participating boxer who is not a covered boxer as of May 1, 1996 shall continue to accrue credit towards vesting in his or her regular account balance under the terms of this Plan. In the event a participating boxer with a regular account balance attributable to pre-1996 contributions incurs a break in service before becoming a covered boxer, the portion of such boxer's regular account balance attributable to amounts other than boxer contributions, if any, shall be placed in the suspense account and shall be reallocated with other forfeitures under the terms of this restated Plan.

NOTE: Authority cited: Sections 18611 and 18881, Business and Professions Code. Reference: Sections 18881 and 18882, Business and Professions Code.

§ 406. Determination Of Benefits.

- (a) Measure Of Benefits.
The benefit distributable to a covered boxer upon retirement or to the covered boxer's beneficiary in the event of the covered boxer's death, shall be the value of the participating boxer's accrued benefit as of the last day of the plan year coinciding with or next following the date of death or attainment of age 50.
- (b) Nonliability.
The commission does not guarantee the pension fund, the participating boxers or their beneficiaries against loss of or depreciation in value of any right or benefit that any of them may acquire under the terms of this Plan. All of the benefits payable hereunder shall be paid or provided for solely from the pension fund.
- (c) Methods of Payment.
The commission, with respect to any benefit, is authorized:
- (1) To pay benefits directly from the pension fund in a lump sum or installments;
 - (2) To invest the amount of the accrued benefit in an installment contract or annuity for the benefit of the covered boxer or the participating boxer's beneficiary by conversion of existing contracts or otherwise. Such installment contract, endorsed as nontransferable, may be distributed to the covered boxer or the covered boxer's beneficiary;
 - (3) To distribute to the covered boxer the contracts on the covered boxer's life; in such event, if the vested interest of the covered boxer is less than the value of contracts to be distributed, then the commission may reduce their net value to the amount of the vested interest by making a policy loan or allowing the participating boxer to purchase the excess contract value; or
 - (4) Any combination of the preceding methods.
- (d) Payment Of Benefits.
- (1) When a covered boxer either reaches age 50 or dies, the commission shall determine the boxer's accrued benefit on the last day of the plan year (or a valuation date as of the date the participating boxer became entitled to benefits hereunder, if the commission orders a special valuation to be made or if the accounts are segregated individual accounts). The covered boxer shall be provided with a nontransferable, fixed or variable installment contract of such type and from such insurer as the trustee shall select, payable over a period of years not to exceed the greater of thirty (30) years, the covered boxer's life expectancy, or the joint life expectancy of the covered boxer and the covered boxer's designated beneficiary. The payments shall be substantially equal in amount and shall occur at least annually.
 - (2) A covered boxer may, for good cause shown, petition the commission in writing to receive one of the following alternative methods of payment:
 - (A) Lump Sum.
A single lump sum distribution of the covered boxer's accrued benefit in cash or in-kind.
 - (B) Installments.
Cash payments in quarterly installments of substantially equal designated amounts or of a designated percentage of the value of the covered boxer's accrued benefit payable over a five-year term, which shall not exceed the covered boxer's remaining life expectancy or over the joint life expectancy of the covered boxer and the covered boxer's designated beneficiary.
 - (3) For purposes of subsection (d), "good cause" means the covered boxer's terminal illness or disability retirement, or the situation where it is objectively imprudent to purchase an annuity contract.
- (e) Commencement Of Payment Of Benefits.
Distribution of the funds due to a covered boxer shall be made to such covered boxer as soon as is administratively feasible after the last day of the plan year in which the covered boxer reaches age 50

or dies or meets other applicable early retirement distribution criteria and without unreasonable delay unless due to causes beyond the control of the commission, its trustee or other appointed fiduciary.

- (f) Vocational Early Retirement Benefit.
A covered boxer may ask the commission to convert all or a portion of the covered boxer's accrued benefit to a vocational education benefit. This request shall be made by the covered boxer on or after the covered boxer has reached the age of 36 and has retired from boxing, as evidenced by unconditional surrender or cancellation of the boxer's license. The commission may, in its discretion, grant such petition in whole or in part.

If the commission grants the petition, it may pay all or a portion of the covered boxer's accrued benefit for education or vocational training. The commission shall make such payments directly to an institution approved by the Bureau for Private Postsecondary Education, or its equivalent in another state or jurisdiction, on a periodic basis as billed by the institution and where the institution submits evidence satisfactory to the commission that the boxer is maintaining satisfactory attendance at the institution.

- (g) Amount of Death Benefits.
Upon the death of a covered boxer prior to age 50, the covered boxer's accounts shall become payable to the covered boxer's beneficiary.
- (h) Designation Of Beneficiary.
Each participating boxer shall have the right to designate, on forms provided by the commission, a beneficiary or beneficiaries to receive the participating boxer's death benefits, and shall have the right, at any time, to revoke such designation or to substitute another such beneficiary or beneficiaries without the consent of any beneficiary; provided, however, that a married participating boxer and spouse must both designate any non-spouse beneficiary or beneficiaries. The commission shall file all beneficiary designations with the trustee and with the insurer insofar as they affect any insurance contracts on the participating boxer's life.
- (i) Absence Of Valid Designation Of Beneficiaries.
If, upon the death of a covered boxer or beneficiary, there is no valid designation of beneficiary on file, the commission shall designate the covered boxer's survivors and issue as the beneficiary, in order of priority according to the California Probate Code.
The determination of the commission as to which persons, if any, qualify within the aforementioned categories shall be final and conclusive upon all persons. The commission may seek a declaratory

judgment of a court of local jurisdiction to determine the identity of beneficiaries and their respective shares at the expense of the beneficiary's accounts.

- (j) Distributions To Incapacitated Covered Boxers.
If a covered boxer or beneficiary who is entitled to a payment under the Plan is deemed incapable of personally receiving the payment, the commission or its trustee may make all benefit distributions to the persons or institutions which are providing for the care and maintenance of the covered boxer or beneficiary and continue to make distributions to them until a duly appointed legal representative of the covered boxer or beneficiary makes a claim for the payment. Payments made pursuant to the terms of this subsection shall constitute a distribution to the covered boxer or beneficiary entitled thereto, and shall immediately discharge the commission, the Plan and the pension fund of any further liability therefor.

NOTE: Authority cited: Sections 18611 and 18881, Business and Professions Code. Reference: Sections 18881 and 18882, Business and Professions Code.

§ 407. Benefit Claims and Appeals.

- (a) Request for Information.
Any participating boxer or beneficiary may request information from the commission concerning rights or benefits under this article. The executive officer or his designee shall respond, in writing, not to exceed thirty (30) days, unless the failure to respond results from matters reasonably beyond the Administrator's control.
- (b) Claim For Benefits.
The commission shall inform a claimant in writing within 30 days after receiving a claim whether the claim is complete and includes all information and documents necessary to establish the claim. The commission shall provide a written decision within 60 days after receipt of a complete claim. A written decision on each claim for benefits shall be provided to the person making the claim. If the claim is denied in any respect, the decision shall set forth the specific reasons for such denial, written in plain English, including:
 - (1) Specific references to pertinent Plan provisions on which the denial is based;
 - (2) An explanation of the Plan's review procedure for denied claims.
- (c) Review Of Denied Claim.
Within ninety (90) days after receipt of decision denying a claim for benefits, the covered boxer or beneficiary making the claim or his/her authorized representative may file a written request for review.

The commission shall notify the claimant that it has received the request for review and that the claimant may submit, within thirty (30) days from the date of the notification, a written statement and documents to give whatever facts or evidence the claimant feels bears upon the claim, review pertinent documents and records and submit issues and comments in writing. The commission shall make a full review of the record, including the written and oral information submitted by the claimant. Within thirty (30) days of the claimant's deadline to provide information, the commission shall render a decision and if the claim is again denied, the commission shall set forth the specific reasons for such denial written in plain English. Such decision shall contain the same information required by subsection (b), above.

(d) Time.

The filing of a claim or receipt of a notice of decision and any event starting a time period shall be deemed to commence with personal delivery signed for by the claimant or by affidavit of personal service, or the date of actual receipt for certified or registered mail (or date returned if delivery is refused or a claimant has moved without giving the commission, or its agents a forwarding address).

§ 408. Plan Administration.

(a) Expenses.

The members of the commission shall receive no compensation from the boxer's pension account for administering the pension plan, but the boxers' pension account shall reimburse the commission for all necessary direct expenses incurred in carrying out its maintenance of the Plan. The commission shall pay any necessary direct expenses, including reasonable pension consulting fees incurred by it in administering the Plan out of the Plan's funds. All direct administrative expenses, including actuarial certification fees, trust accounting fees, and commissions and expenses related to the investment of the boxer's Pension Account shall be directly assessable and shall be paid out of the boxer's pension accounts.

Expenses related to the restatement and implementation of this Article, including any extraordinary actuarial, design and consulting fees, costs of locating lost boxers' beneficiaries and costs of preparing summary plan descriptions in English and Spanish shall be reimbursed to the commission from the Plan, but only out of and limited to the funds that the commission's enrolled actuary certifies exceeds the cumulative grandfathered PVAB balances (actuarial equivalent of the Plan's benefit and refund obligations) as April 30, 1996.

(b) Powers and Duties.

The primary responsibility of the commission under this article is to administer the Plan for the exclusive benefit of the boxers and their beneficiaries, subject to the specific terms of this article. The commission shall administer the Plan in accordance with its terms and shall have the power and discretion to construe the terms of this article and to determine all questions arising in connection with the administration, interpretation, and application of the Plan. Any such determination by the commission shall be conclusive and binding upon all persons. The commission shall have all powers necessary or appropriate to accomplish the duties under this Plan.

The commission shall be charged with the duties of the general administration of the Plan, including, but not limited to, the following:

- (1) The discretion to determine questions relating to the eligibility of boxers to participate or remain a participating boxer or a covered boxer hereunder and to receive benefits under the Plan;
- (2) To compute, certify, and direct the amount and the kind of benefits to which any covered boxer shall be entitled hereunder;
- (3) To maintain all necessary records for the administration of the Plan;
- (4) To interpret the provisions of the Plan consistent with the law and these rules;
- (5) To determine the size and type of any contract to be purchased from any insurer, if any, and to designate the insurer from which such contract shall be purchased;
- (6) To prepare and distribute to participating boxers information concerning their rights and obligations, including a summary plan description stating the requirements and benefits of the Plan in English and Spanish, using commonly spoken language to the extent possible, which shall be sent to each manager and to each boxer at appropriate times by the Pension Plan Committee or the commission staff, including at the time of initial licensure and renewal.
- (7) To place the funds in the pension plan in trust and to select a trustee to invest and administer the funds.

(c) Annual Pension Report.

The executive officer shall present an annual pension report draft to the commission, which shall review it and issue a final annual pension report.

The final annual pension report shall be a public document and shall include:

- (1) The financial condition of the pension fund, including present value, net income or losses by source over the previous twelve (12) months, gains or losses realized by sales of assets or disposition;
- (2) Number of currently covered boxers;
- (3) The number of covered boxers drawing benefits and the total amount expended by category of benefits (i.e., normal retirement, death, annuity conversion, or vocational early retirement);
- (4) The number of applicants denied requested benefits and the numbers and dispositions of requests for reconsideration and commission appeals;
- (5) Itemized administrative or other deductions from the pension fund; and
- (6) Other information that the commission deems appropriate.

§ 409. Transfer Or Assignment of Benefits.

Subject to the exceptions provided below and as otherwise specifically permitted by law, neither the assets or benefits under this Plan nor the pension fund shall be subject in any manner to anticipation, alienation, sale, transfer, assignment, pledge, encumbrance or charge. Any attempt to so anticipate, alienate, sell, transfer, assign, pledge, encumber or charge the same shall be void. Nor shall any such benefits in any manner be liable for or subject to the debts, contracts, liabilities or torts of the person entitled to such benefits.

§ 410. Time for Filing Claim. [Repealed]

§ 412. Amendment of Plan. [Repealed]

§ 413. Actuarial Reevaluation. [Repealed]

§ 415. Limitation of Liability. [Repealed]

§ 416. Termination of Plan. [Repealed]

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Article 12.5. Therapeutic Use Exemption

§ 424. Statement of Commission's Intent, Application of Article, Definitions.

- (a) It is the Commission's intent to allow a narrow exception to Regulation 303's prohibition against the Administration or use of Prohibited Substances and/or Prohibited Methods for those athletes who are medically required to use a Prohibited Substance or Prohibited Method. Such athletes may apply for a Therapeutic Use Exemption (TUE) only as provided by this Article. It is further the Commission's intent to ban all forms of Testosterone Replacement Therapy from use by athletes who are licensed by the Commission, except as expressly provided for in Commission Regulations, chapter 6.
- (b) This Article shall apply to all athletes who are licensed by the Commission or are participating in Commission-regulated events.
- (c) Definitions. As used in this Article, the following terms shall have the following meanings:
 - (1) "Prohibited Substance" is defined in Commission Regulation 303.
 - (2) "Prohibited Method" is defined in Commission Regulation 303.
 - (3) "Testosterone Replacement Therapy" or "TRT" means the use of natural or synthetic testosterone to treat or replace testosterone deficiency in men.
 - (4) "Board-certified physician" means a licensed doctor of medicine (M.D.) or osteopathy (O.D.), or a nurse practitioner or physician's assistant, in good standing and authorized to practice under state law, and practicing consistent with the laws governing their respective scope of practice in the state in which they are licensed.
 - (5) "Acute medical condition" includes but is not limited to gender dysphoria and low testosterone resulting from testicular cancer or treatments for testicular cancer.

NOTE: Authority cited: Section 18611, Business and Professions Code. Reference: Sections 18640, 18642, 18648, 18649, 18661 and 18711, Business and Professions Code.

§ 425. Application for a Therapeutic Use Exemption (TUE).

- (a) A TUE shall not be granted for any form of Testosterone Replacement Therapy except as required by law.
- (b) An athlete may apply to the commission for a TUE by submitting an Application for Determination of Therapeutic Use Exemption (form number PA014, revised 07/15, Incorporated by Reference). Such application must be complete and received by the Commission at least thirty (30) days in advance of the event in which the athlete will compete.
- (c) Each of the following shall accompany the Application for Determination of Therapeutic Use Exemption:
 - (1) Medical information, which shall include:
 - (A) Diagnosis and etiology based upon the treating physician's evaluation.
 - (B) An evaluation by a Board-certified physician in the appropriate medical field.
 - (C) Patient medical history, which must be consistent with the standard of practice in the appropriate medical field relevant to the exemption requested.
 - (D) A physical exam, which must be consistent with the standard of practice in the appropriate medical field relevant to the exemption requested.
 - (E) A testing/laboratory evaluation, which must be consistent with the standard of practice in the appropriate medical field relevant to the exemption requested.
 - (F) Pre-Fight - Lab data for the Prohibited Substance. If a value is found to be out of the normal range, the athlete's medical provider should take action to correct the level by repeating the lab and/or adjusting medication appropriately, which should be documented in the records submitted to the Commission.
 - (G) Day of Fight - Lab data for the therapeutic agent in question. Agent specific levels shall be drawn on the day of fight.
 - (H) Name of the Prohibited Substance or Prohibited Method.
 - (I) Dosage taken or to be taken.
 - (J) Method of administration.
 - (K) Duration of treatment.
 - (2) A copy of the medical records in which the applicant's medical condition is well documented, and which must reflect that the condition existed prior to any test for a TUE application was performed.
 - (3) Declaration under penalty of perjury of a board certified physician in the appropriate field of medicine, attesting that he/she has read and understood this Therapeutic Use Exemption Regulation, examined the athlete, and the athlete qualifies for an exemption.
- (d) A TUE application shall not be considered complete until the commission concludes there is sufficient medical information to determine the athlete is currently physically fit to compete safely.
 - (1) A TUE application may be considered incomplete if the commission cannot reasonably verify the current licensure status of the athlete's treating physician or the medical information submitted with the TUE application. If a TUE application is incomplete, the commission may require the athlete to provide medical information, including but not limited to, an examination pursuant to Rule 280, and lab reports from a certified laboratory as designated by the commission.
 - (2) All costs of providing information to provide a complete TUE application shall be the athlete's responsibility and information provided pursuant to this Rule shall not be considered a special medical evaluation within the meaning of Business and Professions Code section 18710.
- (e) If the athlete intends to compete further in any event or competition that may subject the athlete to drug testing by the commission, the athlete must apply for a separate TUE for any prohibited substance in advance of such event or competition in accordance with the provisions of this Article.
- (f) Retroactive Approvals in Emergency or Acute Medical Situations: The time period specified in this Article for submitting a TUE application shall not apply to TUE applications for retroactive approval. Retroactive TUE applications will only be considered in cases where emergency treatment or treatment of an acute medical condition was medically necessary.
- (g) An TUE application that is approved pursuant to this Article shall be valid for one approved competition.

Note: Authority cited: Section 18611, Business and Professions Code. Reference: Sections 18640, 18642, 18648, 18649, 18661 and 18711, Business and Professions Code.

§ 426. Denial of Application for Determination of Therapeutic Use Exemption, Appeals.

- (a) An incomplete TUE application may be deemed denied without further action by the commission.
- (b) If the commission reasonably determines based upon the facts and circumstances of a particular application that the TUE application has been submitted for the purpose of enhancing the athlete's performance and/or giving the athlete an advantage over his/her competitor(s), the commission shall deny the TUE application.
- (c) A TUE shall not be granted when the commission reasonably concludes that denying the TUE application is in the best interests of protecting the public, or the health and safety of licensed athletes.
- (d) If an application for TUE is denied, the athlete may submit an appeal in writing to the commission with seven (7) days of the commission's decision. The commission will set the matter for hearing within 30 days.

Note: *Authority cited: Section 18611, Business and Professions Code. Reference: Sections 18640, 18642, 18648, 18661 and 18711, Business and Professions Code.*

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Article 13. Training Gymsnasiums

Barclays Official California Code of Regulations
Currentness

Title 4. Business Regulations

Division 2. State Athletic Commission

Chapter 1. Professional Boxing Rules

Article 13. Training Gymsnasiums (Refs & Annos)

§ 495. Gymnasium License.

All professional boxers' training gymsnasiums licensed by the commission shall post the license in a conspicuous place.

§ 496. Monthly Sparring Report.

To assure accuracy and accountability, owners of licensed professional boxing gymsnasiums shall submit to the commission, on a monthly basis, the following information on licensed boxers or holders of sparring permits who have been knocked-out or injured at the gymnasium: the name and license number of each boxer, trainer and sparring partner, the nature of any injuries to the boxer or sparring partner, and whether headgear was used.

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CHAPTER 2. FULL-CONTACT MARTIAL ARTS AND KICKBOXING

Article 1. General Provisions

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Title 4. Business Regulations

Division 2. State Athletic Commission

Chapter 2. Full Contact Martial Arts and Kickboxing

Article 1. General Provisions (Refs & Annos)

§ 500. Citation.

The rules in this subchapter shall be cited and referred to as the "Professional Full-Contact Martial Arts and Kickboxing Rules."

§ 501. Applicability of Rules; Definitions.

The rules in this subchapter shall apply to all professional full contact martial arts and kickboxing contests or matches. For purposes of this chapter, the term "kickboxing" has the meaning given in Section 18627(b) of the code and the term "martial arts" means unarmed full-contact martial arts, other than kickboxing, which permit the use of a mix of techniques from different disciplines, including but not limited to the use of chokeholds, joint manipulation and grappling techniques.

§ 502. Certain Boxing Rules Not Applicable.

- (a) Unless otherwise specified in this chapter, all of the professional boxing rules apply to martial arts contests or matches except the following: Sections 242, 298, 306, 309 through 313, 322, 337, 338, 339, 349 through 351, 357, and 400 through 416.
- (b) Unless otherwise specified in this chapter, all of the professional boxing rules apply to kickboxing contests or matches except the following: Sections 242, 298, 306, 309 through 313, 322, 337, 338, 339, 357, and 400 through 416.

§ 503. Tournament or Elimination Format Contests - Selection of Opponents.

In any tournament or elimination format contest, the commission shall determine the initial opponents in the first round of the tournament by drawing names at the weigh-in.

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Article 2. Safety Standards

Barclays Official California Code of Regulations
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Title 4. Business Regulations

Division 2. State Athletic Commission

Chapter 2. Full Contact Martial Arts and Kickboxing

Article 2. Safety Standards (Refs & Annos)

§ 510. Weights and Classes.

MALES	
Flyweight.....	through 125 lbs.
Bantamweight.....	125.1-135 lbs.
Featherweight.....	135.1-145 lbs.
Lightweight.....	145.1-155 lbs.
Welterweight.....	155.1-170 lbs.
Middleweight.....	170.1-185 lbs.
Light Heavyweight...	185.1-205 lbs.
Heavyweight.....	205.1-265 lbs.
Super Heavyweight..	265.1 lbs. and over
FEMALES	
Lightweight.....	through 125 lbs.
Middleweight.....	125.1-135 lbs.
Light-Heavyweight...	135.1-150 lbs.
Heavyweight.....	150.1-175 lbs.
Super Heavyweight..	175.1 lbs. and over

§ 511. Number of Rounds Scheduled.

Clubs shall not schedule less than 21 rounds, nor more than 36 rounds, except with the approval of the commission for any one program. A standby bout shall be provided in the event an arranged card breaks down, and if it is necessary to put on another bout in order to meet the minimum requirement.

§ 512. Rounds; Number; Length; Rest Period.

- (a) Non-title kickboxing bouts shall not exceed 10 rounds, each round not to exceed 3 minutes, with a rest period of not less than one minute nor more than 2 minutes, as specified by the sanctioning body. Except with the approval of the commission, pursuant to Section 18748 of the code, title bouts shall not exceed the maximum length or number of rounds specified in this subsection and in no event shall the rest period between rounds be less than one minute.

- (b) Non-title martial arts bouts other than kickboxing shall not exceed 5 rounds, each round not to exceed 5 minutes, with a rest period of not less than one minute nor more than 2 minutes, as specified by the sanctioning body. Except with the approval of the commission, pursuant to Section 18748 of the code, title bouts shall not exceed the maximum length or number of rounds specified in this subsection and in no event shall the rest period between rounds be less than one minute.

§ 513. Fighter's Equipment.

- (a) The ring costume for each fighter on a program shall be approved by the commission and shall include two pairs of trunks and a custom-made individually fitted mouthpiece. Commission staff shall not approve ring costumes that are so similar as to possibly cause confusion as to the identity of the contenders.
- (b) A fighter who is participating in a kickboxing contest may, at his or her option, use padded footgear and/or shin protectors. Shoes may not be worn either in martial arts contests or in kickboxing contests.
- (c) In addition to the items described in subsection (a), the costume for each male fighter shall include a foul-proof groin protector.
- (d) In addition to the items described in subsection (a), the costume for each female fighter shall include a body shirt.

§ 514. Gloves.

- (a) Fighters in kickboxing contests in all weights up to and including heavyweight class shall wear no less than eight-ounce gloves. In heavier classes, fighters shall wear no less than ten-ounce gloves. When two contestants differ in weight classes, the contestants shall wear the gloves required for the higher weight classification.
- (b) A fighter in a martial arts contest shall wear gloves that have no padding in the palm or fingertip area and that are appropriate in weight for the fighter's hand size.
- (c) All gloves must be approved by the commission.
- (d) No gloves shall be required for those martial arts disciplines that prohibit striking or punching.

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Article 3. Conduct of Matches, Contests and Exhibitions

Barclays Official California Code of Regulations
Currentness

Title 4. Business Regulations

Division 2. State Athletic Commission

Chapter 2. Full Contact Martial Arts and Kickboxing

Article 3. Conduct of Matches, Contests and Exhibitions (Refs & Annos)

§ 515. Time Between Bouts.

Unless written approval is obtained from the commission, a fighter who has competed in a bout or tournament format event anywhere in the world shall not be allowed to compete in this state until seven days have elapsed from the date of that bout or event. This limitation shall not be construed to prohibit a fighter from competing in a tournament format event that requires the fighter to rest a minimum of 30 minutes between bouts. In a tournament format event, a fighter shall be examined by a physician before each bout.

§ 516. Method of Scoring When There Is an Injury Not Resulting from a Foul.

If the referee determines that the injured fighter was responsible for his own injury, the referee will not penalize his opponent in any manner. In this case, if the referee or ring physician determines that the injured fighter is unable to continue, he will lose by "technical knockout".

If the referee determines that no fault was attributable to either fighter, the referee shall allow the injured fighter 5 minutes to recover. If, at the end of the recovery period, the referee or the ringside physician determines that the injured fighter cannot continue, the bout will be decided on the score cards if a majority of the rounds have been completed (including the round in which the injury occurred) or, if a majority of the rounds have not been completed, the bout will be called a technical draw.

§ 517. Intentional Fouling.

- (a) In the case of an intentional foul, the referee may interrupt the bout for the purpose of allowing the injured fighter time to recover. A maximum of five (5) minutes of recovery time will be permitted.
- (b) If the injured fighter is thereafter unable to continue, the offending fighter shall be disqualified, his or her purse may be withheld, and he or she may be subject to suspension. Disposition of the purse and the penalty to be imposed upon the fighter shall be determined by action of the commission or the commission's representative.

§ 518. Unintentional Fouling.

- (a) When a bout is interrupted due to an injury caused by an unintentional foul, the referee, in consultation with the ringside physician, shall determine whether the fighter who has been fouled can continue or not. If the referee sees, or if after consultation with the judges, determines that a fighter is unintentionally fouled and if the fighter's chance of winning has not been seriously jeopardized as a result of a foul, the referee may order the bout continued after a reasonable interval, not to exceed 5 minutes.
- (b) If the referee and/or the ringside physician determines that the bout may not continue because of an injury suffered as the result of an unintentional foul or because of an injury inflicted by an unintentional foul which later becomes aggravated by fair blows, the bout shall be declared a draw, if according to the score cards, the bout was determined to be a draw at the time the foul occurred. If, according to the score cards, the fighter committing the foul was winning prior to the foul, the bout shall be declared a technical draw. If, according to the score cards, the fighter being fouled was winning prior to the foul, then that fighter shall be declared the winner.
- (c) When an unintentional foul causes the bout to be interrupted for the purpose of allowing the injured fighter time to recover, the referee shall penalize the fighter guilty of the foul one or more points.

§ 519. Suspected Fouls.

If an injury occurs due to a suspected foul that the referee was unable to see, the referee may, in his sole discretion, confer with the judges to determine where the foul may be placed. He may consider any, all or none of the opinions expressed in making his determination. The referee may, in his sole discretion, ask for a replay, if television equipment is available, of the technique in question before rendering his decision.

§ 520. Method of Judging.

Referees and judges shall score all contests and determine the winner through the use of the ten-point must system. In this system, the winner of each round receives ten points and the opponent a proportionately less number. If the round is even, each fighter receives ten points. No fraction of points may be given.

At the termination of the contest or the termination of each round, as determined by the commission's representative present at the event, the cards of the judges shall be picked up by the referee and delivered

to the commission representative assigned to check the totals. The majority opinion shall be conclusive and if there is no majority then the decision shall be a draw. When the commission representative has completed verifying the score, the ring announcer shall be informed of the decision and shall announce the decision.

§ 521. Minimum Kicking Requirement.**[Repealed]****§ 522. Fouls.**

- (a) Fouls in kickboxing and martial arts. The following tactics are fouls in both kickboxing and martial arts and are forbidden. Use of these tactics shall result in a warning and loss of points as determined by the referee.
 - (1) Headbutts.
 - (2) Striking downward using point of the elbow.
 - (3) Openhand attacks to the eyes or throat or eye gouging.
 - (4) Striking at that part of the body over the kidney or spine or chopping or striking the back of the neck or head.
 - (5) Spitting, or, in the referee's discretion, slapping.
 - (6) The use of abusive language in the ring.
 - (7) Any unsportsmanlike trick or action that causes any injury to an opponent or referee.
 - (8) Attacking on the break.
 - (9) Attacking after the bell or gong has sounded ending the round, or when the opponent is out of the ring.
 - (10) Intentionally pushing, shoving or wrestling an opponent out of the ring with any part of the body.
 - (11) Linear kicks to the front or side of the knees.
 - (12) Continuous dropping of mouthpiece.
 - (13) Intentional evasion of contact.
 - (14) Hair pulling.
 - (15) Attacking or obstructing the trachea.
 - (16) Clawing, pinching or twisting the flesh or grabbing the clavicle.
 - (17) Pulling or holding uniform below hipline.
 - (18) Holding ropes or fence.
 - (19) Small joint manipulation (e.g. twisting of fingers or toes).
 - (20) Groin attacks.
 - (21) Fish hooks.
 - (22) Biting.

(b) Fouls in kickboxing. The following tactics are fouls in kickboxing and are forbidden. Use of these tactics shall result in a warning and loss of points as determined by the referee.

- (1) Arm bars.
 - (2) Grabbing or holding onto an opponent's leg or foot, and grabbing or holding onto any other part of the body.
 - (3) Punching or kicking a contestant when he or she is down. A contestant is down when any part of his or her body, other than his or her feet, touch the floor. His or her opponent may continue to attack until the contestant has touched the floor with any part of the body other than the feet.
 - (4) Leg Checking. (Extending the leg to check an opponent's leg or to prevent him from kicking.).
 - (5) Purposely going down without being hit.
 - (6) Any use of throws or any takedowns.
 - (7) Holding and hitting.
 - (8) Hitting or slapping with an open glove.
 - (9) Palm heel strikes to the front of the face (using the heel of the palm of the hand to deliver a blow to the face).
- (c) Fouls in martial arts (non-kickboxing). In any martial arts contest other than kickboxing, the following tactics are fouls and are forbidden. Use of these tactics shall result in a warning and loss of points as determined by the referee.
- (1) Kicking the head of a contestant when he or she is down.
 - (2) Spiking (purposely driving an opponent straight to the ring floor on his head or neck from an upright and vertical position).
 - (3) Using knees to the head of an opponent who is not standing.
 - (4) Putting a finger into any orifice or into any cut or laceration of an opponent.
 - (5) Stomping an opponent when the opponent is down.
- (d) In addition to or in lieu of losing points, any contestant guilty of any of the foul tactics listed in this section that are applicable to the contestant's sport may be disqualified, his or her purse may be withheld from payment, and the contestant may be suspended. Disposition of the purse and the penalty to be imposed upon the contestant shall be determined by action of the commission.

§ 523. Ring.

- (a) For kickboxing contests, the ring or fighting area shall either meet the requirements of Rules 310 through 312, inclusive, or shall meet the requirements of this section; except that subsection (d)(1) permitting a contest to be held in a ring enclosed by a fence shall not apply to kickboxing contests and the commission shall not permit a kickboxing contest to be held in a ring enclosed by a fence. For all other types of martial arts bouts, the ring or fighting area shall either meet the requirements set forth below in this section or shall be held in a ring that meets the requirements set forth in Rules 310 through 312, inclusive.
- (b) The ring or fighting area shall be no smaller than 20' by 20' and no larger than 32' by 32'. A ring enclosed by ropes shall be square. The ring floor or floor of the fighting area enclosed by ropes shall extend at least 20 inches beyond the ropes. The ring floor or floor of the fighting area shall be padded in a manner approved by the commission, consistent with the requirements of section 18724 of the code. Padding shall extend beyond the ring or fighting area and over the edge of the platform. The ring or fighting area shall have a canvas covering or similar material, tightly stretched and laced to the ring platform. Vinyl or other plastic rubberized covering will not be permitted. There shall not be any obstruction or object, including but not limited to a triangular border, on any part of the ring floor.
- (c) The ring platform shall not be more than four feet above the floor of the building. A ring enclosed by ropes shall have three sets of suitable steps or ramps, one for use by each of the fighters and one for use by the officials. A ring enclosed by a fence shall have two sets of suitable steps or ramps for use by the fighters and the officials. Ringside tables shall be no higher than ring platform level. Ring posts for a ring enclosed by ropes shall be of metal, not less than 3" nor more than 6" in diameter, extending from the floor of the building to a maximum height of 6" above the highest horizontal rope above the ring floor. Ring posts for a ring enclosed by ropes shall be separated from the ring ropes by at least 18 inches. The posts for a ring enclosed by a fence shall extend from the floor to the top of the fighting area and shall be no less than 66" and no more than 78" above the floor of the fighting area. All posts shall be properly padded in a manner approved by the commission.
- (d) The ring shall be enclosed by either of the following:
 - (1) A fence made of such material as will not allow a fighter to fall out or break through it on to the

floor or spectators, including but not limited to vinyl-coated chain link. However, the enclosure shall not obstruct or limit the supervision and regulation of the bout by the officials or commission representatives. All metal parts shall be covered and padded in a manner approved by the commission and shall not be abrasive to the fighters.

- (2) Five horizontal ropes not less than 1 inch in diameter and wrapped in soft material. The lowest rope to be not less than 5 inches nor more than 8 inches above the floor. The second rope to be not less than 8 inches nor more than 12 inches above the lowest rope. The top three ropes to be spaced equal distance apart and not less than 12 inches nor more than 14 inches from each other. The lowest rope shall have applied around it a padding of a thickness of not less than 1/2 inch. The horizontal ropes shall be tied together by vertical ropes not less than 1/4 inch in diameter. If a ring is less than 24' by 24', there shall be two (2) vertical ropes, spaced equal distance apart, on each side of the ring. If a ring is 24' by 24' or greater, there shall be three (3) vertical ropes, spaced equal distance apart, on each side of the ring. The lowest portion of each vertical rope, between the lowest horizontal rope and second rope, shall have applied around them a padding of a thickness of not less than 1/4 inch.

§ 524. Sanitation.

The promoter of the event is responsible for ensuring that acceptable sanitary standards are met with respect to dressing rooms, water bottles, towels or other equipment. Physicians and commission representatives shall specifically check at every event for violations of these rules. The ring shall be swept, dry-mopped, or otherwise adequately cleaned before the event and prior to each fight.

§ 525. Procedure Where Failure to Compete. [Repealed]

§ 526. Failure to Resume Contest. [Repealed]

§ 527. Wiping Gloves. [Repealed]

§ 528. Method of Counting over a Contestant Who Is Down. [Repealed]

§ 529. Resuming Count. [Repealed]

§ 530. Communication of Counting for Knockdowns - Kickboxing.

As soon as a fighter in a kickboxing contest has been knocked down, the official timekeeper shall begin calling the count (from 1 to 10) while the referee directs the

opponent to a neutral corner. After the referee has directed the opponent to a neutral corner, he shall return to the fallen fighter and shall count over him, picking up the count from the timekeeper.

§ 531. Standing Eight-Count - Kickboxing.

The referee may, at his discretion, administer an eight-count to a contestant in a kickboxing contest who is in trouble but who is still standing. He shall direct the opponent to a neutral corner, then begin counting from 1 to 8, examining the contestant in trouble as he counts. If, after completing the standing eight-count, the referee determines that the contestant is not able to continue, he shall stop the contest and declare the opponent the winner by technical knockout.

§ 532. Change of Decision. [Repealed]

§ 533. Championship Matches and Exhibitions.

Recognizing that different forms of martial arts exist, notwithstanding any rule in this division to the contrary, the commission may, in its discretion, authorize alternate rules or provisions from time to time for full contact martial arts championships and exhibitions so long as the safety and welfare of the contestants and the public are not jeopardized.

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Article 4. License Requirements

Barclays Official California Code of Regulations
Currentness

Title 4. Business Regulations

Division 2. State Athletic Commission

Chapter 2. Full Contact Martial Arts and Kickboxing

Article 4. License Requirements (Refs & Annos)

§ 541. Promoter's License.

In order to be issued a promoter's license, an applicant shall meet all the following requirements:

- (a) The applicant, or at least one principal of the applicant if the applicant is a corporation or partnership, shall meet the requirements for licensure as a matchmaker, or in the alternative submit evidence that the promoter employs a licensed matchmaker.

- (b) Provide evidence that the promoter will have complete control over the sale of tickets, collection of tickets, counting of tickets, and preparation of revenue reports, and supervision over the box office employees, ticket takers and ushers and security for each event promoted. In the alternative, a promoter may submit for review by the commission an agreement between the promoter and the facility in which events will be conducted relating to the sale and accounting of tickets and revenues, preparation of required reports, the supervision of box office employees, ticket takers and ushers, and security of each event.
- (c) Provide evidence that the facility or facilities in which events will be held meet state and local fire and safety requirements and have dressing rooms and facilities which meet the requirements of Rules 292, 293 and 294.
- (d) Pass a written examination administered by the commission on the fundamentals of martial arts and kickboxing and California law and regulations relating to martial arts and kickboxing.
- (e) Be in good physical condition with the speed and reflexes in the ring necessary for the protection of the fighters.
- (f) Pass a written examination administered by the commission on the fundamentals of martial arts and kickboxing, refereeing and judging martial arts matches and contests, and California law and regulations relating to martial arts and kickboxing.
- (g) Perform a demonstration of competency by performing as a referee in a martial arts match before a representative of the commission and two licensed referees. The applicant shall demonstrate knowledge of refereeing techniques and the ability to manage and control a martial arts match.
- (h) Perform a demonstration of competence in judging by judging at least 50 martial arts or kickboxing contests as verified by a representative of the commission.
- (i) These requirements may be waived for any applicant who is licensed or approved as a referee by the Professional Kickboxing Association or the World Kickboxing Association.
- (j) In order to renew a referee's license, a referee shall comply with subsections (b) and (c) in addition to any other requirements for renewal set forth in the law or these regulations.

§ 542. Matchmaker's License.

In order to be licensed as a matchmaker, an applicant shall pass a written examination administered by the commission on California law and regulations relating to martial arts and kickboxing, and shall have been involved in matchmaking in at least five (5) amateur events. The examination may be waived if the applicant possesses a current and valid license as a matchmaker in another state or country and has not been subject to any disciplinary action.

§ 543. Referee's License.

In order to be licensed as a referee, an applicant shall meet all the following requirements:

- (a) Have two years of documented experience refereeing martial arts or kickboxing matches with a minimum of 100 matches with a minimum of 100 matches refereed. It is not necessary that this experience be obtained by refereeing professional contests.
- (b) Be found after examination by a licensed physician to be physically and mentally fit to referee a martial arts contest and to have uncorrected visual acuity of at least 20/100 in both eyes. Weight shall be proportionate to height in accordance with the standards of the American Medical Association in effect at the time of the effective date of this regulation.

§ 544. Manager's Application.

In order to be issued a manager's license, an applicant shall pass a written examination administered by the commission on the fundamentals of martial arts and kickboxing and California law and regulations relating to martial arts and kickboxing. The examination may be waived if the applicant possesses a current and valid license as a martial arts and kickboxing manager in another state or country and has not been subject to any disciplinary action.

§ 545. Second's License.

In order to be issued a second's license, an applicant shall meet all the following requirements:

- (a) Pass a written examination administered by the commission on the fundamentals of martial arts and kickboxing and California laws and regulations relating to martial arts and kickboxing.
- (b) Perform a demonstration of competency by demonstrating the duties of a second before a representative of the commission.
- (c) The examination and demonstration of competency may be waived if the applicant possesses a current and valid license as a martial arts and kickboxing second in another state or country and has not been subject to any disciplinary action.

§ 546. Professional Martial Arts Fighter's License -HIV/HBV Testing.

- (a) As used in Section 18712(a) of the code:
- (1) The phrase "within 30 days prior to the date of application" means that the blood test will be accepted for licensure purposes for 30 days from the date of the test report.
 - (2) The phrase "documentary evidence satisfactory to the commission" means the original or a copy of the test report on letterhead of the the laboratory, accompanied by the applicant's declaration under penalty of perjury that the report represents the applicant's HIV/HBV test results.
- (b) The tests described in Section 18712 of the code shall be referred to collectively as the "HIV/HBV tests."

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CHAPTER 3. AMATEUR BOXING RULES

Barclays Official California Code of Regulations
Currentness

Title 4. Business Regulations

Division 2. State Athletic Commission

Chapter 3. Amateur Boxing Rules (Refs & Annos)

§ 600. Citation.

The rules in this subchapter shall be cited as the "Amateur Boxing Rules."

§ 601. Professional Boxing Rules Apply.

The rules of the commission pertaining to professional boxing shall apply to amateur boxing unless the club or organization obtains a law and rule waiver under Section 18646 of the code or the professional boxing rules are inconsistent with these Amateur Boxing Regulations or the provisions of the Boxing Act pertaining to amateur boxing.

§ 602. Certification. [Repealed]

§ 603. Examination, Ring Names.

No amateur shall be permitted to take part in a boxing contest unless the following conditions are met:

- (a) All amateurs shall enter and compete in all boxing contests or tournaments under their own names. The use of a ring name is prohibited.
- (b) No person who has attained the age of 36 years shall be issued an amateur license except by special permission of the commission. The commission may, in its discretion, require (1) an extensive physical examination including possible EKG, neurological examination and heart stress test; (2) a demonstration of proficiency in the ring by a gym exhibition witnessed by a qualified commission employee; and (3) a personal appearance before the commission and such other examinations as the commission may deem appropriate. The applicant shall bear the expense of any medical examination required by the commission in connection with his or her application for licensure.

§ 604. Annual Physical Examination. [Repealed]

§ 605. Records. [Repealed]

§ 606. Registration Fee. [Repealed]

§ 607. Bonds. [Repealed]

§ 608. Gymnasiums. [Repealed]

§ 609. Medical Insurance.

- (a) Any amateur club or promoter licensed by the commission shall maintain a short term medical assistance insurance policy approved by the commission for all amateur boxers participating in a match conducted by the amateur club or promoter.
- (b) "Short term medical assistance insurance" as used in this section, refers to coverage or payment of direct expenses of medical treatment, including emergency aid, diagnostic procedures, drugs, surgical procedures and physical therapy, arising directly from injuries incurred during an amateur boxing match in California which has been approved by the commission.

§ 610. Headgear.

- (a) In addition to that equipment in Sections 318, 322 and 323 of these regulations, amateur boxing competitors shall wear headgear that is approved by the commission. All approved headgear shall protect both the head and face of the competitor.
- (b) Notwithstanding subdivision (a), the Commission shall determine whether an exception shall be made to requirements set forth in subdivision (a) in an event where the competitor is seeking to qualify as a member of the United States Amateur Boxing, Inc. (USA Boxing) National Team for the purpose of competing in the Olympic Games Competition. In making this determination, the Commission shall consider:
 - (1) Whether the event is an International Olympic Style boxing event.
 - (2) Whether the competition involves USA Boxing National Team athletes competing against International Boxing Federation's National Team athletes.
 - (3) Whether the amateur boxing competitors are over the age of 18 or will meet this age prior to the commencement of the Olympics.
 - (4) Whether the event is an international bout that may include International Dual Matches and International Tournaments in which USA Boxing National Team competitors participate for the intended purpose of qualifying for Olympic Games Competitions.
- (c) All approved headgear shall meet USA Boxing's Minimum Requirements for Competition Headgear and Gloves (dated March 2017), the "Boxing Headgear" section of which is hereby incorporated by reference.

NOTE: Authority cited: Section 18611, Business and Professions Code. Reference: Sections 18640, 18641 and 18725, Business and Professions Code.

§ 611. Gloves. [Repealed]

§ 612. Officials. [Repealed]

§ 613. Professional Boxing Promoters.

No professional boxing promoter shall be allowed to promote or conduct any amateur boxing contest unless the promoter is licensed to promote amateur contests.

§ 614. Matchmaker. [Repealed]

§ 615. Boxer Down. [Repealed]

§ 616. Resuming Boxing. [Repealed]

§ 617. Drawing for Tournaments. [Repealed]

§ 618. Seconds.

Each competitor who has no coach shall have one licensed second who may be furnished by the club. A coach or handler of amateur boxers shall be a licensed second or manager.

§ 619. Referee. [Repealed]

§ 620. Winner.

A winner shall be declared in tournaments, but in matched contests where both boxers have an equal number of points a draw decision may be given. Referee and/or judges shall score.

§ 621. Tampering with Amateur. [Repealed]

§ 622. Transportation Expenses. [Repealed]

§ 623. Advance Notice.

Advance notices for all amateur shows shall be filed in the office of the commission at least five days before the date of each show.

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CHAPTER 4. AMATEUR FULL-CONTACT MARTIAL ARTS

Article 1. General Provisions

Barclays Official California Code of Regulations
Currentness

Title 4. Business Regulations

Division 2. State Athletic Commission

Chapter 4. Amateur Full-Contact Martial Arts

Article 1. General Provisions (Refs & Annos)

§ 700. Citation.

The rules in this chapter shall be cited and referred to as the "Amateur Full-Contact Martial Arts and Kickboxing Rules."

§ 702. Professional Full-Contact Martial Arts and Kickboxing Rules Apply.

The Professional Full-Contact Martial Arts and Kickboxing Rules (Chapter 2 of this division.) shall apply to amateur full-contact martial arts and kickboxing, unless a club or organization obtains a waiver of the applicable laws and rules under Section 18646 of the code or unless they are clearly inconsistent with the rules contained in this chapter.

§ 705. Classes of Amateur Contestants.

- (a) Novice Class. Any contestant who has participated in three or less full-contact martial arts or kickboxing contests approved by the commission may be in the Novice Class.
- (b) Open Class. Any contestant who has participated in more than three full contact martial arts or kickboxing contests approved by the commission shall be in the Open Class.

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Article 2. Safety Standards

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Title 4. Business Regulations

Division 2. State Athletic Commission

Chapter 4. Amateur Full-Contact Martial Arts

Article 2. Safety Standards (Refs & Annos)

§ 710. Contestants' Equipment.

In addition to that equipment required in Section 513 of these regulations, every contestant shall wear all of the following during a contest or match:

- (a) At least ten (10) ounce gloves;
- (b) If the contestant is in the Novice class, headgear that is approved by the Amateur Boxing Federation or an equivalent organization.
- (c) Padded shin guards that extend from the ankle or instep to the top of the shin, and a safety boot that covers the toes.

§ 711. Headgear; Under 18.

In addition to that equipment required in Section 513 and 710 of these regulations, every contestant who is under 18 years of age shall wear a headgear that is approved by the Amateur Boxing Federation or an equivalent organization during a contest or match.

NOTE: Authority cited: Section 18763, Business and Professions Code. Reference: Sections 18640 and 18766, Business and Professions Code.

Article 3. Conduct of Matches and Contests

Barclays Official California Code of Regulations
Currentness

Title 4. Business Regulations

Division 2. State Athletic Commission

Chapter 4. Amateur Full-Contact Martial Arts

Article 3. Conduct of Matches and Contests (Refs & Annos)

§ 720. Number of Rounds.

- (a) The maximum number of rounds allowed for any contestant in the Novice Class shall not exceed three two-minute rounds with a one-minute rest period between rounds.
- (b) The maximum number of rounds allowed for any contestant in the Open Class shall not exceed five two-minute rounds with a one-minute rest period between rounds.

§ 723. Kicks; Novice Class.

Between contestants in the Novice Class, the only kicks allowed are to the outside of the legs or boot and kicks to the upper body. All other kicks shall be considered a foul.

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CHAPTER 5. WRESTLING RULES

Article 1. General Provisions

Barclays Official California Code of Regulations
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Title 4. Business Regulations

Division 2. State Athletic Commission

Chapter 5. Wrestling Rules

Article 1. General Provisions (Refs & Annos)

§ 800. Citation of Wrestling Rules.

The rules in this subchapter shall be cited as the "Wrestling Rules."

§ 801. Definitions.

As used in this subchapter,

- (a) "commission" means the State Athletic Commission.
- (b) "code" means the Business and Professions Code.
- (c) "Rules" means the Wrestling rules.
- (d) The terms "promoter" and "club" are synonymous and mean and include any person, partnership, club, corporation, organization, or association conducting, holding or giving wrestling exhibitions.
- (e) the masculine gender includes the feminine gender.

§ 802. Professional Boxing Rules Applicable.

The following professional boxing rules when otherwise appropriate shall apply to wrestling: 202, 204, 205, 206, 210, 211, 212, 214, 218, 252, 253, 254, 260, 261, 262, 263, 264, 266, 267, 268, 269, 271, 272, 273, 274, 276, 277, 292, 293, 294, 390, 391, 392, 395 and 399.

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Article 2. Wrestler's License

Barclays Official California Code of Regulations
Currentness

Title 4. Business Regulations

Division 2. State Athletic Commission

Chapter 5. Wrestling Rules

Article 2. Wrestler's License (Refs & Annos)

§ 803. Age Limitations and Requirements.

- (a) No wrestler's license shall be issued to any person under 18 years of age.
- (b) All applications for a wrestler's license shall be in writing on a form furnished by the commission. Any person who gives incorrect information in an application for a wrestler's license may have his license revoked by the commission, and any purse to which he might otherwise be entitled may be confiscated.
- (c) All applicants for a wrestler's license shall be found after examination by a licensed physician to be physically and mentally fit to wrestle in a match or event and to have an uncorrected visual acuity of at least 20/100 in both eyes.

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Article 3. Ring

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Title 4. Business Regulations

Division 2. State Athletic Commission

Chapter 5. Wrestling Rules

Article 3. Ring (Refs & Annos)

§ 804. Ring Construction and Equipment.

The size, construction, and equipment of wrestling rings shall be as approved by the commission.

The ring floor shall be padded to a thickness as approved by the commission. A one-piece wrestling mat or soft padding may be used with a top covering of clean canvas tightly stretched and laced to the ring platform.

Any mat or padding and canvas covering which has been used for boxing matches shall not be used for wrestling exhibitions until the mat or the canvas covering has been washed and is free from resin.

The promoter shall keep the mat or padding and covering in a clean and sanitary condition.

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Article 4. Referee

Barclays Official California Code of Regulations
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Title 4. Business Regulations

Division 2. State Athletic Commission

Chapter 5. Wrestling Rules

Article 4. Referee (Refs & Annos)

§ 805. Referee's Physical.

All referees shall be examined annually to establish their physical fitness. No referee's license shall be issued to a person who has attained the age of 60 years except by special action of the commission.

§ 805.1. License Requirement.

In order to be licensed as a wrestling referee, an applicant shall be found after examination by a licensed physician to be physically and mentally fit to referee a wrestling match or event and to have an uncorrected visual acuity of at least 20/100 in both eyes.

§ 806. Selection of Referee by Club.

At any wrestling club where the promoter appoints the referee licensed by the commission, the announcer shall announce, prior to the commencement of the wrestling exhibition, that the wrestling promoter has appointed the referee by using the following language: "The referee of this wrestling event was appointed by (insert the name of the wrestling club)."

§ 807. Dangerous Conduct; Punishment.

The referee shall not permit physically dangerous conduct or tactics by any wrestler. Any wrestler who fails to discontinue such tactics, after being warned by the referee, shall be disqualified and subject to disciplinary action.

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Article 5. Timekeeper

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Title 4. Business Regulations

Division 2. State Athletic Commission

Chapter 5. Wrestling Rules

Article 5. Timekeeper (Refs & Annos)

§ 808. Timekeeper.

There shall be a timekeeper appointed by the promoter present at all exhibitions. He shall officially keep time and follow the instructions of the referee.

§ 809. Timekeeper's Duties.

§ 810. Periods.

§ 811. Time Limit Exhibitions.

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Article 6. Club Physician

Barclays Official California Code of Regulations
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Chapter 5. Wrestling Rules

Article 6. Club Physician (Refs & Annos)

§ 812. Club Physician's Duties.

A club physician approved by the commission shall examine all wrestlers and referees before they enter the ring for an exhibition and shall be present during the exhibition. No wrestler shall be permitted to wrestle who is suffering from any illness. The physician shall report to the commission any wrestler or referee examined proven unfit for participating in a wrestling exhibition. Such wrestler or referee shall be suspended until it is shown that he is fit for further participation in a wrestling exhibition.

§ 813. Physical Examination of Wrestlers.

Any wrestler applying for a license, or annual renewal thereof, shall be examined by a physician who is licensed in California or any other state and who is approved by the commission to establish physical fitness.

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Article 7. Promoters and Exhibitions

Barclays Official California Code of Regulations
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Chapter 5. Wrestling Rules

Article 7. Promoters and Exhibitions (Refs & Annos)

§ 814. Advance Notice.

At least seven days before wrestling exhibitions, the promoter shall furnish the commission an advance notice giving the names of the wrestlers to be used in the exhibitions.

The commission shall be promptly notified of any changes or additions to this notice. The forms for this notice shall be furnished by the commission. Notice of any change in announced or advertised wrestling programs or wrestling exhibitions shall be given to the press if there is sufficient time and an announcement shall be made prior to the program indicating the change and advising patrons desiring refunds to present their tickets to the box office at once. The box office shall remain open a reasonable length of time to redeem such tickets.

§ 815. Wrestling Exhibitions.

Unless a special license is obtained, all professional wrestling programs under the supervision and authority of the commission are exhibitions only, and not contests, and any such exhibitions cannot be advertised or announced as contests.

§ 816. Duties of Licensees.

It shall be the duty of the referee, promoter, and his agents, attaches and employees, and the participants in any wrestling exhibition to maintain peace and order in the conduct of any exhibition. There shall be no abuse of a commission official at any time.

§ 817. Promoter's License.

In order to be issued a wrestling promoter's license, an applicant shall meet all the following requirements:

- (a) Provide evidence that the promoter will have complete control over the sale of tickets, collection of tickets, counting of tickets, and preparation of revenue reports, and supervision over the box office employees, ticket takers and ushers and security for each event promoted. In the alternative a promoter may submit for review by the commission an agreement between the promoter and the facility in which events will be conducted relating to the sale

and accounting of tickets and revenues, preparation of required reports, the supervision of box office employees, ticket takers, ushers, and security of each event.

- (b) Provide evidence that the facility or facilities in which events will be held meet state and local fire and safety requirements and have dressing rooms and facilities which meet the requirements of Rules 292, 293 and 294.

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Article 8. Costumes for Wrestlers

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Article 8. Costumes for Wrestlers (Refs & Annos)

§ 818. Wrestlers' Appearance.

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Article 9. Contracts

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Title 4. Business Regulations

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Chapter 5. Wrestling Rules

Article 9. Contracts (Refs & Annos)

§ 819. Contracts.

Any contract or agreement between a wrestler and a promoter and/or booking agent shall be in writing, signed by all parties and made available to the commission on demand.

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Article 10. Accounts

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Title 4. Business Regulations

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Chapter 5. Wrestling Rules

Article 10. Accounts (Refs & Annos)

§ 820. Records.

Promoters, booking agents, managers and others licensed in connection with the promotion of wrestling exhibitions, shall maintain a full, true and accurate set of books of account and other records of receipts and disbursements in connection with all exhibitions, and the records shall at all times be open to the inspection and audit by representatives of the commission.

§ 821. Payment of Wrestlers.

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Article 11. Booking Agents

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Chapter 5. Wrestling Rules

Article 11. Booking Agents (Refs & Annos)

§ 822. Booking Agent.**§ 823. Wrestler Must Indicate Authorized Booking Agent.**

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Article 12. Miscellaneous Provisions

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Chapter 5. Wrestling Rules

Article 12. Miscellaneous Provisions (Refs & Annos)

§ 824. Responsibility of Club.

- (a) Each club shall be directly responsible to the commission for the conduct of its employees, and any violation of the act or of the rules and regulations of the commission by any employee of a club shall be deemed to be a violation by the club.
- (b) Clubs and booking agents, if any, are responsible for any violations of the act or commission rules by their wrestlers.

§ 825. Duties of Licensees.**§ 826. Discrimination.**

There shall be no discrimination against any participant on account of sex, race, color or creed.

§ 827. Women Wrestlers Prohibited.**§ 828. Selection of Referee by Club.****§ 829. Postponement or Cancellation.**

A small advance sale shall not be regarded as legitimate reason for a postponement. Indoor wrestling shows shall not be cancelled for any reason except with the written approval of the commission.

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CHAPTER 6. TRANSGENDER ATHLETES

Article 1. General Provisions

Barclays Official California Code of Regulations
Currentness

Title 4. Business Regulations

Division 2. State Athletic Commission

Chapter 6. Transgender Athletes

Article 12. Miscellaneous Provisions (Refs & Annos)

§ 830. Definitions.

As used in this Chapter, the following terms have the following meanings:

- (a) "Gender Identity" is an individual's internal, deeply-felt sense of being male or female. Everyone has a gender identity, which may or may not correspond to a person's designated sex at birth.
- (b) "Transgender" individuals are people with a gender identity that is different from their designated sex at birth. A transgender male is a person who lives and identifies as a male, but whose designated sex at birth was female. A transgender female is a person who lives and identifies as female, but whose designated sex at birth was male.
- (c) "Gender Dysphoria" refers to the condition in the United States diagnostic manual (DSM-5 2013). Gender Dysphoria is characterized by intense and persistent discomfort with one's sex characteristics -one's designated sex at birth.
- (d) "Health Care Provider" includes any licensed doctor of medicine (M.D.) or osteopathy (D.O.) in good standing and authorized to practice medicine or surgery in their respective jurisdiction, as well as nurse practitioners or physician's assistants in good standing and authorized to practice and practicing consistent with the laws governing their respective scope of their practice in the jurisdiction in which they are licensed.
- (e) "State-licensed physician or Doctor of Osteopathic Medicine" means a licensed doctor of medicine (M.D.) or osteopathy (D.O.) in good standing and authorized to practice under state law and practicing consistent with the laws governing their respective scope of practice in the state in which they are licensed.

(f) "Hormone" means a member of a class of signaling molecules produced by glands in the body that are transported in the blood stream to certain targeted organs to regulate physiology and behavior. Among other things, hormones can regulate or augment mood, weight and strength.

(g) "Application" refers to the Application for Professional Athlete (Form No. PA003, revised 07/15, Incorporated by Reference).

NOTE: Authority cited: Section 18611, Business and Professions Code. Reference: Sections 18640, 18642, 18648, 18660, 18661, 18711 and 18712, Business and Professions Code.

§ 831. Transgender Female Athletes (Male to Female).

- (a) Transgender female (male to female) athletes who are not undergoing hormone therapy and without gonadectomy are eligible for licensure and participation in men's events.
- (b) Transgender female athletes shall be eligible for licensure and participation in women's competitions if the commission approves the athlete's Application.

NOTE: Authority cited: Section 18611, Business and Professions Code. Reference: Sections 18640, 18642, 18648, 18660, 18661, 18711 and 18712, Business and Professions Code.

§ 832. Transgender Male Athletes (Female to Male).

- (a) Transgender male (female to male) athletes who are not taking testosterone shall be eligible for licensure and participation in women's events.
- (b) A transgender male athlete who is undergoing hormone treatment shall be eligible for licensure and participation in male competitions if the commission approved the athlete's Application.

NOTE: Authority cited: Section 18611, Business and Professions Code. Reference: Sections 18640, 18642, 18648, 18660, 18661, 18711 and 18712, Business and Professions Code.

§ 833. Applications and Appeals.

- (a) At least 30 days before the event in which the athlete intends to compete, (1) a transgender female athlete who applies to compete in women's competitions, or (2) a transgender male athlete who applies to compete in men's competitions, shall submit their Application.

- (1) No Application will be granted on an emergency basis.
- (2) No Application will be granted on a retroactive basis.
- (b) Transgender female athletes who apply to compete in women's competitions:
 - (1) A transgender female athlete who has had a gonadectomy shall also include as part of her Application:
 - (A) Written confirmation by a State-licensed physician or Doctor of Osteopathic Medicine has confirmed that hormone therapy has been administered by a Health Care Provider for a minimum of 2 years after gonadectomy.
 - (B) A letter from the State-licensed physician or Doctor of Osteopathic Medicine responsible for the care of the applicant that must include the following:
 - (i) Name of surgeon who performed the gonadectomy and the date and location of surgery;
 - (ii) Initial date hormone therapy began after gonadectomy (and prior to surgery, if relevant);
 - (iii) Hormone name/type, dose and interval of administration over the past two years;
 - (iv) Name, dose and duration of any anti-androgen treatment used over the past two years.
 - (2) A transgender female athlete who is undergoing hormone therapy but has not had a gonadectomy shall also include as part of her Application:
 - (A) Written confirmation by a State-licensed physician or Doctor of Osteopathic Medicine that hormone therapy has been administered by a Health Care Provider for a minimum of two years.
 - (B) A letter from the State-licensed physician or Doctor of Osteopathic Medicine responsible for the care of the applicant that must include the following:
 - (i) Initial date hormone therapy began;
 - (ii) Hormone name/type, dose and interval of administration over the past two years;
- (iii) Lab reports of estradiol and testosterone levels with a goal of serum estradiol levels within the normal range for healthy premenopausal women (lab specific) and suppression of testosterone levels to those normally found in women (lab specific) for the past two years;
- (iv) Name, dose and duration of any anti-androgen treatment used over the past two years.
- (c) Transgender male athletes who apply to compete in men's competitions:
 - (1) The athlete's Application shall also include:
 - (A) Confirmation from a State-licensed physician or Doctor of Osteopathic Medicine that hormone therapy has been administered by a Health Care Provider for a minimum of 2 years.
 - (B) A letter from the State-licensed physician or Doctor of Osteopathic Medicine responsible for the care of the applicant that must include the following:
 - (i) Initial date of hormone therapy;
 - (ii) Hormone name/type, dose and interval of administration for the past six months;
 - (iii) Lab reports of estradiol and testosterone levels for the past six months with a goal of serum estradiol levels within the normal range for healthy men (lab specific) and testosterone levels within the range for healthy men (lab specific).
 - (d) If the commission denies an Application submitted pursuant to this Chapter, the athlete may appeal that decision; such appeal must be submitted in writing to the commission within seven (7) days of the Commission's decision. The commission will set the matter for hearing within thirty (30) days.

NOTE: Authority cited: Section 18611, Business and Professions Code. Reference: Sections 18640, 18642, 18648, 18660, 18661, 18711 and 18712, Business and Professions Code.

§ 834. Provisions Applicable to All Transgender Athletes.

- (a) An Application shall not be considered complete until the commission concludes there is sufficient medical information to determine the athlete is currently physically fit to compete safely.
- (1) An athlete's Application may be considered incomplete if the commission cannot reasonably verify the current licensure status of the athlete's treating physician or the medical information submitted with the Application. If an Application is incomplete, the commission may require the athlete to provide medical information, including but not limited to, an examination pursuant to Rule 280 that is conducted by a doctor of medicine or osteopathy as assigned by the commission, and lab reports showing hormone levels (or other related blood work) from a certified laboratory as designated by the commission.
 - (2) All costs of providing information to provide a complete Application shall be the athlete's responsibility and information provided pursuant to this Rule shall not be considered a special medical evaluation within the meaning of Business and Professions Code section 18710.
- (b) Pre-Competition and Day of Competition Testing Requirements:
- (1) Transgender female athletes who have not had a gonadectomy and are participating in a female competition:
 - (A) Two weeks before a scheduled competition, the athlete must submit lab reports of estradiol and testosterone levels for the past six months showing serum estradiol levels within the normal range for healthy premenopausal women (lab specific) and suppression of testosterone levels to those normally found in women (lab specific).
 - (B) The day prior to any scheduled competition, the athlete must submit on the Pre-Bout Medical Questionnaire Form (Form Number PBO01, Incorporated by Reference) the time, date, amount and method of the last dose(s) of estradiol used within the past two weeks.
 - (C) On the day of any scheduled competition, the athlete's test results for testosterone shall not be above the normal range for healthy premenopausal women (lab specific).
 - (2) Transgender male athletes who are participating in a male competition:
 - (A) Two weeks before a scheduled competition, the athlete must submit lab reports of estradiol and testosterone levels for the past six months showing serum estradiol levels within the normal range for healthy men (lab specific) and testosterone levels within the range for healthy men (lab specific).
 - (B) The day prior to any scheduled competition, the athlete must submit on the Pre-Bout Medical Questionnaire Form (Form Number PBO01) the time, date, amount and method of the last dose(s) of testosterone used within the past two weeks.
 - (C) On the day of the scheduled competition, the athlete's testosterone levels must not be above the normal range for healthy men (lab specific).
 - (3) Any level of testosterone above the normal range may result in the athlete's disqualification or other administrative enforcement action.
 - (4) Repeat elevated testosterone levels during the 6 months prior to the competition may be grounds for disqualification or other administrative enforcement action.
 - (c) Depending on the facts unique to each applicant, the commission may require or prohibit the use of certain clothing and/or safety equipment in competitions as a condition of licensure.
 - (d) The commission shall keep the athlete's medical information and application documentation confidential in accordance with applicable state and federal privacy laws.

NOTE: Authority cited: Section 18611, Business and Professions Code. Reference: Sections 18640, 18642, 18648, 18660, 18661, 18711 and 18712, Business and Professions Code.

§ 835. Commission Education.

Commission representatives shall be educated regarding Gender Dysphoria and Transgender athletes to ensure their safe and equal participation in events regulated by the commission.

NOTE: Authority cited: Section 18611, Business and Professions Code. Reference: Section 18640, Business and Professions Code.

§ 836. Approved Application Exempt from Rule 303.

An athlete whose Application is submitted pursuant to section 831(b) or 832(b) and is approved under this Chapter shall be exempt from Rule 303, "Administration or Use of Prohibited Substances, Prohibited Methods," for only those substances and methods that are identified in the athlete's Application.

NOTE: Authority cited: Section 18611, Business and Professions Code. Reference: Sections 18640, 18642, 18648, 18660, 18661, 18711 and 18712, Business and Professions Code.

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