

**SENATE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**James E. Timilty**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act regulating the sport of mixed martial arts.

PETITION OF:

NAME:

James E. Timilty

DISTRICT/ADDRESS:

Bristol and Norfolk

# The Commonwealth of Massachusetts

\_\_\_\_\_  
In the Year Two Thousand and Nine  
\_\_\_\_\_

## AN ACT REGULATING THE SPORT OF MIXED MARTIAL ARTS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Chapter 22 of the General Laws is hereby amended by striking out section  
2   12, as amended by section 6 of chapter 61 of the acts of 2007, and inserting in place thereof the  
3   following section:-

4  
5   Section 12. There shall be in the department a commission a state boxing commission, which  
6   shall consist of the commissioner of the department of public safety, or his designee, and 4  
7   persons to be appointed by the governor, with the advice and consent of the council, who shall  
8   serve for terms of 3 years. At least 1 member shall have a background in the sport of boxing and  
9   at least 1 member shall have a background in the sport of mixed martial arts. The governor, with  
10   the advice and consent of the council, shall from time to time designate 1 member as chair. The  
11   members shall receive their traveling expenses necessarily incurred in the performance of their  
12   duties and shall be allowed such sums for clerical assistance as the governor and council may  
13   approve. The department shall provide administrative support to the commission. The  
14   commission may deputize 1 or more persons to represent the commission and to be present at a

15 match or exhibition held under sections 32 to 51, inclusive, of chapter 147. Deputies may receive  
16 such compensation for their traveling expenses necessarily incurred in the discharge of their  
17 duties.

18

19 SECTION 2. Chapter 147 of the General Laws is hereby amended by striking out sections 32 and  
20 33, as so appearing, and inserting in place thereof the following 2 sections:-

21

22 Section 32. No boxing, kickboxing, mixed martial arts or other unarmed combative sporting  
23 event or sparring match or exhibition for a prize or purse or at which an admission fee is  
24 charged, either directly or indirectly, in the form of dues or otherwise, whether professional or  
25 amateur, shall take place or be conducted except in accordance with a license granted as  
26 hereinafter provided by the state boxing commission. Applications for the license shall be  
27 accompanied by such fee, as established annually by the commissioner of administration and  
28 finance under section 3B of chapter 7. Tough-man or similar type matches or exhibitions shall be  
29 prohibited. Any persons holding, conducting, participating in or attending a match or exhibition  
30 held without a license, as provided in section 33, or a tough-man or similar type match or  
31 exhibition, shall be punished by a fine of not more than \$25,000 or by imprisonment for not  
32 more than 3 months, or both. In the case of exhibitions or bouts held in accordance with the rules  
33 and regulations of amateur organizations as may be approved by the commission, the  
34 commission may issue special licenses without the requirement of a bond as provided in section  
35 34 or payment of the annual fee. Matches or exhibitions under the governance of the  
36 Massachusetts Interscholastic Athletic Association, the National Collegiate Athletic Association

37 or any equivalent school or college organization shall be exempt from the requirements of this  
38 section if the competitors are amateurs.

39

40 Section 33. The commission may, subject to sections 32 to 47, inclusive, issue licenses to  
41 conduct boxing, kickboxing, mixed martial arts or other unarmed combative sporting events,  
42 sparring matches and exhibitions. The license shall be valid only for the date approved by the  
43 commission. The commission may revoke the license at any time in the interest of public safety.  
44 No license shall be issued for a tough-man competition or similar event.

45

46 SECTION 3. Section 34 of said chapter 147, as so appearing by striking out, in line 3, the words  
47 “five thousand dollars” and inserting in place thereof the following figure:- \$50,000.

48

49 SECTION 4. Said section 34 of said chapter 147, as so appearing, is hereby further amended by  
50 striking out, in lines 11 and 12, the words “one thousand dollars” and inserting in place thereof  
51 the following figure:- \$10,000.

52

53 SECTION 5. Said chapter 147 is hereby further amended by striking out sections 35 to 40,  
54 inclusive, and inserting in place thereof the following 9 sections:-

55

56 Section 35. No person shall act, directly or indirectly, as a physician, referee, judge, timekeeper,  
57 professional boxer, kickboxer, mixed martial arts contestant or other unarmed combative sport  
58 contestant, or as manager, trainer or second of such a contestant, at a match or exhibition or as a  
59 matchmaker therefore, unless licensed by the commission upon receipt of such classified fee to

60 be determined annually by the commissioner of administration and finance under the section 3B  
61 of chapter 7. The commission shall set minimum requirements for licensure based upon skill or  
62 other fundamental prerequisites deemed necessary to adequately and safely execute the functions  
63 of the respective position. The commission may refuse to license any individual who does not  
64 meet those requirements or whose safety and well-being it determines will be put at substantial  
65 risk by engaging in their respective position. Whoever acts in such capacity, without being so  
66 licensed shall be punished by a fine of not more than \$10,000. For the purposes of sections 32 to  
67 47, inclusive, a professional combatant shall be a person who competes for money or other  
68 pecuniary gain. Any official who desires to officiate without charge at amateur boxing or  
69 sparring matches or exhibitions shall be licensed without charge. No person shall be licensed  
70 under this section who is under 18 years of age, except as otherwise provided in section 39.

71

72 Section 35A. Notwithstanding section 36, the commission shall, in the conduct of all amateur  
73 boxing or sparring matches and exhibitions sanctioned by the national governing body and its  
74 local affiliate which are appointed and recognized by the United States Olympic Committee for  
75 such purposes, acknowledge and follow the rules and regulations of said amateur boxing  
76 governing bodies.

77

78 No amateur match of any kind which is subject to section 32 shall be held unless it is licensed by  
79 the commission and sanctioned and supervised by an amateur sanctioning organization approved  
80 by the commission.

81

82 The commission shall recognize and license, upon receipt of the classified fee to be determined  
83 annually by the commissioner of administration under section 3B of chapter 7, the amateur  
84 referees, judges and other amateur officials assigned to such amateur matches or exhibitions by  
85 the amateur governing bodies and certified under their rules and regulations.

86

87 The commission shall cooperate fully with the amateur boxing governing bodies to assure that  
88 amateur boxers are eligible to participate and compete for selection to the United States Olympic  
89 boxing team.

90

91 No contestant in amateur boxing shall compete in more than 2 tournaments in any 7-day period  
92 nor shall such contestant participate in more than 3 contests between 12 noon on any 1 day and  
93 12:30 a.m on the day following. All amateur boxing or sparring matches or exhibitions shall  
94 terminate not later 12:30 a.m. on the day following the start of the match.

95

96 During a contest, contestants in amateur boxing or kickboxing matches or exhibitions shall wear  
97 gloves weighing at least 8 ounces each unless otherwise authorized by the amateur boxing  
98 governing body. During a contest, contestants in amateur mixed martial arts and other unarmed  
99 combative sport matches or exhibitions shall wear gloves weighing at least 4 ounces each unless  
100 otherwise authorized by the amateur governing body.

101

102 Section 36. At every boxing, kickboxing, mixed martial arts, or other unarmed combative sport  
103 event, sparring match or exhibition there shall be in attendance a referee, duly licensed under  
104 sections 32 to 47, inclusive. There shall also be in attendance at least 3 duly-licensed judges,

105 each of whom shall, at the termination of a match or exhibition, vote for the contestant in whose  
106 favor the decision should, in his opinion, be rendered or, for a draw if, in his opinion, neither  
107 contestant is entitled to a decision in his favor, and the decision shall be rendered in favor of the  
108 contestant receiving a majority of the votes or, if neither receives a majority as aforesaid, a  
109 decision of a draw shall be rendered. Upon the rendering of a decision, the vote of each judge  
110 shall be announced from the ring. The referee shall have full power to stop the match or  
111 exhibition whenever he deems it advisable because of the physical condition of a contestant or  
112 when 1 contestant is clearly outclassed by his opponent or for other sufficient reason. The  
113 commission shall declare forfeited any prize, remuneration or purse or any part thereof belonging  
114 to a contestant if, in the judgment of a majority of the commissioners after consultation with the  
115 judges and the referee, such contestant was not competing in good faith. The fees of the referee  
116 and other licensed officials shall be fixed by the commission and shall be paid by the licensed  
117 organization prior to the match or exhibition.

118  
119 Section 37. At any boxing, kickboxing, mixed martial arts or other unarmed combative sport  
120 event, sparring match or exhibition there shall be in attendance at least 1 duly licensed physician,  
121 whose duty it shall be to observe the physical condition of the contestants and advise the referee  
122 or judges with regard thereto. Any competent physician who has had not less than 3 years of  
123 experience as a medical practitioner may be licensed. No contestant shall be allowed to enter the  
124 ring unless a physician licensed under sections 32 to 47, inclusive, shall certify in writing that the  
125 contestant is physically fit to engage in the proposed contest. The physician's fee, as fixed by the  
126 commission, shall be paid by the licensee conducting the match or exhibition.

127

128 Section 38. No boxing, kickboxing or other unarmed combative sporting match or exhibition  
129 shall exceed 10 rounds. No mixed martial arts match or exhibition shall exceed 5 rounds but, if a  
130 match is to determine a championship, it may exceed the round limits with the prior approval of  
131 the commission. No round in a boxing, kickboxing or other unarmed combative sporting match  
132 or exhibition shall exceed 3 minutes. No round in a mixed martial arts match or exhibition shall  
133 exceed 5 minutes. No contestant in a professional match or exhibition shall participate in more  
134 than 10 rounds or more than the number of rounds determined by the commission as aforesaid,  
135 as the case may be, during a 72-hour period. During a contest, contestants in professional boxing  
136 and kickboxing matches or exhibitions shall wear gloves weighing at least 8 ounces each unless  
137 otherwise authorized by the commission. During a contest, contestants in mixed martial arts and  
138 other unarmed combative sporting events, matches or exhibitions shall wear gloves weighing at  
139 least 4 ounces each or as otherwise authorized by the commission. Every contestant participating  
140 in boxing, kickboxing, mixed martial arts or other unarmed combative sporting event or  
141 exhibition shall be required to wear standard protective devices as outlined by regulation by the  
142 commission.

143  
144 Section 39. Except as hereinafter provided, no contestant under 18 years of age or who has  
145 reached his thirty-fifth birthday shall be permitted to engage in a boxing, kickboxing, mixed  
146 martial arts or other unarmed combative sport event, sparring match or exhibition, except that the  
147 age requirement shall not apply to a world boxing champion who is still actively engaged as a  
148 professional boxer, or to a former boxing champion of the world who has not been inactive as a  
149 professional boxer for more than 2 years from the date of his last boxing contest, but an amateur  
150 boxer shall be allowed to compete as such at the age of 16. At the discretion of the commission,



151 a professional boxer, kickboxer, mixed martial arts contestant or other unarmed combative sport  
152 contestant who has reached his thirty-fifth birthday may be permitted to engage in a match if the  
153 contestant has passed a physical examination or is otherwise medically-cleared to participate by  
154 a physician selected by the commissioners. At the discretion of the commission, an amateur  
155 boxer who has reached his sixteenth birthday but has not yet reached his eighteenth birthday may  
156 be licensed as a professional boxer. The foregoing shall not apply to courses of instruction in  
157 boxing, kickboxing, mixed martial arts or other unarmed combative sport sponsored and  
158 conducted by recognized boys and girls clubs, youth organizations, schools or colleges,  
159 municipal or state park or recreational departments, law enforcement organizations or  
160 incorporated, private, nonprofit boxing teams, under the supervision of qualified instructors and  
161 directors. No person under the age of 16 shall be admitted to or be present at a professional match  
162 or exhibition unless accompanied by an adult.

163  
164 Section 39A. No professional boxer, kickboxer, mixed martial arts contestant or other unarmed  
165 combative sport contestant licensed under section 35 who has been knocked out, technically or  
166 otherwise, or lost a contest by way of submission, 6 or more times in the preceding 12 months  
167 shall take part in a match or exhibition until he has been examined and found fit to take part in  
168 such a match or exhibition, by a physician selected by the commission, at a place and time  
169 designated by the commission. The cost of conducting the examination shall be borne by the  
170 contestant. If a contestant is found unfit to engage in a match or exhibition, he shall be excluded  
171 from participation for 3 months, after which time he may make a request to the commission for  
172 another physical examination. The license issued to an individual pursuant to section 35 shall be  
173 immediately suspended for at least 30 days if the individual is knocked out.

174

175 Section 39B. A person licensed under section 32 to conduct boxing, kickboxing, mixed martial  
176 arts or other unarmed combative sport events, sparring matches or exhibitions, except those  
177 persons to whom a special license may be granted thereunder without the requirement of a bond  
178 or payment of the annual fee, shall take out a policy of accident insurance on each contestant  
179 participating in the match or exhibition in the amount of \$5,000 to compensate him for medical  
180 and hospital expenses incurred as the result of injuries received in such match or exhibition and  
181 in the amount of \$50,000 in the event of death to the contestant resulting from participation in  
182 the match or exhibition, said \$50,000 to be paid to the estate of the deceased contestant. The  
183 premiums on the policies shall be paid by the licensee.

184

185 Section 40. Every licensee holding or conducting a boxing, kickboxing, mixed martial arts or  
186 other unarmed combative sporting event, sparring match or exhibition shall, prior to the  
187 commencement of the final feature bout of the event, pay to the commission, a sum equal to 4  
188 per cent of the total gross receipts from the sale of tickets or from admission fees. Such licensee  
189 shall pay to the commission a sum equal to 2 per cent of the total gross receipts generated by the  
190 sale, lease or other exploitation of the television, pay per view, motion picture or other  
191 broadcasting rights, regardless of whether the event is broadcast live or in the future, such sum to  
192 be paid by the licensee whether or not the licensee ever receives a portion of that amount;  
193 provided, however, that if such match or exhibition is conducted as an incidental feature in an  
194 event or entertainment of a different character, such portion of the total receipts and the total  
195 amount shall be paid to the commonwealth, as the commission may determine or as may be fixed  
196 by rule adopted under section 46. If the payment is for a fixed amount, payment shall be made 24

197 hours prior to the event but in no event shall payment be made later than 48 hours after the live  
198 event. Pay per view showings of an event more than 48 hours after the live event shall be exempt  
199 from the requirements of this section. The broadcasting fee imposed under this section shall be  
200 not more than \$75,000 per event. Within 72 hours after its conclusion, the licensee shall furnish  
201 to the commission a report, showing the exact number of tickets sold and admission fees  
202 collected for the contest, the gross receipts thereof and such other data as the commission may  
203 require.

204

205 A licensee holding or conducting a boxing, kickboxing, mixed martial arts or other unarmed  
206 combative sport event, sparring match or exhibition shall, at least 48 hours before a licensed  
207 contest or exhibition, file with the commission a copy of all contracts entered into for the sale,  
208 lease or other exploitation of broadcasting rights for the contest or exhibition. All contracts filed  
209 with the commission pursuant to this section shall be exempt from disclosure pursuant to section  
210 10 of chapter 66. The commission shall enforce this section.

211

212 SECTION 6. Section 40A of said chapter 147, as so appearing, is hereby amended by striking  
213 out, in lines 2 and 3, the words “within seventy two hours after its conclusion”, and inserting in  
214 place thereof the following words:- prior to the commencement of the feature bout of the event,

215

216 SECTION 7. Section 42 of said chapter 147, as so appearing, is hereby amended by adding the  
217 following paragraph:-

218

219 The commission may suspend a license of a combatant issued pursuant to section 35 without a  
220 hearing upon a finding that it would be unsafe for the individual to compete until either the  
221 passing of a fixed period of time or upon medical clearance. The commission may assess an  
222 administrative penalty not to exceed \$2,000 for each violation of sections 32 to 51, inclusive, or  
223 the commission's rules and regulations committed by an individual required to be licensed under  
224 this chapter.

225  
226 SECTION 8. Section 45 of said chapter 147, as so appearing, is hereby amended by striking out,  
227 in lines 4, 6 and 10, and in lines 14 and 15, the words:-  
228 "boxing or sparring".

229  
230 SECTION 9. Said chapter 147 is hereby further amended by striking out section 46, as so  
231 appearing, and inserting in place thereof the following section:-

232  
233 Section 46. The commission may make such rules and regulations for the administration and  
234 enforcement of sections 32 to 47, inclusive, and to promote and regulate the sports of boxing,  
235 kickboxing, mixed martial arts and other unarmed combative sports, as deemed necessary,  
236 including defining any terms requiring definition under said sections 32 to 47, inclusive. The  
237 rules and regulations may provide for and regulate the granting of special permits for exhibitions  
238 where no decision is to be rendered, no admission fee is to be charged and where skilled  
239 combatants merely demonstrate the mechanics of their respective discipline. The commission  
240 shall make an annual report to the general court of the acts of the commission.

241

242 SECTION 10. Sections 48 to 50, inclusive of said chapter 147 are hereby repealed.

243

244 SECTION 11. Said chapter 147 is hereby further amended by striking out section 50A, as  
245 appearing in the 2006 Official Edition, and inserting in place thereof the following section:-

246

247 Section 12. Courses of instruction in boxing, kickboxing, mixed martial arts and other unarmed  
248 combative sports, or sparring matches or exhibitions sponsored and conducted by recognized  
249 boys and girls clubs, youth organizations, schools and colleges, law enforcement agencies or  
250 municipal or state parks and recreation departments, under the supervision of qualified  
251 instructors and directors, may be conducted in a city or town without requiring a license pursuant  
252 to section 33.

253

254 SECTION 13. Section 51 of said chapter 147, as so appearing, is hereby amended by inserting  
255 after the word “boxing”, in line 3, the following words:- kickboxing, mixed martial arts or other  
256 unarmed combative sport event,

257

258 SECTION 14. Chapter 147 of the General Laws, is hereby amended, as so appearing, by adding  
259 the following new section:-

260

261 Section 51A. The Department of Public Safety may collect and expend an amount not to exceed  
262 \$200,000 for the purpose of operating and administering the State Boxing Commission;  
263 provided, that the monies shall be derived from fees charged for licensing provided in this  
264 chapter, fines collected for violations of this chapter, and fees collected pursuant to section 40 of

265 this chapter, with excess monies paid to the state treasurer; and further provided that for the  
266 purposes of accommodating discrepancies between the receipt of retained revenues and related  
267 expenditures, the Department may incur expense and the comptroller may certify for payment  
268 amounts not to exceed the lower of this authorization or the most recent revenue estimate as  
269 reported in the state accounting system.

270

271

272 SECTION 15. Chapter 180 of the General Laws is hereby amended by striking out section 28, as  
273 so appearing, and inserting in place thereof the following section:-

274

275 Section 28. If a person is convicted of a violation of section 12 of chapter 265 for engaging in,  
276 giving or promoting a public or private boxing, kickboxing, mixed martial arts or other unarmed  
277 combative sporting match or sparring exhibition, the contestants who have received or were  
278 promised a pecuniary reward, remuneration or consideration on the premises of or under the  
279 auspices of a club or organization described in section 4, the commissioner of public safety and  
280 homeland security, the board of selectmen or the board of aldermen in a town where the club or  
281 organization is situated, or the police commissioner of the city of Boston if the club or  
282 organization is situated in Boston shall immediately give notice to the state secretary who, upon  
283 receipt thereof, shall declare the charter of the club or organization void. The state secretary shall  
284 publish a notice in at least a newspaper published in the city or town wherein the club or  
285 organization is situated that the charter of the club or organization is void.

286

287 SECTION 16. Chapter 265 of the General Laws is hereby amended by striking out section 12, as  
288 so appearing, and inserting in place thereof the following two sections:-

289

290 Section 12. Whoever directly or indirectly, except as provided in sections 32 to 50, inclusive, of  
291 chapter 147, gives or promotes a public boxing, kickboxing, mixed martial arts or other unarmed  
292 combative sporting match or sparring exhibition, or engages in a private boxing, kickboxing,  
293 mixed martial arts or other unarmed combative sporting event match or sparring exhibition, for  
294 which the contestants have received or have been promised any pecuniary reward, remuneration  
295 or consideration whatsoever shall be punished by imprisonment in the house of corrections for  
296 not more than 2 ½ years or by a fine of not more than \$5,000, or by imprisonment in the state  
297 prison for not more than 5 years or by a fine of not more than \$25,000 or both such fine and  
298 imprisonment.”;

299

300 Section 12A. Whoever directly or indirectly, except as provided in sections 32 to 50, inclusive,  
301 of chapter 147, engages in a public boxing, kickboxing, mixed martial arts or other unarmed  
302 combative sporting match or sparring exhibition, or engages in a private boxing, kickboxing,  
303 mixed martial arts or other unarmed combative sporting event match or sparring exhibition, for  
304 which the contestants have received or have been promised any pecuniary reward, remuneration  
305 or consideration whatsoever shall be punished imprisonment in the state prison for not more than  
306 3 months or by a fine of not more than \$200 or both such fine and imprisonment

307

308 SECTION 17. Any existing member of the state boxing commission, appointed by the governor  
309 with the advice and consent of the council, as provided in section 12 of chapter 22 of the General

310 Laws, prior to the effective date of this act, shall continue in office for the remainder of his  
311 unexpired term.

312