

House Amendment 1620

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1 1 Amend Senate File 385, as passed by the Senate, as
1 2 follows:
1 3 #1. By striking everything after the enacting
1 4 clause and inserting the following:
1 5 <Section 1. NEW SECTION. 90B.1 UNARMED COMBAT
1 6 FIGHTING.
1 7 This chapter shall be known and may be cited as the
1 8 "Unarmed Combat Fighting Prohibition Act".
1 9 Sec. 2. NEW SECTION. 90B.2 DEFINITIONS.
1 10 As used in this chapter, unless the context
1 11 otherwise requires:
1 12 1. "Commissioner" means the state commissioner of
1 13 athletics, who is also the labor commissioner
1 14 appointed pursuant to section 91.2, or the labor
1 15 commissioner's designee.
1 16 2. "Official" means a person who is employed as a
1 17 referee, judge, timekeeper, or physician for an event.
1 18 3. "Participant" means a person involved in an
1 19 unarmed combat fighting event and includes unarmed
1 20 combat fighters, seconds, managers, and event
1 21 personnel.
1 22 4. "Promoter" means a person or business that does
1 23 at least one of the following:
1 24 a. Organizes, holds, advertises, or otherwise
1 25 conducts an unarmed combat fighting event.
1 26 b. Charges admission for the viewing of a
1 27 professional unarmed combat fighting event received
1 28 through a closed-circuit, pay-per-view, or similarly
1 29 distributed signal.
1 30 5. "Unarmed combat fighting" means mixed martial
1 31 arts fighting, extreme fighting, ultimate fighting,
1 32 shootfighting, or any other fighting in which both of
1 33 the following apply:
1 34 a. The unarmed combat fighters are permitted to
1 35 use a combination of combative contact techniques,
1 36 including punches, kicks, chokes, joint locks, and
1 37 other maneuvers.
1 38 b. The unarmed combat fighters are to receive,
1 39 directly or indirectly, any money, prize, reward,
1 40 purse, or other compensation, or promise thereof, for
1 41 the expenses of training, for taking part in the
1 42 contest, or for winning the contest.
1 43 Sec. 3. NEW SECTION. 90B.3 PROHIBITION.
1 44 A person shall not hold, promote, or participate in
1 45 an unarmed combat fighting event in this state.
1 46 This chapter does not apply to the training of
1 47 unarmed combat fighters.
1 48 Sec. 4. NEW SECTION. 90B.4 EXEMPTIONS.
1 49 An unarmed combat fighting event may be allowed if
1 50 all of the following apply:
2 1 1. The unarmed combat fighters pass a physical
2 2 examination prior to the unarmed combat fighting
2 3 event.
2 4 2. The promoter and unarmed combat fighters are
2 5 not under suspension by any other state or sporting
2 6 regulatory organization.
2 7 3. The unarmed combat fighting event is held under
2 8 rules or restrictions that protect the safety of the
2 9 unarmed combat fighters.
2 10 4. The unarmed combat fighting event is held under
2 11 the direction and control of an adult referee in the
2 12 ring who has at least one year of experience in
2 13 refereeing an event involving a combination of
2 14 combative techniques and who has passed a physical
2 15 examination by a licensed physician, including an eye
2 16 exam, within two years prior to the event.
2 17 5. The unarmed combat fighting event is held under
2 18 the medical supervision of a physician licensed
2 19 pursuant to Iowa law who is present at the event.
2 20 6. The unarmed combat fighting event is held in a
2 21 manner that will promote maximum safety of the
2 22 participants and spectators to the extent feasible.
2 23 Sec. 5. NEW SECTION. 90B.5 LICENSE.
2 24 1. A person shall not act as a promoter as defined

2 25 in section 90B.2, subsection 4, paragraph "a", without
2 26 first obtaining a license for each unarmed combat
2 27 fighting event from the commissioner. This subsection
2 28 shall not apply to a promoter as defined in section
2 29 90B.2, subsection 4, paragraph "b", to a person
2 30 distributing a closed-circuit, pay-per-view, or
2 31 similarly distributed signal to a person acting as a
2 32 promoter as defined in section 90B.2, subsection 4,
2 33 paragraph "b", or to a person viewing the signal in a
2 34 private residence.

2 35 2. The license application shall be in the form
2 36 prescribed by the commissioner and shall contain
2 37 information that is substantially complete and
2 38 accurate. Any change in the information provided in
2 39 the application shall be reported promptly to the
2 40 commissioner.

2 41 3. The application shall be submitted no later
2 42 than thirty days prior to the intended date of the
2 43 unarmed combat fighting event. The commissioner shall
2 44 inform the promoter within seven days after the
2 45 application is submitted whether or not the
2 46 commissioner will grant a license for the event.

2 47 4. Each application for a license shall be
2 48 accompanied by a surety or cash bond in the sum of
2 49 five thousand dollars, payable to the state of Iowa,
2 50 which shall be conditioned upon the payment of the tax
3 1 and any penalties imposed pursuant to this chapter.

3 2 5. Each application for an unarmed combat fighting
3 3 license presented by a promoter shall be accompanied
3 4 by a two thousand dollar license fee. Fees collected
3 5 under this subsection shall be paid into the general
3 6 fund of the state and are appropriated to the labor
3 7 commissioner to be used for expenses related to the
3 8 regulation of unarmed combat fighting in the state.

3 9 Sec. 6. NEW SECTION. 90B.6 UNARMED COMBAT
3 10 FIGHTER PERMIT.

3 11 1. Each unarmed combat fighter residing or
3 12 planning to fight in Iowa shall apply to the
3 13 commissioner for a permit. The permit application
3 14 shall be in the form prescribed by the commissioner.
3 15 The permit application shall be submitted no later
3 16 than fourteen days prior to the intended date of the
3 17 unarmed combat fighter event.

3 18 2. The commissioner shall establish by rule a
3 19 permit fee of not less than one hundred fifty dollars
3 20 for any unarmed combat fighter seeking to participate
3 21 in an unarmed combat fighting event held in Iowa.
3 22 Fees collected under this subsection shall be paid
3 23 into the general fund of the state and are
3 24 appropriated to the labor commissioner to be used and
3 25 distributed for expenses related to the regulation of
3 26 unarmed combat fighting in the state.

3 27 3. The permit application information required by
3 28 the commissioner shall include but is not limited to
3 29 the following:

3 30 a. The unarmed combat fighter's name and address.

3 31 b. The unarmed combat fighter's gender.

3 32 c. The unarmed combat fighter's date of birth.

3 33 d. The unarmed combat fighter's social security
3 34 number or, if a foreign unarmed combat fighter, any
3 35 similar citizen identification number or professional
3 36 unarmed combat fighter number from the country of
3 37 residence of the unarmed combat fighter.

3 38 e. If an unarmed combat fighter applying to the
3 39 commissioner for a permit pursuant to this section has
3 40 been assigned a personal identification number by a
3 41 professional unarmed combat fighter registry certified
3 42 by an unarmed combat fighter association or
3 43 commission, the unarmed combat fighter shall submit to
3 44 the commissioner the identification number assigned to
3 45 the unarmed combat fighter by the registry.

3 46 f. Two copies of a recent photograph of the
3 47 unarmed combat fighter.

3 48 g. An official government-issued photo
3 49 identification containing the unarmed combat fighter's
3 50 photograph and social security number or similar
4 1 foreign identification number.

4 2 4. The commissioner shall issue a permit to an
4 3 unarmed combat fighter pursuant to this section. The
4 4 permit shall contain a recent photograph, the unarmed
4 5 combat fighter's social security number or similar

4 6 foreign identification number, and a personal
4 7 identification number assigned to the unarmed combat
4 8 fighter if the unarmed combat fighter submitted such a
4 9 number to the commissioner in accordance with
4 10 subsection 3, paragraph "e".

4 11 5. A permit issued pursuant to this section shall
4 12 be valid for one year from the date of issue.

4 13 Sec. 7. NEW SECTION. 90B.7 EVENT PROMOTER
4 14 RESPONSIBILITY.

4 15 A promoter, as defined in section 90B.2, subsection
4 16 4, paragraph "a", shall be responsible for the conduct
4 17 of all officials and participants at an unarmed combat
4 18 fighting event. The commissioner may reprimand,
4 19 suspend, deny, or revoke the participation of any
4 20 promoter, official, or participant for violations of
4 21 rules adopted by the commissioner. Rulings or
4 22 decisions of a promoter or an official are not
4 23 decisions of the commissioner and are not subject to
4 24 procedures under chapter 17A. The commissioner may
4 25 take action based upon the rulings or decisions of a
4 26 promoter or an official. This section shall not apply
4 27 to a promoter as defined in section 90B.2, subsection
4 28 4, paragraph "b".

4 29 Sec. 8. NEW SECTION. 90B.8 EMERGENCY LICENSE
4 30 SUSPENSIONS.

4 31 1. Notwithstanding the procedural requirements of
4 32 chapter 17A, the commissioner may orally suspend a
4 33 license, permit, or participation immediately if the
4 34 commissioner determines that any of the following have
4 35 occurred:

4 36 a. A license or permit was fraudulently or
4 37 deceptively obtained.

4 38 b. The holder of a license or permit fails at any
4 39 time to meet the qualifications for issuance.

4 40 c. An unarmed combat fighter fails to pass a
4 41 pre-event physical examination.

4 42 d. A promoter allows an unarmed combat fighter
4 43 without a permit to participate in an unarmed combat
4 44 fighting event.

4 45 e. A promoter allows a person whose license,
4 46 permit, or authority, issued pursuant to this chapter,
4 47 is under suspension to participate in an unarmed
4 48 combat fighting event.

4 49 f. A promoter or unarmed combat fighter is under
4 50 suspension by any other state or sporting regulatory
5 1 organization.

5 2 g. A promoter or unarmed combat fighter is under
5 3 suspension in any state.

5 4 h. A promoter, unarmed combat fighter, or
5 5 participant is in violation of rules adopted pursuant
5 6 to section 90B.10.

5 7 2. A written notice of a suspension issued
5 8 pursuant to this section shall be given to the person
5 9 suspended within seven days of the emergency
5 10 suspension. The provisions of chapter 17A shall apply
5 11 once the written notice is given.

5 12 Sec. 9. NEW SECTION. 90B.9 SUSPENSIONS, DENIALS,
5 13 AND REVOCATIONS.

5 14 1. The commissioner may suspend, deny, revoke,
5 15 annul, or withdraw a license, permit, or authority to
5 16 participate in an unarmed combat fighting event if any
5 17 of the following occur:

5 18 a. Any of the reasons enumerated in section 90B.8.

5 19 b. Failure to pay fees and penalties due pursuant
5 20 to sections 90B.5, 90B.6, 90B.12, and 90B.13.

5 21 2. The provisions of chapter 17A shall apply to
5 22 actions under this section.

5 23 Sec. 10. NEW SECTION. 90B.10 RULES.

5 24 1. The commissioner shall adopt rules, pursuant to
5 25 chapter 17A, that the commissioner determines are
5 26 reasonably necessary to administer and enforce this
5 27 chapter.

5 28 2. The commissioner may adopt the rules of a
5 29 recognized national or world unarmed combat fighting
5 30 organization that sanctions fighting using a
5 31 combination of combative techniques to regulate events
5 32 in this state if the organization's rules provide
5 33 protection to the unarmed combat fighters
5 34 participating in the events which is equal to or
5 35 greater than the protections provided by this chapter
5 36 or by rules adopted pursuant to this chapter.

5 37 Sec. 11. NEW SECTION. 90B.11 REQUIRED CONDITIONS
5 38 FOR UNARMED COMBAT FIGHTING EVENTS.

5 39 An unarmed combat fighter shall not take part in an
5 40 unarmed combat fighting event unless the unarmed
5 41 combat fighter has been issued a permit pursuant to
5 42 section 90B.6 prior to the event. The unarmed combat
5 43 fighter shall pass a rigorous physical examination to
5 44 determine the unarmed combat fighter's fitness to
5 45 engage in any such event within twenty-four hours of
5 46 the start of the event. The examination shall be
5 47 conducted by a licensed practicing physician
5 48 designated or authorized by the commissioner.

5 49 Sec. 12. NEW SECTION. 90B.12 WRITTEN REPORT
5 50 FILED == TAX DUE == PENALTY.

6 1 1. A promoter shall, within twenty days after an
6 2 unarmed combat fighting event, furnish to the
6 3 commissioner a written report stating the number of
6 4 tickets sold, the gross amount of admission proceeds
6 5 of the unarmed combat fighting event, and other
6 6 matters the commissioner may prescribe by rule. The
6 7 value of complimentary tickets in excess of five
6 8 percent of the number of tickets sold shall be
6 9 included in the gross admission receipts. Within
6 10 twenty days of the event, the promoter shall pay to
6 11 the treasurer of state a tax of five percent of its
6 12 total gross receipts, after deducting state sales tax,
6 13 from the sale of tickets of admission to the unarmed
6 14 combat fighting event. Fees collected under this
6 15 subsection shall be paid into the general fund of the
6 16 state and are appropriated to the labor commissioner
6 17 to be used and distributed for expenses related to the
6 18 regulation of unarmed combat fighting in the state.

6 19 2. If the promoter fails to make a timely report
6 20 within the time prescribed, or if the report is
6 21 unsatisfactory to the commissioner, the commissioner
6 22 may examine or cause to be examined the books and
6 23 records of the promoter, and subpoena and examine
6 24 under oath witnesses, for the purpose of determining
6 25 the total amount of the gross admission receipts for
6 26 any unarmed combat fighting event and the amount of
6 27 tax due pursuant to the provisions of this chapter.
6 28 The commissioner may, as the result of such
6 29 examination, fix and determine the tax, and may also
6 30 assess the promoter the reasonable cost of conducting
6 31 the examination. If a promoter defaults in the
6 32 payment of any tax due or the costs incurred in making
6 33 such examination, the promoter shall forfeit to the
6 34 state the sum of five thousand dollars, which may be
6 35 recovered by the attorney general pursuant to the bond
6 36 required under section 90B.5, subsection 4.

6 37 Sec. 13. NEW SECTION. 90B.13 LICENSE PENALTY.

6 38 A person who acts as a promoter without first
6 39 obtaining a license commits a serious misdemeanor. In
6 40 addition to criminal penalties, the promoter shall be
6 41 liable to the state for the taxes, costs, and
6 42 penalties pursuant to section 90B.12.

6 43 Sec. 14. ADMINISTRATIVE RULES == TRANSITION
6 44 PROVISION. Any rule, regulation, form, order, or
6 45 directive promulgated by the commissioner and in
6 46 effect on the effective date of this Act shall
6 47 continue in full force and effect until amended,
6 48 repealed, or supplemented by affirmative action of the
6 49 commissioner under the duties and powers of this Act.

6 50 Sec. 15. UNARMED COMBAT REPORT. The commissioner
7 1 shall submit a report to the members of the general
7 2 assembly by January 1, 2009, about the commissioner's
7 3 ability to effectively regulate unarmed combat
7 4 fighting in the state under this chapter and shall
7 5 include information about the amateur and professional
7 6 events regulated.

7 7 Sec. 16. EFFECTIVE DATE PROVISIONS.

7 8 1. Except as provided in subsection 2, this Act
7 9 takes effect September 1, 2007.

7 10 2. For the purpose of accepting license and permit
7 11 applications, the sections of this Act enacting
7 12 sections 90B.5 and 90B.6 take effect August 1, 2007."

7 13 #2. Title page, by striking lines 1 and 2 and
7 14 inserting the following: <An Act regulating unarmed
7 15 combat fighting, imposing taxes, fees, and penalties,
7 16 and providing effective dates.>

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7 19
7 20 COMMITTEE ON LABOR
7 21 R. OLSON of Polk, Chairperson
7 22 SF 385.301 82
7 23 ak/cf/9203