

5949--B

2015-2016 Regular Sessions

I N S E N A T E

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Introduced by Sens. GRIFFO, GOLDEN, PARKER, AVELLA, CROCI, FUNKE, KENNEDY, MARTINS, MURPHY, PANEPINTO, RITCHIE -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Cultural Affairs, Tourism, Parks and Recreation in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law, the tax law, and the alcoholic beverage control law, in relation to authorized combative sports; and to repeal chapter 912 of the laws of 1920, relating to the regulation of boxing, sparring, and wrestling

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

1 Section 1. Chapter 912 of the laws of 1920 relating to the regulation  
2 of boxing, sparring, and wrestling is REPEALED.  
3 S 2. Article 40 and sections 900 and 901 of the general business law,  
4 as renumbered by chapter 407 of the laws of 1973, are renumbered article  
5 43 and sections 1200 and 1201, respectively, and a new article 41 is  
6 added to read as follows:  
7  
8 ARTICLE 41  
9 COMBATIVE SPORTS  
10 SECTION 1000. DEFINITIONS.  
11 1001. COMBATIVE SPORTS AUTHORIZED.  
12 1002. COMBATIVE SPORTS PROHIBITED.  
13 1003. STATE ATHLETIC COMMISSION.  
14 1004. JURISDICTION OF THE COMMISSION.  
15 1005. OFFICERS AND EMPLOYEES OF THE COMMISSION.  
16 1006. SANCTIONING ENTITIES.  
17 1007. LICENSES; GENERAL PROVISIONS.  
1008. LICENSES; JUDGES.

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

LBD05199-11-6

- 1 1009. LICENSES; ENTITIES.
- 2 1010. LICENSES; PROFESSIONALS.
- 3 1011. TEMPORARY WORKING PERMITS.
- 4 1012. TEMPORARY TRAINING FACILITIES.
- 5 1013. MEDICAL ADVISORY BOARD.
- 6 1014. REGULATION OF AUTHORIZED PROFESSIONAL COMBATIVE SPORTS.
- 7 1015. CONDUCT OF AUTHORIZED PROFESSIONAL COMBATIVE SPORTS.
- 8 1016. REQUIRED FILINGS.
- 9 1017. PROFESSIONAL WRESTLING; PROMOTERS.
- 10 1018. PROHIBITED CONDUCT.
- 11 1019. PENALTIES.
- 12 1020. SUBPOENAS BY COMMISSION; OATHS.
- 13 1021. EXCEPTIONS.
- 14 1022. DISPOSITION OF RECEIPTS.

15 S 1000. DEFINITIONS. AS USED IN THIS ARTICLE: 1. "AMATEUR" MEANS ANY  
16 PARTICIPANT IN A COMBATIVE SPORT AUTHORIZED PURSUANT TO THIS ARTICLE WHO  
17 IS NOT RECEIVING OR COMPETING FOR, AND WHO HAS NEVER RECEIVED OR  
18 COMPETED FOR, ANY PURSE, MONEY, PRIZE, PECUNIARY GAIN, OR OTHER THING OF  
19 VALUE EXCEEDING SEVENTY-FIVE DOLLARS OR THE ALLOWABLE AMOUNT ESTABLISHED  
20 BY THE AUTHORIZED AMATEUR SANCTIONING ENTITY OVERSEEING THE COMPETITION.

21 2. "AUTHORIZED SANCTIONING ENTITY" MEANS AN ENTITY ALLOWED TO OVERSEE  
22 AND CONDUCT COMBATIVE SPORTS PURSUANT TO REGULATIONS PROMULGATED BY THE  
23 COMMISSION.

24 3. "COMBATIVE SPORT" MEANS ANY UNARMED BOUT, CONTEST, COMPETITION,  
25 MATCH, OR EXHIBITION UNDERTAKEN TO ENTERTAIN AN AUDIENCE, WHEREIN THE  
26 PARTICIPANTS PRIMARILY GRAPPLE OR WRESTLE, OR DELIVER BLOWS OF ANY KIND  
27 TO, OR USE FORCE IN ANY WAY TO MANIPULATE, THE BODY OF ANOTHER PARTIC-  
28 IPANT, AND WHEREIN THE OUTCOME AND SCORE DEPEND ENTIRELY ON SUCH ACTIV-  
29 ITIES.

30 4. "COMMISSION" MEANS THE STATE ATHLETIC COMMISSION AS PROVIDED FOR IN  
31 SECTION ONE THOUSAND THREE OF THIS ARTICLE, OR AN AGENT OR EMPLOYEE OF  
32 THE STATE ATHLETIC COMMISSION ACTING ON ITS BEHALF.

33 5. "MIXED MARTIAL ARTS" MEANS A COMBATIVE SPORT WHEREIN THE RULES OF  
34 ENGAGEMENT DO NOT LIMIT THE PARTICIPANTS TO A SINGLE, SYSTEMATIC, FIGHT-  
35 ING DISCIPLINE.

36 6. "PROFESSIONAL" MEANS ANY PARTICIPANT IN A COMBATIVE SPORT AUTHOR-  
37 IZED PURSUANT TO THIS ARTICLE, OTHER THAN AN AMATEUR, WHO IS RECEIVING  
38 OR COMPETING FOR, OR WHO HAS EVER RECEIVED OR COMPETED FOR, ANY PURSE,  
39 MONEY, PRIZE, PECUNIARY GAIN, OR OTHER THING EXCEEDING SEVENTY-FIVE  
40 DOLLARS IN VALUE.

41 S 1001. COMBATIVE SPORTS AUTHORIZED. COMBATIVE SPORTS CONDUCTED UNDER  
42 THE SUPERVISION OF THE COMMISSION, UNDER THE SUPERVISION OF AN AUTHOR-  
43 IZED SANCTIONING ENTITY, OR AS PROVIDED FOR IN SECTION ONE THOUSAND  
44 TWENTY-ONE OF THIS ARTICLE, ARE HEREBY AUTHORIZED. AUTHORIZED COMBATIVE  
45 SPORTS INCLUDE, AMATEUR AND PROFESSIONAL BOXING, WRESTLING, SPARRING,  
46 KICK BOXING, SINGLE DISCIPLINE MARTIAL ARTS AND MIXED MARTIAL ARTS,  
47 PURSUANT TO THE PROVISIONS OF THIS ARTICLE.

48 S 1002. COMBATIVE SPORTS PROHIBITED. 1. THE CONDUCT OF COMBATIVE  
49 SPORTS OUTSIDE THE SUPERVISION OF THE COMMISSION OR AN AUTHORIZED SANC-  
50 TIONING ENTITY IS PROHIBITED.

51 2. A PERSON ADVANCES A PROHIBITED COMBATIVE SPORT WHEN, ACTING OTHER  
52 THAN AS A SPECTATOR, HE OR SHE ENGAGES IN CONDUCT WHICH MATERIALLY AID  
53 ANY UNAUTHORIZED COMBATIVE SPORT. SUCH CONDUCT INCLUDES BUT IS NOT  
54 LIMITED TO CONDUCT DIRECTED TOWARD THE CREATION, ESTABLISHMENT OR  
55 PERFORMANCE OF A PROHIBITED COMBATIVE SPORT, TOWARD THE ACQUISITION OR  
56 MAINTENANCE OF PREMISES, PARAPHERNALIA, EQUIPMENT OR APPARATUS THEREFOR,

1 TOWARD THE SOLICITATION OR INDUCEMENT OF PERSONS TO ATTEND OR PARTIC-  
2 IPATE THEREIN, TOWARD THE ACTUAL CONDUCT OF THE PERFORMANCE THEREOF,  
3 TOWARD THE ARRANGEMENT OF ANY OF ITS FINANCIAL OR PROMOTIONAL PHASES, OR  
4 TOWARD ANY OTHER PHASE OF A PROHIBITED COMBATIVE SPORT. ONE ADVANCES A  
5 PROHIBITED COMBATIVE SPORT WHEN, HAVING SUBSTANTIAL PROPRIETARY OR OTHER  
6 AUTHORITATIVE CONTROL OVER PREMISES BEING USED WITH HIS OR HER KNOWLEDGE  
7 FOR PURPOSES OF A PROHIBITED COMBATIVE SPORT, HE OR SHE PERMITS SUCH TO  
8 OCCUR OR CONTINUE OR MAKES NO EFFORT TO PREVENT ITS OCCURRENCE OR  
9 CONTINUATION.

10 3. A PERSON PROFITS FROM A PROHIBITED COMBATIVE SPORT WHEN HE OR SHE  
11 ACCEPTS OR RECEIVES MONEY OR OTHER PROPERTY WITH INTENT TO PARTICIPATE  
12 IN THE PROCEEDS OF A PROHIBITED COMBATIVE SPORT, OR PURSUANT TO AN  
13 AGREEMENT OR UNDERSTANDING WITH ANY PERSON WHEREBY HE OR SHE PARTIC-  
14 IPATES OR IS TO PARTICIPATE IN THE PROCEEDS OF A PROHIBITED COMBATIVE  
15 SPORT.

16 S 1003. STATE ATHLETIC COMMISSION. 1. THE STATE ATHLETIC COMMISSION,  
17 AS NAMED BY CHAPTER NINE HUNDRED TWELVE OF THE LAWS OF NINETEEN HUNDRED  
18 TWENTY, AS AMENDED BY CHAPTER SIX HUNDRED THREE OF THE LAWS OF NINETEEN  
19 HUNDRED EIGHTY-ONE, IS CONTINUED AS A DIVISION OF THE DEPARTMENT OF  
20 STATE. THE COMMISSION SHALL ACT IN THE BEST INTERESTS OF COMBATIVE  
21 SPORTS. THE COMMISSION IS ENACTED TO PROTECT THE HEALTH, SAFETY AND  
22 GENERAL WELFARE OF ALL PARTICIPANTS IN COMBATIVE SPORTS AND SPECTATORS  
23 THEREOF, TO PRESERVE THE INTEGRITY OF COMBATIVE SPORTS THROUGH THE MEANS  
24 OF LICENSING, OVERSIGHT, ENFORCEMENT AND THE AUTHORIZATION OF SANCTION-  
25 ING ENTITIES, AND TO FACILITATE THE DEVELOPMENT AND RESPONSIBLE CONDUCT  
26 OF COMBATIVE SPORTS THROUGHOUT THE ENTIRE STATE. THE COMMISSION SHALL  
27 CONSIST OF FIVE MEMBERS WHO SHALL BE APPOINTED BY THE GOVERNOR BY AND  
28 WITH THE ADVICE AND CONSENT OF THE SENATE. THE GOVERNOR SHALL DESIGNATE  
29 ONE OF THE MEMBERS AS CHAIRPERSON OF THE COMMISSION. THE MEMBERS OF THE  
30 COMMISSION SHALL BE APPOINTED FOR TERMS OF THREE YEARS. ANY VACANCY IN  
31 THE MEMBERSHIP OF THE COMMISSION CAUSED OTHERWISE THAN BY EXPIRATION OF  
32 TERM SHALL BE FILLED ONLY FOR THE BALANCE OF THE TERM OF THE MEMBER IN  
33 WHOSE POSITION THE VACANCY OCCURS.

34 2. THE COMMISSIONERS SHALL BE PAID THEIR ACTUAL AND NECESSARY TRAVEL-  
35 ING AND OTHER EXPENSES INCURRED BY THEM IN THE PERFORMANCE OF THEIR  
36 OFFICIAL DUTIES. THE MEMBERS OF THE COMMISSION SHALL ADOPT A SEAL FOR  
37 THE COMMISSION, AND MAKE SUCH RULES FOR THE ADMINISTRATION OF THEIR  
38 OFFICE, NOT INCONSISTENT HERewith, AS THEY MAY DEEM EXPEDIENT; AND THEY  
39 MAY AMEND OR ABROGATE SUCH RULES. THREE OF THE MEMBERS OF THE COMMISSION  
40 SHALL CONSTITUTE A QUORUM TO DO BUSINESS; AND THE CONCURRENCE OF A  
41 MAJORITY OF THE COMMISSIONERS PRESENT SHALL BE NECESSARY TO RENDER A  
42 DETERMINATION BY THE COMMISSION. THE COMMISSION IS VESTED WITH THE  
43 AUTHORITY TO ADOPT SUCH RULES AND REGULATIONS AS NECESSARY TO EFFECTUATE  
44 THE PROVISIONS OF THIS ARTICLE.

45 S 1004. JURISDICTION OF THE COMMISSION. THE COMMISSION SHALL HAVE AND  
46 IS HEREBY VESTED WITH THE SOLE DIRECTION, MANAGEMENT, CONTROL AND JURIS-  
47 DICTION OVER: 1. ALL AUTHORIZED COMBATIVE SPORTS;

48 2. ALL LICENSES OR PERMITS GRANTED BY THE COMMISSION TO ANY AND ALL  
49 PERSONS OR ENTITIES WHO PARTICIPATE IN AUTHORIZED COMBATIVE SPORTS;

50 3. ALL DETERMINATIONS REGARDING THE AUTHORIZATION OF AMATEUR AND  
51 PROFESSIONAL SANCTIONING ENTITIES;

52 4. ALL GYMS, CLUBS, TRAINING CAMPS AND OTHER ORGANIZATIONS THAT MAIN-  
53 TAIN TRAINING FACILITIES TO PREPARE PERSONS FOR PARTICIPATION IN AUTHOR-  
54 IZED PROFESSIONAL COMBATIVE SPORTS;

55 5. THE PROMOTION OF PROFESSIONAL WRESTLING EXHIBITIONS TO THE EXTENT  
56 PROVIDED FOR IN THIS ARTICLE; AND

1 6. ALL CONTRACTS DIRECTLY RELATED TO THE CONDUCT OF AUTHORIZED PROFES-  
2 SIONAL COMBATIVE SPORTS IN THE STATE OF NEW YORK.

3 7. ALL DISCLOSURES TO THE COMMISSION SHALL BE DEEMED CONFIDENTIAL.

4 S 1005. OFFICERS AND EMPLOYEES OF THE COMMISSION. THE SECRETARY OF  
5 STATE MAY APPOINT, AND AT HIS OR HER PLEASURE REMOVE, AN EXECUTIVE  
6 DIRECTOR, DEPUTIES, OFFICERS, INSPECTORS, PHYSICIANS AND ANY SUCH OTHER  
7 EMPLOYEES AS MAY BE NECESSARY TO ADMINISTER THE PROVISIONS OF THIS ARTI-  
8 CLE AND FIX THEIR SALARIES WITHIN THE AMOUNT APPROPRIATED THEREFOR.

9 S 1006. SANCTIONING ENTITIES. 1. THE COMMISSION SHALL PROMULGATE REGU-  
10 LATIONS ESTABLISHING A PROCESS BY WHICH ENTITIES MAY BE RECOGNIZED AND  
11 APPROVED BY THE COMMISSION AS AUTHORIZED SANCTIONING ENTITIES FOR A  
12 PERIOD OF TIME TO BE ESTABLISHED BY THE COMMISSION, DURING WHICH THE  
13 ENTITY WILL BE ALLOWED TO OVERSEE AND CONDUCT COMBATIVE SPORTS WITHIN  
14 THE STATE OF NEW YORK. THE COMMISSION MAY, IN ITS REASONABLE DISCRETION,  
15 LIMIT THE SCOPE OF ANY RECOGNITION AND APPROVAL OF A SANCTIONING ENTITY  
16 TO THE OVERSIGHT AND CONDUCT OF ONE OR MORE SPECIFIC COMBAT DISCIPLINES,  
17 AMATEUR OR PROFESSIONAL COMBATIVE SPORTS, OR TO ANY COMBINATION OF THE  
18 FOREGOING BASED ON THE QUALIFICATIONS, INTEGRITY AND HISTORY OF THE  
19 ENTITY SEEKING AUTHORIZATION AS A SANCTIONING ENTITY.

20 2. THE COMMISSION SHALL EVALUATE FACTORS INCLUDING BUT NOT LIMITED TO:

21 (A) THE ENTITY'S STATED MISSION AND PRIMARY PURPOSE;

22 (B) WHETHER THE ENTITY REQUIRES PARTICIPANTS IN COMBATIVE SPORTS TO  
23 USE HAND, FOOT AND GROIN PROTECTION;

24 (C) WHETHER THE ENTITY HAS AN ESTABLISHED SET OF RULES THAT REQUIRES  
25 THE IMMEDIATE TERMINATION OF ANY COMBATIVE SPORT WHEN ANY PARTICIPANT  
26 HAS ENDURED SEVERE PUNISHMENT OR IS IN DANGER OF SUFFERING SERIOUS PHYS-  
27 ICAL INJURY; AND

28 (D) WHETHER THE ENTITY HAS ESTABLISHED PROTOCOLS TO EFFECTUATE THE  
29 APPROPRIATE AND TIMELY MEDICAL TREATMENT OF INJURED PERSONS.

30 S 1007. LICENSES; GENERAL PROVISIONS. 1. EXCEPT AS OTHERWISE PROVIDED  
31 IN SECTIONS ONE THOUSAND SIX, ONE THOUSAND ELEVEN, AND ONE THOUSAND  
32 SEVENTEEN OF THIS ARTICLE, WITH RESPECT TO ALL AUTHORIZED PROFESSIONAL  
33 COMBATIVE SPORTS IN THIS STATE, ALL CORPORATIONS, ENTITIES, PERSONS,  
34 REFEREES, JUDGES, MATCH-MAKERS, TIMEKEEPERS, PROFESSIONALS, AND THEIR  
35 MANAGERS, TRAINERS, AND SECONDS SHALL BE LICENSED BY THE COMMISSION. NO  
36 SUCH CORPORATION, ENTITY OR PERSON SHALL BE PERMITTED TO PARTICIPATE,  
37 EITHER DIRECTLY OR INDIRECTLY, IN ANY AUTHORIZED PROFESSIONAL COMBATIVE  
38 SPORT, OR THE HOLDING THEREOF, OR THE OPERATION OF ANY TRAINING FACILITY  
39 PROVIDING CONTACT SPARRING MAINTAINED EITHER EXCLUSIVELY OR IN PART FOR  
40 THE USE OF PROFESSIONAL BOXERS OR PROFESSIONAL MIXED MARTIAL ARTS  
41 PARTICIPANTS, UNLESS SUCH CORPORATION OR PERSONS SHALL HAVE FIRST  
42 PROCURED A LICENSE FROM THE COMMISSION. THE COMMISSION SHALL ESTABLISH  
43 BY RULE AND REGULATION LICENSING STANDARDS FOR ALL LICENSEES.

44 2. EVERY APPLICATION FOR A LICENSE SHALL BE IN A FORM PRESCRIBED BY  
45 THE COMMISSION, SHALL BE ADDRESSED TO THE COMMISSION, SHALL BE  
46 SUBSCRIBED BY THE APPLICANT, AND AFFIRMED BY HIM OR HER AS TRUE UNDER  
47 THE PENALTIES OF PERJURY, AND SHALL SET FORTH SUCH FACTS AS THE  
48 PROVISIONS HEREOF AND THE RULES AND REGULATIONS OF THE COMMISSION MAY  
49 REQUIRE.

50 3. (A) THE COMMISSION SHALL ESTABLISH REASONABLE FEES, TERMS AND  
51 RENEWAL TERMS FOR LICENSES, PERMITS AND OTHER AUTHORIZATIONS ISSUED  
52 PURSUANT TO THIS ARTICLE, PROVIDED, HOWEVER, THAT ALL TERMS, RENEWAL  
53 TERMS AND FEES IN EFFECT PURSUANT TO CHAPTER NINE HUNDRED TWELVE OF THE  
54 LAWS OF NINETEEN HUNDRED TWENTY, AND ANY SUBSEQUENT AMENDMENTS THERETO,  
55 IMMEDIATELY PRIOR TO THE ENACTMENT OF THIS ARTICLE, SHALL REMAIN FIXED  
56 AT THEIR PRIOR STATUTORY LEVELS FOR A PERIOD OF TWO YEARS FROM ENACTMENT

1 OF THIS ARTICLE. THE COMMISSION SHALL PUBLISH ALL FEES, INCLUDING THE  
2 AFOREMENTIONED, IN A SINGLE LOCATION ON ITS WEBSITE. ALL FEES SET BY THE  
3 COMMISSION PURSUANT TO THIS SECTION SHALL BE SUBJECT TO THE APPROVAL OF  
4 THE DIRECTOR OF THE BUDGET.

5 (B) WITH RESPECT TO THE FEES ESTABLISHED BY THE COMMISSION PURSUANT TO  
6 PARAGRAPH (A) OF THIS SUBDIVISION, WHEN SUCH FEES ARE PAYABLE IN  
7 RELATION TO AUTHORIZED COMBATIVE SPORTS CONSTITUTING MIXED MARTIAL ARTS,  
8 THE FOLLOWING SHALL APPLY:

9 (I) BY PROMOTERS, FOR CONTESTS HELD WHERE THE SEATING CAPACITY IS NOT  
10 MORE THAN TWO THOUSAND FIVE HUNDRED, THE PROMOTER SHALL PAY NOT MORE  
11 THAN FIVE HUNDRED DOLLARS;

12 (II) BY PROMOTERS, FOR CONTESTS HELD WHERE THE SEATING CAPACITY IS  
13 GREATER THAN TWO THOUSAND FIVE HUNDRED, BUT NOT MORE THAN FIVE THOUSAND,  
14 THE PROMOTER SHALL PAY NOT MORE THAN ONE THOUSAND DOLLARS;

15 (III) BY PROMOTERS, FOR CONTESTS HELD WHERE THE SEATING CAPACITY IS  
16 GREATER THAN FIVE THOUSAND, BUT NOT MORE THAN FIFTEEN THOUSAND, THE  
17 PROMOTER SHALL PAY NOT MORE THAN ONE THOUSAND FIVE HUNDRED DOLLARS;

18 (IV) BY PROMOTERS, FOR CONTESTS HELD WHERE THE SEATING CAPACITY IS  
19 GREATER THAN FIFTEEN THOUSAND, BUT NOT MORE THAN TWENTY-FIVE THOUSAND,  
20 THE PROMOTER SHALL PAY NOT MORE THAN TWO THOUSAND FIVE HUNDRED DOLLARS;

21 (V) BY PROMOTERS, FOR CONTESTS HELD WHERE THE SEATING CAPACITY IS  
22 GREATER THAN TWENTY-FIVE THOUSAND, THE PROMOTER SHALL PAY NOT MORE THAN  
23 THREE THOUSAND DOLLARS;

24 (VI) FOR REFEREES AND JUDGES, NOT MORE THAN ONE HUNDRED DOLLARS;

25 (VII) FOR PROFESSIONAL PARTICIPANTS, MANAGERS AND TRAINERS NOT MORE  
26 THAN FIFTY DOLLARS; AND

27 (VIII) FOR CHIEF SECONDS, NOT MORE THAN FORTY DOLLARS.

28 4. ANY LICENSE, TEMPORARY WORK PERMIT OR OTHER AUTHORIZATION ISSUED  
29 UNDER THE PROVISIONS OF THIS ARTICLE MAY BE REVOKED OR SUSPENDED BY THE  
30 COMMISSION WHEN THE LICENSEE, PERMITTEE OR AUTHORIZED ENTITY HAS, IN THE  
31 JUDGMENT OF THE COMMISSION, VIOLATED ANY PROVISION OF THIS ARTICLE, RULE  
32 OR ORDER OF THE COMMISSION, DEMONSTRATED CONDUCT DETRIMENTAL TO THE  
33 INTERESTS OF AUTHORIZED COMBATIVE SPORTS GENERALLY OR TO THE PUBLIC  
34 INTEREST, OR WHEN THE COMMISSION DEEMS IT TO BE IN THE BEST INTERESTS OF  
35 THE HEALTH AND SAFETY OF THE LICENSEE.

36 (A) ANY LICENSEE WHO SUFFERED A KNOCKOUT OR TECHNICAL KNOCKOUT IN A  
37 COMBATIVE SPORT MAY, UPON THE RECOMMENDATION OF THE ATTENDING COMMISSION  
38 PHYSICIAN, BE SUSPENDED BY THE COMMISSION, FOR A PERIOD DETERMINED BY  
39 THE COMMISSION, AND SHALL FORFEIT HIS OR HER LICENSE TO THE COMMISSION  
40 DURING SUCH PERIOD. SUCH LICENSE SHALL NOT BE RETURNED TO THE LICENSEE  
41 UNTIL HE OR SHE HAS MET ALL REQUIREMENTS, MEDICAL AND OTHERWISE, FOR  
42 REINSTATEMENT OF SUCH LICENSE. ALL SUCH SUSPENSIONS SHALL BE RECORDED IN  
43 HIS OR HER LICENSE BY A COMMISSION OFFICIAL.

44 (B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IF ANY OTHER STATE  
45 SHALL REVOKE A LICENSEE'S LICENSE TO COMPETE IN COMBATIVE SPORTS IN THAT  
46 STATE, THEN THE COMMISSION MAY ACT TO REVOKE ANY LICENSE ISSUED TO SUCH  
47 LICENSEE PURSUANT TO THE PROVISIONS OF THIS ARTICLE.

48 S 1008. LICENSES; JUDGES. 1. EXCEPT AS OTHERWISE PROVIDED IN SECTIONS  
49 ONE THOUSAND SIX AND ONE THOUSAND SEVENTEEN OF THIS ARTICLE, ONLY A  
50 PERSON LICENSED BY THE COMMISSION, AS A COMBATIVE SPORTS JUDGE, MAY  
51 JUDGE AN AUTHORIZED PROFESSIONAL COMBATIVE SPORT WITHIN THE STATE. JUDG-  
52 ES FOR ANY AUTHORIZED PROFESSIONAL COMBATIVE SPORT UNDER THE JURISDIC-  
53 TION OF THE COMMISSION SHALL BE SELECTED BY THE COMMISSION FROM A LIST  
54 OF QUALIFIED LICENSED JUDGES MAINTAINED BY THE COMMISSION.

55 2. ANY PARTICIPANT IN A PROFESSIONAL COMBATIVE SPORT OR HIS OR HER  
56 MANAGER MAY PROTEST THE ASSIGNMENT OF A JUDGE TO A CONTEST AND THE

1 PARTICIPANT OR MANAGER MAY BE HEARD BY THE COMMISSION OR ITS DESIGNEE IF  
2 SUCH PROTEST IS TIMELY. IF THE PROTEST IS UNTIMELY IT SHALL BE SUMMARILY  
3 REJECTED.

4 3. EACH PERSON SEEKING TO BE LICENSED AS A JUDGE BY THE COMMISSION  
5 SHALL BE REQUIRED TO SUBMIT TO OR PROVIDE PROOF OF AN EYE EXAMINATION  
6 AND ANNUALLY THEREAFTER ON THE ANNIVERSARY OF THE ISSUANCE OF THE  
7 LICENSE. THE COMMISSION SHALL ESTABLISH CONTINUING EDUCATION PROGRAMS  
8 AND REQUIREMENTS TO BE COMPLETED BY LICENSED JUDGES. EACH JUDGE MUST BE  
9 CERTIFIED AS HAVING COMPLETED A TRAINING PROGRAM AS APPROVED BY THE  
10 COMMISSION AND SHALL PASS AN EXAMINATION APPROVED BY THE COMMISSION.

11 4. EACH PERSON SEEKING A LICENSE TO JUDGE AUTHORIZED PROFESSIONAL  
12 COMBATIVE SPORTS IN THE STATE SHALL BE REQUIRED TO FILL OUT A FINANCIAL  
13 QUESTIONNAIRE CERTIFYING UNDER PENALTY OF PERJURY FULL DISCLOSURE OF THE  
14 JUDGE'S FINANCIAL SITUATION ON A QUESTIONNAIRE TO BE PROMULGATED BY THE  
15 COMMISSION. SUCH QUESTIONNAIRE SHALL BE IN A FORM AND MANNER APPROVED  
16 BY THE COMMISSION AND SHALL PROVIDE INFORMATION AS TO AREAS OF ACTUAL OR  
17 POTENTIAL CONFLICT OF INTEREST AS WELL AS APPEARANCES OF SUCH CONFLICTS,  
18 INCLUDING FINANCIAL RESPONSIBILITY. WITHIN FORTY-EIGHT HOURS OF ANY  
19 MATCH, EACH JUDGE OF A PROFESSIONAL COMBATIVE SPORT SHALL FILE WITH THE  
20 COMMISSION A FINANCIAL DISCLOSURE STATEMENT IN SUCH FORM AND MANNER AS  
21 SHALL BE ACCEPTABLE TO THE COMMISSION.

22 S 1009. LICENSES; ENTITIES. 1. (A) EXCEPT AS OTHERWISE PROVIDED IN  
23 SECTIONS ONE THOUSAND SIX AND ONE THOUSAND SEVENTEEN OF THIS ARTICLE,  
24 ONLY ENTITIES LICENSED BY THE COMMISSION MAY CONDUCT AN AUTHORIZED  
25 PROFESSIONAL COMBATIVE SPORT WITHIN THE STATE. THE COMMISSION MAY, IN  
26 ITS DISCRETION, ISSUE A LICENSE TO CONDUCT OR HOLD AUTHORIZED PROFES-  
27 SIONAL COMBATIVE SPORTS, SUBJECT TO THE PROVISIONS HEREOF, TO ANY PERSON  
28 OR CORPORATION DULY INCORPORATED, OR LIMITED LIABILITY COMPANY AUTHOR-  
29 IZED, UNDER THE LAWS OF THE STATE OF NEW YORK.

30 (B) A PROSPECTIVE LICENSEE MUST SUBMIT TO THE COMMISSION PROOF THAT IT  
31 CAN FURNISH SUITABLE PREMISES, AS DETERMINED BY THE COMMISSION, IN WHICH  
32 SUCH COMBATIVE SPORT IS TO BE HELD.

33 (C) UPON WRITTEN APPLICATION THE COMMISSION MAY GRANT TO ANY ENTITY  
34 HOLDING A LICENSE ISSUED HEREUNDER, THE PRIVILEGE OF HOLDING SUCH A  
35 MATCH OR EXHIBITION ON A SPECIFIED DATE IN OTHER PREMISES, OR IN ANOTHER  
36 LOCATION, THAN THE PREMISES OR LOCATION PREVIOUSLY APPROVED BY THE  
37 COMMISSION, SUBJECT HOWEVER TO APPROVAL OF THE COMMISSION AND THE RULES  
38 AND REGULATIONS OF THE COMMISSION.

39 2. (A) THE COMMISSION MAY, IN ITS DISCRETION AND IN ACCORDANCE WITH  
40 REGULATIONS ADOPTED BY THE COMMISSION TO PROTECT THE HEALTH AND SAFETY  
41 OF PROFESSIONALS IN TRAINING, ISSUE A LICENSE TO OPERATE A TRAINING  
42 FACILITY PROVIDING CONTACT SPARRING MAINTAINED EITHER EXCLUSIVELY OR IN  
43 PART FOR THE USE OF PROFESSIONAL COMBATIVE SPORTS PARTICIPANTS. AT A  
44 MINIMUM, ANY SUCH REGULATION SHALL REQUIRE:

45 (I) FIRST AID MATERIALS TO BE STORED IN AN ACCESSIBLE LOCATION ON THE  
46 PREMISES AND FOR THE PRESENCE ON THE PREMISES OF A PERSON TRAINED AND  
47 CERTIFIED IN THE USE OF SUCH MATERIALS AND PROCEDURES FOR CARDIO-PULMO-  
48 NARY RESUSCITATION AT ALL TIMES DURING WHICH THE FACILITY IS OPEN FOR  
49 TRAINING PURPOSES;

50 (II) CLEAN AND SANITARY BATHROOMS, SHOWER ROOMS, AND LOCKER ROOMS;

51 (III) ADEQUATE VENTILATION AND LIGHTING OF ACCESSIBLE AREAS OF THE  
52 TRAINING FACILITY;

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

56 (V) COMPLIANCE WITH STATE AND LOCAL FIRE ORDINANCES;

1 (VI) INSPECTION AND APPROVAL OF SURFACES ON WHICH TRAINING FOR COMBA-  
2 TIVE SPORTS WILL BE HELD; AND

3 (VII) ESTABLISHMENT OF A POLICY FOR POSTING ALL COMMISSION LICENSE  
4 SUSPENSIONS AND LICENSE REVOCATIONS RECEIVED FROM THE COMMISSION INCLUD-  
5 ING PROVISIONS FOR ENFORCEMENT OF SUCH SUSPENSIONS AND REVOCATIONS BY  
6 THE FACILITY OPERATOR.

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

12 S 1010. LICENSES; PROFESSIONALS. 1. EXCEPT AS OTHERWISE PROVIDED IN  
13 SECTIONS ONE THOUSAND SIX, ONE THOUSAND ELEVEN AND ONE THOUSAND SEVEN-  
14 TEEN OF THIS ARTICLE, ONLY PERSONS LICENSED BY THE COMMISSION SHALL  
15 COMPETE IN AUTHORIZED PROFESSIONAL COMBATIVE SPORTS.

16 2. ANY PROFESSIONAL APPLYING FOR A LICENSE OR RENEWAL OF A LICENSE TO  
17 PARTICIPATE IN COMBATIVE SPORTS UNDER THIS ARTICLE SHALL UNDERGO A  
18 COMPREHENSIVE PHYSICAL EXAMINATION INCLUDING CLINICAL NEUROLOGICAL EXAM-  
19 INATIONS BY A PHYSICIAN APPROVED BY THE COMMISSION. IF, AT THE TIME OF  
20 SUCH EXAMINATION, THERE IS ANY INDICATION OF BRAIN INJURY, OR FOR ANY  
21 OTHER REASON THE PHYSICIAN DEEMS IT APPROPRIATE, THE PROFESSIONAL SHALL  
22 BE REQUIRED TO UNDERGO FURTHER NEUROLOGICAL EXAMINATIONS BY A NEUROLO-  
23 GIST INCLUDING MAGNETIC RESONANCE IMAGING OR OTHER MEDICALLY EQUIVALENT  
24 PROCEDURES. THE COMMISSION SHALL NOT ISSUE A LICENSE TO A PROFESSIONAL  
25 UNTIL SUCH EXAMINATIONS ARE COMPLETED AND REVIEWED BY THE COMMISSION.  
26 THE RESULTS OF ALL SUCH EXAMINATIONS HEREIN REQUIRED SHALL BECOME A PART  
27 OF THE PROFESSIONAL'S PERMANENT MEDICAL RECORD AS MAINTAINED BY THE  
28 COMMISSION. THE COSTS OF ALL SUCH EXAMINATIONS FOR PROFESSIONAL BOXERS  
29 SHALL BE ASSUMED BY THE STATE IF SUCH EXAMINATIONS ARE PERFORMED BY A  
30 PHYSICIAN OR NEUROLOGIST APPROVED BY THE COMMISSION; THE COSTS OF ALL  
31 SUCH EXAMINATIONS FOR PROFESSIONAL MIXED MARTIAL ARTS PARTICIPANTS SHALL  
32 BE ASSUMED BY THE APPLICANT OR PROMOTER WITH WHICH THE PROFESSIONAL  
33 MIXED MARTIAL ARTS PARTICIPANT IS AFFILIATED, REGARDLESS OF PROVIDER.

34 3. ANY PROFESSIONAL LICENSED UNDER THIS ARTICLE SHALL, AS A CONDITION  
35 OF LICENSURE, WAIVE RIGHT OF CONFIDENTIALITY OF MEDICAL RECORDS RELATING  
36 TO TREATMENT OF ANY PHYSICAL CONDITION WHICH RELATES TO HIS OR HER ABIL-  
37 ITY TO FIGHT. ALL MEDICAL REPORTS SUBMITTED TO, AND ALL MEDICAL RECORDS  
38 OF THE MEDICAL ADVISORY BOARD OR THE COMMISSION RELATIVE TO THE PHYSICAL  
39 EXAMINATION OR CONDITION OF PROFESSIONALS SHALL BE CONSIDERED CONFIDEN-  
40 TIAL, AND SHALL BE OPEN TO EXAMINATION ONLY TO THE COMMISSION OR ITS  
41 AUTHORIZED REPRESENTATIVE, TO THE LICENSED PROFESSIONAL OR MANAGER UPON  
42 WRITTEN APPLICATION TO EXAMINE SAID RECORDS, OR UPON THE ORDER OF A  
43 COURT OF COMPETENT JURISDICTION IN AN APPROPRIATE CASE.

44 S 1011. TEMPORARY WORKING PERMITS. THE COMMISSION MAY ISSUE TEMPORARY  
45 WORKING PERMITS TO PROFESSIONALS, THEIR MANAGERS, TRAINERS AND SECONDS.  
46 A TEMPORARY WORKING PERMIT SHALL AUTHORIZE THE EMPLOYMENT OF THE HOLDER  
47 OF SUCH PERMIT TO ENGAGE IN A SINGLE AUTHORIZED PROFESSIONAL COMBATIVE  
48 SPORT AT A SPECIFIED TIME AND PLACE. THE COMMISSION MAY REQUIRE THAT  
49 PROFESSIONALS APPLYING FOR TEMPORARY WORKING PERMITS UNDERGO A PHYSICAL  
50 EXAMINATION AND NEUROLOGICAL TEST OR PROCEDURE, INCLUDING MAGNETIC RESO-  
51 NANCE IMAGING OR MEDICALLY EQUIVALENT PROCEDURE. TEMPORARY WORKING  
52 PERMITS SHALL EXPIRE UPON THE COMPLETION OF THE SINGLE AUTHORIZED  
53 PROFESSIONAL COMBATIVE SPORT AND ANY SUBSEQUENT EVALUATIONS OR  
54 INSPECTIONS REQUIRED BY THE COMMISSION. THE FEE FOR SUCH TEMPORARY  
55 WORKING PERMIT SHALL BE ESTABLISHED BY THE COMMISSION PURSUANT TO RULE.

1 S 1012. TEMPORARY TRAINING FACILITIES. THE COMMISSION IN ITS JUDGMENT  
2 MAY EXEMPT FROM LICENSING UNDER THIS ARTICLE ANY TRAINING FACILITY  
3 PROVIDING CONTACT SPARRING ESTABLISHED AND MAINTAINED ON A TEMPORARY  
4 BASIS FOR THE PURPOSE OF PREPARING PROFESSIONALS FOR A SPECIFIC AUTHOR-  
5 IZED COMBATIVE SPORT TO BE CONDUCTED, HELD OR GIVEN WITHIN THE STATE OF  
6 NEW YORK.

7 S 1013. MEDICAL ADVISORY BOARD. 1. THE MEDICAL ADVISORY BOARD CREATED  
8 PURSUANT TO CHAPTER NINE HUNDRED TWELVE OF THE LAWS OF NINETEEN HUNDRED  
9 TWENTY, AND SUBSEQUENT AMENDMENTS THERETO IS HEREBY CONTINUED WITHOUT  
10 INTERRUPTION. IT SHALL REMAIN A DIVISION OF THE STATE ATHLETIC COMMIS-  
11 SION, AND SHALL CONSIST OF NINE MEMBERS TO BE APPOINTED BY THE GOVERNOR.  
12 THE GOVERNOR SHALL DESIGNATE ONE OF SUCH MEMBERS AS CHAIRPERSON OF THE  
13 ADVISORY BOARD. THE TERM OF A MEMBER THEREAFTER APPOINTED, EXCEPT TO  
14 FILL A VACANCY, SHALL BE THREE YEARS FROM THE EXPIRATION OF THE TERM OF  
15 HIS PREDECESSOR. UPON THE APPOINTMENT OF A SUCCESSOR TO THE CHAIRPERSON  
16 OF THE ADVISORY BOARD, THE GOVERNOR SHALL DESIGNATE SUCH SUCCESSOR OR  
17 OTHER MEMBER OF THE ADVISORY BOARD AS CHAIRPERSON. A VACANCY OCCURRING  
18 OTHERWISE THAN BY EXPIRATION OF TERM, SHALL BE FILLED BY APPOINTMENT BY  
19 THE GOVERNOR FOR THE REMAINDER ONLY OF THE TERM. EACH MEMBER OF THE  
20 ADVISORY BOARD SHALL BE DULY LICENSED TO PRACTICE MEDICINE IN THE STATE  
21 OF NEW YORK, AND AT THE TIME OF HIS OR HER APPOINTMENT HAVE HAD AT LEAST  
22 FIVE YEARS' EXPERIENCE IN THE PRACTICE OF HIS OR HER PROFESSION. THE  
23 MEMBERS OF THE ADVISORY BOARD SHALL RECEIVE SUCH COMPENSATION AS MAY BE  
24 FIXED BY THE COMMISSION WITHIN THE AMOUNT PROVIDED BY APPROPRIATION, AND  
25 SHALL BE ALLOWED AND PAID NECESSARY TRAVELING AND OTHER EXPENSES  
26 INCURRED BY THEM, RESPECTIVELY, IN THE PERFORMANCE OF THEIR DUTIES HERE-  
27 UNDER.

28 2. THE ADVISORY BOARD SHALL HAVE POWER AND IT SHALL BE THE DUTY OF THE  
29 BOARD TO PREPARE AND SUBMIT TO THE COMMISSION FOR APPROVAL REGULATIONS  
30 AND STANDARDS FOR THE PHYSICAL EXAMINATION OF PROFESSIONALS INCLUDING,  
31 WITHOUT LIMITATION, PRE-FIGHT AND POST-FIGHT EXAMINATIONS AND PERIODIC  
32 COMPREHENSIVE EXAMINATIONS. THE BOARD SHALL CONTINUE TO SERVE IN AN  
33 ADVISORY CAPACITY TO THE COMMISSION AND FROM TIME TO TIME PREPARE AND  
34 SUBMIT TO THE COMMISSION FOR APPROVAL, SUCH ADDITIONAL REGULATIONS AND  
35 STANDARDS OF EXAMINATION AS IN THEIR JUDGMENT WILL SAFEGUARD THE PHYS-  
36 ICAL WELFARE OF PROFESSIONALS LICENSED BY THE COMMISSION. THE ADVISORY  
37 BOARD SHALL RECOMMEND TO THE COMMISSION FROM TIME TO TIME SUCH QUALIFIED  
38 PHYSICIANS, WHO MAY BE DESIGNATED AND EMPLOYED BY THE COMMISSION FOR THE  
39 PURPOSE OF CONDUCTING PHYSICAL EXAMINATIONS OF PROFESSIONALS AND OTHER  
40 SERVICES AS THE RULES OF THE COMMISSION SHALL PROVIDE. SUCH PHYSICIANS,  
41 IF SO EMPLOYED, SHALL RECEIVE COMPENSATION AS FIXED BY THE COMMISSION  
42 WITHIN AMOUNTS APPROPRIATED THEREFOR. THE PROVISIONS OF SECTION SEVEN-  
43 TEEN OF THE PUBLIC OFFICERS LAW SHALL APPLY TO ANY PHYSICIAN WHO:

44 (A) IS DESIGNATED AND EMPLOYED BY THE COMMISSION; AND  
45 (B) IS RENDERING PROFESSIONAL SERVICES ON BEHALF OF THE COMMISSION TO  
46 PROFESSIONALS.

47 3. THE ADVISORY BOARD SHALL DEVELOP OR RECOMMEND APPROPRIATE MEDICAL  
48 EDUCATION PROGRAMS FOR ALL COMMISSION PERSONNEL INVOLVED IN THE CONDUCT  
49 OF AUTHORIZED COMBATIVE SPORTS SO THAT SUCH PERSONNEL CAN RECOGNIZE AND  
50 ACT UPON EVIDENCE OF POTENTIAL OR ACTUAL ADVERSE MEDICAL INDICATIONS IN  
51 A PARTICIPANT PRIOR TO, DURING OR AFTER THE COURSE OF A MATCH.

52 4. THE ADVISORY BOARD SHALL REVIEW THE CREDENTIALS AND PERFORMANCE OF  
53 EACH COMMISSION PHYSICIAN ON AN ANNUAL BASIS.

54 5. THE ADVISORY BOARD SHALL ADVISE THE COMMISSION ON ANY STUDY OF  
55 EQUIPMENT, PROCEDURES OR PERSONNEL WHICH WILL, IN THEIR OPINION, PROMOTE  
56 THE SAFETY OF PROFESSIONALS.



1 S 1014. REGULATION OF AUTHORIZED PROFESSIONAL COMBATIVE SPORTS. THE  
2 COMMISSION SHALL PROMULGATE REGULATIONS GOVERNING THE CONDUCT OF AUTHOR-  
3 IZED PROFESSIONAL COMBATIVE SPORTS THAT:

4 1. ESTABLISH PARAMETERS AND LIMITATIONS ON WEIGHTS AND CLASSES OF  
5 PROFESSIONALS;

6 2. ESTABLISH PARAMETERS AND LIMITATIONS ON THE NUMBER AND DURATION OF  
7 ROUNDS;

8 3. ESTABLISH THE REQUIREMENTS FOR THE PRESENCE OF MEDICAL EQUIPMENT,  
9 MEDICAL PERSONNEL, AN AMBULANCE, OTHER EMERGENCY APPARATUS AND AN EMER-  
10 GENCY MEDICAL PLAN;

11 4. ESTABLISH RESPONSIBILITIES OF ALL LICENSEES BEFORE, DURING AND  
12 AFTER AN EVENT;

13 5. DEFINE UNSPORTSMANLIKE PRACTICES;

14 6. ESTABLISH CONDITIONS FOR THE FORFEITURE OF ANY PRIZE, REMUNERATION  
15 OR PURSE, OR ANY PART THEREOF BASED ON THE CONDUCT OF PROFESSIONALS,  
16 THEIR MANAGERS AND SECONDS;

17 7. ESTABLISH PARAMETERS AND STANDARDS FOR REQUIRED AND ALLOWED EQUIP-  
18 MENT ITEMS UTILIZED BY PROFESSIONALS;

19 8. ESTABLISH PARAMETERS AND STANDARDS FOR RINGS, COMBAT SURFACES AND  
20 APPURTENANCES THERETO; AND

21 9. ESTABLISH SUCH OTHER RULES AND CONDITIONS AS ARE NECESSARY TO  
22 EFFECTUATE THE COMMISSION'S PURPOSE.

23 S 1015. CONDUCT OF AUTHORIZED PROFESSIONAL COMBATIVE SPORTS. 1. ALL  
24 BUILDINGS OR STRUCTURES USED OR INTENDED TO BE USED FOR CONDUCTING  
25 AUTHORIZED PROFESSIONAL COMBATIVE SPORTS SHALL BE PROPERLY VENTILATED  
26 AND PROVIDED WITH FIRE EXITS AND FIRE ESCAPES, AND IN ALL MANNER CONFORM  
27 TO THE LAWS, ORDINANCES AND REGULATIONS PERTAINING TO BUILDINGS IN THE  
28 CITY, TOWN OR VILLAGE WHERE SITUATED.

29 2. NO PERSON UNDER THE AGE OF EIGHTEEN YEARS SHALL PARTICIPATE IN ANY  
30 AUTHORIZED PROFESSIONAL COMBATIVE SPORTS, AND NO PERSON UNDER SIXTEEN  
31 YEARS OF AGE SHALL BE PERMITTED TO ATTEND THEREAT AS A SPECTATOR,  
32 PROVIDED, HOWEVER, THAT A PERSON UNDER THE AGE OF SIXTEEN MAY BE PERMIT-  
33 TED TO ATTEND AS A SPECTATOR IF ACCOMPANIED BY A PARENT OR GUARDIAN.

34 3. EXCEPT AS OTHERWISE PROVIDED IN SECTIONS ONE THOUSAND SIX AND ONE  
35 THOUSAND SEVENTEEN OF THIS ARTICLE, AT EACH AUTHORIZED PROFESSIONAL  
36 COMBATIVE SPORT, EXCEPT WHERE CONDUCTED SOLELY FOR TRAINING PURPOSES,  
37 THERE SHALL BE IN ATTENDANCE A DULY LICENSED REFEREE WHO SHALL DIRECT  
38 AND CONTROL THE SAME. THERE SHALL ALSO BE IN ATTENDANCE, EXCEPT WHERE  
39 CONDUCTED SOLELY FOR TRAINING PURPOSES, THREE DULY LICENSED JUDGES WHO  
40 SHALL AT THE TERMINATION OF EACH SUCH AUTHORIZED PROFESSIONAL COMBATIVE  
41 SPORT RENDER THEIR DECISION. THE WINNER SHALL BE DETERMINED IN ACCORD-  
42 ANCE WITH A SCORING SYSTEM PRESCRIBED BY THE COMMISSION.

43 4. EXCEPT AS OTHERWISE PROVIDED IN SECTIONS ONE THOUSAND SIX AND ONE  
44 THOUSAND SEVENTEEN OF THIS ARTICLE, THE COMMISSION SHALL DIRECT AN  
45 EMPLOYEE OF THE COMMISSION TO BE PRESENT AT EACH PLACE WHERE AUTHORIZED  
46 PROFESSIONAL COMBATIVE SPORTS ARE TO BE CONDUCTED. SUCH EMPLOYEE OF THE  
47 COMMISSION SHALL ASCERTAIN THE EXACT CONDITIONS SURROUNDING SUCH AUTHOR-  
48 IZED PROFESSIONAL COMBATIVE SPORT AND MAKE A WRITTEN REPORT OF THE SAME  
49 IN THE MANNER AND FORM PRESCRIBED BY THE COMMISSION. WHERE AUTHORIZED  
50 PROFESSIONAL COMBATIVE SPORTS ARE APPROVED TO BE HELD IN A STATE OR CITY  
51 OWNED ARMORY, THE PROVISION OF THE MILITARY LAW IN RESPECT THERETO MUST  
52 BE COMPLIED WITH.

53 5. EXCEPT AS OTHERWISE PROVIDED IN SECTIONS ONE THOUSAND SIX AND ONE  
54 THOUSAND SEVENTEEN OF THIS ARTICLE, ANY RING OR COMBAT SURFACE MUST BE  
55 INSPECTED AND APPROVED BY THE COMMISSION PRIOR TO THE COMMENCEMENT OF  
56 ANY AUTHORIZED PROFESSIONAL COMBATIVE SPORT.

1 6. EXCEPT AS OTHERWISE PROVIDED IN SECTIONS ONE THOUSAND SIX AND ONE  
2 THOUSAND SEVENTEEN OF THIS ARTICLE, ALL PROFESSIONALS MUST BE EXAMINED  
3 BY A PHYSICIAN DESIGNATED BY THE COMMISSION BEFORE ENTERING THE RING OR  
4 COMBAT SURFACE AND EACH SUCH PHYSICIAN SHALL IMMEDIATELY FILE WITH THE  
5 COMMISSION A WRITTEN REPORT OF SUCH EXAMINATION. THE COST OF ANY SUCH  
6 EXAMINATION, AS PRESCRIBED BY A SCHEDULE OF FEES ESTABLISHED BY THE  
7 COMMISSION, SHALL BE PAID BY THE CORPORATION CONDUCTING THE AUTHORIZED  
8 PROFESSIONAL COMBATIVE SPORT TO THE COMMISSION. IT SHALL BE THE DUTY OF  
9 EVERY PERSON OR CORPORATION LICENSED TO CONDUCT AN AUTHORIZED PROFES-  
10 SIONAL COMBATIVE SPORT, TO HAVE IN ATTENDANCE AT EVERY AUTHORIZED  
11 PROFESSIONAL COMBATIVE SPORT, AT LEAST ONE PHYSICIAN DESIGNATED BY THE  
12 COMMISSION AS THE RULES SHALL PROVIDE. THE COMMISSION MAY ESTABLISH A  
13 SCHEDULE OF FEES TO BE PAID BY THE LICENSEE TO COVER THE COST OF SUCH  
14 ATTENDANCE.

15 7. THE PHYSICIAN SHALL TERMINATE ANY AUTHORIZED PROFESSIONAL COMBATIVE  
16 SPORT IF IN THE OPINION OF SUCH PHYSICIAN ANY PROFESSIONAL HAS RECEIVED  
17 SEVERE PUNISHMENT OR IS IN DANGER OF SERIOUS PHYSICAL INJURY. IN THE  
18 EVENT OF ANY SERIOUS PHYSICAL INJURY, SUCH PHYSICIAN SHALL IMMEDIATELY  
19 RENDER ANY EMERGENCY TREATMENT NECESSARY, RECOMMEND FURTHER TREATMENT OR  
20 HOSPITALIZATION IF REQUIRED, AND FULLY REPORT THE ENTIRE MATTER TO THE  
21 COMMISSION WITHIN TWENTY-FOUR HOURS AND IF NECESSARY, SUBSEQUENTLY THER-  
22 EAFTER. SUCH PHYSICIAN MAY ALSO REQUIRE THAT THE INJURED PROFESSIONAL  
23 AND HIS OR HER MANAGER REMAIN IN THE RING OR ON THE PREMISES OR REPORT  
24 TO A HOSPITAL AFTER THE CONTEST FOR SUCH PERIOD OF TIME AS SUCH PHYSI-  
25 CIAN DEEMS ADVISABLE. ANY PROFESSIONAL LICENSED UNDER THIS ARTICLE  
26 RENDERED UNCONSCIOUS OR SUFFERING HEAD TRAUMA AS DETERMINED BY THE  
27 ATTENDING PHYSICIAN SHALL BE IMMEDIATELY EXAMINED BY THE ATTENDING  
28 COMMISSION PHYSICIAN AND SHALL BE REQUIRED TO UNDERGO NEUROLOGICAL EXAM-  
29 INATIONS BY A NEUROLOGIST INCLUDING BUT NOT LIMITED TO MAGNETIC RESO-  
30 NANCE IMAGING OR MEDICALLY EQUIVALENT PROCEDURE.

31 8. SUCH PHYSICIAN MAY ENTER THE RING AT ANY TIME DURING AN AUTHORIZED  
32 PROFESSIONAL COMBATIVE SPORT AND MAY TERMINATE THE MATCH IF IN HIS OR  
33 HER OPINION THE SAME IS NECESSARY TO PREVENT SEVERE PUNISHMENT OR SERI-  
34 OUS PHYSICAL INJURY TO A PROFESSIONAL.

35 9. BEFORE A LICENSE SHALL BE GRANTED TO A PERSON OR CORPORATION TO  
36 CONDUCT AN AUTHORIZED PROFESSIONAL COMBATIVE SPORT, THE APPLICANT SHALL  
37 EXECUTE AND FILE WITH THE SECRETARY OF STATE A BOND IN AN AMOUNT TO BE  
38 DETERMINED BY THE COMMISSION, TO BE APPROVED AS TO FORM AND SUFFICIENCY  
39 OF SURETIES THEREON BY THE SECRETARY OF STATE, CONDITIONED FOR THE  
40 FAITHFUL PERFORMANCE BY SAID CORPORATION OF THE PROVISIONS OF THIS ARTI-  
41 CLE AND THE RULES AND REGULATIONS OF THE COMMISSION, AND UPON THE FILING  
42 AND APPROVAL OF SAID BOND THE SECRETARY OF STATE SHALL ISSUE TO SAID  
43 APPLICANT A CERTIFICATE OF SUCH FILING AND APPROVAL, WHICH SHALL BE, BY  
44 SAID APPLICANT, FILED IN THE OFFICE OF THE COMMISSION WITH ITS APPLICA-  
45 TION FOR LICENSE, AND NO SUCH LICENSE SHALL BE ISSUED UNTIL SUCH CERTIF-  
46 ICATE SHALL BE FILED. IN CASE OF DEFAULT IN SUCH PERFORMANCE, THE  
47 COMMISSION MAY IMPOSE UPON THE DELINQUENT A PENALTY IN THE SUM OF NOT  
48 MORE THAN ONE THOUSAND DOLLARS FOR EACH OFFENSE, WHICH MAY BE RECOVERED  
49 BY THE ATTORNEY-GENERAL IN THE NAME OF THE PEOPLE OF THE STATE OF NEW  
50 YORK IN THE SAME MANNER AS OTHER PENALTIES ARE RECOVERED BY LAW; ANY  
51 AMOUNT SO RECOVERED SHALL BE PAID INTO THE TREASURY.

52 10. IN ADDITION TO THE BOND REQUIRED BY SUBDIVISION NINE OF THIS  
53 SECTION, EACH APPLICANT FOR A LICENSE TO CONDUCT AN AUTHORIZED PROFES-  
54 SIONAL COMBATIVE SPORT SHALL EXECUTE AND FILE WITH THE SECRETARY OF  
55 STATE A BOND IN AN AMOUNT TO BE DETERMINED BY THE COMMISSION TO BE  
56 APPROVED AS TO FORM AND SUFFICIENCY OF SURETIES THEREON BY THE SECRETARY

1 OF STATE, CONDITIONED FOR AND GUARANTEEING THE PAYMENT OF PROFESSIONALS'  
2 AND PROFESSIONAL WRESTLERS' PURSES, SALARIES OF CLUB EMPLOYEES LICENSED  
3 BY THE COMMISSION, AND THE LEGITIMATE EXPENSES OF PRINTING TICKETS AND  
4 ALL ADVERTISING MATERIAL.

5 11. ALL PERSONS, PARTIES OR CORPORATIONS HAVING LICENSES AS PROMOTERS  
6 OR WHO ARE LICENSED IN ACCORDANCE WITH SECTION ONE THOUSAND SEVENTEEN OF  
7 THIS ARTICLE SHALL CONTINUOUSLY PROVIDE ACCIDENT INSURANCE OR SUCH OTHER  
8 FORM OF FINANCIAL GUARANTEE DEEMED ACCEPTABLE BY THE COMMISSION, FOR THE  
9 PROTECTION OF LICENSED PROFESSIONALS AND PROFESSIONAL WRESTLERS, APPEAR-  
10 ING IN AUTHORIZED PROFESSIONAL COMBATIVE SPORTS OR WRESTLING EXHIBI-  
11 TIONS. SUCH ACCIDENT INSURANCE OR FINANCIAL GUARANTEE SHALL PROVIDE  
12 COVERAGE TO THE LICENSED PROFESSIONAL FOR: MEDICAL, SURGICAL AND HOSPI-  
13 TAL CARE, WITH A MINIMUM LIMIT OF FIFTY THOUSAND DOLLARS FOR INJURIES  
14 SUSTAINED WHILE PARTICIPATING IN ANY PROGRAM OPERATED UNDER THE CONTROL  
15 OF SUCH LICENSED PROMOTER AND FOR A PAYMENT OF FIFTY THOUSAND DOLLARS TO  
16 THE ESTATE OF ANY DECEASED ATHLETE WHERE SUCH DEATH IS OCCASIONED BY  
17 INJURIES RECEIVED IN THIS STATE DURING THE COURSE OF A PROGRAM IN WHICH  
18 SUCH LICENSED PROFESSIONAL OR PROFESSIONAL WRESTLER PARTICIPATED UNDER  
19 THE PROMOTION OR CONTROL OF ANY LICENSED PROMOTER; AND, MEDICAL, SURGI-  
20 CAL AND HOSPITAL CARE WITH A MINIMUM LIMIT OF ONE MILLION DOLLARS FOR  
21 THE TREATMENT OF A LIFE-THREATENING BRAIN INJURY SUSTAINED IN A PROGRAM  
22 OPERATED UNDER THE CONTROL OF SUCH LICENSED PROMOTER, WHERE AN IDENTIFI-  
23 ABLE, CAUSAL LINK EXISTS BETWEEN THE PROFESSIONAL LICENSEE'S PARTIC-  
24 IPATION IN SUCH PROGRAM AND THE LIFE-THREATENING BRAIN INJURY. WHERE  
25 APPLICABLE, PROFESSIONAL LICENSEES SHALL BE AFFORDED THE OPTION TO  
26 SUPPLEMENT THE PREMIUMS FOR THE ACCIDENT INSURANCE OR FINANCIAL GUARAN-  
27 TEE TO INCREASE THE COVERAGE BEYOND THE MINIMUM LIMITS REQUIRED BY THIS  
28 SUBDIVISION. THE COMMISSION MAY FROM TIME TO TIME, PROMULGATE REGU-  
29 LATIONS TO ADJUST THE AMOUNT OF SUCH MINIMUM LIMITS. THE FAILURE TO  
30 PROVIDE SUCH INSURANCE AS IS REQUIRED BY THIS SUBDIVISION SHALL BE CAUSE  
31 FOR THE SUSPENSION OR THE REVOCATION OF THE LICENSE OF SUCH DEFAULTING  
32 ENTITY.

33 12. (A) EVERY INDIVIDUAL, CORPORATION, ASSOCIATION OR CLUB HOLDING ANY  
34 PROFESSIONAL OR AMATEUR COMBATIVE SPORT, INCLUDING ANY PROFESSIONAL  
35 WRESTLING MATCH OR EXHIBITION, FOR WHICH AN ADMISSION FEE IS CHARGED OR  
36 RECEIVED, SHALL NOTIFY THE ATHLETIC COMMISSION AT LEAST TEN DAYS IN  
37 ADVANCE OF THE HOLDING OF SUCH CONTEST. ALL TICKETS OF ADMISSION TO ANY  
38 SUCH PROFESSIONAL OR AMATEUR COMBATIVE SPORT OR PROFESSIONAL WRESTLING  
39 MATCH OR EXHIBITION SHALL BE PROCURED FROM A PRINTER DULY AUTHORIZED BY  
40 THE STATE ATHLETIC COMMISSION TO PRINT SUCH TICKETS AND SHALL BEAR  
41 CLEARLY UPON THE FACE THEREOF THE PURCHASE PRICE AND LOCATION OF SAME.

42 (B) PURSUANT TO DIRECTION BY THE COMMISSIONER OF TAXATION AND FINANCE,  
43 EMPLOYEES OR OFFICERS OF THE COMMISSION SHALL ACT AS AGENTS OF THE  
44 COMMISSIONER OF TAXATION AND FINANCE TO COLLECT THE TAX IMPOSED BY ARTI-  
45 CLE NINETEEN OF THE TAX LAW. THE ATHLETIC COMMISSION SHALL PROVIDE THE  
46 COMMISSIONER OF TAXATION AND FINANCE WITH SUCH INFORMATION AND TECHNICAL  
47 ASSISTANCE AS MAY BE NECESSARY FOR THE PROPER ADMINISTRATION OF SUCH  
48 TAX.

49 S 1016. REQUIRED FILINGS. 1. THE ORGANIZATION THAT PROMOTES, SANCTIONS  
50 OR OTHERWISE PARTICIPATES IN THE PROPOSITION, SELECTION, OR ARRANGEMENT  
51 OF ONE OR MORE PROFESSIONALS FOR A CONTEST MUST FILE WITH THE COMMISSION  
52 A WRITTEN STATEMENT EXECUTED UNDER PENALTY OF PERJURY STATING (A) ALL  
53 CHARGES, EXPENSES, FEES, AND COSTS THAT WILL BE ASSESSED AGAINST ANY  
54 PROFESSIONAL PARTICIPATING IN THE EVENT; (B) ALL PAYMENTS, BENEFITS,  
55 COMPLIMENTARY BENEFITS AND FEES THE ORGANIZATION OR ENTITY WILL RECEIVE  
56 FOR ITS AFFILIATION WITH THE EVENT; (C) THE NAME OF THE PROMOTER; (D)

1 SPONSOR OF THE EVENT; AND (E) ALL OTHER SOURCES, AND SUCH OTHER AND  
2 ADDITIONAL INFORMATION AS REQUIRED BY THE COMMISSION. SUCH WRITTEN  
3 STATEMENT SHALL BE FILED IN A FORM AND MANNER ACCEPTABLE TO THE COMMIS-  
4 SION.

5 2. THE PROMOTER, ORGANIZER, PRODUCER OR ANOTHER THAT PARTICIPATES IN  
6 THE PROPOSITION, SELECTION, OR ARRANGEMENT OF ONE OR MORE PROFESSIONALS  
7 FOR A CONTEST MUST FILE WITH THE COMMISSION A WRITTEN STATEMENT UNDER  
8 PENALTY OF PERJURY DETAILING ALL CHARGES, FEES, COSTS AND EXPENSES BY OR  
9 THROUGH THE PROMOTER ON THE PROFESSIONAL PERTAINING TO THE EVENT,  
10 INCLUDING ANY PORTION OF THE PROFESSIONAL'S PURSE THAT THE PROMOTER WILL  
11 RECEIVE AND TRAINING EXPENSES AND ALL PAYMENTS, GIFTS OR BENEFITS THE  
12 PROMOTER IS PROVIDING TO ANY SANCTIONING ORGANIZATION AFFILIATED WITH  
13 THE EVENT. SUCH WRITTEN STATEMENT SHALL BE FILED IN A FORM AND MANNER  
14 ACCEPTABLE TO THE COMMISSION.

15 3. THE PROMOTER, ORGANIZER, PRODUCER OR ANOTHER THAT PARTICIPATES IN  
16 THE PROPOSITION, SELECTION, OR ARRANGEMENT OF ONE OR MORE PROFESSIONALS  
17 FOR A CONTEST MUST FILE WITH THE COMMISSION A COPY OF ANY AGREEMENT IN  
18 WRITING TO WHICH THE PROMOTER IS A PARTY WITH ANY PROFESSIONAL PARTIC-  
19 IPATING IN THE MATCH.

20 4. ALL CONTRACTS CALLING FOR THE SERVICES OF A PROFESSIONAL IN AN  
21 AUTHORIZED PROFESSIONAL COMBATIVE SPORT AND ENTERED INTO BY LICENSED  
22 PROMOTERS, PROFESSIONALS OR MANAGERS AS ONE OR MORE OF THE PARTIES IN  
23 SUCH CONTRACTS, INCLUDING THOSE CONTRACTS WHICH RELATE TO THE RIGHTS TO  
24 DISTRIBUTE, TELEVISION OR OTHERWISE TRANSMIT ANY AUTHORIZED PROFESSIONAL  
25 COMBATIVE SPORT OVER THE AIRWAVES OR BY CABLE SHALL BE SUBJECT TO THE  
26 APPROVAL OF THE COMMISSION AND COPIES THEREOF SHALL BE FILED WITH THE  
27 COMMISSION BY SUCH CORPORATION, PROFESSIONAL OR MANAGER WITHIN  
28 FORTY-EIGHT HOURS AFTER THE EXECUTION OF SUCH CONTRACT AND AT LEAST TEN  
29 BUSINESS DAYS PRIOR TO ANY BOUTS, OR THE FIRST OF ANY SERIES OF BOUTS,  
30 TO WHICH THEY RELATE. THE COMMISSION MAY WAIVE SUCH FILING DEADLINE FOR  
31 GOOD CAUSE SHOWN.

32 S 1017. PROFESSIONAL WRESTLING; PROMOTERS. 1. FOR THE PURPOSES OF THIS  
33 ARTICLE, "PROFESSIONAL WRESTLING" SHALL MEAN AN ACTIVITY IN WHICH  
34 PARTICIPANTS STRUGGLE HAND-IN-HAND PRIMARILY FOR THE PURPOSE OF PROVID-  
35 ING ENTERTAINMENT TO SPECTATORS AND WHICH DOES NOT COMPRISE A BONA FIDE  
36 ATHLETIC CONTEST OR COMPETITION.

37 2. EVERY PERSON, PARTNERSHIP OR CORPORATION PROMOTING ONE OR MORE  
38 PROFESSIONAL WRESTLING EXHIBITIONS IN THIS STATE SHALL BE REQUIRED TO  
39 OBTAIN FROM THE COMMISSION AN ANNUAL LICENSE TO CONDUCT SUCH EXHIBITIONS  
40 SUBJECT TO TERMS AND CONDITIONS PROMULGATED BY THE COMMISSION PURSUANT  
41 TO RULE AND CONSISTENT WITH THE APPLICABLE PROVISIONS OF THIS ARTICLE.  
42 EACH APPLICANT SHALL PAY AN ANNUAL FEE ESTABLISHED BY THE COMMISSION  
43 PURSUANT TO RULE.

44 3. A LICENSED PROMOTER OF A PROFESSIONAL WRESTLING EXHIBITION IN THE  
45 STATE SHALL NOTIFY THE ATHLETIC COMMISSION AT LEAST TEN DAYS IN ADVANCE  
46 OF THE HOLDING OF THE EXHIBITION. EACH SUCH PROMOTER SHALL EXECUTE AND  
47 FILE WITH THE COMPTROLLER A BOND IN AN AMOUNT NOT LESS THAN TWENTY THOU-  
48 SAND DOLLARS TO BE APPROVED AS TO FORM AND SUFFICIENCY OF SURETIES THER-  
49 EON BY THE COMPTROLLER, CONDITIONED FOR AND GUARANTEEING THE PAYMENT OF  
50 PROFESSIONAL WRESTLER'S PURSES, SALARIES OF CLUB EMPLOYEES LICENSED BY  
51 THE COMMISSION, THE LEGITIMATE EXPENSES OF PRINTING TICKETS AND ALL  
52 ADVERTISING MATERIAL, PAYMENTS TO SPONSORING ORGANIZATIONS, AND THE  
53 APPLICABLE STATE AND LOCAL SALES AND COMPENSATING USE TAX.

54 4. A LICENSED PROMOTER OF A PROFESSIONAL WRESTLING EXHIBITION SHALL  
55 PROVIDE FOR A LICENSED PHYSICIAN TO BE PRESENT AT EACH EXHIBITION, AND  
56 SUCH PHYSICIAN SHALL EXAMINE EACH WRESTLER PRIOR TO EACH PERFORMANCE,

1 AND EACH SUCH PRE-PERFORMANCE EXAMINATION SHALL BE CONDUCTED IN ACCORD-  
2 ANCE WITH REGULATIONS PRESCRIBED BY THE COMMISSION.

3 5. EVERY LICENSED PROMOTER OF PROFESSIONAL WRESTLING WHO PROMOTES SIX  
4 OR MORE EXHIBITIONS IN THE STATE IN A CALENDAR YEAR MUST HAVE IN PLACE  
5 AN ANTI-DRUG PLAN AND FILE WITH THE COMMISSION A WRITTEN COPY OF THE  
6 PLAN. EACH SUCH PLAN SHALL ADDRESS THE USE OF A CONTROLLED SUBSTANCE  
7 DEFINED IN ARTICLE THIRTY-THREE OF THE PUBLIC HEALTH LAW, AND SUCH PLAN  
8 SHALL AT MINIMUM PROVIDE FOR THE FOLLOWING:

9 (A) DISSEMINATION OF EDUCATIONAL MATERIALS TO PROFESSIONAL WRESTLERS  
10 WHO PERFORM FOR ANY SUCH PROMOTER INCLUDING A LIST OF PROHIBITED DRUGS  
11 AND AVAILABLE REHABILITATION SERVICES; AND

12 (B) A REFERRAL PROCEDURE TO PERMIT ANY SUCH PROFESSIONAL WRESTLER TO  
13 OBTAIN REHABILITATION SERVICES.

14 S 1018. PROHIBITED CONDUCT. 1. NO CORPORATION OR PERSON SHALL HAVE,  
15 EITHER DIRECTLY OR INDIRECTLY, ANY FINANCIAL INTEREST IN A PROFESSIONAL  
16 BOXER COMPETING ON PREMISES OWNED OR LEASED BY THE CORPORATION OR  
17 PERSON, OR IN WHICH SUCH CORPORATION OR PERSON IS OTHERWISE INTERESTED  
18 EXCEPT PURSUANT TO THE SPECIFIC WRITTEN AUTHORIZATION OF THE COMMISSION.

19 2. NO CONTESTANT IN A BOXING OR SPARRING MATCH OR EXHIBITION SHALL BE  
20 PAID FOR SERVICES BEFORE THE CONTEST, AND SHOULD IT BE DETERMINED BY THE  
21 COMMISSION THAT SUCH CONTESTANT DID NOT GIVE AN HONEST EXHIBITION OF HIS  
22 OR HER SKILL, SUCH SERVICES SHALL NOT BE PAID FOR.

23 3. ANY PERSON, INCLUDING ANY CORPORATION AND THE OFFICERS THEREOF, ANY  
24 PHYSICIAN, REFEREE, JUDGE, TIMEKEEPER, PROFESSIONAL, MANAGER, TRAINER OR  
25 SECOND, WHO SHALL PROMOTE, CONDUCT, GIVE OR PARTICIPATE IN ANY SHAM OR  
26 COLLUSIVE AUTHORIZED PROFESSIONAL COMBATIVE SPORTS, SHALL BE DEPRIVED OF  
27 HIS OR HER LICENSE BY THE COMMISSION AND ANY OTHER APPROPRIATE LEGAL  
28 REMEDIES.

29 4. NO LICENSED PROMOTER OR MATCHMAKER SHALL KNOWINGLY ENGAGE IN A  
30 COURSE OF CONDUCT IN WHICH FIGHTS ARE ARRANGED WHERE ONE PROFESSIONAL  
31 HAS SKILLS OR EXPERIENCE SIGNIFICANTLY IN EXCESS OF THE OTHER PROFES-  
32 SIONAL SO THAT A MISMATCH RESULTS WITH THE POTENTIAL OF PHYSICAL HARM TO  
33 THE PROFESSIONAL.

34 S 1019. PENALTIES. 1. A PERSON WHO KNOWINGLY ADVANCES OR PROFITS FROM  
35 A PROHIBITED COMBATIVE SPORT SHALL BE GUILTY OF A CLASS A MISDEMEANOR,  
36 AND SHALL BE GUILTY OF A CLASS E FELONY IF HE OR SHE HAS BEEN CONVICTED  
37 IN THE PREVIOUS FIVE YEARS OF VIOLATING THIS SUBDIVISION.

38 2. ANY PERSON WHO KNOWINGLY ADVANCES OR PROFITS FROM A PROHIBITED  
39 COMBATIVE SPORT SHALL ALSO BE SUBJECT TO A CIVIL PENALTY NOT TO EXCEED  
40 FOR THE FIRST VIOLATION TEN THOUSAND DOLLARS OR TWICE THE AMOUNT OF GAIN  
41 DERIVED THEREFROM WHICHEVER IS GREATER, OR FOR A SUBSEQUENT VIOLATION  
42 TWENTY-FIVE THOUSAND DOLLARS OR TWICE THE AMOUNT OF GAIN DERIVED THERE-  
43 FROM WHICHEVER IS GREATER. THE ATTORNEY GENERAL IS HEREBY EMPOWERED TO  
44 COMMENCE JUDICIAL PROCEEDINGS TO RECOVER SUCH PENALTIES AND TO OBTAIN  
45 INJUNCTIVE RELIEF TO ENFORCE THE PROVISIONS OF THIS SECTION.

46 3. ANY PERSON OR CORPORATION WHO DIRECTLY OR INDIRECTLY CONDUCTS ANY  
47 COMBATIVE SPORT WITHOUT FIRST HAVING PROCURED AN APPROPRIATE LICENSE, OR  
48 HAVING BEEN DESIGNATED AN AUTHORIZED SANCTIONING ENTITY AS PRESCRIBED IN  
49 THIS ARTICLE SHALL BE GUILTY OF A MISDEMEANOR. ANY PERSON WHO PARTIC-  
50 IPATES IN A COMBATIVE SPORT AS A REFEREE, JUDGE, MATCH-MAKER, TIMEKEEP-  
51 ER, PROFESSIONAL, MANAGER, TRAINER, OR SECOND WITHOUT FIRST HAVING  
52 PROCURED AN APPROPRIATE LICENSE AS PRESCRIBED IN THIS ARTICLE, OR WHERE  
53 SUCH COMBATIVE SPORT IS PROHIBITED UNDER THIS ARTICLE SHALL BE GUILTY OF  
54 A MISDEMEANOR. ANY PERSON, PARTNERSHIP OR CORPORATION WHO PROMOTES A  
55 PROFESSIONAL WRESTLING MATCH OR EXHIBITION IN THE STATE WITHOUT FIRST

1 HAVING PROCURED AN APPROPRIATE LICENSE IN ACCORDANCE WITH SECTION ONE  
2 THOUSAND SEVENTEEN OF THIS ARTICLE, SHALL BE GUILTY OF A MISDEMEANOR.

3 4. ANY CORPORATION, ENTITY, PERSON OR PERSONS, LICENSED, PERMITTED OR  
4 OTHERWISE AUTHORIZED UNDER THE PROVISIONS OF THIS ARTICLE, THAT SHALL  
5 KNOWINGLY VIOLATE ANY RULE OR ORDER OF THE COMMISSION OR ANY PROVISION  
6 OF THIS ARTICLE, IN ADDITION TO ANY OTHER PENALTY BY LAW PRESCRIBED,  
7 SHALL BE LIABLE TO A CIVIL PENALTY NOT TO EXCEED TEN THOUSAND DOLLARS  
8 FOR THE FIRST OFFENSE AND NOT TO EXCEED TWENTY-FIVE THOUSAND DOLLARS FOR  
9 THE SECOND AND EACH SUBSEQUENT OFFENSE, TO BE IMPOSED BY THE COMMISSION,  
10 TO BE SUED FOR BY THE ATTORNEY-GENERAL IN THE NAME OF THE PEOPLE OF THE  
11 STATE OF NEW YORK IF DIRECTED BY THE COMMISSION. THE COMMISSION, FOR  
12 CAUSE SHOWN, MAY EXTEND THE TIME FOR THE PAYMENT OF SUCH PENALTY AND, BY  
13 COMPROMISE, MAY ACCEPT LESS THAN THE AMOUNT OF SUCH PENALTY AS IMPOSED  
14 IN SETTLEMENT THEREOF. FOR THE PURPOSES OF THIS SECTION, EACH TRANS-  
15 ACTION OR STATUTORY VIOLATION SHALL CONSTITUTE A SEPARATE OFFENSE,  
16 EXCEPT THAT A SECOND OR SUBSEQUENT OFFENSE SHALL NOT BE DEEMED TO EXIST  
17 UNLESS A DECISION HAS BEEN RENDERED IN A PRIOR, SEPARATE AND INDEPENDENT  
18 PROCEEDING.

19 5. ON THE FIRST INFRACTION OF RULES OR REGULATIONS PROMULGATED PURSU-  
20 ANT TO SUBDIVISION TWO OF SECTION ONE THOUSAND NINE OF THIS ARTICLE,  
21 WHICH INFRACTION MAY INCLUDE MORE THAN ONE INDIVIDUAL VIOLATION, THE  
22 COMMISSION MAY IMPOSE A CIVIL FINE OF UP TO TWO HUNDRED FIFTY DOLLARS  
23 FOR EACH HEALTH AND SAFETY VIOLATION AND MAY SUSPEND THE TRAINING FACIL-  
24 ITY'S LICENSE UNTIL THE VIOLATION OR VIOLATIONS ARE CORRECTED. ON THE  
25 SECOND SUCH INFRACTION, THE COMMISSION MAY IMPOSE A CIVIL FINE OF UP TO  
26 FIVE HUNDRED DOLLARS FOR EACH HEALTH AND SAFETY VIOLATION AND MAY  
27 SUSPEND THE TRAINING FACILITY'S LICENSE UNTIL THE VIOLATION OR  
28 VIOLATIONS ARE CORRECTED. ON THE THIRD SUCH INFRACTION OR FOR SUBSEQUENT  
29 INFRACTIONS, THE COMMISSION MAY IMPOSE A CIVIL FINE OF UP TO SEVEN  
30 HUNDRED FIFTY DOLLARS FOR EACH HEALTH AND SAFETY VIOLATION AND MAY  
31 REVOKE THE TRAINING FACILITY'S LICENSE.

32 6. ANY INDIVIDUAL, CORPORATION, ASSOCIATION OR CLUB FAILING TO FULLY  
33 COMPLY WITH PARAGRAPH (A) OF SUBDIVISION TWELVE OF SECTION ONE THOUSAND  
34 FIFTEEN OF THIS ARTICLE SHALL BE SUBJECT TO A PENALTY OF FIVE HUNDRED  
35 DOLLARS TO BE COLLECTED BY AND PAID TO THE DEPARTMENT OF STATE. ANY  
36 INDIVIDUAL, CORPORATION, ASSOCIATION OR CLUB IS PROHIBITED FROM OPERAT-  
37 ING ANY SHOWS OR EXHIBITIONS UNTIL ALL PENALTIES DUE PURSUANT TO THIS  
38 SECTION AND TAXES, INTEREST AND PENALTIES DUE PURSUANT TO ARTICLE NINE-  
39 TEEN OF THE TAX LAW HAVE BEEN PAID.

40 7. ALL PENALTIES IMPOSED AND COLLECTED BY THE COMMISSION FROM ANY  
41 CORPORATION, ENTITY, PERSON OR PERSONS LICENSED UNDER THE PROVISIONS OF  
42 THIS ARTICLE, WHICH FINES AND PENALTIES ARE IMPOSED AND COLLECTED UNDER  
43 AUTHORITY HEREBY VESTED SHALL WITHIN THIRTY DAYS AFTER THE RECEIPT THER-  
44 EOF BY THE COMMISSION BE PAID BY THEM INTO THE STATE TREASURY.

45 S 1020. SUBPOENAS BY COMMISSION; OATHS. THE COMMISSION SHALL HAVE  
46 AUTHORITY TO ISSUE, UNDER THE HAND OF ITS CHAIRPERSON, AND THE SEAL OF  
47 THE COMMISSION, SUBPOENAS FOR THE ATTENDANCE OF WITNESSES BEFORE THE  
48 COMMISSION. A SUBPOENA ISSUED UNDER THIS SECTION SHALL BE REGULATED BY  
49 THE CIVIL PRACTICE LAW AND RULES.

50 S 1021. EXCEPTIONS. THE PROVISIONS OF THIS ARTICLE EXCEPT AS PROVIDED  
51 IN SUBDIVISION TWELVE OF SECTION ONE THOUSAND FIFTEEN OF THIS ARTICLE  
52 SHALL NOT BE CONSTRUED TO APPLY TO ANY SPARRING OR BOXING CONTEST OR  
53 EXHIBITION CONDUCTED UNDER THE SUPERVISION OR THE CONTROL OF THE NEW  
54 YORK STATE NATIONAL GUARD OR NAVAL MILITIA WHERE ALL OF THE CONTESTANTS  
55 ARE MEMBERS OF THE ACTIVE MILITIA; NOR TO ANY SUCH CONTEST OR EXHIBITION  
56 WHERE THE CONTESTANTS ARE ALL AMATEURS, SPONSORED BY AND UNDER THE

1 SUPERVISION OF ANY UNIVERSITY, COLLEGE, SCHOOL OR OTHER INSTITUTION OF  
2 LEARNING, RECOGNIZED BY THE REGENTS OF THE STATE OF NEW YORK; NOR TO ANY  
3 BUSINESS ENTITY INCORPORATED FOR THE PURPOSES OF PROVIDING INSTRUCTION  
4 AND EVALUATION IN A COMBATIVE SPORT TO CUSTOMERS FOR THE PURPOSES OF  
5 HEALTH AND FITNESS, PERSONAL DEVELOPMENT, SELF-DEFENSE OR PARTICIPATION  
6 IN AMATEUR EVENTS CONDUCTED BY AN AUTHORIZED SANCTIONING ENTITY; NOR TO  
7 ANY SUCH CONTEST OR EXHIBITIONS WHERE THE CONTESTANTS ARE ALL AMATEURS  
8 SPONSORED BY AND UNDER THE SUPERVISION OF THE AMERICAN OLYMPIC ASSOCI-  
9 ATION OR, IN THE CASE OF BOXING, THE U.S. AMATEUR BOXING FEDERATION OR  
10 ITS LOCAL AFFILIATES OR THE AMERICAN OLYMPIC ASSOCIATION; NOR EXCEPT AS  
11 TO THE EXTENT PROVIDED OTHERWISE IN THIS ARTICLE, TO ANY PROFESSIONAL  
12 WRESTLING CONTEST OR EXHIBITION AS DEFINED IN THIS ARTICLE. ANY INDIVID-  
13 UAL, ASSOCIATION, CORPORATION OR CLUB, EXCEPT ELEMENTARY OR HIGH SCHOOLS  
14 OR EQUIVALENT INSTITUTIONS OF LEARNING RECOGNIZED BY THE REGENTS OF THE  
15 STATE OF NEW YORK, WHO OR WHICH CONDUCTS AN AMATEUR CONTEST PURSUANT TO  
16 THIS SECTION MUST REGISTER WITH THE U. S. AMATEUR BOXING FEDERATION OR  
17 ITS LOCAL AFFILIATES AND ABIDE BY ITS RULES AND REGULATIONS.

18 S 1022. DISPOSITION OF RECEIPTS. ALL RECEIPTS OF THE COMMISSION SHALL  
19 BE PAID INTO THE STATE TREASURY, PROVIDED, HOWEVER, THAT RECEIPTS FROM  
20 THE TAX IMPOSED BY ARTICLE NINETEEN OF THE TAX LAW SHALL BE DEPOSITED AS  
21 PROVIDED BY SECTION ONE HUNDRED SEVENTY-ONE-A OF THE TAX LAW.

22 S 3. Subdivision 1 of section 451 of the tax law, as amended by  
23 section 1 of part F of chapter 407 of the laws of 1999, is amended to  
24 read as follows:

25 1. "Gross receipts from ticket sales" shall mean the total gross  
26 receipts of every person from the sale of tickets to any [professional  
27 or amateur boxing, sparring or wrestling match or exhibition] AUTHORIZED  
28 COMBATIVE SPORT held in this state, and without any deduction whatsoever  
29 for commissions, brokerage, distribution fees, advertising or any other  
30 expenses, charges and recoupments in respect thereto.

31 S 4. Section 451 of the tax law is amended by adding a new subdivision  
32 4 to read as follows:

33 4. "AUTHORIZED COMBATIVE SPORT" SHALL MEAN ANY COMBATIVE SPORT AUTHOR-  
34 IZED PURSUANT TO SECTION ONE THOUSAND ONE OF THE GENERAL BUSINESS LAW.

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

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

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

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

49 2. ON AND AFTER THE EFFECTIVE DATE OF THIS SUBDIVISION, A TAX IS HERE-  
50 BY IMPOSED AND SHALL BE PAID UPON THE GROSS RECEIPTS OF EVERY PERSON  
51 HOLDING ANY AUTHORIZED COMBATIVE SPORT IN THIS STATE, OTHER THAN ANY  
52 PROFESSIONAL OR AMATEUR BOXING, SPARRING OR WRESTLING EXHIBITION OR  
53 MATCH, EXCLUSIVE OF ANY FEDERAL TAXES AS FOLLOWS:

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

1 (B) THREE PERCENT OF THE SUM OF (I) GROSS RECEIPTS FROM BROADCASTING  
2 RIGHTS, AND (II) GROSS RECEIPTS FROM DIGITAL STREAMING OVER THE INTER-  
3 NET, EXCEPT THAT IN NO EVENT SHALL SUCH TAX IMPOSED PURSUANT TO THIS  
4 PARAGRAPH EXCEED FIFTY THOUSAND DOLLARS FOR ANY MATCH OR EXHIBITION.

5 S 6. The article heading of article 19 of the tax law, as added by  
6 chapter 833 of the laws of 1987, is amended to read as follows:

7 [BOXING AND WRESTLING EXHIBITIONS] AUTHORIZED COMBATIVE  
8 SPORTS TAX

9 S 7. Paragraph 1 of subdivision (f) of section 1105 of the tax law, as  
10 amended by section 100 of part A of chapter 389 of the laws of 1997, is  
11 amended to read as follows:

12 (1) Any admission charge where such admission charge is in excess of  
13 ten cents to or for the use of any place of amusement in the state,  
14 except charges for admission to race tracks[, boxing, sparring or wres-  
15 tling matches or exhibitions] OR COMBATIVE SPORTS which charges are  
16 taxed under any other law of this state, or dramatic or musical arts  
17 performances, or live circus performances, or motion picture theaters,  
18 and except charges to a patron for admission to, or use of, facilities  
19 for sporting activities in which such patron is to be a participant,  
20 such as bowling alleys and swimming pools. For any person having the  
21 permanent use or possession of a box or seat or a lease or a license,  
22 other than a season ticket, for the use of a box or seat at a place of  
23 amusement, the tax shall be upon the amount for which a similar box or  
24 seat is sold for each performance or exhibition at which the box or seat  
25 is used or reserved by the holder, licensee or lessee, and shall be paid  
26 by the holder, licensee or lessee.

27 S 8. The section heading of section 1820 of the tax law, as amended  
28 by section 32 of subpart I of part V-1 of chapter 57 of the laws of  
29 2009, is amended to read as follows:

30 [Boxing and wrestling exhibitions] AUTHORIZED COMBATIVE SPORTS tax.

31 S 9. Paragraph (b) of subdivision 6-c of section 106 of the alcoholic  
32 beverage control law, as added by chapter 254 of the laws of 2001, is  
33 amended to read as follows:

34 (b) The prohibition contained in paragraph (a) of this subdivision,  
35 however, shall not be applied to any [professional match or exhibition  
36 which consists of boxing, sparring, wrestling, or martial arts and which  
37 is excepted from the definition of the term "combative sport" contained  
38 in subdivision one of section five-a of chapter nine hundred twelve of  
39 the laws of nineteen hundred twenty, as added by chapter fourteen of the  
40 laws of nineteen hundred ninety-seven] AUTHORIZED COMBATIVE SPORT.

41 S 10. The department of state, with the assistance of the state  
42 athletic commission, medical advisory board, departments of health and  
43 financial services, state insurance fund, division of budget and such  
44 other state entities as appropriate, shall carefully consider potential  
45 mechanisms to provide financial resources for the payment of expenses  
46 related to medical and rehabilitative care for professionals licensed  
47 under article forty-one of the general business law who experience  
48 debilitating brain injuries associated with repetitive head injuries  
49 sustained through their participation in combative sports. The depart-  
50 ment of state may consult and contract with third parties for services  
51 in the course of this review. The department of state shall report its  
52 findings and recommendations to the governor, temporary president of the  
53 senate and speaker of the assembly within eighteen months of the effec-  
54 tive date of this section. In addition to the foregoing, within twelve  
55 months of the effective date of this section, the state athletic commis-  
56 sion shall make any recommendations to the governor, temporary president



1 of the senate and speaker of the assembly regarding legislative changes  
2 which may be necessary to effectuate the purpose and intent of this  
3 chapter, including, but not limited to, appropriate adjustments to the  
4 insurance requirements contained therein.

5 S 11. This act shall take effect on the first day of the first month  
6 next succeeding the thirtieth day after it shall have become a law and  
7 shall apply to gross receipts from combative sports held on or after  
8 that date; provided, however, that the addition, amendment and/or repeal  
9 of any rule or regulation of the state athletic commission necessary for  
10 the implementation of this act on its effective date is authorized to be  
11 made on or before such effective date.