

1707--A

2011-2012 Regular Sessions

I N   S E N A T E

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Introduced by Sens. GRIFFO, GOLDEN, PARKER, ZELDIN -- read twice and ordered printed, and when printed to be committed to the Committee on Cultural Affairs, Tourism, Parks and Recreation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend chapter 912 of the laws of 1920 relating to the regulation of boxing, sparring and wrestling, in relation to establishing protocols for combative sports and authorizing mixed martial arts events in this state; to amend the tax law, in relation to the imposition of a tax on the gross receipts of any person holding any professional or amateur boxing, sparring or wrestling match or exhibition, or professional combative sports match or exhibition; and providing for the repeal of such provisions upon expiration thereof

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Subdivisions 2, 3, 4, 5 and 6 of section 4 of chapter 912  
2 of the laws of 1920 relating to the regulation of boxing, sparring and  
3 wrestling, subdivisions 2 and 6 as amended by chapter 437 of the laws of  
4 2002 and subdivisions 3, 4 and 5 as added by chapter 603 of the laws of  
5 1981, are amended to read as follows:  
6     2. The advisory board shall have power and it shall be the duty of the  
7 board to prepare and submit to the commission for approval regulations  
8 and standards for the physical examination of professional boxers AND  
9 PROFESSIONAL COMBATIVE SPORTS PARTICIPANTS including, without limita-  
10 tion, pre-fight and/or post-fight examinations and periodic comprehen-  
11 sive examinations. The board shall continue to serve in an advisory  
12 capacity to the commission and from time to time prepare and submit to  
13 the commission for approval, such additional regulations and standards  
14 of examination as in their judgment will safeguard the physical welfare  
15 of professional boxers licensed by the commission. The advisory board  
16 shall recommend to the commission from time to time such qualified

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [ ] is old law to be omitted.

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1 physicians, for the purpose of conducting physical examinations of  
2 professional boxers AND PROFESSIONAL COMBATIVE SPORTS PARTICIPANTS and  
3 other services as the rules of the commission shall provide; and shall  
4 recommend to the commission a schedule of fees to be paid to physicians  
5 for such examinations and other services as required by this act.

6 3. The advisory board shall develop appropriate medical education  
7 programs for all commission personnel involved in the conduct of boxing  
8 and sparring matches or exhibitions OR PROFESSIONAL COMBATIVE SPORTS  
9 MATCHES OR EXHIBITIONS so that such personnel can recognize and act upon  
10 evidence of potential or actual adverse medical indications in a partic-  
11 ipant prior to or during the course of a match OR EXHIBITION.

12 4. The advisory board shall review the credentials and performance of  
13 each commission physician on an annual basis as a condition of reap-  
14 pointment of each such physician, including each such physician's  
15 comprehension of the medical literature on boxing OR PROFESSIONAL COMBA-  
16 TIVE SPORTS referred to in subdivision five of this section.

17 5. The advisory board shall recommend to the commission a compilation  
18 of medical publications on the medical aspects of boxing OR PROFESSIONAL  
19 COMBATIVE SPORTS which shall be maintained by the commission and be made  
20 available for review to all commission personnel involved in the conduct  
21 of any boxing or sparring match or exhibition OR PROFESSIONAL COMBATIVE  
22 SPORTS MATCH OR EXHIBITION.

23 6. The advisory board shall also advise the commission on any study of  
24 equipment, procedures or personnel which will, in their opinion, promote  
25 the safety of boxing participants AND PROFESSIONAL COMBATIVE SPORTS  
26 PARTICIPANTS.

27 S 2. Section 5-a of chapter 912 of the laws of 1920 relating to the  
28 regulation of boxing, sparring and wrestling, as added by chapter 14 of  
29 the laws of 1997, is amended to read as follows:

30 S 5-a. Combative sports. 1. DEFINITIONS. AS USED IN THIS SECTION:

31 (A) "BOARD" MEANS MEDICAL ADVISORY BOARD AS ESTABLISHED IN SECTION  
32 FOUR OF THIS ACT.

33 (B) A "combative sport" shall mean any professional match or exhibi-  
34 tion other than boxing, sparring, wrestling or martial arts wherein the  
35 contestants deliver, or are not forbidden by the applicable rules there-  
36 of from delivering kicks, punches or blows of any kind to the body of an  
37 opponent or opponents. For the purposes of this section, the term  
38 "martial arts" shall include any professional match or exhibition OF A  
39 SINGLE DISCIPLINE sanctioned by AN ORGANIZATION APPROVED BY THE COMMIS-  
40 SION, INCLUDING, BUT NOT LIMITED TO, any of the following organizations:  
41 U.S. Judo Association, U.S. Judo, Inc., U.S. Judo Federation, U.S. Tae  
42 Kwon Do Union, North American Sport Karate Association, U.S.A. Karate  
43 Foundation, U.S. Karate, Inc., World Karate Association, Professional  
44 Karate Association, Karate International, International Kenpo Associ-  
45 ation, or World Wide Kenpo Association. The commission [is authorized  
46 to] SHALL promulgate regulations which would establish a process to  
47 allow for the inclusion or removal of martial arts organizations from  
48 the above list. Such process shall include but not be limited to consid-  
49 eration of the following factors: [(a)] (1) is the organization's  
50 primary purpose to provide instruction in self defense techniques; [(b)]  
51 (2) does the organization require the use of hand, feet and groin  
52 protection during any competition or bout; and [(c)] (3) does the organ-  
53 ization have an established set of rules that require the immediate  
54 termination of any competition or bout when any participant has received  
55 severe punishment or is in danger of suffering serious physical injury.

(C) "COMMISSION" MEANS THE STATE ATHLETIC COMMISSION AS PROVIDED FOR IN SECTION ONE OF THIS CHAPTER OR AN AGENT OF THE COMMISSION ACTING ON ITS BEHALF.

(D) "MIXED MARTIAL ARTS" MEANS ANY PROFESSIONAL COMBATIVE SPORTS COMPETITION WHEREIN THE RULES OF SUCH COMPETITION SUBJECT TO THE APPLICABLE LIMITATIONS AS SET FORTH BY THE COMMISSION AUTHORIZE PROFESSIONAL COMBATIVE SPORTS MATCHES OR EXHIBITIONS BETWEEN VARIOUS FIGHTING DISCIPLINES, INCLUDING THE UTILIZATION OF PERMITTED MARTIAL ARTS TECHNIQUES, INCLUDING STRIKING, KICKING AND GRAPPLING. NO NON-PROFESSIONAL OR AMATEUR BOUT, EXHIBITION OR PARTICIPANT SHALL BE AUTHORIZED BY THIS SECTION.

(E) "PROFESSIONAL COMBATIVE SPORTS PARTICIPANT" OR "PARTICIPANT" SHALL MEAN A COMBATIVE SPORTS FIGHTER WHO COMPETES FOR A MONEY PRIZE OR TEACHES OR PURSUES OR ASSISTS IN THE PRACTICE OF MIXED MARTIAL ARTS AS A MEANS OF OBTAINING A LIVELIHOOD OR PECUNIARY GAIN, AND ANY CONTEST CONFORMING TO THE RULES, REGULATIONS AND REQUIREMENTS OF THIS SECTION.

(F) "PROFESSIONAL COMBATIVE SPORTS MATCH OR EXHIBITION" SHALL MEAN ANY MATCH OR EXHIBITION THAT MUST BE APPROVED BY THE COMMISSION WHERE PROFESSIONAL COMBATIVE SPORTS PARTICIPANTS RECEIVE CONSIDERATION OF ANY VALUE OR AN ADMISSION IS CHARGED.

1-A. COMMISSION REVIEW. THE COMMISSION SHALL REVIEW EACH MARTIAL ARTS SANCTIONING ORGANIZATION, INCLUDING THOSE LISTED IN SUBDIVISION ONE OF THIS SECTION, AT LEAST BIENNIALLY, OR SOONER IF DETERMINED NECESSARY BASED UPON THE PERIODIC COMPLIANCE CHECKS OR COMPLAINTS TO THE COMMISSION, TO DETERMINE CONTINUATION OF THE COMMISSION'S APPROVAL. THE COMMISSION SHALL CONTINUE APPROVAL OR SHALL SUSPEND OR REVOKE APPROVAL BASED UPON COMPLIANCE OF THE ORGANIZATION WITH THE APPROVED SANCTIONING STANDARDS AND ITS ABILITY TO SUPERVISE MATCHES IN THE STATE. THE COMMISSION SHALL ACT UPON ANY APPLICATION FOR INCLUSION IN THE LIST IN PARAGRAPH (B) OF SUBDIVISION ONE OF THIS SECTION WITHIN SIXTY DAYS OF THE DATE SUCH APPLICATION IS MADE TO THE COMMISSION.

1-B. MIXED MARTIAL ARTS COMPETITION. THE COMMISSION SHALL PROMULGATE RULES AND REGULATIONS TO ALLOW FOR MIXED MARTIAL ARTS COMPETITIONS TO BE CONDUCTED, HELD, OR GIVEN WITHIN THE STATE OF NEW YORK AND SHALL ALLOW FOR LICENSES TO BE APPROVED BY THE COMMISSION FOR SUCH MATCHES OR EXHIBITIONS. THE COMMISSION IS AUTHORIZED TO PROMULGATE RULES AND REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SUBDIVISION. SUCH RULES AND REGULATIONS SHALL INCLUDE, BUT NOT BE LIMITED TO, THE ADOPTION OF UNIFIED RULES OF MIXED MARTIAL ARTS, A LICENSING PROCESS FOR MATCHES AND EXHIBITIONS, A FEE SCHEDULE FOR SUCH LICENSES, PROCEDURES TO ALLOW FOR THE PARTICIPATION, PROMOTION, AND ADVANCEMENT OF SUCH EVENTS, THE HEALTH AND SAFETY OF PARTICIPANTS, AND THE BEST INTERESTS OF MIXED MARTIAL ARTS AND THE ADOPTION OF RULES AND REGULATIONS FOR LICENSING AND REGULATION OF ANY AND ALL GYMS, CLUBS, TRAINING CAMPS AND OTHER ORGANIZATIONS THAT MAINTAIN TRAINING FACILITIES PROVIDING CONTACT SPARRING FOR PERSONS WHO PREPARE FOR PARTICIPATION IN SUCH PROFESSIONAL COMBATIVE SPORTS OR EXHIBITIONS, EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION.

(B) THE COMMISSION IS AUTHORIZED AND DIRECTED TO REQUIRE THAT ALL SITES WHEREIN PROFESSIONAL COMBATIVE SPORTS ARE CONDUCTED SHALL COMPLY WITH STATE AND APPLICABLE LOCAL SANITARY CODES APPROPRIATE TO SCHOOL ATHLETIC FACILITIES.

2. [No combative sport shall be conducted, held or given within the state of New York, and no licenses may be approved by the commission for such matches or exhibitions.

3. (a) A person who knowingly advances or profits from a combative sport activity shall be guilty of a class A misdemeanor, and shall be

1 guilty of a class E felony if he or she has been convicted in the previ-  
2 ous five years of violating this subdivision.

3 (b) A person advances a combative sport activity when, acting other  
4 than as a spectator, he or she engages in conduct which materially aids  
5 any combative sport. Such conduct includes but is not limited to conduct  
6 directed toward the creation, establishment or performance of a comba-  
7 tive sport, toward the acquisition or maintenance of premises, parapher-  
8 nalia, equipment or apparatus therefor, toward the solicitation or  
9 inducement of persons to attend or participate therein, toward the actu-  
10 al conduct of the performance thereof, toward the arrangement of any of  
11 its financial or promotional phases, or toward any other phase of a  
12 combative sport. One advances a combative sport activity when, having  
13 substantial proprietary or other authoritative control over premises  
14 being used with his or her knowledge for purposes of a combative sport  
15 activity, he or she permits such to occur or continue or makes no effort  
16 to prevent its occurrence or continuation.

17 (c) A person profits from a combative sport activity when he or she  
18 accepts or receives money or other property with intent to participate  
19 in the proceeds of a combative sport activity, or pursuant to an agree-  
20 ment or understanding with any person whereby he or she participates or  
21 is to participate in the proceeds of a combative sport activity.

22 (d) Any person who knowingly advances or profits from a combative  
23 sport activity shall also be subject to a civil penalty not to exceed  
24 for the first violation ten thousand dollars or twice the amount of gain  
25 derived therefrom whichever is greater, or for a subsequent violation  
26 twenty thousand dollars or twice the amount of gain derived therefrom  
27 whichever is greater. The attorney general is hereby empowered to  
28 commence judicial proceedings to recover such penalties and to obtain  
29 injunctive relief to enforce the provisions of this section.] PROFES-  
30 SIONAL COMBATIVE SPORTS MATCHES AND EXHIBITIONS AUTHORIZED. NO COMBATIVE  
31 SPORTS MATCH OR EXHIBITION SHALL BE CONDUCTED, HELD OR GIVEN WITHIN THE  
32 STATE EXCEPT IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION AND THE  
33 RULES AND REGULATIONS PROMULGATED BY THE COMMISSION PURSUANT THERETO.  
34 THE COMMISSION SHALL DIRECT A REPRESENTATIVE TO BE PRESENT AT EACH PLACE  
35 WHERE COMBATIVE SPORTS ARE TO BE HELD PURSUANT TO THE PROVISIONS OF THIS  
36 SECTION. SUCH REPRESENTATIVE SHALL ASCERTAIN THE EXACT CONDITIONS  
37 SURROUNDING SUCH MATCH OR EXHIBITION AND MAKE A WRITTEN REPORT OF THE  
38 SAME IN THE MANNER AND FORM PRESCRIBED BY THE COMMISSION. SUCH COMBATIVE  
39 SPORTS MATCHES OR EXHIBITIONS MAY BE HELD IN ANY BUILDING FOR WHICH THE  
40 COMMISSION IN ITS DISCRETION MAY ISSUE A LICENSE. WHERE SUCH MATCH OR  
41 EXHIBITION IS AUTHORIZED TO BE HELD IN A STATE OR CITY OWNED ARMORY, THE  
42 PROVISION OF THE MILITARY LAW IN RESPECT THERETO MUST BE COMPLIED WITH,  
43 BUT NO SUCH MATCH OR EXHIBITION SHALL BE HELD IN A BUILDING WHOLLY USED  
44 FOR RELIGIOUS SERVICES.

45 3. JURISDICTION OF COMMISSION. (A) THE COMMISSION SHALL HAVE AND HERE-  
46 BY IS VESTED WITH THE SOLE DIRECTION, MANAGEMENT, CONTROL AND JURISDIC-  
47 TION OVER ALL PROFESSIONAL COMBATIVE SPORTS MATCHES OR EXHIBITIONS TO BE  
48 CONDUCTED, HELD OR GIVEN WITHIN THE STATE OF NEW YORK AND OVER ALL  
49 LICENSES TO ANY AND ALL PERSONS WHO PARTICIPATE IN SUCH COMBATIVE SPORTS  
50 MATCHES OR EXHIBITIONS AND OVER ANY AND ALL GYMS, CLUBS, TRAINING CAMPS  
51 AND OTHER ORGANIZATIONS THAT MAINTAIN TRAINING FACILITIES PROVIDING  
52 CONTACT SPARRING FOR PERSONS WHO PREPARE FOR PARTICIPATION IN SUCH  
53 PROFESSIONAL COMBATIVE SPORTS OR EXHIBITIONS, EXCEPT AS OTHERWISE  
54 PROVIDED IN THIS SECTION.

55 (B) THE COMMISSION IS AUTHORIZED AND DIRECTED TO REQUIRE THAT ALL  
56 SITES WHEREIN PROFESSIONAL COMBATIVE SPORTS ARE CONDUCTED SHALL COMPLY

1 WITH STATE AND APPLICABLE LOCAL SANITARY CODES APPROPRIATE TO SCHOOL  
2 ATHLETIC FACILITIES.

3 4. ENTITIES REQUIRED TO PROCURE LICENSES; PROFESSIONAL COMBATIVE  
4 SPORTS PARTICIPANTS DEFINED. EXCEPT AS OTHERWISE PROVIDED IN SUBDIVISION  
5 SIX OF THIS SECTION, ALL CORPORATIONS, PERSONS, LIMITED LIABILITY COMPANIES,  
6 REFEREES, JUDGES, CORPORATION TREASURERS, PROFESSIONAL COMBATIVE  
7 SPORTS PARTICIPANTS, THEIR MANAGERS, PROMOTERS, TRAINERS AND CHIEF  
8 SECONDS SHALL BE LICENSED BY THE COMMISSION, AND NO SUCH ENTITY SHALL BE  
9 PERMITTED TO PARTICIPATE, EITHER DIRECTLY OR INDIRECTLY, IN ANY PROFESSIONAL  
10 COMBATIVE SPORTS MATCH OR EXHIBITION, OR THE HOLDING THEREOF,  
11 UNLESS SUCH ENTITY SHALL HAVE FIRST PROCURED A LICENSE FROM THE COMMISSION.  
12 THE COMMISSION SHALL ESTABLISH BY RULE AND REGULATION LICENSING  
13 STANDARDS FOR REFEREES, JUDGES, MANAGERS, PROMOTERS, TRAINERS AND CHIEF  
14 SECONDS. ANY MATCH OR EXHIBITION CONFORMING TO THE RULES, REGULATIONS  
15 AND REQUIREMENTS OF THIS SECTION SHALL BE DEEMED TO BE A PROFESSIONAL  
16 COMBATIVE SPORTS MATCH OR EXHIBITION.

17 5. LICENSE TO ENTITIES. (A) THE COMMISSION MAY, IN ITS DISCRETION,  
18 ISSUE A LICENSE TO CONDUCT OR HOLD PROFESSIONAL COMBATIVE SPORTS MATCHES  
19 OR EXHIBITIONS, SUBJECT TO THE PROVISIONS HEREOF, TO ANY PERSON, CORPORATION  
20 OR LIMITED LIABILITY COMPANY DULY INCORPORATED OR FORMED, HEREINAFTER  
21 REFERRED TO AS "ENTITY".

22 (B) A PROSPECTIVE LICENSEE MUST SUBMIT TO THE COMMISSION PROOF THAT IT  
23 CAN FURNISH SUITABLE PREMISES IN WHICH SUCH MATCH OR EXHIBITION IS TO BE  
24 HELD.

25 (C) UPON WRITTEN APPLICATION AND THE PAYMENT OF A FEE OF FIVE HUNDRED  
26 DOLLARS WHICH MUST ACCOMPANY THE APPLICATION, THE COMMISSION MAY GRANT  
27 TO ANY ENTITY HOLDING A LICENSE ISSUED HEREUNDER, THE PRIVILEGE OF HOLDING  
28 SUCH A MATCH OR EXHIBITION ON A SPECIFIED DATE IN OTHER PREMISES, OR  
29 IN ANOTHER LOCATION, THAN THE PREMISES OF LOCATION PREVIOUSLY APPROVED  
30 BY THE COMMISSION, SUBJECT HOWEVER TO APPROVAL OF THE COMMISSION AND THE  
31 RULES AND REGULATIONS OF THE COMMISSION.

32 (D) ALL PENALTIES IMPOSED AND COLLECTED BY THE COMMISSION FROM ANY  
33 ENTITY LICENSED UNDER THE PROVISIONS OF THIS ACT, WHICH FINES AND PENALTIES  
34 ARE IMPOSED AND COLLECTED UNDER THE AUTHORITY HEREBY VESTED SHALL  
35 WITHIN THIRTY DAYS AFTER THE RECEIPT THEREOF BY THE COMMISSION BE PAID  
36 BY THEM INTO THE STATE TREASURY.

37 6. TEMPORARY WORKING PERMITS FOR PROFESSIONAL COMBATIVE SPORTS PARTICIPANTS,  
38 MANAGERS, TRAINERS AND CHIEF SECONDS. THE COMMISSION MAY ISSUE  
39 TEMPORARY WORKING PERMITS TO PROFESSIONAL COMBATIVE SPORTS PARTICIPANTS,  
40 THEIR MANAGERS, TRAINERS AND CHIEF SECONDS. A TEMPORARY WORKING PERMIT  
41 SHALL AUTHORIZE THE EMPLOYMENT OF THE HOLDER OF SUCH PERMIT TO ENGAGE IN  
42 A SINGLE MATCH OR EXHIBITION AT A SPECIFIED TIME AND PLACE. A TEMPORARY  
43 WORKING PERMIT MAY BE ISSUED IF IN THE JUDGMENT OF THE COMMISSION THE  
44 PARTICIPATION OF THE HOLDER THEREOF IN A PROFESSIONAL COMBATIVE SPORTS  
45 MATCH OR EXHIBITION WILL BE CONSISTENT WITH THE PURPOSES AND PROVISIONS  
46 OF THIS SECTION, THE BEST INTERESTS OF COMBATIVE SPORTS GENERALLY, AND  
47 THE PUBLIC INTEREST, CONVENIENCE OR NECESSITY. THE COMMISSION MAY  
48 REQUIRE THAT PROFESSIONAL COMBATIVE SPORTS PARTICIPANTS APPLYING FOR  
49 TEMPORARY WORKING PERMITS UNDERGO A PHYSICAL EXAMINATION, NEUROLOGICAL  
50 OR NEUROPSYCHOLOGICAL TEST OR PROCEDURE, INCLUDING COMPUTED TOMOGRAPHY  
51 OR MEDICALLY EQUIVALENT PROCEDURE. THE FEE FOR SUCH TEMPORARY WORKING  
52 PERMIT SHALL BE TWENTY DOLLARS.

53 7. LICENSE FEES; TERM OF LICENSES; RENEWALS. EACH APPLICANT FOR A  
54 PROMOTER LICENSE SHALL, BEFORE A LICENSE IS ISSUED BY THE COMMISSION,  
55 PAY TO THE COMMISSION, AN ANNUAL LICENSE FEE AS FOLLOWS: WHERE THE  
56 SEATING CAPACITY IS NOT MORE THAN TWO THOUSAND FIVE HUNDRED, FIVE

1 HUNDRED DOLLARS; WHERE THE SEATING CAPACITY IS MORE THAN TWO THOUSAND  
2 FIVE HUNDRED BUT NOT MORE THAN FIVE THOUSAND, ONE THOUSAND DOLLARS;  
3 WHERE THE SEATING CAPACITY IS MORE THAN FIVE THOUSAND BUT NOT MORE THAN  
4 FIFTEEN THOUSAND, ONE THOUSAND FIVE HUNDRED DOLLARS; WHERE THE SEATING  
5 CAPACITY IS MORE THAN FIFTEEN THOUSAND BUT NOT MORE THAN TWENTY-FIVE  
6 THOUSAND, TWO THOUSAND FIVE HUNDRED DOLLARS; WHERE THE SEATING CAPACITY  
7 IS MORE THAN TWENTY-FIVE THOUSAND, THREE THOUSAND FIVE HUNDRED DOLLARS;  
8 REFEREE, ONE HUNDRED DOLLARS; JUDGES, ONE HUNDRED DOLLARS; PROFESSIONAL  
9 COMBATIVE SPORTS PARTICIPANTS, FIFTY DOLLARS; MANAGERS, FIFTY DOLLARS;  
10 TRAINERS, FIFTY DOLLARS; AND CHIEF SECONDS, FORTY DOLLARS. EACH LICENSE  
11 OR RENEWAL THEREOF ISSUED PURSUANT TO THIS SUBDIVISION ON OR AFTER OCTO-  
12 BER FIRST SHALL BE EFFECTIVE FOR A LICENSE YEAR EXPIRING ON THE THIRTI-  
13 ETH DAY OF SEPTEMBER FOLLOWING THE DATE OF ITS ISSUANCE. THE ANNUAL  
14 LICENSE FEE PRESCRIBED BY THIS SUBDIVISION SHALL BE THE LICENSE FEE DUE  
15 AND PAYABLE THEREFOR AND SHALL BE PAID IN ADVANCE AT THE TIME APPLICA-  
16 TION IS MADE THEREFOR, AND EACH SUCH LICENSE MAY BE RENEWED FOR PERIODS  
17 OF ONE YEAR UPON THE PAYMENT OF THE ANNUAL LICENSE FEE PRESCRIBED BY  
18 THIS SUBDIVISION. WITHIN THREE YEARS FROM THE DATE OF PAYMENT AND UPON  
19 THE AUDIT OF THE COMPTROLLER, THE COMMISSION MAY REFUND ANY FEE, UNFOR-  
20 FEITED POSTED GUARANTEE OR TAX PAID PURSUANT TO THIS SECTION, FOR WHICH  
21 NO LICENSE IS ISSUED OR NO SERVICE RENDERED OR REFUND THAT PORTION OF  
22 THE PAYMENT THAT IS IN EXCESS OF THE AMOUNT PRESCRIBED BY STATUTE.

23 8. APPLICATION FOR LICENSE; FINGERPRINTS. (A) EVERY APPLICATION FOR A  
24 LICENSE SHALL BE IN WRITING, SHALL BE ADDRESSED TO THE COMMISSION, SHALL  
25 BE SUBSCRIBED BY THE APPLICANT, AND AFFIRMED BY HIM AS TRUE UNDER THE  
26 PENALTIES OF PERJURY, AND SHALL SET FORTH SUCH FACTS AS THE PROVISIONS  
27 HEREOF AND THE RULES AND REGULATIONS OF THE COMMISSION MAY REQUIRE.

28 (B) WHEN AN APPLICATION IS MADE FOR A LICENSE UNDER THIS SECTION, THE  
29 COMMISSION MAY CAUSE THE FINGERPRINTS OF SUCH APPLICANT, OR IF SUCH  
30 APPLICANT BE A CORPORATION, OF THE OFFICERS OF SUCH CORPORATION, OR IF  
31 SUCH APPLICANT BE A LIMITED LIABILITY COMPANY, THE MANAGER OF SUCH  
32 LIMITED LIABILITY COMPANY TO BE TAKEN IN DUPLICATE. THE APPLICANT SHALL  
33 BE RESPONSIBLE FOR THE COST OF HAVING HIS FINGERPRINTS TAKEN. IF SUCH  
34 FINGERPRINTS ARE TAKEN, ONE COPY SHALL BE TRANSMITTED TO THE DIVISION OF  
35 CRIMINAL JUSTICE SERVICES IN ACCORDANCE WITH THE RULES AND REGULATIONS  
36 OF THE DIVISION OF CRIMINAL JUSTICE SERVICES AND ONE SHALL REMAIN ON  
37 FILE IN THE OFFICE OF THE COMMISSION. NO SUCH FINGERPRINT MAY BE  
38 INSPECTED BY ANY PERSON, OTHER THAN A PEACE OFFICER, EXCEPT ON ORDER OF  
39 A JUDGE OR JUSTICE OF A COURT OF RECORD. THE DIVISION IS HEREBY AUTHOR-  
40 IZED TO TRANSMIT CRIMINAL HISTORY INFORMATION TO THE COMMISSION FOR THE  
41 PURPOSES OF THIS PARAGRAPH. THE INFORMATION OBTAINED BY ANY SUCH FING-  
42 ERPRINT EXAMINATION SHALL BE FOR THE GUIDANCE OF THE COMMISSION IN THE  
43 EXERCISE OF ITS DISCRETION IN GRANTING OR WITHHOLDING THE LICENSE. THE  
44 COMMISSION SHALL PROVIDE SUCH APPLICANT WITH A COPY OF HIS OR HER CRIMI-  
45 NAL HISTORY RECORD, IF ANY, TOGETHER WITH A COPY OF ARTICLE  
46 TWENTY-THREE-A OF THE CORRECTION LAW, AND INFORM SUCH APPLICANT OF HIS  
47 OR HER RIGHT TO SEEK CORRECTION OF ANY INCORRECT INFORMATION CONTAINED  
48 IN SUCH RECORD PURSUANT TO REGULATIONS AND PROCEDURES ESTABLISHED BY THE  
49 DIVISION OF CRIMINAL JUSTICE SERVICES. ALL DETERMINATIONS TO ISSUE,  
50 RENEW, SUSPEND OR REVOKE A LICENSE SHALL BE MADE IN ACCORDANCE WITH  
51 SUBDIVISION SIXTEEN OF SECTION TWO HUNDRED NINETY-SIX OF THE EXECUTIVE  
52 LAW AND ARTICLE TWENTY-THREE-A OF THE CORRECTION LAW.

53 9. STANDARDS FOR THE ISSUANCE OF LICENSES. (A) IF IN THE JUDGMENT OF  
54 THE COMMISSION THE FINANCIAL RESPONSIBILITY, EXPERIENCE, CHARACTER AND  
55 GENERAL FITNESS OF AN APPLICANT, INCLUDING IN THE CASE OF CORPORATIONS  
56 ITS OFFICERS AND STOCKHOLDERS, ARE SUCH THAT THE PARTICIPATION OF SUCH

1 APPLICANT WILL BE CONSISTENT WITH THE BEST INTERESTS OF COMBATIVE  
2 SPORTS, THE PURPOSES OF THIS SECTION INCLUDING THE SAFETY OF PROFES-  
3 SIONAL COMBATIVE SPORTS PARTICIPANTS, AND IN THE PUBLIC INTEREST,  
4 CONVENIENCE OR NECESSITY, THE COMMISSION SHALL GRANT A LICENSE IN  
5 ACCORDANCE WITH THE PROVISIONS CONTAINED IN THIS SUBDIVISION.

6 (B) ANY PROFESSIONAL COMBATIVE SPORTS PARTICIPANT APPLYING FOR A  
7 LICENSE OR RENEWAL OF A LICENSE UNDER THIS SUBDIVISION SHALL UNDERGO A  
8 COMPREHENSIVE PHYSICAL EXAMINATION INCLUDING CLINICAL NEUROLOGICAL AND  
9 NEUROPSYCHOLOGICAL EXAMINATIONS BY A PHYSICIAN APPROVED BY THE COMMIS-  
10 SION. IF, AT THE TIME OF SUCH EXAMINATION, THERE IS ANY INDICATION OF  
11 BRAIN INJURY, OR FOR ANY OTHER REASON THE PHYSICIAN DEEMS IT APPROPRI-  
12 ATE, THE PROFESSIONAL COMBATIVE SPORTS PARTICIPANT SHALL BE REQUIRED TO  
13 UNDERGO FURTHER NEUROLOGICAL AND NEUROPSYCHOLOGICAL EXAMINATIONS BY A  
14 NEUROLOGIST INCLUDING, BUT NOT LIMITED TO, A COMPUTED TOMOGRAPHY OR  
15 MEDICALLY EQUIVALENT PROCEDURE. THE COMMISSION SHALL NOT ISSUE A LICENSE  
16 TO A PROFESSIONAL COMBATIVE SPORTS PARTICIPANT UNTIL SUCH EXAMINATIONS  
17 ARE COMPLETED AND REVIEWED BY THE COMMISSION. THE RESULTS OF ALL SUCH  
18 EXAMINATIONS HEREIN REQUIRED SHALL BECOME A PART OF THE PROFESSIONAL  
19 COMBATIVE SPORTS PARTICIPANT'S PERMANENT MEDICAL RECORD AS MAINTAINED BY  
20 THE COMMISSION. THE COST OF ALL SUCH EXAMINATIONS CALLED FOR IN THIS  
21 SUBDIVISION SHALL BE ASSUMED BY THE STATE IF SUCH EXAMINATIONS ARE  
22 PERFORMED BY A PHYSICIAN OR NEUROLOGIST APPROVED BY THE COMMISSION.

23 (C) ANY PROFESSIONAL COMBATIVE SPORTS PARTICIPANT LICENSED UNDER THIS  
24 CHAPTER SHALL, AS A CONDITION OF LICENSURE, WAIVE RIGHT OF CONFIDENTIAL-  
25 ITY OF MEDICAL RECORDS RELATING TO TREATMENT OF ANY PHYSICAL CONDITION  
26 WHICH RELATES TO HIS ABILITY TO FIGHT. ALL MEDICAL REPORTS SUBMITTED TO,  
27 AND ALL MEDICAL RECORDS OF THE MEDICAL ADVISORY BOARD OR THE COMMISSION  
28 RELATIVE TO THE PHYSICAL EXAMINATION OR CONDITION OF COMBATIVE SPORTS  
29 PARTICIPANTS SHALL BE CONSIDERED CONFIDENTIAL, AND SHALL BE OPEN TO  
30 EXAMINATION ONLY TO THE COMMISSION OR ITS AUTHORIZED REPRESENTATIVE, TO  
31 THE LICENSED PARTICIPANT, MANAGER OR CHIEF SECOND UPON WRITTEN APPLICA-  
32 TION TO EXAMINE SAID RECORDS, OR UPON THE ORDER OF A COURT OF COMPETENT  
33 JURISDICTION IN AN APPROPRIATE CASE.

34 10. FINANCIAL INTEREST IN PROFESSIONAL COMBATIVE SPORTS PARTICIPANTS  
35 PROHIBITED. NO ENTITY SHALL HAVE, EITHER DIRECTLY OR INDIRECTLY, ANY  
36 FINANCIAL INTEREST IN A PROFESSIONAL COMBATIVE SPORTS PARTICIPANT  
37 COMPETING ON PREMISES OWNED OR LEASED BY THE ENTITY, OR IN WHICH SUCH  
38 ENTITY IS OTHERWISE INTERESTED EXCEPT PURSUANT TO THE SPECIFIC WRITTEN  
39 AUTHORIZATION OF THE COMMISSION.

40 11. PAYMENTS NOT TO BE MADE BEFORE CONTESTS. NO PROFESSIONAL COMBATIVE  
41 SPORTS PARTICIPANT SHALL BE PAID FOR SERVICES BEFORE THE CONTEST, AND  
42 SHOULD IT BE DETERMINED BY THE COMMISSION THAT SUCH PARTICIPANT DID NOT  
43 GIVE AN HONEST EXHIBITION OF HIS SKILL, SUCH SERVICE SHALL NOT BE PAID  
44 FOR.

45 12. SHAM OR COLLUSIVE EVENTS. (A) ANY PERSON, INCLUDING ANY CORPO-  
46 RATION AND THE OFFICERS THEREOF, ANY PHYSICIAN, LIMITED LIABILITY COMPA-  
47 NY, REFEREE, JUDGE, PROFESSIONAL COMBATIVE SPORTS PARTICIPANT, MANAGER,  
48 TRAINER OR CHIEF SECOND, WHO SHALL PROMOTE, CONDUCT, GIVE OR PARTICIPATE  
49 IN ANY SHAM OR COLLUSIVE PROFESSIONAL COMBATIVE SPORTS MATCH OR EXHIBI-  
50 TION, SHALL BE DEPRIVED OF HIS LICENSE BY THE COMMISSION.

51 (B) NO LICENSED ENTITY SHALL KNOWINGLY ENGAGE IN A COURSE OF CONDUCT  
52 IN WHICH PROFESSIONAL COMBATIVE SPORTS MATCHES OR EXHIBITIONS ARE  
53 ARRANGED WHERE ONE PROFESSIONAL COMBATIVE SPORTS PARTICIPANT HAS SKILLS  
54 OR EXPERIENCE SIGNIFICANTLY IN EXCESS OF THE OTHER PROFESSIONAL COMBA-  
55 TIVE SPORTS PARTICIPANT SO THAT A MISMATCH RESULTS WITH THE POTENTIAL OF  
56 PHYSICAL HARM TO THE PROFESSIONAL COMBATIVE SPORTS PARTICIPANT. IF SUCH

1 ACTION OCCURS, THE COMMISSION MAY EXERCISE ITS POWERS TO DISCIPLINE  
2 UNDER SUBDIVISIONS THIRTEEN AND FOURTEEN OF THIS SECTION, PROVIDED THAT  
3 NOTHING IN THIS SUBDIVISION SHALL AUTHORIZE THE COMMISSION TO INTERVENE  
4 OR PROHIBIT A PROFESSIONAL COMBATIVE SPORTS MATCH OR EXHIBITION SOLELY  
5 ON THE BASIS OF THE DIFFERENCE BETWEEN RESPECTIVE PARTICIPANT'S MARTIAL  
6 ARTS DISCIPLINES.

7 13. IMPOSITION OF PENALTIES FOR VIOLATIONS. ANY ENTITY, LICENSED UNDER  
8 THE PROVISIONS OF THIS SECTION, THAT SHALL KNOWINGLY VIOLATE ANY RULE OR  
9 ORDER OF THE COMMISSION OR ANY PROVISION OF THIS SECTION, IN ADDITION TO  
10 ANY OTHER PENALTY BY LAW PRESCRIBED, SHALL BE LIABLE TO A CIVIL PENALTY  
11 NOT EXCEEDING FIVE THOUSAND DOLLARS TO BE IMPOSED BY THE COMMISSION, TO  
12 BE SUED FOR BY THE ATTORNEY GENERAL IN THE NAME OF THE PEOPLE OF THE  
13 STATE OF NEW YORK IF DIRECTED BY THE COMMISSION. THE AMOUNT OF THE  
14 PENALTY COLLECTED BY THE COMMISSION OR RECOVERED IN ANY SUCH ACTION, OR  
15 PAID TO THE COMMISSION UPON A COMPROMISE AS HEREINAFTER PROVIDED, SHALL  
16 BE TRANSMITTED BY THE DEPARTMENT OF STATE INTO THE STATE TREASURY AND  
17 CREDITED TO THE GENERAL FUND. THE COMMISSION, FOR CAUSE SHOWN, MAY  
18 EXTEND THE TIME FOR THE PAYMENT OF SUCH PENALTY AND, BY COMPROMISE, MAY  
19 ACCEPT LESS THAN THE AMOUNT OF SUCH PENALTY AS IMPOSED IN SETTLEMENT  
20 THEREOF.

21 14. REVOCATION OR SUSPENSION OF LICENSES. (A) ANY LICENSE ISSUED UNDER  
22 THE PROVISIONS OF THIS SECTION MAY BE REVOKED OR SUSPENDED BY THE  
23 COMMISSION FOR THE REASON THEREIN STATED, THAT THE LICENSEE HAS, IN THE  
24 JUDGMENT OF THE COMMISSION, BEEN GUILTY OF AN ACT DETRIMENTAL TO THE  
25 INTERESTS OF COMBATIVE SPORTS GENERALLY OR TO THE PUBLIC INTEREST,  
26 CONVENIENCE OR NECESSITY.

27 (B) WITHOUT OTHERWISE LIMITING THE DISCRETION OF THE COMMISSION AS  
28 PROVIDED IN THIS SECTION, THE COMMISSION MAY SUSPEND OR REVOKE A LICENSE  
29 OR REFUSE TO RENEW OR ISSUE A LICENSE, IF IT SHALL FIND THAT THE APPLI-  
30 CANT OR PARTICIPANT: (1) HAS BEEN CONVICTED OF A CRIME IN ANY JURISDIC-  
31 TION; (2) IS ASSOCIATING OR CONSORTING WITH ANY PERSON WHO HAS OR  
32 PERSONS WHO HAVE BEEN CONVICTED OF A CRIME OR CRIMES IN ANY JURISDICTION  
33 OR JURISDICTIONS; (3) HAS BEEN GUILTY OF OR ATTEMPTED ANY FRAUD OR  
34 MISREPRESENTATION IN CONNECTION WITH COMBATIVE SPORTS; (4) HAS VIOLATED  
35 OR ATTEMPTED TO VIOLATE ANY LAW WITH RESPECT TO COMBATIVE SPORTS IN ANY  
36 JURISDICTION OR ANY RULE, REGULATION OR ORDER OF THE COMMISSION, OR  
37 SHALL HAVE VIOLATED ANY RULE OF COMBATIVE SPORTS WHICH SHALL HAVE BEEN  
38 APPROVED OR ADOPTED BY THE COMMISSION, OR HAS BEEN GUILTY OF OR ENGAGED  
39 IN SIMILAR, RELATED OR LIKE PRACTICES; OR (5) HAS NOT ACTED IN THE BEST  
40 INTEREST OF MIXED MARTIAL ARTS. ALL DETERMINATIONS TO ISSUE, RENEW,  
41 SUSPEND OR REVOKE A LICENSE SHALL BE MADE IN ACCORDANCE WITH SUBDIVISION  
42 SIXTEEN OF SECTION TWO HUNDRED NINETY-SIX OF THE EXECUTIVE LAW AND ARTI-  
43 CLE TWENTY-THREE-A OF THE CORRECTION LAW AS APPLICABLE.

44 (C) NO SUCH PARTICIPANT MAY, UNDER ANY CIRCUMSTANCES, COMPETE OR  
45 APPEAR IN A PROFESSIONAL COMBATIVE SPORTS MATCH OR EXHIBITION WITHIN  
46 NINETY DAYS OF HAVING SUFFERED A KNOCKOUT OR TECHNICAL KNOCKOUT IN ANY  
47 SUCH MATCH OR EXHIBITION WITHOUT CLEARANCE BY THE BOARD, OR WITHIN NINE-  
48 TY DAYS OF BEING RENDERED UNCONSCIOUS IN ANY SUCH MATCH OR EXHIBITION  
49 WHERE THERE IS EVIDENCE OF HEAD TRAUMA AS DETERMINED BY THE ATTENDING  
50 COMMISSION PHYSICIAN AND SHALL UNDERGO SUCH EXAMINATIONS AS REQUIRED  
51 UNDER PARAGRAPH (B) OF SUBDIVISION TWENTY OF THIS SECTION. THE PROFES-  
52 SIONAL COMBATIVE SPORTS PARTICIPANT SHALL BE CONSIDERED SUSPENDED FROM  
53 PROFESSIONAL COMBATIVE SPORTS MATCHES OR EXHIBITIONS BY THE COMMISSION  
54 AND SHALL FORFEIT HIS LICENSE TO THE COMMISSION DURING SUCH PERIOD AND  
55 SUCH LICENSE SHALL NOT BE RETURNED TO THE PARTICIPANT UNTIL THE PARTIC-  
56 IPANT HAS MET ALL REQUIREMENTS, MEDICAL AND OTHERWISE, FOR REINSTATEMENT



1 OF SUCH LICENSE. ALL SUCH SUSPENSIONS SHALL BE RECORDED IN THE PARTIC-  
2 IPANT'S LICENSE BY A COMMISSION OFFICIAL.

3 (D) THE COMMISSION MAY AT ANY TIME SUSPEND, REVOKE OR DENY A PARTIC-  
4 IPANT'S LICENSE OR TEMPORARY WORKING PERMIT FOR MEDICAL REASONS AT THE  
5 RECOMMENDATION OF THE BOARD.

6 (E) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IF ANY OTHER STATE  
7 SHALL REVOKE A LICENSEE'S LICENSE TO COMPETE OR APPEAR IN A PROFESSIONAL  
8 COMBATIVE SPORTS MATCH OR EXHIBITION IN THAT STATE BASED ON A KNOWING  
9 AND INTENTIONAL ENGAGEMENT IN ANY PROHIBITED PRACTICES OF SUCH STATE,  
10 THE COMMISSION MAY ACT TO REVOKE ANY LICENSE TO COMPETE OR APPEAR IN A  
11 PROFESSIONAL COMBATIVE SPORTS MATCH OR EXHIBITION ISSUED TO SUCH LICEN-  
12 SEE PURSUANT TO THE PROVISIONS OF THIS SECTION.

13 (F) THE COMMISSION MAY SUSPEND ANY LICENSE IT HAS ISSUED BY A DATED  
14 NOTICE TO THAT EFFECT TO THE SUSPENDED LICENSEE, MAILED OR DELIVERED TO  
15 THE LICENSEE, AND SPECIFYING THE EFFECTIVE DATE AND TERM OF THE SUSPEN-  
16 SION, PROVIDED HOWEVER THAT THE COMMISSION REPRESENTATIVE IN CHARGE OF A  
17 CONTEST OR EXHIBITION MAY THEN AND THERE TEMPORARILY SUSPEND ANY LICENSE  
18 ISSUED BY THE COMMISSION WITHOUT SUCH NOTICE. IN THE EVENT OF A TEMPO-  
19 RARY SUSPENSION, THE COMMISSION SHALL MAIL OR DELIVER THE NOTICE TO THE  
20 SUSPENDED LICENSEE WITHIN THREE BUSINESS DAYS AFTER THE TEMPORARY  
21 SUSPENSION. IN EITHER CASE SUCH SUSPENSION MAY BE WITHOUT ANY ADVANCE  
22 HEARING. UPON THE RECEIPT OF SUCH NOTICE OF SUSPENSION, THE SUSPENDED  
23 LICENSEE MAY APPLY TO THE COMMISSION FOR A HEARING ON THE MATTER TO  
24 DETERMINE WHETHER SUCH SUSPENSION SHOULD BE RESCINDED. SUCH APPLICATION  
25 FOR A HEARING MUST BE IN WRITING AND MUST BE RECEIVED BY THE COMMISSION  
26 WITHIN THIRTY DAYS AFTER THE DATE OF NOTICE OF SUSPENSION. THE COMMIS-  
27 SION SHALL HAVE THE AUTHORITY TO REVOKE ANY LICENSE ISSUED BY IT. BEFORE  
28 ANY LICENSE IS SO REVOKED, THE LICENSEE WILL BE OFFERED THE OPPORTUNITY  
29 AT A HEARING HELD BY OR ON BEHALF OF THE COMMISSION TO SHOW CAUSE WHY  
30 THE LICENSE SHOULD NOT BE REVOKED. THE COMMISSION SHALL OFFER THE OPPOR-  
31 TUNITY FOR A HEARING TO AN AFFECTED PERSON BEFORE TAKING ANY FINAL  
32 ACTION NEGATIVELY AFFECTING SUCH PERSON'S INDIVIDUAL PRIVILEGES OR PROP-  
33 erty GRANTED BY A LICENSE DULY ISSUED BY THE COMMISSION OR A CONTRACT  
34 APPROVED BY AND FILED WITH THE COMMISSION. IN ALL SUCH HEARINGS, LICEN-  
35 SEES AND OTHER WITNESSES SHALL TESTIFY UNDER OATH OR AFFIRMATION, WHICH  
36 MAY BE ADMINISTERED BY ANY COMMISSIONER OR AUTHORIZED REPRESENTATIVE OF  
37 THE COMMISSION ACTUALLY PRESENT. THE COMMISSION SHALL BE THE SOLE JUDGE  
38 OF THE RELEVANCY AND COMPETENCY OF TESTIMONY AND OTHER EVIDENCE, THE  
39 CREDIBILITY OF WITNESSES, AND THE SUFFICIENCY OF EVIDENCE. HEARINGS MAY  
40 BE CONDUCTED BY REPRESENTATIVES OF THE COMMISSION IN THE DISCRETION OF  
41 THE COMMISSION. IN SUCH CASES, THE COMMISSION REPRESENTATIVES CONDUCTING  
42 THE HEARING SHALL SUBMIT FINDINGS OF FACT AND RECOMMENDATIONS TO THE  
43 COMMISSION, WHICH SHALL NOT BE BINDING ON THE COMMISSION.

44 15. ADVERTISING MATTER TO STATE ADMISSION PRICE. IT SHALL BE THE DUTY  
45 OF EVERY ENTITY PROMOTING OR CONDUCTING A PROFESSIONAL COMBATIVE SPORTS  
46 MATCH OR EXHIBITION SUBJECT TO THE PROVISIONS OF THIS SECTION TO CAUSE  
47 TO BE INSERTED IN EACH SHOW CARD, BILL, POSTER, NEWSPAPER ADVERTISEMENT  
48 OF ANY PROFESSIONAL COMBATIVE SPORTS MATCH OR EXHIBITION GIVEN BY IT,  
49 THE PRICE OF ADMISSION THERETO. VIOLATION OF THE PROVISIONS OF THIS  
50 SUBDIVISION SHALL SUBJECT THE ENTITY TO A FINE OF ONE HUNDRED DOLLARS.

51 16. TICKETS TO INDICATE PURCHASE PRICE. ALL TICKETS OF ADMISSION TO  
52 ANY SUCH COMBATIVE SPORTS MATCH OR EXHIBITION SHALL BE CONTROLLED BY THE  
53 PROVISIONS OF ARTICLE TWENTY-FIVE OF THE ARTS AND CULTURAL AFFAIRS LAW.  
54 IT SHALL BE UNLAWFUL FOR ANY ENTITY TO ADMIT TO SUCH MATCH OR EXHIBITION  
55 A NUMBER OF PEOPLE GREATER THAN THE SEATING CAPACITY OF THE PLACE WHERE  
56 SUCH MATCH OR EXHIBITION IS HELD. VIOLATION OF THIS SUBDIVISION SHALL BE

1 A MISDEMEANOR AND SHALL BE PUNISHABLE AS SUCH AND IN ADDITION SHALL  
2 INCUR FORFEITURE OF LICENSE.

3 17. EQUIPMENT OF BUILDINGS FOR MATCHES OR EXHIBITIONS. ALL BUILDINGS  
4 OR STRUCTURES USED OR INTENDED TO BE USED FOR HOLDING OR GIVING SUCH  
5 PROFESSIONAL COMBATIVE SPORTS MATCHES OR EXHIBITIONS SHALL BE PROPERLY  
6 VENTILATED AND PROVIDED WITH FIRE EXITS AND FIRE ESCAPES, AND IN ALL  
7 MANNER CONFORM TO THE LAWS, ORDINANCES AND REGULATIONS PERTAINING TO  
8 BUILDINGS IN THE CITY, TOWN OR VILLAGE WHERE SITUATED.

9 18. AGE OF PARTICIPANTS AND SPECTATORS. NO PERSON UNDER THE AGE OF  
10 EIGHTEEN YEARS SHALL PARTICIPATE IN ANY PROFESSIONAL COMBATIVE SPORTS  
11 MATCH OR EXHIBITION, AND NO PERSON UNDER SIXTEEN YEARS OF AGE SHALL BE  
12 PERMITTED TO ATTEND AS A SPECTATOR; PROVIDED, HOWEVER, THAT A PERSON  
13 UNDER THE AGE OF SIXTEEN SHALL BE PERMITTED TO ATTEND AS A SPECTATOR IF  
14 ACCOMPANIED BY A PARENT OR GUARDIAN.

15 19. REGULATION OF CONDUCT OF MATCHES OR EXHIBITIONS. (A) EXCEPT FOR  
16 CHAMPIONSHIP MATCHES, WHICH SHALL NOT BE MORE THAN FIVE ROUNDS, NO  
17 COMBATIVE SPORTS MATCH OR EXHIBITION SHALL BE MORE THAN THREE ROUNDS IN  
18 LENGTH. NO PARTICIPANT SHALL BE ALLOWED TO PARTICIPATE IN MORE THAN  
19 THREE MATCHES OR EXHIBITIONS OR COMPETE FOR MORE THAN SIXTY MINUTES  
20 WITHIN SEVENTY-TWO CONSECUTIVE HOURS. NO PARTICIPANT SHALL BE ALLOWED  
21 TO COMPETE IN ANY SUCH MATCH OR EXHIBITION WITHOUT WEARING A MOUTHGUARD  
22 AND A PROTECTIVE GROIN CUP. AT EACH PROFESSIONAL COMBATIVE SPORTS MATCH  
23 OR EXHIBITION, THERE SHALL BE IN ATTENDANCE A DULY LICENSED REFEREE WHO  
24 SHALL DIRECT AND CONTROL THE SAME. BEFORE STARTING SUCH CONTEST THE  
25 REFEREE SHALL ASCERTAIN FROM EACH PARTICIPANT THE NAME OF HIS MANAGER OR  
26 CHIEF SECOND, AND SHALL HOLD SUCH MANAGER OR CHIEF SECOND RESPONSIBLE  
27 FOR THE CONDUCT OF HIS ASSISTANT SECONDS DURING THE PROGRESS OF THE  
28 MATCH OR EXHIBITION. THE COMMISSION SHALL HAVE THE POWER IN ITS  
29 DISCRETION TO DECLARE FORFEITED ANY PRIZE, REMUNERATION OR PURSE, OR ANY  
30 PART THEREOF, BELONGING TO THE PARTICIPANTS OR ONE OF THEM, OR THE SHARE  
31 THEREOF OF ANY MANAGER OR CHIEF SECOND IF IN ITS JUDGMENT, SUCH PARTIC-  
32 IPANT OR PARTICIPANTS ARE NOT HONESTLY COMPETING OR THE PARTICIPANT OR  
33 MANAGER OR CHIEF SECOND OF A PARTICIPANT, AS THE CASE MAY BE, HAS  
34 COMMITTED AN ACT IN THE PREMISES IN VIOLATION OF ANY RULE, ORDER OR  
35 REGULATION OF THE COMMISSION. THE AMOUNT SO FORFEITED SHALL BE PAID  
36 WITHIN FORTY-EIGHT HOURS TO THE COMMISSION. THERE SHALL ALSO BE IN  
37 ATTENDANCE, THREE DULY LICENSED JUDGES WHO SHALL AT THE TERMINATION OF  
38 EACH SUCH COMBATIVE SPORTS MATCH OR EXHIBITION RENDER THEIR DECISION.  
39 THE WINNER OF SUCH MATCH OR EXHIBITION SHALL BE DETERMINED IN ACCORDANCE  
40 WITH A SCORING SYSTEM PRESCRIBED BY THE COMMISSION. PROVIDED, HOWEVER,  
41 THAT A PARTICIPANT MAY TERMINATE THE CONTEST BY SIGNALLING TO THE REFER-  
42 EE THAT SUCH PARTICIPANT SUBMITS TO THE OPPONENT.

43 (B) THE COMMISSION MAY BY RULE, REGULATION OR ORDER, REQUIRE THE PRES-  
44 ENCE OF ANY MEDICAL EQUIPMENT AND PERSONNEL AT EACH PROFESSIONAL COMBA-  
45 TIVE SPORTS MATCH OR EXHIBITION AS IS NECESSARY OR BENEFICIAL FOR THE  
46 SAFETY AND PROTECTION OF THE CONTESTANTS; AND MAY ALSO REQUIRE THE PRES-  
47 ENCE OF AN AMBULANCE OR OTHER APPARATUS AT THE SITE OF ANY SUCH MATCH OR  
48 EXHIBITION OR THE PROMULGATION OF AN EMERGENCY MEDICAL PLAN IN LIEU  
49 THEREOF.

50 (C) THE COMMISSION SHALL PRESCRIBE BY RULE OR REGULATION THE RESPONSI-  
51 BILITIES OF MANAGERS, TRAINERS AND CHIEF SECONDS PRIOR TO, DURING AND  
52 AFTER A COMBATIVE SPORTS MATCH OR EXHIBITION IN ORDER TO PROMOTE THE  
53 SAFETY OF THE PARTICIPANTS AT ALL TIMES.

54 (D) THE COMMISSION SHALL REQUIRE BY RULE OR REGULATION THAT ANY  
55 PROFESSIONAL COMBATIVE SPORTS PARTICIPANT LICENSED UNDER THIS SECTION  
56 PRESENT TO A DESIGNATED COMMISSION OFFICIAL, BEFORE EACH MATCH OR EXHI-

1 BITION IN WHICH HE FIGHTS IN THIS STATE, A LICENSE WHICH SHALL INCLUDE  
2 BUT NOT BE LIMITED TO THE FOLLOWING INFORMATION: (1) THE PARTICIPANT'S  
3 NAME, PHOTOGRAPH, SOCIAL SECURITY NUMBER, DATE OF BIRTH, AND OTHER IDEN-  
4 TIFYING INFORMATION; (2) THE PARTICIPANT'S PRIOR MATCH OR EXHIBITION  
5 HISTORY INCLUDING THE DATES, LOCATION, AND DECISION OF SUCH MATCHES OR  
6 EXHIBITIONS; AND (3) THE PARTICIPANT'S MEDICAL HISTORY, RELATING TO ANY  
7 PHYSICAL CONDITION, MEDICAL TEST OR PROCEDURE WHICH RELATES TO HIS ABIL-  
8 ITY TO FIGHT, AND A RECORD OF ALL MEDICAL SUSPENSIONS.

9 20. EXAMINATION BY PHYSICIAN; COST. (A) ALL PARTICIPANTS MUST BE EXAM-  
10 INED BY A PHYSICIAN DESIGNATED BY THE COMMISSION BEFORE ENTERING THE  
11 RING AND EACH SUCH PHYSICIAN SHALL IMMEDIATELY FILE WITH THE COMMISSION  
12 A WRITTEN REPORT OF SUCH EXAMINATION. THE COST OF ANY SUCH EXAMINATION,  
13 AS PRESCRIBED BY A SCHEDULE OF FEES ESTABLISHED BY THE COMMISSION, SHALL  
14 BE PAID BY THE ENTITY CONDUCTING THE MATCH OR EXHIBITION TO THE COMMIS-  
15 SION, WHICH SHALL THEN PAY THE FEE COVERING SUCH COST TO THE EXAMINING  
16 PHYSICIAN, IN ACCORDANCE WITH THE RULES OF THE COMMISSION.

17 (B) ANY PROFESSIONAL COMBATIVE SPORTS PARTICIPANT LICENSED OR PERMIT-  
18 TED UNDER THIS SECTION RENDERED UNCONSCIOUS OR SUFFERING HEAD TRAUMA AS  
19 DETERMINED BY THE ATTENDING PHYSICIAN SHALL BE IMMEDIATELY EXAMINED BY  
20 THE ATTENDING COMMISSION PHYSICIAN AND SHALL BE REQUIRED TO UNDERGO  
21 NEUROLOGICAL AND NEUROPSYCHOLOGICAL EXAMINATIONS BY A NEUROLOGIST  
22 INCLUDING BUT NOT LIMITED TO A COMPUTED TOMOGRAPHY OR MEDICALLY EQUIV-  
23 ALENT PROCEDURE. ANY PARTICIPANT SO INJURED SHALL NOT APPEAR IN ANY  
24 MATCH OR EXHIBITION UNTIL RESULTS OF SUCH EXAMINATIONS ARE REVIEWED BY  
25 THE COMMISSION. THE RESULTS OF ALL SUCH EXAMINATIONS HEREIN REQUIRED  
26 SHALL BECOME A PART OF THE PARTICIPANT'S PERMANENT MEDICAL RECORDS AS  
27 MAINTAINED BY THE COMMISSION AND SHALL BE USED BY THE COMMISSION TO  
28 DETERMINE WHETHER A PARTICIPANT SHALL BE PERMITTED TO APPEAR IN ANY  
29 FUTURE PROFESSIONAL COMBATIVE SPORTS MATCH OR EXHIBITION. THE COSTS OF  
30 ALL SUCH EXAMINATIONS CALLED FOR IN THIS PARAGRAPH SHALL BE ASSUMED BY  
31 THE ENTITY OR PROMOTER IF SUCH EXAMINATIONS ARE PERFORMED BY A PHYSICIAN  
32 APPROVED BY THE COMMISSION.

33 (C) THE COMMISSION MAY AT ANY TIME REQUIRE A LICENSED OR PERMITTED  
34 PARTICIPANT TO UNDERGO A PHYSICAL EXAMINATION, INCLUDING ANY NEUROLOGI-  
35 CAL OR NEUROPSYCHOLOGICAL TEST OR PROCEDURE. THE COST OF SUCH EXAM SHALL  
36 BE ASSUMED BY THE STATE.

37 21. PHYSICIAN TO BE IN ATTENDANCE; POWERS OF SUCH PHYSICIAN. (A) IT  
38 SHALL BE THE DUTY OF EVERY ENTITY LICENSED TO CONDUCT A COMBATIVE SPORTS  
39 MATCH OR EXHIBITION, TO HAVE IN ATTENDANCE AT EVERY MATCH OR EXHIBITION  
40 AT LEAST ONE PHYSICIAN DESIGNATED BY THE COMMISSION AS THE RULES SHALL  
41 PROVIDE. THE COMMISSION MAY ESTABLISH A SCHEDULE OF FEES TO BE PAID BY  
42 THE LICENSEE TO COVER THE COST OF SUCH ATTENDANCE. SUCH FEES SHALL BE  
43 PAID TO THE COMMISSION, WHICH SHALL THEN PAY SUCH FEES TO THE PHYSICIANS  
44 ENTITLED THERETO, IN ACCORDANCE WITH THE RULES OF THE COMMISSION.

45 (B) THE PHYSICIAN SHALL TERMINATE ANY PROFESSIONAL COMBATIVE SPORTS  
46 MATCH OR EXHIBITION IF IN THE OPINION OF SUCH PHYSICIAN ANY PARTICIPANT  
47 HAS RECEIVED SEVERE PUNISHMENT OR IS IN DANGER OF SERIOUS PHYSICAL INJU-  
48 RY. IN THE EVENT OF ANY SERIOUS PHYSICAL INJURY, SUCH PHYSICIAN SHALL  
49 IMMEDIATELY RENDER ANY EMERGENCY TREATMENT NECESSARY, RECOMMEND FURTHER  
50 TREATMENT OR HOSPITALIZATION IF REQUIRED, AND FULLY REPORT THE ENTIRE  
51 MATTER TO THE COMMISSION WITHIN TWENTY-FOUR HOURS AND IF NECESSARY,  
52 SUBSEQUENTLY THEREAFTER. SUCH PHYSICIAN MAY ALSO REQUIRE THAT THE  
53 INJURED PARTICIPANT AND HIS MANAGER OR CHIEF SECOND REMAIN IN THE RING  
54 OR ON THE PREMISES OR REPORT TO A HOSPITAL AFTER THE CONTEST FOR SUCH  
55 PERIOD OF TIME AS SUCH PHYSICIAN DEEMS ADVISABLE.

(C) SUCH PHYSICIAN MAY ENTER THE RING AT ANY TIME DURING A PROFESSIONAL COMBATIVE SPORTS MATCH OR EXHIBITION AND MAY TERMINATE THE MATCH OR EXHIBITION IF IN HIS OPINION THE SAME IS NECESSARY TO PREVENT SEVERE PUNISHMENT OR SERIOUS PHYSICAL INJURY TO A PARTICIPANT.

22. BOND. BEFORE A LICENSE SHALL BE GRANTED TO AN ENTITY TO CONDUCT A PROFESSIONAL COMBATIVE SPORTS MATCH OR EXHIBITION, THE APPLICANT SHALL EXECUTE AND FILE WITH THE COMPTROLLER A BOND IN AN AMOUNT TO BE DETERMINED BY THE COMMISSION, TO BE APPROVED AS TO FORM AND SUFFICIENCY OF SURETIES THEREON BY THE COMPTROLLER, CONDITIONED FOR THE FAITHFUL PERFORMANCE BY SUCH ENTITY OF THE PROVISIONS OF THIS SECTION AND THE RULES AND REGULATIONS OF THE COMMISSION, AND UPON THE FILING AND APPROVAL OF SUCH BOND THE COMPTROLLER SHALL ISSUE TO SUCH APPLICANT A CERTIFICATE OF SUCH FILING AND APPROVAL, WHICH SHALL BE BY SUCH APPLICANT FILED IN THE OFFICE OF THE COMMISSION WITH ITS APPLICATION FOR LICENSE, AND NO SUCH LICENSE SHALL BE ISSUED UNTIL SUCH CERTIFICATE SHALL BE FILED. IN CASE OF DEFAULT IN SUCH PERFORMANCE, THE COMMISSION MAY IMPOSE UPON THE DELINQUENT A PENALTY IN THE SUM OF NOT MORE THAN ONE THOUSAND DOLLARS FOR EACH OFFENSE, WHICH MAY BE RECOVERED BY THE ATTORNEY GENERAL IN THE NAME OF THE PEOPLE OF THE STATE OF NEW YORK IN THE SAME MANNER AS OTHER PENALTIES ARE RECOVERED BY LAW; ANY AMOUNT SO RECOVERED SHALL BE PAID INTO THE TREASURY.

23. BOND FOR PURSES, SALARIES AND OTHER EXPENSES. IN ADDITION TO THE BOND REQUIRED BY SUBDIVISION TWENTY-TWO OF THIS SECTION, EACH APPLICANT FOR A LICENSE TO CONDUCT PROFESSIONAL COMBATIVE SPORTS MATCHES OR EXHIBITIONS SHALL EXECUTE AND FILE WITH THE COMPTROLLER A BOND IN AN AMOUNT TO BE DETERMINED BY THE COMMISSION TO BE APPROVED AS TO FORM AND SUFFICIENCY OF SURETIES THEREON BY THE COMPTROLLER, CONDITIONED FOR AND GUARANTEEING THE PAYMENT OF PROFESSIONAL COMBATIVE SPORTS PARTICIPANTS' PURSES, SALARIES OF CLUB EMPLOYEES LICENSED BY THE COMMISSION, AND THE LEGITIMATE EXPENSES OF PRINTING TICKETS AND ALL ADVERTISING MATERIAL.

24. DUTY TO PROVIDE INSURANCE FOR LICENSED PROFESSIONAL COMBATIVE SPORTS PARTICIPANTS. (A) ALL ENTITIES HAVING LICENSES AS PROMOTERS SHALL CONTINUOUSLY PROVIDE INSURANCE FOR THE PROTECTION OF LICENSED PROFESSIONAL COMBATIVE SPORTS PARTICIPANTS, APPEARING IN PROFESSIONAL COMBATIVE SPORTS MATCHES OR EXHIBITIONS. SUCH INSURANCE COVERAGE SHALL PROVIDE FOR REIMBURSEMENT TO THE LICENSED ATHLETE FOR MEDICAL, SURGICAL AND HOSPITAL CARE, WITH A MINIMUM LIMIT OF FIFTY THOUSAND DOLLARS FOR INJURIES SUSTAINED WHILE PARTICIPATING IN ANY PROGRAM OPERATED UNDER THE CONTROL OF SUCH LICENSED PROMOTER AND FOR A PAYMENT OF ONE HUNDRED THOUSAND DOLLARS TO THE ESTATE OF ANY DECEASED ATHLETE WHERE SUCH DEATH IS OCCASIONED BY INJURIES RECEIVED DURING THE COURSE OF A MATCH OR EXHIBITION IN WHICH SUCH LICENSED ATHLETE PARTICIPATED UNDER THE PROMOTION OR CONTROL OF ANY LICENSED PROMOTER. THE COMMISSION MAY FROM TIME TO TIME, IN ITS DISCRETION, INCREASE THE AMOUNT OF SUCH MINIMUM LIMITS.

(B) THE FAILURE TO PAY PREMIUMS ON SUCH INSURANCE AS IS REQUIRED BY PARAGRAPH (A) OF THIS SUBDIVISION SHALL BE CAUSE FOR THE SUSPENSION OR THE REVOCATION OF THE LICENSE OF SUCH DEFAULTING PROMOTER.

25. NOTICE OF CONTEST; COLLECTION OF TAX. (A) EVERY ENTITY HOLDING ANY PROFESSIONAL COMBATIVE SPORTS MATCH OR EXHIBITION FOR WHICH AN ADMISSION FEE IS CHARGED OR RECEIVED, SHALL NOTIFY THE ATHLETIC COMMISSION TEN DAYS IN ADVANCE OF THE HOLDING OF SUCH CONTEST. ALL TICKETS OF ADMISSION TO ANY SUCH MATCH OR EXHIBITION SHALL BE PROCURED FROM A PRINTER DULY AUTHORIZED BY THE STATE ATHLETIC COMMISSION TO PRINT SUCH TICKETS AND SHALL BEAR CLEARLY UPON THE FACE THEREOF THE PURCHASE PRICE AND LOCATION OF SAME. AN ENTITY FAILING TO FULLY COMPLY WITH THIS SECTION SHALL BE SUBJECT TO A PENALTY OF FIVE HUNDRED DOLLARS TO BE COLLECTED BY AND PAID

1 TO THE DEPARTMENT OF STATE. AN ENTITY IS PROHIBITED FROM OPERATING ANY  
2 MATCHES OR EXHIBITIONS UNTIL ALL PENALTIES DUE PURSUANT TO THIS SUBDIVI-  
3 SION AND TAXES, INTEREST AND PENALTIES DUE PURSUANT TO ARTICLE NINETEEN  
4 OF THE TAX LAW HAVE BEEN PAID.

5 (B) PURSUANT TO DIRECTION BY THE COMMISSIONER OF TAXATION AND FINANCE,  
6 EMPLOYEES OR OFFICERS OF THE ATHLETIC COMMISSION SHALL ACT AS AGENTS OF  
7 THE COMMISSIONER OF TAXATION AND FINANCE TO COLLECT THE TAX IMPOSED BY  
8 ARTICLE NINETEEN OF THE TAX LAW. THE ATHLETIC COMMISSION SHALL PROVIDE  
9 THE COMMISSIONER OF TAXATION AND FINANCE WITH SUCH INFORMATION AND TECH-  
10 NICAL ASSISTANCE AS MAY BE NECESSARY FOR THE PROPER ADMINISTRATION OF  
11 SUCH TAX.

12 26. REGULATION OF JUDGES. (A) JUDGES FOR ANY PROFESSIONAL COMBATIVE  
13 SPORTS MATCH OR EXHIBITION UNDER THE JURISDICTION OF THE COMMISSION  
14 SHALL BE SELECTED BY THE COMMISSION FROM A LIST OF QUALIFIED LICENSED  
15 JUDGES MAINTAINED BY THE COMMISSION.

16 (B) ANY PROFESSIONAL COMBATIVE SPORT PARTICIPANT, MANAGER OR CHIEF  
17 SECOND MAY PROTEST THE ASSIGNMENT OF A JUDGE TO A PROFESSIONAL COMBATIVE  
18 SPORTS MATCH OR EXHIBITION AND THE PROTESTING PROFESSIONAL COMBATIVE  
19 SPORTS PARTICIPANT, MANAGER OR CHIEF SECOND MAY BE HEARD BY THE COMMIS-  
20 SION OR ITS DESIGNEE IF SUCH PROTEST IS TIMELY. IF THE PROTEST IS  
21 UNTIMELY IT SHALL BE SUMMARILY REJECTED.

22 (C) EACH PERSON SEEKING TO BE LICENSED AS A JUDGE BY THE COMMISSION  
23 SHALL BE REQUIRED TO SUBMIT TO OR PROVIDE PROOF OF AN EYE EXAMINATION  
24 AND ANNUALLY THEREAFTER ON THE ANNIVERSARY OF THE ISSUANCE OF THE  
25 LICENSE. EACH PERSON SEEKING TO BE A PROFESSIONAL COMBATIVE SPORTS JUDGE  
26 IN THE STATE SHALL BE CERTIFIED AS HAVING COMPLETED A TRAINING PROGRAM  
27 AS APPROVED BY THE COMMISSION AND SHALL HAVE PASSED A WRITTEN EXAMINA-  
28 TION APPROVED BY THE COMMISSION COVERING ASPECTS OF PROFESSIONAL COMBA-  
29 TIVE SPORTS INCLUDING, BUT NOT LIMITED TO, THE RULES OF THE SPORT, THE  
30 LAW OF THE STATE RELATING TO THE COMMISSION, AND BASIC FIRST AID. THE  
31 COMMISSION SHALL ESTABLISH CONTINUING EDUCATION PROGRAMS TO KEEP LICEN-  
32 SEES CURRENT ON AREAS OF REQUIRED KNOWLEDGE.

33 (D) EACH PERSON SEEKING A LICENSE TO BE A PROFESSIONAL COMBATIVE  
34 SPORTS JUDGE IN THIS STATE SHALL BE REQUIRED TO FILL OUT A FINANCIAL  
35 QUESTIONNAIRE CERTIFYING UNDER PENALTY OF PERJURY FULL DISCLOSURE OF THE  
36 JUDGE'S FINANCIAL SITUATION ON A QUESTIONNAIRE TO BE PROMULGATED BY THE  
37 COMMISSION. SUCH QUESTIONNAIRE SHALL BE IN A FORM AND MANNER APPROVED BY  
38 THE COMMISSION AND SHALL PROVIDE INFORMATION AS TO AREAS OF ACTUAL OR  
39 POTENTIAL CONFLICTS OF INTEREST AS WELL AS APPEARANCES OF SUCH  
40 CONFLICTS, INCLUDING FINANCIAL RESPONSIBILITY. WITHIN FORTY-EIGHT HOURS  
41 OF ANY PROFESSIONAL COMBATIVE SPORTS MATCH OR EXHIBITION, EACH COMBATIVE  
42 SPORTS JUDGE SHALL FILE WITH THE COMMISSION A FINANCIAL DISCLOSURE  
43 STATEMENT IN SUCH FORM AND MANNER AS SHALL BE ACCEPTABLE TO THE COMMIS-  
44 SION.

45 (E) ONLY A PERSON LICENSED BY THE COMMISSION MAY JUDGE A PROFESSIONAL  
46 COMBATIVE SPORTS MATCH OR EXHIBITION.

47 27. TRAINING FACILITIES. (A) THE COMMISSION MAY, IN ITS DISCRETION AND  
48 IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE COMMISSION TO PROTECT THE  
49 HEALTH AND SAFETY OF PROFESSIONAL COMBATIVE SPORT PARTICIPANTS IN TRAIN-  
50 ING, ISSUE A LICENSE TO OPERATE A TRAINING FACILITY PROVIDING CONTACT  
51 SPARRING MAINTAINED EITHER EXCLUSIVELY OR IN PART FOR THE USE OF PROFES-  
52 SIONAL COMBATIVE SPORT PARTICIPANTS. THE REGULATIONS OF THE COMMISSION  
53 SHALL INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING SUBJECTS TO PROTECT  
54 THE HEALTH AND SAFETY OF PROFESSIONAL COMBATIVE SPORT PARTICIPANTS:

55 (1) REQUIREMENTS FOR FIRST AID MATERIALS TO BE STORED IN AN ACCESSIBLE  
56 LOCATION ON THE PREMISES AND FOR THE PRESENCE ON THE PREMISES OF A

PERSON TRAINED AND CERTIFIED IN THE USE OF SUCH MATERIALS AND PROCEDURES FOR CARDIO-PULMONARY RESUSCITATION AT ALL TIMES DURING WHICH THE FACILITY IS OPEN FOR TRAINING PURPOSES;

(2) PROMINENT POSTING ADJACENT TO AN ACCESSIBLE TELEPHONE OF THE TELEPHONE NUMBER FOR EMERGENCY MEDICAL SERVICES AT THE NEAREST HOSPITAL;

(3) CLEAN AND SANITARY BATHROOMS, SHOWER ROOMS, LOCKER ROOMS AND FOOD SERVING AND STORAGE AREAS;

(4) ADEQUATE VENTILATION AND LIGHTING OF ACCESSIBLE AREAS OF THE TRAINING FACILITY;

(5) ESTABLISHMENT OF A POLICY CONCERNING THE RESTRICTION OF SMOKING IN TRAINING AREAS, INCLUDING PROVISIONS FOR ITS ENFORCEMENT BY THE FACILITY OPERATOR;

(6) COMPLIANCE WITH STATE AND LOCAL FIRE ORDINANCES;

(7) INSPECTION AND APPROVAL OF RINGS AS REQUIRED BY SUBDIVISION THIRTY OF THIS SECTION; AND

(8) ESTABLISHMENT OF A POLICY FOR POSTING ALL COMMISSION LICENSE SUSPENSIONS AND LICENSE REVOCATIONS RECEIVED FROM THE COMMISSION INCLUDING PROVISIONS FOR ENFORCEMENT OF SUCH SUSPENSIONS AND REVOCATIONS BY THE FACILITY OPERATOR.

(B) A PROSPECTIVE LICENSEE SHALL SUBMIT TO THE COMMISSION PROOF THAT IT CAN FURNISH SUITABLE FACILITIES IN WHICH THE TRAINING IS TO BE CONDUCTED, INCLUDING THE MAKING OF SUCH TRAINING FACILITIES AVAILABLE FOR INSPECTION BY THE COMMISSION AT ANY TIME DURING WHICH TRAINING IS IN PROGRESS.

28. TEMPORARY TRAINING FACILITIES. ANY TRAINING FACILITY PROVIDING CONTACT SPARRING ESTABLISHED AND MAINTAINED ON A TEMPORARY BASIS FOR THE PURPOSE OF PREPARING A PROFESSIONAL COMBATIVE SPORT PARTICIPANT FOR A SPECIFIC PROFESSIONAL COMBATIVE SPORTS MATCH OR EXHIBITION TO BE CONDUCTED, HELD OR GIVEN WITHIN THE STATE OF NEW YORK SHALL BE EXEMPT FROM THIS ACT INsofar AS IT CONCERNS THE LICENSING OF SUCH FACILITIES IF, IN THE JUDGMENT OF THE COMMISSION, ESTABLISHMENT AND MAINTENANCE OF SUCH FACILITY WILL BE CONSISTENT WITH THE PURPOSES AND PROVISIONS OF THIS CHAPTER, THE BEST INTERESTS OF PROFESSIONAL COMBATIVE SPORTS GENERALLY, AND THE PUBLIC INTEREST, CONVENIENCE OR NECESSITY.

29. WEIGHTS; CLASSES AND RULES. THE WEIGHTS AND CLASSES OF COMBATIVE SPORT PARTICIPANTS AND THE RULES AND REGULATIONS OF PROFESSIONAL COMBATIVE SPORTS SHALL BE PRESCRIBED BY THE COMMISSION.

30. RINGS OR FIGHTING AREAS. NO PROFESSIONAL COMBATIVE SPORTS MATCH OR EXHIBITION OR TRAINING ACTIVITY SHALL BE PERMITTED IN ANY RING OR FIGHTING AREA UNLESS SUCH RING OR FIGHTING AREA HAS BEEN INSPECTED AND APPROVED BY THE COMMISSION. THE COMMISSION SHALL PRESCRIBE STANDARD ACCEPTABLE SIZE AND QUALITY REQUIREMENTS FOR RINGS OR FIGHTING AREAS AND APPURTENANCES THERETO.

31. MISDEMEANOR. ANY ENTITY WHO INTENTIONALLY, DIRECTLY OR INDIRECTLY CONDUCTS, HOLDS OR GIVES A PROFESSIONAL COMBATIVE SPORTS MATCH OR EXHIBITION OR PARTICIPATES EITHER DIRECTLY OR INDIRECTLY IN ANY SUCH MATCH OR EXHIBITION AS A REFEREE, JUDGE, CORPORATION TREASURER, PROFESSIONAL COMBATIVE SPORTS PARTICIPANT, MANAGER, PROMOTER, TRAINER OR CHIEF SECOND, WITHOUT FIRST HAVING PROCURED AN APPROPRIATE LICENSE OR PERMIT AS PRESCRIBED IN THIS SECTION SHALL BE GUILTY OF A MISDEMEANOR.

S 3. Section 6 of chapter 912 of the laws of 1920 relating to the regulation of boxing, sparring and wrestling, as amended by chapter 437 of the laws of 2002 and subdivision 1 as designated and subdivision 2 as added by chapter 673 of the laws of 2003, is amended to read as follows:

S 6. Jurisdiction of commission. 1. The commission shall have and hereby is vested with the sole direction, management, control and juris-

1 diction over all such boxing and sparring matches or exhibitions OR  
2 PROFESSIONAL COMBATIVE SPORTS MATCHES OR EXHIBITIONS to be conducted,  
3 held or given within the state of New York and over all licenses to any  
4 and all persons who participate in such boxing or sparring matches or  
5 exhibitions OR PROFESSIONAL COMBATIVE SPORTS MATCHES OR EXHIBITIONS and  
6 over any and all gyms, clubs, training camps and other organizations  
7 that maintain training facilities providing contact sparring for persons  
8 who prepare for participation in such boxing or sparring matches or  
9 exhibitions OR PROFESSIONAL COMBATIVE SPORTS MATCHES OR EXHIBITIONS, and  
10 over the promotion of professional wrestling exhibitions OR PROFESSIONAL  
11 COMBATIVE SPORTS MATCHES OR EXHIBITIONS to the extent provided for in  
12 sections 5, 9, 19, 20, 28-a, 28-b and 33 of this act, except as other-  
13 wise provided in this act.

14 2. The commission is authorized and directed to require that all sites  
15 wherein boxing, sparring and wrestling matches and exhibitions OR  
16 PROFESSIONAL COMBATIVE SPORTS MATCHES OR EXHIBITIONS are conducted shall  
17 comply with state and applicable local sanitary codes appropriate to  
18 school athletic facilities.

19 S 4. Subdivision 1 of section 451 of the tax law, as amended by  
20 section 1 of part F of chapter 407 of the laws of 1999, is amended to  
21 read as follows:

22 1. "Gross receipts from ticket sales" shall mean the total gross  
23 receipts of every person from the sale of tickets to any professional or  
24 amateur boxing, sparring or wrestling match or exhibition OR ANY PROFES-  
25 SIONAL COMBATIVE SPORTS MATCH OR EXHIBITION held in this state, and  
26 without any deduction whatsoever for commissions, brokerage, distrib-  
27 ution fees, advertising or any other expenses, charges and recoupments  
28 in respect thereto.

29 S 5. Section 452 of the tax law, as amended by section 2 of part F of  
30 chapter 407 of the laws of 1999, is amended to read as follows:

31 S 452. Imposition of tax. 1. On and after October first, nineteen  
32 hundred ninety-nine, a tax is hereby imposed and shall be paid upon the  
33 gross receipts of every person holding any professional or amateur  
34 boxing, sparring or wrestling match or exhibition in this state. Such  
35 tax shall be imposed on such gross receipts, exclusive of any federal  
36 taxes, as follows:

37 (a) three percent of gross receipts from ticket sales, except that in  
38 no event shall the tax imposed by this [subdivision] PARAGRAPH exceed  
39 fifty thousand dollars for any match or exhibition;

40 (b) three percent of gross receipts from broadcasting rights, except  
41 that in no event shall the tax imposed by this [subdivision] PARAGRAPH  
42 exceed fifty thousand dollars for any match or exhibition.

43 2. ON AND AFTER THE EFFECTIVE DATE OF THIS SUBDIVISION, A TAX IS HERE-  
44 BY IMPOSED AND SHALL BE PAID UPON THE GROSS RECEIPTS OF EVERY PERSON  
45 HOLDING ANY PROFESSIONAL COMBATIVE SPORTS MATCH OR EXHIBITION IN THIS  
46 STATE. SUCH TAX SHALL BE IMPOSED ON SUCH GROSS RECEIPTS, EXCLUSIVE OF  
47 ANY FEDERAL TAXES, AS FOLLOWS:

48 (A) EIGHT AND ONE-HALF PERCENT OF GROSS RECEIPTS FROM TICKET SALES;  
49 AND

50 (B) THREE PERCENT OF GROSS RECEIPTS FROM BROADCASTING RIGHTS, EXCEPT  
51 THAT IN NO EVENT SHALL THE TAX IMPOSED BY THIS PARAGRAPH EXCEED FIFTY  
52 THOUSAND DOLLARS FOR ANY MATCH OR EXHIBITION.

53 S 6. This act shall take effect on the ninetieth day after it shall  
54 have become a law, and shall expire and be deemed repealed 3 years after  
55 it shall take effect; provided, however, that effective immediately, the  
56 addition, amendment and/or repeal of any rule or regulation necessary

1 for the implementation of this act on its effective date is authorized  
2 and directed to be made and completed on or before such effective date.