

* Regulation of Boxing, Sparring and Wrestling--Chapter 912 of 1920

***§ 1. State athletic commission.** The state boxing commission is continued as a division in the department of state under the name of the state athletic commission. The commission shall consist of three members who shall be appointed by the governor by and with the advice and consent of the senate. The governor shall designate one of the members as chairman of the commission. The members of the commission shall be appointed for terms of three years. Any vacancy in the membership of the commission caused otherwise than by expiration of term shall be filled only for the balance of the term of the member in whose position the vacancy occurs.

The commissioners shall be paid their actual and necessary traveling and other expenses incurred by them in the performance of their official duties. The commission shall maintain in the city of New York general offices for the transaction of its business. The members of the commission shall adopt a seal for the commission, and make such rules for the administration of their office, not inconsistent herewith, as they may deem expedient; and they may amend or abrogate such rules. Two of the members of the commission shall constitute a quorum to do business; and the concurrence of at least two commissioners shall be necessary to render a determination by the commission.

The commission shall annually make to the legislature a full report of its proceedings for the year ending with the first day of the preceding December and may submit with such report such recommendations pertaining to its affairs as it shall deem desirable.

* NB Repealed September 1, 2016

*** § 2. Officers and employees.** The commission may appoint, and at pleasure remove, deputies who shall be paid a salary within budgetary appropriations and all necessary expenses for traveling and maintenance incurred by them in the performance of their official duties outside of the city in which they are regularly employed. The commission may appoint, and at pleasure remove, a secretary to the commission, whose duty it shall be to keep a full and true record of all its proceedings,

preserve at its general office all its books, documents and papers, prepare for service such notices and other papers as may be required of him by the commission and perform such other duties as the commission may prescribe. The secretary of the commission shall receive an annual salary within budgetary appropriations. The commission may employ such other officers, employees and inspectors as may be necessary to administer the provisions of this act and fix their salaries within the amount appropriated therefor by the legislature. The necessary traveling and other necessary expenses of the members of the commission, and the salary of its deputies and secretary, shall be paid monthly out of the state treasury on the warrant of the comptroller and the certificate of the chairman of the commission out of the money appropriated to be used therefor.

* NB Repealed September 1, 2016

* **§ 3. Subpoenas by commission; oaths.** The commission shall have authority to issue, under the hand of its chairman, and the seal of the commission, subpoenas for the attendance of witnesses before the commission. A subpoena issued under this section shall be regulated by the civil practice law and rules.

* NB Repealed September 1, 2016

* **§ 4. Medical advisory board.** 1. A medical advisory board is hereby created in the division of the state athletic commission, to consist of nine members, to be appointed by the governor. Of the members first appointed by the governor, three shall be appointed for terms of one year, three for terms of two years, and three members shall be appointed for terms of three years, from and after the date of their appointment. The governor shall designate one of such members as chairman of the advisory board. The term of a member thereafter appointed, except to fill a vacancy, shall be three years from the expiration of the term of his predecessor. Upon the appointment of a successor to the chairman of the advisory board, the governor shall designate such successor or other member of the advisory board as chairman. A vacancy occurring otherwise than by expiration of term, shall be filled by appointment by the

governor for the remainder only of the term. Each member of the advisory board shall be duly licensed to practice medicine in the state of New York, and at the time of his appointment have had at least five years experience in the practice of his profession. The members of the advisory board shall receive such compensation as may be fixed by the commission within the amount provided by appropriation, and shall be allowed and paid necessary traveling and other expenses incurred by them, respectively, in the performance of their duties hereunder.

2. The advisory board shall have power and it shall be the duty of the board to prepare and submit to the commission for approval regulations and standards for the physical examination of professional boxers including, without limitation, pre-fight and/or post-fight examinations and periodic comprehensive examinations. The board shall continue to serve in an advisory capacity to the commission and from time to time prepare and submit to the commission for approval, such additional regulations and standards of examination as in their judgment will safeguard the physical welfare of professional boxers licensed by the commission. The advisory board shall recommend to the commission from time to time such qualified physicians, for the purpose of conducting physical examinations of professional boxers and other services as the rules of the commission shall provide; and shall recommend to the commission a schedule of fees to be paid to physicians for such examinations and other services as required by this act.

3. The advisory board shall develop appropriate medical education programs for all commission personnel involved in the conduct of boxing and sparring matches or exhibitions so that such personnel can recognize and act upon evidence of potential or actual adverse medical indications in a participant prior to or during the course of a match.

4. The advisory board shall review the credentials and performance of each commission physician on an annual basis as a condition of reappointment of each such physician, including each such physician's comprehension of the medical literature on boxing referred to in subdivision five of this section.

5. The advisory board shall recommend to the commission a compilation of medical publications on the medical aspects of boxing which shall be maintained by the commission and be made available for review to all commission personnel involved in the conduct of any boxing or sparring match or exhibition.

6. The advisory board shall also advise the commission on any study of equipment, procedures or personnel which will, in their opinion, promote the safety of boxing participants.

* NB Repealed September 1, 2016

*** § 5. Boxing and professional wrestling exhibitions authorized.** No boxing, sparring or professional wrestling matches or exhibitions shall be conducted, held or given within the state except in accordance with the provisions of this act. The commission shall direct a deputy to be present at each place where boxing or sparring matches or exhibitions are to be held pursuant to the provisions of this act. Such deputy shall ascertain the exact conditions surrounding such match or exhibition and make a written report of the same in the manner and form prescribed by the commission. Such boxing or sparring matches or exhibitions may be held in any building for which the commission in its discretion may issue a license. Where such match or exhibition is authorized to be held in a state or city owned armory, the provision of the military law in respect thereto must be complied with, but no such match or exhibition shall be held in a building wholly used for religious services.

* NB Repealed September 1, 2016

*** § 5-a. Combative sports.** 1. A "combative sport" shall mean any professional match or exhibition other than boxing, sparring, wrestling or martial arts wherein the contestants deliver, or are not forbidden by the applicable rules thereof from delivering kicks, punches or blows of any kind to the body of an opponent or opponents. For the purposes of this section, the term "martial arts" shall include any professional match or exhibition sanctioned by any of the following organizations: U.S. Judo Association, U.S. Judo, Inc., U.S. Judo Federation, U.S. Tae

Kwon Do Union, North American Sport Karate Association, U.S.A. Karate Foundation, U.S. Karate, Inc., World Karate Association, Professional Karate Association, Karate International, International Kenpo Association, or World Wide Kenpo Association. The commission is authorized to promulgate regulations which would establish a process to allow for the inclusion or removal of martial arts organizations from the above list. Such process shall include but not be limited to consideration of the following factors:

(a) is the organization's primary purpose to provide instruction in self defense techniques;

(b) does the organization require the use of hand, feet and groin protection during any competition or bout; and

(c) does the organization have an established set of rules that require the immediate termination of any competition or bout when any participant has received severe punishment or is in danger of suffering serious physical injury.

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 guilty of a class E felony if he or she has been convicted in the previous five years of violating this subdivision.

(b) A person advances a combative sport activity when, acting other than as a spectator, he or she engages in conduct which materially aids any combative sport. Such conduct includes but is not limited to conduct directed toward the creation, establishment or performance of a combative sport, toward the acquisition or maintenance of premises, paraphernalia, equipment or apparatus therefor, toward the solicitation or inducement of persons to attend or participate therein, toward the actual conduct of the performance thereof, toward the arrangement of any of its financial or promotional phases, or toward any other phase of a combative sport. One advances a combative sport activity when, having substantial proprietary or other authoritative control over premises being used with his or her knowledge for purposes of a combative sport

activity, he or she permits such to occur or continue or makes no effort to prevent its occurrence or continuation.

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

(d) Any person who knowingly advances or profits from a combative sport activity shall also be subject to a civil penalty not to exceed for the first violation ten thousand dollars or twice the amount of gain derived therefrom whichever is greater, or for a subsequent violation twenty thousand dollars or twice the amount of gain derived therefrom whichever is greater. The attorney general is hereby empowered to commence judicial proceedings to recover such penalties and to obtain injunctive relief to enforce the provisions of this section.

* NB Repealed September 1, 2016

*** § 6. Jurisdiction of commission.** 1. The commission shall have and hereby is vested with the sole direction, management, control and jurisdiction over all such boxing and sparring matches or exhibitions to be conducted, held or given within the state of New York and over all licenses to any and all persons who participate in such boxing or sparring matches or exhibitions and over 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 boxing or sparring matches or exhibitions, and over the promotion of professional wrestling exhibitions to the extent provided for in sections 5, 9, 19, 20, 28-a, 28-b and 33 of this act, except as otherwise provided in this act.

2. The commission is authorized and directed to require that all sites wherein boxing, sparring and wrestling matches and exhibitions are conducted shall comply with state and applicable local sanitary codes appropriate to school athletic facilities.

* NB Repealed September 1, 2016

*** § 7. Corporations and persons required to procure licenses; professional boxer defined.** Except as otherwise provided in sections 9 and 9-a of this chapter, with respect to all boxing or sparring matches or exhibitions in this state, all corporations, persons, referees, judges, match-makers, timekeepers, corporation treasurers, box office employees, ticket takers, doormen, ushers, professional boxers, their managers, trainers, seconds and announcers shall be licensed by the commission, and no such corporation or person shall be permitted to participate, either directly or indirectly, in any boxing or sparring match or exhibition, or the holding thereof, or the operation of any training facility providing contact sparring maintained either exclusively or in part for the use of professional boxers, unless such corporation or persons shall have first procured a license from the commission. The commission shall establish by rule and regulation licensing and training standards for such referees, judges, managers, trainers and seconds. For the purposes of this chapter, a professional boxer is deemed to be one who competes for a money prize or teaches or pursues or assists in the practice of boxing as a means of obtaining a livelihood or pecuniary gain, and any contest conforming to the rules, regulations and requirements of this chapter shall be deemed to be a boxing match and not a prize fight.

* NB Repealed September 1, 2016

*** § 7-a. Regulation of judges.** 1. Judges for any contest under the jurisdiction of the commission shall be selected by the commission from a list of qualified licensed judges maintained by the commission.

2. Any boxer or manager may protest the assignment of a judge to a contest and the protesting boxer or manager may be heard by the commission or its designee if such protest is timely. If the protest is untimely it shall be summarily rejected.

3. Each person seeking to be licensed as a judge by the commission shall be required to submit to or provide proof of an eye examination

and annually thereafter on the anniversary of the issuance of the license. Each person seeking to be a boxing judge in the state must be certified as having completed a training program as approved by the commission and shall have passed a written examination approved by the commission covering aspects of boxing including, but not limited to, the rules of the sport, the law of the state relating to the commission, and basic first aid. The commission shall establish continuing education programs to keep licensees current on areas of required knowledge.

4. Each person seeking a license to be a boxing judge in the state shall be required to fill out a financial questionnaire certifying under penalty of perjury full disclosure of the judge's financial situation on a questionnaire to be promulgated by the commission. Such questionnaire shall be in a form and manner approved by the commission and shall provide information as to areas of actual or potential conflict of interests as well as appearances of such conflicts, including financial responsibility. Within forty-eight hours of any match, each boxing judge shall file with the commission a financial disclosure statement in such form and manner as shall be acceptable to the commission.

5. Only a person licensed by the commission may judge a boxing contest within the state.

* NB Repealed September 1, 2016

*** § 8. License to corporations.** 1. a. The commission may, in its discretion, issue a license to conduct, hold or give boxing or sparring matches or exhibitions, subject to the provisions hereof, to any person or corporation duly incorporated under the laws of the state of New York.

b. A prospective licensee must submit to the commission proof that it can furnish suitable premises in which such match or exhibition is to be held.

c. Upon written application and the payment of a fee of fifty dollars which must accompany the application, the commission may grant to any

person or corporation holding a license issued hereunder, the privilege of holding such a match or exhibition on a specified date in other premises, or in another location, than the premises or location previously approved by the commission, subject however to approval of the commission and the rules and regulations of the commission.

2. a. The commission may, in its discretion and in accordance with regulations adopted by the commission to protect the health and safety of professional boxers in training, issue a license to operate a training facility providing contact sparring maintained either exclusively or in part for the use of professional boxers. The regulations of the commission shall include, but not be limited to, the following subjects to protect the health and safety of professional boxers:

- (i) Requirements for first aid materials to be stored in an accessible 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;

- (ii) Prominent posting adjacent to an accessible telephone of the telephone number for emergency medical services at the nearest hospital;

- (iii) Clean and sanitary bathrooms, shower rooms, locker rooms and food serving and storage areas;

- (iv) Adequate ventilation and lighting of accessible areas of the training facility;

- (v) Establishment of a policy concerning the restriction of smoking in training areas, including provisions for its enforcement by the facility operator;

- (vi) Compliance with state and local fire ordinances;

- (vii) Inspection and approval of rings as required by section twenty-four of this chapter; and

- (viii) 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.

c. On the first infraction of rules or regulations promulgated pursuant to this subdivision, which infraction may include more than one individual violation, the commission may impose a civil fine of up to two hundred fifty dollars for each health and safety violation and may suspend the training facility's license until the violation or violations are corrected. On the second such infraction, the commission may impose a civil fine of up to five hundred dollars for each health and safety violation and may suspend the training facility's license until the violation or violations are corrected. On the third such infraction or for subsequent infractions, the commission may impose a civil fine of up to seven hundred fifty dollars for each health and safety violation and may revoke the training facility's license.

3. All penalties imposed and collected by the commission from any corporation, person or persons licensed under the provisions of this act, which fines and penalties are imposed and collected under authority hereby vested shall within thirty days after the receipt thereof by the commission be paid by them into the state treasury.

* NB Repealed September 1, 2016

* **§ 9. Temporary working permits.** The commission shall issue temporary working permits to box office employees, ushers, ticket takers and doormen good for employment at a single exhibition of boxing, sparring or professional wrestling, at a stated time and place. The fee for each such temporary working permit shall be established by the commission pursuant to rule. No person shall be entitled to obtain more than six temporary working permits in any one license year.

* NB Repealed September 1, 2016

* **§ 9-a. Temporary working permits for boxers, managers, trainers and**

seconds. The commission may issue temporary working permits to professional boxers, their managers, trainers and seconds. A temporary working permit shall authorize the employment of the holder of such permit to engage in a single match at a specified time and place. A temporary working permit may be issued if in the judgment of the commission the participation of the holder thereof in a boxing match will be consistent with the purposes and provisions of this chapter, the best interests of boxing generally, and the public interest, convenience or necessity. The commission may require that boxers applying for temporary working permits undergo a physical examination, neurological or neuropsychological test or procedure, including electroencephalography and computed tomography or medically equivalent procedure. The fee for such temporary working permit shall be established by the commission pursuant to rule.

* NB Repealed September 1, 2016

*** § 9-b. Temporary training facilities.** Any training facility providing contact sparring established and maintained on a temporary basis for the purpose of preparing a professional boxer or for a specific boxing or sparring 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 judgement of the commission, establishment and maintenance of such facility will be consistent with the purposes and provisions of this chapter, the best interests of boxing generally, and the public interest, convenience or necessity.

* NB Repealed September 1, 2016

*** § 10. License fees; term of licenses; renewals.** Each applicant for a license shall, before a license is issued by the commission, pay to the commission, an annual license fee as follows: corporations in cities of the first class, where the seating capacity is not more than two thousand five hundred, four hundred and fifty dollars; where the seating capacity is more than two thousand five hundred but not more than five thousand, seven hundred and fifty dollars; where the seating capacity is

more than five thousand but not more than fifteen thousand, one thousand dollars; where the seating capacity is more than fifteen thousand but not more than twenty-five thousand, two thousand dollars; where the seating capacity is more than twenty-five thousand, two thousand five hundred dollars; in cities of the second class, three hundred dollars; elsewhere, one hundred fifty dollars; corporations or persons applying to operate a training facility providing contact sparring maintained either exclusively or in part for the use of professional boxers, one hundred dollars; referees, fifty dollars; judges, fifty dollars; matchmakers, fifty dollars; corporation-treasurers, fifty dollars; box office employees, twenty dollars; timekeepers, ten dollars; professional boxers, ten dollars; managers, thirty dollars; trainers, ten dollars; seconds, ten dollars; ticket takers, ten dollars; doormen, ten dollars; ushers, ten dollars; special policemen, ten dollars; announcers, twenty dollars. Each license or renewal thereof issued pursuant to this section on or after October 1, 1938, shall be effective for a license year expiring on the thirtieth day of September following the date of its issuance. The annual license fee prescribed by this section shall be the license fee due and payable therefor and shall be paid in advance at the time application is made therefor, and each such license may be renewed for periods of one year upon the payment of the annual license fee prescribed by this section. Within three years from the date of payment and upon the audit of the comptroller, the commission may refund any fee, unforfeited posted guarantee or tax paid pursuant to this act, for which no license is issued or no service rendered or refund that portion of the payment that is in excess of the amount prescribed by statute.

* NB Repealed September 1, 2016

*** § 11. Application for license; fingerprints.** 1. Every application for a license shall be in writing, shall be addressed to the commission, shall be subscribed by the applicant, and affirmed by him as true under the penalties of perjury, and shall set forth such facts as the provisions hereof and the rules and regulations of the commission may require.

2. When an application is made for a license under this act, the

commission shall cause the fingerprints of such applicant, or if such applicant be a corporation, of the officers of such corporation, to be taken in triplicate. One copy shall be filed in the office of the division of criminal justice services at Albany, one copy may be submitted to the federal bureau of investigation for a national criminal history record check, and one shall remain on file in the office of the commission. No such fingerprint may be inspected by any person, other than a peace officer, except on order of a judge or justice of a court of record. The information obtained by any such fingerprint examination shall be for the guidance of the commission in the exercise of its discretion in granting or withholding the license.

* NB Repealed September 1, 2016

*** § 12. Standards for the issuance of licenses.**

1. If in the judgment of the commission the financial responsibility, experience, character and general fitness of an applicant, including in the case of corporations its officers and stockholders, are such that the participation of such applicant will be consistent with the public interest, convenience or necessity and the safety of boxing and wrestling participants and with the best interests of boxing or wrestling generally and in conformity with the purposes of this act, the commission may grant a license in accordance with the provisions herein contained.

2. Any professional boxer applying for a license or renewal of a license under this chapter shall undergo a comprehensive physical examination including clinical neurological and neuropsychological examinations by a physician approved by the commission. If, at the time of such examination, there is any indication of brain injury, or for any other reason the physician deems it appropriate, the boxer shall be required to undergo further neurological and neuropsychological examinations by a neurologist including, but not limited to, a computed tomography or medically equivalent procedure. The commission shall not issue a license to a boxer until such examinations are completed and reviewed by the commission. The results of all such examinations herein

required shall become a part of the boxer's permanent medical record as maintained by the commission. The costs of all such examinations called for in this subdivision shall be assumed by the state if such examinations are performed by a physician or neurologist approved by the commission.

3. Any professional boxer licensed under this chapter shall, as a condition of licensure, waive right of confidentiality of medical records relating to treatment of any physical condition which relates to his ability to fight. All medical reports submitted to, and all medical records of the medical advisory board or the commission relative to the physical examination or condition of boxers and wrestlers shall be considered confidential, and shall be open to examination only to the commissioner or its authorized representative, to the licensed boxer or manager upon written application to examine said records, or upon the order of a court of competent jurisdiction in an appropriate case.

4. All contracts calling for the services of a boxer in a boxing contest and entered into by licensed promoting corporations, boxers or managers as one or more of the parties in such contracts, including those contracts which relate to the rights to distribute, televise or otherwise transmit any boxing bout over the airwaves or by cable shall be subject to the approval of the commission and copies thereof shall be filed with the commission by such corporation, boxer or manager within forty-eight hours after the execution of such contract and at least ten business days prior to any bouts, or the first of any series of bouts, to which they relate. The commission may waive such filing deadline for good cause shown.

* NB Repealed September 1, 2016

* **§ 13. Financial interest in boxer prohibited.** No corporation or person shall have, either directly or indirectly, any financial interest in a boxer competing on premises owned or leased by the corporation or person, or in which such corporation or person is otherwise interested except pursuant to the specific written authorization of the commission.

* NB Repealed September 1, 2016

*** § 14. Payments not to be made before contests.** No contestant in a boxing or sparring match or exhibition shall be paid for services before the contest, and should it be determined by the commission that such contestant did not give an honest exhibition of his skill, such services shall not be paid for.

* NB Repealed September 1, 2016

*** § 15. Sham or collusive exhibitions.** Any person, including any corporation and the officers thereof, any physician, referee, judge, timekeeper, boxer, manager, trainer or second, who shall promote, conduct, give or participate in any sham or collusive boxing or sparring match or exhibition, shall be deprived of his license by the commission.

No licensed promoting corporation or matchmaker shall knowingly engage in a course of conduct in which fights are arranged where one boxer has skills or experience significantly in excess of the other boxer so that a mismatch results with the potential of physical harm to the boxer. If such action occurs, the commission may exercise its powers to discipline under section seventeen of this chapter.

* NB Repealed September 1, 2016

*** § 16. Imposition of penalties for violations.** Any corporation, person or persons, licensed under the provisions of this chapter, that shall willfully violate any rule or order of the commission or any provision of this chapter, in addition to any other penalty by law prescribed, shall be liable to a civil penalty not to exceed ten thousand dollars for the first offense and not to exceed twenty-five thousand dollars for the second and each subsequent offense, to be imposed by the commission, to be sued for by the attorney-general in the name of the people of the state of New York if directed by the commission. The amount of the penalty collected by the commission or recovered in any such action, or paid to the commission upon a compromise as hereinafter provided, shall be transmitted by the

department of state into the state treasury and credited to the general fund. The commission, for cause shown, may extend the time for the payment of such penalty and, by compromise, may accept less than the amount of such penalty as imposed in settlement thereof. For the purposes of this section, each transaction or statutory violation shall constitute a separate offense, except that a second or subsequent offense shall not be deemed to exist unless a decision has been rendered in a prior, separate and independent proceeding.

* NB Repealed September 1, 2016

*** § 17. Revocation or suspension of licenses.** (a) Any license issued under the provisions of this act may be revoked or suspended by the commission for the reason therein stated, that the licensee has, in the judgment of the commission, been guilty of an act detrimental to the interests of boxing or wrestling generally or to the public interest, convenience or necessity.

(b) Without otherwise limiting the discretion of the commission as provided in this act, the commission may suspend or revoke a license or refuse to renew or issue a license, if it shall find that the applicant, or any person who is a partner, agent, employee, stockholder or associate of the applicant, has been convicted of a crime in any jurisdiction, or is associating or consorting with any person who has or persons who have been convicted of a crime or crimes in any jurisdiction or jurisdictions, or is consorting or associating with or has consorted or associated with bookmakers, gamblers or persons of similar pursuits, or has himself engaged in similar pursuits, or is financially irresponsible, or has been guilty of or attempted any fraud or misrepresentation in connection with boxing, or has violated or attempted to violate any law with respect to boxing in any jurisdiction or any rule, regulation or order of the commission, or shall have violated any rule of boxing which shall have been approved or adopted by the commission, or has been guilty of or engaged in similar, related or like practices.

(c) No such contestant may, under any circumstances, compete or appear in such a match, exhibition or noncompetitive boxing within ninety days of having suffered a knockout in any such match or exhibition, or within

forty-five days of having suffered a technical knockout where there is evidence of head trauma as determined by the attending commission physician and shall undergo such examinations as required under section twenty-five of this chapter. The contestant shall be considered suspended from boxing by the commission and shall forfeit his license to the commission during such period and such license shall not be returned to the contestant until the boxer has met all requirements, medical and otherwise, for reinstatement of such license. All such suspensions shall be recorded in the boxer's license by a commission official. For purposes of this section noncompetitive boxing shall include any contact training or sparring.

(d) The commission may at any time suspend, revoke or deny a boxer's license or temporary working permit for medical reasons.

(e) Notwithstanding any other provision of law, the commission may revoke any license issued under the provisions of this chapter if it shall find that the licensee has knowingly and intentionally engaged in any prohibited practices, as prescribed by the commission in rules and regulations promulgated pursuant to subdivision 5 of section 23 of this chapter, during a boxing or sparring match or exhibition.

(f) Notwithstanding any other provision of law, if any other state shall revoke a licensee's license to box in that state based on a knowing and intentional engagement in any prohibited practices of such state, the commission may act to revoke any license to box issued to such licensee pursuant to the provisions of this chapter.

* NB Repealed September 1, 2016

*** 18. Advertising matter to state admission price.** It shall be the duty of every person or corporation promoting or conducting a boxing or sparring match or exhibition subject to the provisions of this chapter to cause to be inserted in each show card, bill, poster, newspaper advertisement and in each and every advertisement of any exhibition or contest given by it, the price of admission thereto. Violation of the provisions of this section shall subject the person or corporation to a fine of one hundred dollars.

* NB Repealed September 1, 2016

*** § 19. Tickets to indicate purchase price.** All tickets of admission to any boxing, sparring or professional wrestling match or exhibition shall be controlled by the provisions of article 25 of the arts and cultural affairs law. It shall be unlawful for any person or corporation to admit to such match or exhibition a number of people greater than the seating capacity of the place where such contest is held. Violation of this section shall be a misdemeanor and shall be punishable as such and in addition shall incur forfeiture of license.

* NB Effective until July 1, 2021

*** § 19. Tickets to indicate purchase price.** All tickets of admission to any boxing, sparring or professional wrestling match or exhibition shall bear clearly upon the face thereof the purchase price of same, and no such tickets shall be sold by such licensee for more than such price as printed thereon, or by any other person coming into possession of the same for a price in excess of fifty cents in advance of such printed price. It shall be unlawful for any person or corporation to admit to such match or exhibition a number of people greater than the seating capacity of the place where such contest is held. Violation of this section shall be a misdemeanor and shall be punishable as such and in addition shall incur forfeiture of license.

* NB Effective July 1, 2021

* NB Repealed September 1, 2016

*** § 20. Equipment of buildings for exhibitions.** All buildings or structures used or intended to be used for holding or giving boxing, sparring or professional wrestling matches or exhibitions shall be properly ventilated and provided with fire exits and fire escapes, and in all manner conform to the laws, ordinances and regulations pertaining to buildings in the city, town or village where situated.

* NB Repealed September 1, 2016

*** § 21. Age of participants and spectators.** No person under the age of eighteen years shall participate in any professional boxing, sparring or professional wrestling match or exhibition, and no person under sixteen

years of age shall be permitted to attend thereat as a spectator; provided, however, that a person between the ages of eight and sixteen shall be permitted to attend thereat as a spectator if accompanied by a parent or guardian.

* NB Repealed September 1, 2016

* **§ 22. Weights; classes and rules.** The weights and classes of boxers and the rules and regulations of boxing shall be prescribed by the commission.

* NB Repealed September 1, 2016

* **§ 23. Regulation of conduct of matches or exhibitions.** 1. No boxing or sparring match or exhibition shall be of more than twelve rounds in length, such rounds to be not more than three minutes each; and no boxer shall be allowed to participate in more than twelve rounds within seventy-two consecutive hours. The commission may in respect to any bout or in respect to any class of contestants limit the number of rounds of a bout within the maximum of twelve rounds. At each boxing or sparring match or exhibition except where the exhibitions are held solely for training purposes, there shall be in attendance a duly licensed referee who shall direct and control the same. Before starting such contest the referee shall ascertain from each contestant the name of his chief second, and shall hold such chief second responsible for the conduct of his assistant seconds during the progress of the contest. The commission shall have power in its discretion to declare forfeited any prize, remuneration or purse, or any part thereof, belonging to the contestants or one of them, or the share thereof of any manager if in its judgment, such contestant or contestants are not honestly competing or the contestant or manager of a contestant, as the case may be, has committed an act in the premises in violation of any rule, order or regulation of the commission. The amount so forfeited shall be paid within forty-eight hours to the commission. There shall also be in attendance, except where the exhibitions are held solely for training purposes, three duly licensed judges who shall at the termination of each such boxing or sparring match or exhibition render their decision. The winner shall be

determined in accordance with a scoring system prescribed by the commission. Each contestant shall wear, during such contest, gloves weighing not less than eight ounces, unless otherwise directed by the commission. Thumbless boxing gloves (or gloves with the thumb section locked, fastened, tied or immovably set to the balance of the glove) of a type approved by the commission shall be used in all boxing matches or exhibitions, provided, however, that this requirement may be waived at the discretion of the commission for championship matches of at least twelve scheduled rounds.

2. The commission may by rule, regulation or order, require the presence of any medical equipment and personnel at each boxing or sparring match or exhibition as is necessary or beneficial for the safety and protection of the contestants; and may also require the presence of an ambulance or other apparatus at the site of any such match or exhibition or the promulgation of an emergency medical plan in lieu thereof.

3. The commission shall prescribe by rule or regulation the responsibilities of managers, trainers and seconds prior to, during and after a boxing or sparring match or exhibition in order to promote the safety of the contestants at all times.

4. The commission shall require by rule or regulation that any professional boxer licensed under this chapter present to a designated commission official, before each match or exhibition in which he fights in this state, a license which shall include but not be limited to the following information: (a) the boxer's name, photograph, social security number, date of birth, and other identifying information; (b) the boxer's prior fight history including the dates, location, and decision of such fights; (c) the boxer's medical history, relating to any physical condition, medical test or procedure which relates to his ability to fight, and a record of all medical suspensions.

5. The commission shall prescribe by rule or regulation the unsportsmanlike practices prohibited in all boxing or sparring matches or exhibitions, which shall include the practice of biting.

* NB Repealed September 1, 2016

* **§ 24. Rings.** No boxing contest or exhibition or training activity shall be permitted in any ring unless such ring has been inspected and approved by the commission. The commission shall prescribe standard acceptable size and quality requirements for rings and appurtenances thereto.

* NB Repealed September 1, 2016

* **§ 25. Examination by physician; cost.** 1. All boxers must be examined by a physician designated by the commission before entering the ring and each such physician shall immediately file with the commission a written report of such examination. The cost of any such examination, as prescribed by a schedule of fees established by the commission, shall be paid by the corporation conducting the contest or exhibition to the commission, which shall then pay the fee covering such cost to the examining physician, in accordance with the rules of the commission.

2. Any professional boxer licensed under this chapter rendered unconscious or suffering head trauma as determined by the attending physician shall be immediately examined by the attending commission physician and shall be required to undergo neurological and neuropsychological examinations by a neurologist including but not limited to a computed tomography or medically equivalent procedure. Any boxer so injured shall not appear in any match or exhibition until results of such examinations are reviewed by the commission. The results of all such examinations herein required shall become a part of the boxer's permanent medical record as maintained by the commission and shall be used by the commission to determine whether a boxer shall be permitted to appear in any future boxing match or exhibition. The costs of all such examinations called for in this subdivision and subdivision three shall be assumed by the state if such examinations are performed by a physician approved by the commission.

3. The commission may at any time require a licensed boxer to undergo

a physical examination, including any neurological or neuropsychological test or procedure.

* NB Repealed September 1, 2016

*** § 26. Physician to be in attendance; powers of such physician.** 1. It shall be the duty of every person or corporation licensed to conduct a boxing or sparring match or exhibition, to have in attendance at every boxing or sparring match or exhibition, at least one physician designated by the commission as the rules shall provide. The commission may establish a schedule of fees to be paid by the licensee to cover the cost of such attendance. Such fees shall be paid to the commission, which shall then pay such fees to the physicians entitled thereto, in accordance with the rules of the commission.

2. The physician shall terminate any boxing or sparring match or exhibition if in the opinion of such physician any contestant has received severe punishment or is in danger of serious physical injury. In the event of any serious physical injury, such physician shall immediately render any emergency treatment necessary, recommend further treatment or hospitalization if required, and fully report the entire matter to the commission within twenty-four hours and if necessary, subsequently thereafter. Such physician may also require that the injured boxer and his manager remain in the ring or on the premises or report to a hospital after the contest for such period of time as such physician deems advisable.

3. Such physician may enter the ring at any time during a boxing or sparring match or exhibition and may terminate the match if in his opinion the same is necessary to prevent severe punishment or serious physical injury to a contestant.

* NB Repealed September 1, 2016

*** § 27. Bond.** Before a license shall be granted to a person or corporation to conduct a boxing or sparring 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 said corporation of the provisions of this act and the rules and regulations of the commission, and upon the filing and approval of said bond the comptroller shall issue to said applicant a certificate of such filing and approval, which shall be by said 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.

* NB Repealed September 1, 2016

*** § 28. Bond for purses, salaries and other expenses.** In addition to the bond required by section twenty-seven, each applicant for a license to conduct a boxing or sparring match or exhibition 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 boxers' and wrestlers' purses, salaries of club employees licensed by the commission, and the legitimate expenses of printing tickets and all advertising material.

* NB Repealed September 1, 2016

*** § 28-a. Duty to provide insurance for licensed boxers and professional wrestlers.** 1. All persons, parties or corporations having licenses as promoters or who are licensed in accordance with section 28-b of this act shall continuously provide insurance for the protection of licensed boxers and professional wrestlers, appearing in boxing bouts or wrestling exhibitions. Such insurance coverage shall provide for reimbursement to the licensed athlete for medical, surgical and hospital care, with a minimum limit of seven thousand five hundred 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 in this state during the course of a program in which such licensed athlete or professional wrestler 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.

2. The failure to provide such insurance as is required by subdivision one of this section shall be cause for the suspension or the revocation of the license of such defaulting promoter.

* NB Repealed September 1, 2016

*** § 28-b. Professional wrestling; promoters.** 1. For the purposes of this act, "professional wrestling" shall mean an activity in which participants struggle hand-in-hand primarily for the purpose of providing entertainment to spectators and which does not comprise a bona fide athletic contest or competition.

2. Every person, partnership or corporation promoting one or more professional wrestling exhibitions in this state shall be required to obtain from the commission an annual license to conduct such exhibitions subject to terms and conditions promulgated by the commission pursuant to rule and consistent with the applicable provisions of this act. Each applicant shall pay an annual fee established by the commission pursuant to rule.

3. A licensed promoter of a professional wrestling exhibition in the state shall notify the athletic commission at least ten days in advance of the holding of the exhibition. Each such promoter shall execute and file with the comptroller a bond in an amount not less than twenty thousand dollars to be approved as to form and sufficiency of sureties thereon by the comptroller, conditioned for and guaranteeing the payment of professional wrestler's purses, salaries of club employees licensed by the commission, the legitimate expenses of printing tickets and all

advertising material, payments to sponsoring organizations, and the applicable state and local sales and compensating use tax.

4. A licensed promoter of a professional wrestling exhibition shall provide for a licensed physician to be present at each exhibition, and such physician shall examine each wrestler prior to each performance, and each such pre-performance examination shall be conducted in accordance with regulations prescribed by the commission.

5. Every licensed promoter of professional wrestling who promotes six or more exhibitions in the state in a calendar year must have in place an anti-drug plan and file with the commission a written copy of the plan. Each such plan shall address the use of a controlled substance defined in article 33 of the public health law, and such plan shall at minimum provide for the following:

(a) dissemination of educational materials to professional wrestlers who perform for any such promoter including a list of prohibited drugs and available rehabilitation services; and

(b) a referral procedure to permit any such professional wrestler to obtain rehabilitation services.

* NB Repealed September 1, 2016

*** § 29. Notice of contest or exhibition; collection of tax.** 1. Every individual, corporation, association or club holding any professional or amateur boxing, sparring or professional wrestling 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 boxing, sparring or professional wrestling 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. Any individual, corporation, association or club failing to fully comply with this section shall be subject to a penalty of fifty dollars to be collected by and paid to the department of state. Any individual, corporation, association or club is prohibited from operating any shows or exhibitions until all penalties due pursuant to

this section and taxes, interest and penalties due pursuant to article nineteen of the tax law have been paid.

2. Pursuant to direction by the commissioner of taxation and finance, employees or officers of the athletic commission shall act as agents of the commissioner of taxation and finance to collect the tax imposed by article nineteen of the tax law. The athletic commission shall provide the commissioner of taxation and finance with such information and technical assistance as may be necessary for the proper administration of such tax.

* NB Repealed September 1, 2016

* **§ 30. Disposition of receipts.** All receipts of the commission shall be paid into the state treasury. Provided, however, that receipts from the tax imposed by article nineteen of the tax law shall be deposited as provided by section one hundred seventy-one-a of the tax law.

* NB Repealed September 1, 2016

* **§ 31. Exceptions.** The provisions of this act except as provided in section 29 of this act shall not be construed to apply to any sparring or boxing contest or exhibition conducted under the supervision or the control of the New York state national guard or naval militia where all of the contestants are members of the active militia; nor to any such contest or exhibition where the contestants are all amateurs, sponsored by or under the supervision of any university, college, school or other institution of learning, recognized by the regents of the state of New York; nor to any such contest or exhibitions where the contestants are all amateurs sponsored by or under the supervision of the U. S. Amateur Boxing Federation or its local affiliates or the American Olympic Association; nor except as to the extent provided in sections 5, 9, 19, 20, 28-a, 28-b and 33 of this act, to any professional wrestling contest or exhibition as defined in this act. For the purpose of this act, an amateur is deemed to mean a person who engages in boxing, sparring or wrestling contests and exhibitions where no cash prizes are awarded to participants, and where the prize competed for shall not in value exceed

thirty-five dollars or, in boxing, a maximum amount established by the U.S. Amateur Boxing Federation. Any individual, association, corporation or club, except elementary or high schools or equivalent institutions of learning recognized by the regents of the state of New York, who or which conducts an amateur contest pursuant to this section must register with the U. S. Amateur Boxing Federation or its local affiliates and abide by its rules and regulations.

* NB Repealed September 1, 2016

* **§ 32. Safety headgear.** The commission shall undertake a study of various types of safety headgear that may be used by boxers during the course of a contest or bout. The commission shall develop, or shall contract to develop, a safety headgear prototype during the course, and in furtherance, of the study to be conducted hereunder. Such study shall include the safety and effectiveness that the wearing of various types of headgear may demonstrate, including the ramifications that the wearing of headgear may have on the sport of boxing and the psychological effect it may have on the boxers. The commission shall make a written report of its findings from such study, including any appropriate recommendations, to the governor and the legislature no later than one year from the date this section takes effect.

* NB Repealed September 1, 2016

* **§ 33. Misdemeanor.** Any person or corporation who directly or indirectly conducts, holds or gives boxing or sparring matches or exhibitions or participates either directly or indirectly in any boxing or sparring match or exhibition as a referee, judge, match-maker, timekeeper, corporation treasurer, box office employee, professional boxer, manager, trainer, second or announcer without first having procured an appropriate license as prescribed in this act shall be guilty of a misdemeanor. Any person, partnership or corporation who promotes a professional wrestling match or exhibition in the state without first having procured an appropriate license in accordance with section 28-b of this chapter, shall be guilty of a misdemeanor.

Nothing herein contained shall be deemed to apply to amateur exhibitions.

* NB Repealed September 1, 2016

*** § 34. Regulation of boxing contracts and promotion of matches.** 1. No professional boxing match may occur in the state unless the organization that promotes, sanctions or otherwise participates in the proposition, selection, or arrangement of one or more boxers for a contest files with the commission a written statement executed under penalty of perjury stating (a) all charges, expenses, fees, and costs that will be assessed against any boxer participating in the event; (b) all payments, benefits, complimentary benefits and fees the organization or entity will receive for its affiliation with the event; (c) the name of the promoter; (d) sponsor of the event; and (e) all other sources, and such other and additional information as required by the commission. Such written statement shall be filed in a form and manner acceptable to the commission.

2. No professional boxing match may occur in this state unless the promoter, organizer, producer or another that participates in the proposition, selection, or arrangement of one or more boxers for a contest files with the commission a written statement under penalty of perjury detailing all charges, fees, costs and expenses by or through the promoter on the boxer pertaining to the event, including any portion of the boxer's purse that the promoter will receive and training expenses and all payments, gifts or benefits the promoter is providing to any sanctioning organization affiliated with the event. Such written statement shall be filed in a form and manner acceptable to the commission.

3. No professional boxing match may occur in this state unless the promoter, organizer, producer or another that participates in the proposition, selection, or arrangement of one or more boxers for a contest files with the commission a copy of any agreement in writing to which the promoter is a party with any boxer participating in the match.

4. Any contract between a boxer and a promoter or manager shall provide for specific limitation of option contracts between the boxer and the promoter or between promoters with respect to a boxer, to no more than one year, if the granting of such rights is required as a condition to the boxer's participation in a contest, renewable only in writing signed by both parties.

5. Any promoter exercising promotional rights with respect to a boxer during the twelve month period beginning on the day after the last day of the promotional right period described in subdivision four of this section between a boxer and the promoter or manager may not secure exclusive promotional rights from the boxer's opponents as a condition of participating in a professional boxing match against the boxer, and any contract to the contrary is contrary to public policy and unenforceable.

6. Any specific agreement or any provisions in any agreement requiring the hiring, retention, employment, or the receipt of compensation by any relative, associate, or other individual in any capacity connected to the promoter or manager is against public policy and unenforceable.

7. Any contract between a boxer and the promoter or manager shall be in writing and filed with the commission at the time any agreement is made for a match to take place in the state. All promoters or managers shall also file with the commission complete and accurate copies of all fees and costs that will be assessed against the boxer.

8. The provisions of this section shall not be construed to apply to any corporation or partnership which operates a facility used, among other things, for the purposes of conducting, holding, presenting or hosting professional boxing matches, provided such entity does not act as a promoter regarding such matches.

* NB Repealed September 1, 2016