
HOUSE BILL 2301

State of Washington

62nd Legislature

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By Representatives Green, Kirby, Pettigrew, Condotta, and Jinkins

Read first time 01/11/12. Referred to Committee on Business & Financial Services.

1 AN ACT Relating to boxing, martial arts, and wrestling; amending
2 RCW 67.08.002, 67.08.015, 67.08.017, 67.08.110, 67.08.170, and
3 67.08.240; and reenacting and amending RCW 67.08.100.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 67.08.002 and 2004 c 149 s 1 are each amended to read
6 as follows:

7 The definitions in this section apply throughout this chapter
8 unless the context clearly requires otherwise.

9 (1) "Amateur" means a person who has never received nor competed
10 for any purse or other article of value, either for expenses of
11 training or for participating in an event, other than a prize of fifty
12 dollars in value or less.

13 (2) "Boxing" means the sport of attack and defense which uses the
14 contestants fists and where the contestants compete with the intent not
15 to injure or disable an opponent, but to win by decision, knockout, or
16 technical knockout, but does not include professional wrestling.

17 (3) "Chiropractor" means a person licensed under chapter 18.25 RCW
18 as a doctor of chiropractic or under the laws of any jurisdiction in
19 which that person resides.

- 1 (4) "Department" means the department of licensing.
- 2 (5) "Director" means the director of the department of licensing or
3 the director's designee.
- 4 (6) "Event" includes, but is not limited to, a professional or
5 amateur boxing, wrestling, or martial arts contest, sparring,
6 fisticuffs, match, show, or exhibition.
- 7 (7) "Event physician" means the physician licensed under RCW
8 67.08.100 and who is responsible for the activities described in RCW
9 67.08.090.
- 10 (8) "Face value" means the dollar value of a ticket or order, which
11 value must reflect the dollar amount that the customer is required to
12 pay or, for a complimentary ticket, would have been required to pay to
13 purchase a ticket with equivalent seating priority, in order to view
14 the event.
- 15 (9) "Gross receipts" means the amount received from the face value
16 of all tickets sold and complimentary tickets redeemed.
- 17 (10) "Kickboxing" means a type of boxing in which blows are
18 delivered with the fist and any part of the leg below the hip,
19 including the foot and where the contestants compete with the intent
20 not to injure or disable an opponent, but to win by decision, knockout,
21 or technical knockout.
- 22 (11) "Martial arts" means a type of boxing including sumo, judo,
23 karate, kung fu, tae kwon do, pankration, muay thai, or other forms of
24 full-contact martial arts or self-defense conducted on a full-contact
25 basis where weapons are not used and the participants utilize kicks,
26 punches, blows, or other techniques with the intent not to injure or
27 disable an opponent, but to defeat an opponent or win by decision,
28 knockout, technical knockout, or submission.
- 29 (12) "No holds barred fighting," also known as "frontier fighting"
30 and "extreme fighting," means a contest, exhibition, or match between
31 contestants where any part of the contestant's body may be used as a
32 weapon or any means of fighting may be used with the specific purpose
33 to intentionally injure the other contestant in such a manner that they
34 may not defend themselves and a winner is declared. Rules may or may
35 not be used.
- 36 (13) "Combative fighting," also known as "toughman fighting,"
37 "toughwoman fighting," "badman fighting," and "so you think you're
38 tough," means a contest, exhibition, or match between contestants who

1 use their fists, with or without gloves, or their feet, or both, and
2 which allows contestants that are not trained in the sport to compete
3 and the object is to defeat an opponent or to win by decision,
4 knockout, or technical knockout.

5 (14) "Physician" means a person licensed under chapter 18.57,
6 18.36A, or 18.71 RCW as a physician or a person holding an osteopathic
7 or allopathic physician license under the laws of any jurisdiction in
8 which the person resides.

9 (15) "Professional" means a person who has received or competed for
10 any purse or other articles of value greater than fifty dollars, either
11 for the expenses of training or for participating in an event.

12 (16) "Promoter" means a person, and includes any officer, director,
13 employee, or stockholder of a corporate promoter, who produces,
14 arranges, stages, holds, or gives an event in this state involving a
15 professional or amateur boxing, martial arts, or wrestling event, or
16 shows or causes to be shown in this state a closed circuit telecast of
17 a match involving (~~(a)~~) professional or amateur participants whether or
18 not the telecast originates in this state.

19 (17) "Wrestling exhibition" or "wrestling show" means a form of
20 sports entertainment in which the participants display their skills in
21 a physical struggle against each other in the ring and either the
22 outcome may be predetermined or the participants do not necessarily
23 strive to win, or both.

24 (18) "Amateur event" means an event in which all the participants
25 are "amateurs" and which is registered and sanctioned by:

- 26 (a) United States Amateur Boxing, Inc.;
- 27 (b) Washington Interscholastic Activities Association;
- 28 (c) National Collegiate Athletic Association;
- 29 (d) Amateur Athletic Union;
- 30 (e) Golden Gloves of America;
- 31 (f) Any similar organization nationally recognized by the United
32 States Olympic Committee;

33 (g) United Full Contact Federation(~~(+)~~
34 ~~(g+)~~) and any similar amateur sanctioning organization, recognized
35 and licensed by the department as exclusively or primarily dedicated to
36 advancing the sport of amateur boxing, kickboxing, or martial arts, as
37 those sports are defined in this section and where the promoter,
38 officials, and participants are licensed under this chapter; or

1 (h) Local affiliate of any organization identified in (a) through
2 (f) of this subsection.

3 (19) "Elimination tournament" means any contest in which
4 contestants compete in a series of matches until not more than one
5 contestant remains in any weight category. The term does not include
6 any event that complies with the provisions of RCW 67.08.015(2) (~~(a)~~
7 ~~or (b)~~)).

8 (20) "Training facility" means a facility that offers training in
9 one or more of the martial arts and holds exhibitions in which all the
10 participants are amateurs and where an admission fee is charged.

11 **Sec. 2.** RCW 67.08.015 and 2004 c 149 s 2 are each amended to read
12 as follows:

13 (1) In the interest of ensuring the safety and welfare of the
14 participants, the department shall have power and it shall be its duty
15 to direct, supervise, and control all boxing, martial arts, and
16 wrestling events conducted within this state and an event may not be
17 held in this state except in accordance with the provisions of this
18 chapter. The department may, in its discretion, issue and for cause,
19 which includes concern for the safety and welfare of the participants,
20 take any of the actions specified in RCW 18.235.110 against a license
21 to promote, conduct, or hold boxing, kickboxing, martial arts, or
22 wrestling events where an admission fee is charged by any person, club,
23 corporation, organization, association, or fraternal society.

24 (2) All boxing, kickboxing, martial arts, or wrestling events that:

25 (a) Are conducted by any common school, college, or university,
26 whether public or private, or by the official student association
27 thereof, whether on or off the school, college, or university grounds,
28 where all the participating contestants are bona fide students enrolled
29 in any common school, college, or university, within or without this
30 state; or

31 (b) Are entirely amateur events as defined in RCW 67.08.002(18)
32 (~~(and promoted on a nonprofit basis or for charitable purposes)~~),
33 excluding events recognized and sanctioned by an amateur sanctioning
34 organization licensed and approved by the department;

35 are not subject to the (~~(licensing)~~) provisions of this chapter. A
36 boxing, martial arts, kickboxing, or wrestling event may not be

1 conducted within the state except under a license issued in accordance
2 with this chapter and the rules of the department except as provided in
3 this section.

4 (3) The director shall prohibit events unless all of the
5 contestants are licensed or otherwise exempt from licensure as provided
6 under this chapter.

7 (4) No amateur or professional no holds barred fighting or
8 combative fighting type of contest, exhibition, match, or similar type
9 of event, nor any elimination tournament, may be held in this state.
10 Any person promoting such an event is guilty of a class C felony.
11 Additionally, the director may apply to a superior court for an
12 injunction against any and all promoters of a contest, and may request
13 that the court seize all money and assets relating to the competition.

14 **Sec. 3.** RCW 67.08.017 and 2002 c 86 s 307 are each amended to read
15 as follows:

16 In addition to the powers described in RCW 18.235.030 and
17 18.235.040, the director or the director's designee has the following
18 authority in administering this chapter:

19 (1) Adopt, amend, and rescind rules as deemed necessary to carry
20 out this chapter;

21 (2) Adopt standards of professional and amateur conduct or
22 practice;

23 (3) Enter into an assurance of discontinuance in lieu of issuing a
24 statement of charges or conducting a hearing. The assurance shall
25 consist of a statement of the law in question and an agreement not to
26 violate the stated provision. The applicant or license holder shall
27 not be required to admit to any violation of the law, and the assurance
28 shall not be construed as such an admission. Violation of an assurance
29 under this subsection is grounds for disciplinary action; (~~and~~)

30 (4) Establish and assess fines for violations of this chapter that
31 may be subject to payment from a contestant's purse; and

32 (5) Establish licensing requirements.

33 **Sec. 4.** RCW 67.08.100 and 2002 c 147 s 3 and 2002 c 86 s 309 are
34 each reenacted and amended to read as follows:

35 (1) The department upon receipt of a properly completed application
36 and payment of a nonrefundable fee, may grant an annual license to an

1 applicant for the following: (a) Promoter; (b) manager; (c) boxer; (d)
2 second; (e) wrestling participant; (f) inspector; (g) judge; (h)
3 timekeeper; (i) announcer; (j) event physician; (k) chiropractor; (l)
4 referee; (m) matchmaker; (n) kickboxer; (~~and~~) (o) martial arts
5 participant; (p) training facility; and (q) amateur sanctioning
6 organization.

7 (2) The application for the following types of licenses shall
8 include a physical performed by a physician, as defined in RCW
9 67.08.002, which was performed by the physician with a time period
10 preceding the application as specified by rule: (a) Boxer; (b)
11 wrestling participant; (c) kickboxer; (d) martial arts participant; and
12 (e) referee.

13 (3) An applicant for the following types of licenses for the sports
14 of boxing, kickboxing, and martial arts shall provide annual proof of
15 certification as having adequate experience, skill, and training from
16 an organization approved by the department, including, but not limited
17 to, the association of boxing commissions, the international boxing
18 federation, the international boxing organization, the Washington state
19 association of professional ring officials, the world boxing
20 association, the world boxing council, or the world boxing organization
21 for boxing officials, and the united full contact federation for
22 kickboxing and martial arts officials: (a) Judge; (b) referee; (c)
23 inspector; (d) timekeeper; or (e) other officials deemed necessary by
24 the department.

25 (4) No person shall participate or serve in any of the above
26 capacities unless licensed as provided in this chapter.

27 (5) The referees, judges, timekeepers, event physicians,
28 chiropractors, and inspectors for any boxing, kickboxing, or martial
29 arts event shall be designated by the department from among licensed
30 officials.

31 (6) The referee for any wrestling event shall be provided by the
32 promoter and shall be licensed as a wrestling participant.

33 (7) The department shall immediately suspend the license or
34 certificate of a person who has been certified pursuant to RCW
35 74.20A.320 by the department of social and health services as a person
36 who is not in compliance with a support order. If the person has
37 continued to meet all other requirements for reinstatement during the
38 suspension, reissuance of the license or certificate shall be automatic

1 upon the department's receipt of a release issued by the department of
2 social and health services stating that the licensee is in compliance
3 with the order.

4 (8) A person may not be issued a license if the person has an
5 unpaid fine outstanding to the department.

6 (9) A person may not be issued a license unless they are at least
7 eighteen years of age.

8 (10) This section shall not apply to contestants or participants in
9 events at which only amateurs are engaged in contests and/or fraternal
10 organizations and/or veterans' organizations chartered by congress or
11 the defense department (~~(or)~~) excluding any recognized amateur
12 sanctioning body recognized by the department(~~(, holding and promoting~~
13 ~~athletic events and where all funds are used primarily for the benefit~~
14 ~~of their members)~~). Upon request of the department, a promoter,
15 contestant, or participant shall provide sufficient information to
16 reasonably determine whether this chapter applies.

17 **Sec. 5.** RCW 67.08.110 and 2002 c 86 s 310 are each amended to read
18 as follows:

19 (1) Any person or any member of any group of persons or corporation
20 promoting (~~(boxing)~~) events who shall participate directly or
21 indirectly in the purse or fee of any manager of any (~~(boxers)~~)
22 participants or any (~~(boxer)~~) participant and any licensee who shall
23 conduct or participate in any sham or fake (~~(boxing)~~) event has engaged
24 in unprofessional conduct and is subject to the sanctions specified in
25 RCW 18.235.110.

26 (2) A manager of any boxer, kickboxer, or martial arts participant
27 who allows any person or any group of persons or corporation promoting
28 boxing, kickboxing, or martial arts events to participate directly or
29 indirectly in the purse or fee, or any boxer, kickboxer, or martial
30 arts participant or other licensee who conducts or participates in any
31 sham or fake boxing, kickboxing, or martial arts event has engaged in
32 unprofessional conduct and is subject to the sanctions specified in RCW
33 18.235.110.

34 **Sec. 6.** RCW 67.08.170 and 1997 c 205 s 15 are each amended to read
35 as follows:

36 A promoter shall ensure that adequate security personnel are in

1 attendance at ((~~a wrestling or boxing~~)) an event to control fans in
2 attendance. The size of the security force shall be determined by
3 mutual agreement of the promoter, the person in charge of operating the
4 arena or other facility, and the department.

5 **Sec. 7.** RCW 67.08.240 and 1997 c 205 s 21 are each amended to read
6 as follows:

7 The following conduct, acts, or conditions constitute
8 unprofessional conduct for a license holder or applicant under this
9 chapter:

10 (1) Conviction of a gross misdemeanor, felony, or the commission of
11 an act involving moral turpitude, dishonesty, or corruption whether the
12 act constitutes a crime or not. If the act constitutes a crime,
13 conviction in a criminal proceeding is not a condition precedent to
14 disciplinary action. Upon such a conviction, however, the judgment and
15 sentence is conclusive evidence at the ensuing disciplinary hearing of
16 the guilt of the license holder or applicant of the crime described in
17 the indictment or information, and of the person's violation of the
18 statute on which it is based. For the purposes of this section,
19 conviction includes all instances in which a plea of guilty or nolo
20 contendere is the basis for the conviction and all proceedings in which
21 the sentence has been deferred or suspended. This section does not
22 abrogate rights guaranteed under chapter 9.96 RCW;

23 (2) Misrepresentation or concealment of a material fact in
24 obtaining a license or in reinstatement of a license;

25 (3) Advertising that is false, fraudulent, or misleading;

26 (4) Incompetence or negligence that results in injury to a person
27 or that creates an unreasonable risk that a person may be harmed;

28 (5) Suspension, revocation, or restriction of a license to act as
29 a professional or amateur athletic licensee by competent authority in
30 a state, federal, or foreign jurisdiction, a certified copy of the
31 order, stipulation, or agreement being conclusive evidence of the
32 revocation, suspension, or restriction;

33 (6) Violation of a statute or administrative rule regulating
34 professional or amateur athletics;

35 (7) Failure to cooperate with the department's investigations by:

36 (a) Not furnishing papers or documents;

- 1 (b) Not furnishing in writing a full and complete explanation
2 regarding a matter under investigation by the department; or
- 3 (c) Not responding to subpoenas issued by the department, whether
4 or not the recipient of the subpoena is the subject of the proceeding;
- 5 (8) Failure to comply with an order issued by the director or an
6 assurance of discontinuance entered into by the director;
- 7 (9) Aiding or abetting an unlicensed person to act in a manner that
8 requires a professional or amateur athletics (~~{licensee}~~~~{license}~~)
9 license;
- 10 (10) Misrepresentation or fraud in any aspect of the conduct of a
11 professional athletics or amateur event; and
- 12 (11) Interference with an investigation or disciplinary proceeding
13 by willful misrepresentation of facts before the department or by the
14 use of threats or harassment against any person to prevent them from
15 providing evidence in a disciplinary proceeding or other legal action.

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