

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 606
95TH GENERAL ASSEMBLY

1521L.02C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 317.001, 317.006, 317.011, 317.013, 317.014, 317.018, and 317.019, RSMo, and to enact in lieu thereof eight new sections relating to mixed martial arts, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 317.001, 317.006, 317.011, 317.013, 317.014, 317.018, and 317.019, RSMo, are repealed and eight new sections enacted in lieu thereof, to be known as sections 317.001, 317.006, 317.011, 317.013, 317.014, 317.017, 317.018, and 317.019, to read as follows:

- 317.001. As used in sections 317.001 to 317.021, the following words and terms mean:
- (1) "Amateur", a person who competes in a boxing, wrestling, kickboxing, [or] full-contact karate, **or mixed martial arts** event who has not competed as a contestant for valuable consideration in any event in which similar boxing, wrestling, kickboxing, [or] full-contact karate, **or mixed martial arts** skills were used or allowed;
 - (2) "Bout", one match involving professional boxing, sparring, professional wrestling, professional kickboxing, [or] professional full-contact karate, [including] **or** professional mixed martial arts;
 - (3) "Boxing", the sport of attack and defense where contestants are allowed to only use the fist to attack or strike in competition;
 - (4) "Combative fighting", a bout or contest, with or without gloves or protective headgear, whereby any part of the contestant's body may be used as a weapon or any other means of fighting may be used with the specific purpose of intentionally injuring the other contestants in such a manner that they may not defend themselves and in which there is no referee;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

- 15 (5) "Contest", a bout or a group of bouts involving licensed contestants competing in
16 professional boxing, sparring, professional wrestling, professional kickboxing, [or] professional
17 full-contact karate, **or professional mixed martial arts**;
- 18 (6) "Contestant", a person who competes in any boxing, wrestling, kickboxing, [or]
19 full-contact karate, **or mixed martial arts** event;
- 20 (7) "Director", the director of the division of professional registration;
- 21 (8) "Division", the division of professional registration;
- 22 (9) "Exhibition", a boxing, wrestling, kickboxing, [or] full-contact karate, **or mixed**
23 **martial arts** engagement in which persons are participating to show or display their boxing,
24 wrestling, kickboxing, [or] full-contact karate, **or mixed martial arts** skill and in which no
25 decision is rendered;
- 26 (10) "Full-contact karate", any form of full-contact martial arts including, but not limited
27 to, full-contact kungfu, full-contact tae kwon do, or any form of martial arts, [mixed martial arts,]
28 combat or self-defense conducted on a full-contact basis in a match where contestants are
29 allowed to deliver blows or strikes;
- 30 (11) "Fund", the athletic fund established pursuant to sections 317.001 to 317.021;
- 31 (12) "Kickboxing", any match in which contestants are allowed to use any form of
32 boxing and are also allowed to use any part of the fist, foot, or leg, with or without shin guards
33 or protective gear, or any combination thereof to deliver strikes above the waist and which does
34 not constitute mixed martial arts as defined by this section;
- 35 (13) "Mixed martial arts", any [match in which any form of martial arts or self-defense
36 is conducted on a full-contact basis and where other combative techniques or tactics are allowed
37 in competition including, but not limited to, kicking, striking, chokeholds, boxing, wrestling,
38 kickboxing, grappling, or joint manipulation. Professional mixed martial arts is a form of
39 full-contact karate] **competition in which contestants use interdisciplinary forms of fighting,**
40 **including various forms of martial arts involving:**
- 41 (a) **Strikes with hands, feet, knees, or elbows; and**
- 42 (b) **Grappling by take-downs, throws, submissions, or choke holds;**
- 43 (14) "Office", the division of professional registration, office of athletics;
- 44 (15) "Professional", a wrestling, boxing, kickboxing, [or] full-contact karate, **or mixed**
45 **martial arts** bout or contest where the participants compete for any valuable consideration or
46 a person who competes in any wrestling, boxing, kickboxing, [or] full-contact karate, **or mixed**
47 **martial arts** bout or contest for any such consideration;
- 48 (16) "Sparring", any boxing, wrestling, kickboxing, [or] full-contact karate, **or mixed**
49 **martial arts** conducted for practice and for which admission or other similar consideration, in
50 any form, is charged to any member of the public;

51 (17) "Wrestling", any performance of wrestling skills and techniques by two or more
52 individuals. Participating wrestlers may perform without being required to use their best efforts
53 in order to win and the winner may have been selected before the performance commences;

54 **(18) "Youth", any person less than eighteen years of age.**

317.006. 1. The division shall have general charge and supervision of all professional
2 boxing, sparring, professional wrestling, professional kickboxing [and] , professional full-contact
3 karate, **and professional and youth mixed martial arts** contests held in the state of Missouri,
4 and it shall have the power, and it shall be its duty:

5 (1) To make and publish rules governing in every particular professional boxing,
6 sparring, professional wrestling, professional kickboxing [and] , professional full-contact karate,
7 **and professional and youth mixed martial arts** contests;

8 (2) To make and publish rules governing the approval of amateur sanctioning bodies;

9 (3) To accept applications for and issue licenses to contestants in professional boxing,
10 sparring, professional wrestling, professional kickboxing [and] , professional full-contact karate,
11 **and professional mixed martial arts** contests held in the state of Missouri, and referees, judges,
12 matchmakers, managers, promoters, seconds, announcers, timekeepers and physicians involved
13 in professional boxing, sparring, professional wrestling, professional kickboxing [and] ,
14 professional full-contact karate, **and professional mixed martial arts** contests held in the state
15 of Missouri, as authorized herein. Such licenses shall be issued in accordance with rules duly
16 adopted by the division;

17 (4) To charge fees to be determined by the director and established by rule for every
18 license issued and to assess a tax of five percent of the gross receipts of any person, organization,
19 corporation, partnership, limited liability company, or association holding a promoter's license
20 and permit under sections 317.001 to 317.021, derived from admission charges connected with
21 or as an incident to the holding of any professional boxing, sparring, professional wrestling,
22 professional kickboxing [or] , professional full-contact karate, **or professional mixed martial**
23 **arts** contest in the state of Missouri. Such funds shall be paid to the division of professional
24 registration which shall pay said funds into the Missouri state treasury to be set apart into a fund
25 to be known as the "Athletic Fund" which is hereby established;

26 (5) To assess a tax of five percent of the gross receipts of any person, organization,
27 corporation, partnership, limited liability company or association holding a promoter's license
28 under sections 317.001 to 317.021 derived from the sale, lease or other exploitation in this state
29 of broadcasting, television, pay-per-view, closed-circuit telecast, and motion picture rights for
30 any professional boxing, sparring, professional wrestling, professional kickboxing [or] ,
31 professional full-contact karate, **or professional mixed martial arts** contest. Such funds shall

32 be paid to the division which shall pay said funds into the Missouri state treasury to be set apart
33 into a fund to be known as the "Athletic Fund";

34 (6) Each cable television system operator whose pay-per-view or closed-circuit facilities
35 are utilized to telecast a bout or contest shall, within thirty calendar days following the date of
36 the telecast, file a report with the office stating the number of orders sold and the price per order.

37 2. All fees established pursuant to sections 317.001 to 317.021 shall be determined by
38 the director by rule in such amount as to produce sufficient revenue to fund the necessary
39 expenses and operating costs incurred in the administration of the provisions of sections 317.001
40 to 317.021. All expenses shall be paid as otherwise provided by law.

317.011. 1. The division shall have the power, and it shall be its duty, to accept
2 application for and issue permits to hold professional boxing, sparring, professional wrestling,
3 professional kickboxing [or] , professional full-contact karate, **or professional mixed martial**
4 **arts** contests in the state of Missouri, and to charge a fee for the issuance of same in an amount
5 established by rule; such funds to be paid to the division which shall pay such funds into the
6 Missouri state treasury to be set apart into the athletic fund.

7 2. The provisions of section 33.080, RSMo, to the contrary notwithstanding, money in
8 this fund shall not be transferred and placed to the credit of general revenue until the amount in
9 the fund at the end of the biennium exceeds two times the amount of the appropriation from the
10 fund for the preceding fiscal year or, if the division requires by rule renewal **of the permits** less
11 frequently than yearly then three times the appropriation from the fund for the preceding fiscal
12 year. The amount, if any, in the fund which shall lapse is that amount in the fund which exceeds
13 the appropriate multiple of the appropriations from the fund for the preceding fiscal year.

14 3. The division shall not grant any permit to hold professional boxing, sparring,
15 professional wrestling, professional kickboxing [or] , professional full-contact karate, **or**
16 **professional mixed martial arts** contests in the state of Missouri except:

17 (1) Where such professional boxing, sparring, professional wrestling, professional
18 kickboxing [or] , professional full-contact karate, **or professional mixed martial arts** contest
19 is to be held under the auspices of a promoter duly licensed by the division; and

20 (2) Where a fee has been paid for such permit, in an amount established by rule.

21 4. In such contests a decision shall be rendered by three judges licensed by the division.

22 5. Specifically exempted from the provisions of this chapter are contests or exhibitions
23 for amateur boxing, amateur kickboxing, amateur wrestling and amateur full-contact karate.
24 However, all amateur boxing, amateur kickboxing, amateur wrestling and amateur full-contact
25 karate must be sanctioned by a nationally recognized amateur sanctioning body approved by the
26 office.

317.013. 1. In order to protect the health and welfare of the contestants, there shall be a mandatory medical suspension of any contestant, not to exceed one hundred eighty days, who loses consciousness or who has been injured as a result of blows received to the head or body during a professional boxing, professional wrestling, professional kickboxing, [or] professional full-contact karate, **or professional mixed martial arts** contest. The determination of consciousness is to be made only by a physician licensed by the board of healing arts and the division. Medical suspensions issued in accordance with this section shall not be reviewable by any tribunal.

2. No license shall be issued to any person who has been injured in such a manner that they may not continue to participate in boxing, wrestling, kickboxing, [or] full-contact karate, **or mixed martial arts** contests in the future. Such a person shall be deemed medically retired. No person with a status of medically retired shall compete in any events governed by this chapter. Medical retirements issued in accordance with this section shall not be reviewable by any tribunal.

317.014. 1. Upon proper application by the director, or the director of the office, a court of competent jurisdiction may grant an injunction, restraining order or any other order as may be appropriate to enjoin a person, partnership, organization, corporation, limited liability company or association from:

(1) Promoting or offering to promote any professional boxing, sparring, professional wrestling, professional kickboxing [and] , professional full-contact karate, **and professional mixed martial arts** contests in Missouri;

(2) Advertising or offering to advertise any professional boxing, sparring, professional wrestling, professional kickboxing [and] , professional full-contact karate, **and professional mixed martial arts** contests in Missouri;

(3) Conducting or offering to conduct any professional boxing, sparring, professional wrestling, professional kickboxing [and] , professional full-contact karate, **and professional mixed martial arts** contests in Missouri; or

(4) Competing or offering to compete in any professional boxing, sparring, professional wrestling, professional kickboxing [and] , professional full-contact karate, **and professional mixed martial arts** contests in Missouri.

2. Any such actions shall be commenced either in the county in which such conduct occurred or in the county in which the defendant resides.

3. Any action brought under this section shall be in addition to, and not in lieu of, any penalty provided by law and may be brought concurrently with other actions to enforce this chapter.

317.017. 1. No person shall promote, participate, or allow a youth participant in a mixed martial arts contest or sparring event to compete in any cage or other type of enclosure that would inhibit general access to the participants for the purpose of rendering medical care or assistance to the participant.

2. Any person who violates the provisions of this section is guilty of a class A misdemeanor.

317.018. 1. Combative fighting is prohibited in the state of Missouri.

2. Anyone who promotes or participates in combative fighting, or anyone who serves as an agent, principal partner, publicist, vendor, producer, referee, or contractor of or for combative fighting is guilty of a class D felony.

3. Any medical personnel who administers to, treats or assists any participants of combative fighting shall not be subject to the provisions of this section.

4. Nothing in section 317.001 or this section is intended to regulate, or interfere with or make illegal, traditional, sanctioned amateur or scholastic boxing, amateur or scholastic wrestling, amateur or scholastic kickboxing, or amateur or scholastic full-contact karate or amateur or scholastic mixed martial arts.

317.019. 1. The promoter of a professional boxing, professional kickboxing, [and] professional full-contact karate, **and professional mixed martial arts** contest shall sign written bout contracts with each professional contestant. Original bout contracts shall be filed with the division prior to the event as required by the rules of the office. The bout contract shall be on a form supplied by the division and contain at least the following:

- (1) The weight required of the contestant at weigh-in;
- (2) The amount of the purse to be paid for the contest;
- (3) The date and location of the contest;
- (4) The glove size allotted for each contestant;
- (5) Any other payment or consideration provided to the contestant;
- (6) List of all fees, charges, and expenses including training expenses that will be assessed to the contestant or deducted from the contestant's purse;
- (7) Any advances paid to the contestant before the bout;
- (8) The amount of any compensation or consideration that a promoter has contracted to receive in connection with the bout or contest;
- (9) The signature of the promoter and contestant;
- (10) The date signed by both the promoter and the contestant; and
- (11) Any information required by the office.

2. If the bout contract between a contestant and promoter is changed, the promoter shall provide the division with the amended contract containing all contract changes at least two hours

21 prior to the event's scheduled start time. The amended contract shall comply with all
22 requirements for original bout contracts and shall contain the signature of the promoter and
23 contestant.

24 3. A promoter of an event shall not be a manager for a contestant who is contracted for
25 ten rounds or more at the event.

26 4. The promoter of an event shall provide payments for the event official's fees to the
27 office prior to the start of the event. The form of payment shall be at the discretion of the office
28 provided that payments remitted by check or money order shall be made payable directly to the
29 applicable official.

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