

Amendment No. 1 to SB0876

Harper
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AMEND Senate Bill No. 3836

House Bill No. 2633*

by deleting from subdivision (22)(E) in § 68-115-101 of the printed bill the language

““Second” means a person licensed who:” and substituting instead the language

“Second means a person licensed, including a manager, who:”

AND FURTHER AMEND by deleting the last sentence of subdivision (b)(3) in § 68-115-102 of the printed bill and substituting instead the following:

One member, to be appointed by the speaker of the senate, shall initially be appointed to serve a three (3) year term and one (1) member, to be appointed by the speaker of the house of representatives, shall initially be appointed to serve a two (2) year term.

AND FURTHER AMEND by deleting the last sentence of subdivision (b)(4) in § 68-115-102 of the printed bill and substituting instead the following:

One member, to be appointed by the speaker of the house of representatives, shall initially be appointed to serve a four (4) year term and one (1) member, to be appointed by the speaker of the senate, shall initially be appointed to serve a two (2) year term.

AND FURTHER AMEND by adding at the end of subsection (c) in § 68-115-102 of the printed bill the language “and at least one member of the commission shall reside in each grand division”.

AND FURTHER AMEND by deleting from subsection (a) in § 68-115-105 of the printed bill the language “two (2) years” and substituting instead the language “one (1) year”.

AND FURTHER AMEND by deleting from § 68-115-108 of the printed bill the word “commissioner” and substituting instead the word “commission”.

AND FURTHER AMEND by deleting § 68-115-201 of the printed bill in its entirety and substituting instead the following:

§ 68-115-201. The commission shall have the authority to recognize any other state or national boxing commission, or athletic or sanctioning authority.

AND FURTHER AMEND by deleting § 68-115-202 of the printed bill in its entirety and substituting instead the following:

§ 68-115-202. The commission may review, with a promoter, all ringside officials employed for a professional contest, and the promoter may submit a list of recommended ringside officials for consideration by the commission.

AND FURTHER AMEND by deleting from § 68-115-203 of the printed bill the following:

The commission shall have the authority to declare the prize, remuneration or purse, or any part thereof belonging to combatants who are not honestly competing, forfeited. The provisions of this section shall apply to promoters, managers, or combatants who commit an act in violation of any order, rule, or regulation of the commission.

AND FURTHER AMEND by deleting subsection (a) of § 68-115-205 of the printed bill in its entirety and substituting instead the following:

(a) Except as provided in § 68-115-301, the commission shall establish a permit application and accompanying permit fee to be charged to promoters of all amateur events and professional contests of unarmed combat in this state, the failure of which to pay shall be cause for denial of such application.

AND FURTHER AMEND by deleting the first sentence of subsection (a) in § 68-115-206 of the printed bill in its entirety and substituting instead the following:

All combatants, promoters, managers, matchmakers, ringside officials, and any other applicable person shall be licensed by the commission.

AND FURTHER AMEND by deleting subdivision (c)(1) in § 68-115-206 of the printed bill in its entirety and substituting instead the following:

(c)(1) All professional combatants applying for a license under this act shall be required to submit, upon application, proof that a medical examination has been performed and that blood tests have been taken for infectious diseases or for any other purpose required by the commission within thirty (30) days of applying for such license or the renewal thereof.

AND FURTHER AMEND by deleting from subdivision (c)(2) in § 68-115-206 of the printed bill the language “forty (40)” and substituting instead the language “thirty-five (35)”.

AND FURTHER AMEND by deleting from subsection (e) in § 68-115-206 of the printed bill the language “The commissioner shall require a criminal history records check to be conducted” and substituting instead the language “The commissioner may require a criminal history records check to be conducted”.

AND FURTHER AMEND by adding at the end of subsection (b) in § 68-115-209 of the printed bill the language “If any additional tax is required to be paid pursuant to this section, such tax shall be paid within thirty (30) days from the date of the contest.”

AND FURTHER AMEND by deleting subsection (d) in § 68-115-209 of the printed bill in its entirety and substituting instead the following:

(d) A promoter shall not issue complimentary tickets for more than two percent (2%) of the seats in the house, equally distributed between or among the price categories for which complimentary tickets are issued, without the commission’s written authorization. The commission shall not consider complimentary tickets which it authorizes pursuant to this section to constitute part of the total gross receipts from admission fees.

AND FURTHER AMEND by deleting from § 68-115-210 of the printed bill the language “ten (10) days” and substituting instead the language “twenty (20) days”.

AND FURTHER AMEND by deleting from subsection (b) in § 68-115-213 of the printed bill the language “five (5) days” and substituting instead the language “three (3) days”.

AND FURTHER AMEND by deleting from § 68-115-214 of the printed bill the language “or combatant”, and by deleting the language “at least” and substituting instead the language “not less than”.

AND FURTHER AMEND by deleting subsection (c) in § 68-115-219 of the printed bill in its entirety and substituting instead the following:

(c) A penalty prescribed by the commission pursuant to subsection (b) may be imposed in addition to or in lieu of any other disciplinary action that is taken against the person by the commission.

AND FURTHER AMEND by inserting in § 68-115-402 of the printed bill the language “of, or the day” between the language “twenty-four (24) hours” and the language “prior to the scheduled start”.

AND FURTHER AMEND by deleting subsection (a) in § 68-115-403 of the printed bill in its entirety and substituting instead the following:

(a) All combatants shall be required to submit to a pre-contest examination within twenty-four (24) hours of, or the day prior to the scheduled start of the contest. A random urine drug screen to determine the use of banned or illegal substances may be required of a combatant, within the time specified herein, prior to the contest.

AND FURTHER AMEND by deleting subsection (a) in § 68-115-404 of the printed bill in its entirety and substituting instead the following:

(a) Immediately following the professional contest, the ringside physicians shall examine both combatants.

AND FURTHER AMEND by deleting from subsection (b) in § 68-115-404 of the printed bill the language “a combatant” and substituting instead the language “each combatant”.

AND FURTHER AMEND by deleting from the first sentence of subsection (c) in § 68-115-404 of the printed bill the language “resulting from a TKO or KO”, and by inserting between the language “neurological testing” and “and shall not be permitted” the language “, at the determination of the commission”.

AND FURTHER AMEND by deleting the first sentence of subsection (d) in § 68-115-404 of the printed bill in its entirety and substituting instead the following:

The commission may require a drug screen or any other examination to be performed or requested immediately following a contest by the commission.

AND FURTHER AMEND by deleting from the first sentence in § 68-115-501 of the printed bill the language “All kickboxing and mixed martial arts contests or events shall be conducted in rings as follows:” and substituting instead the language “All kickboxing and mixed martial arts contests or events shall be conducted in rings or fighting areas as follows:”

AND FURTHER AMEND by inserting in subdivision (1) in § 68-115-501 of the printed bill the language “and mixed martial arts” between the language “For kickboxing” and the language “contests or events”.

AND FURTHER AMEND by deleting the first two sentences of subdivision (1)(A) in § 68-115-501 of the printed bill in their entirety and substituting instead the following:

(A) The ring or fighting area shall be not less than twenty feet (20') square within the ropes. The ring floor shall extend beyond the ropes not less than eighteen inches (18”).

AND FURTHER AMEND by deleting the third sentence of subdivision (2)(A) in § 68-115-501 of the printed bill in its entirety and substituting instead the following:

The ring floor or floor of the fighting area enclosed by ropes shall extend at least eighteen inches (18”).

AND FURTHER AMEND by deleting the first sentence of subdivision (2)(B) in § 68-115-501 of the printed bill in its entirety and substituting instead the following:

The ring or fighting area platform shall not be more than four feet (4') above the floor of the building.

AND FURTHER AMEND by deleting from subdivision (2)(B) in § 68-115-501 of the printed bill the language "A ring enclosed by a fence shall have two (2) sets of suitable steps or ramps, and two (2) entrances for use by the combatants and the officials."

AND FURTHER AMEND by deleting from the first sentence of subdivision (2)(C) in § 68-115-501 of the printed bill the language "The ring shall be enclosed by either of the following:" and substituting instead the language "The ring or the fighting area shall be enclosed by either of the following:".

AND FURTHER AMEND by inserting in the first sentence of subdivision (2)(C)(ii) in § 68-115-501 of the printed bill the word "ring" between the language "Five (5) horizontal" and the language "ropes not less than", and by deleting the language "1" and substituting instead the language "one".

AND FURTHER AMEND by deleting from the first sentence of subsection (a) in § 68-115-601 of the printed bill the language "both kickboxing and", and by deleting the word "shall" and substituting instead the word "may".

AND FURTHER AMEND by inserting in subdivision (a)(33) in § 68-115-601 of the printed bill the language ", or other mixed martial arts unified rules adopted by the commission pursuant to its authority to promulgate rules and regulations under Tennessee Code Annotated, title 4, chapter 5" between the language "mixed martial arts unified rules" and the period ".".

AND FURTHER AMEND by deleting subsection (b) in § 68-115-601 of the printed bill in its entirety and substituting instead the following:

(b) All rules relating to kickboxing shall be those recognized by the International Kickboxing Federation (IKF), the International Sport Kickboxing Association (ISKA), the World Karate Association (WKA) and any other sanctioning organization recognized by the commission.

AND FURTHER AMEND by adding the following new subsection at the end of § 68-115-601 of the printed bill:

(c) All recognized sanctioning organizations shall submit their rules with their permit application for approval by the commission for amateur events and professional contests, and all rules provided in this section shall apply.

AND FURTHER AMEND by deleting from § 68-115-603 of the printed bill the language “shall stop the bout or round and deduct two (2) points” and substituting instead the language “may stop the bout or round, and may deduct points”.

AND FURTHER AMEND by deleting from subsection (b) in § 68-115-607 of the printed bill the language “the referee shall penalize the offending combatant guilty of the foul one (1) or more points” and substituting instead the language “the referee may penalize the offending combatant guilty of the foul by deducting two (2) or more points”.

AND FURTHER AMEND by deleting § 68-115-608 of the printed bill in its entirety and substituting instead the following:

§ 68-115-608. When a round is interrupted due to an injury caused by an unintentional foul, the referee shall determine whether the combatant who has been fouled can continue or not. If the referee determines that a combatant is unintentionally fouled and that the combatant’s chance of continuing has not been seriously jeopardized as a result of a foul, the referee may order the bout or round continued after a reasonable interval, not to exceed five (5) minutes.

AND FURTHER AMEND by deleting § 68-115-609 of the printed bill in its entirety and substituting instead the following:

§ 68-115-609. In making round and foul determinations, the referee shall be the sole arbiter of the contest or event.

AND FURTHER AMEND by deleting § 68-115-611 of the printed bill in its entirety and substituting instead the following:

§ 68-115-611.

(a)

(1) If the referee determines that a contest or event may not continue because of an injury caused by an intentional foul, the unarmed combatant who committed the intentional foul shall lose by disqualification.

(2) If the referee determines that a contest or event may continue despite an injury caused by an intentional foul, the referee shall immediately inform the commission member or the commission's designee present at the contest or event, and the judges and shall deduct two (2) points from the score of the unarmed combatant who committed the intentional foul.

(3) If an injury caused by an intentional foul results in the contest or event being stopped in a later round:

(A) The injured unarmed combatant wins by technical decision, if the combatant is ahead on the scorecards; or

(B) The contest or event shall be declared a technical draw, if the injured unarmed combatant is behind or even on the scorecards.

(4) If an unarmed combatant injures himself while attempting to foul his opponent, the referee shall not take any action in his favor and the injury shall be treated the same as an injury produced by a fair blow.

(b) If a contest or event is stopped because of an unintentional foul, the referee shall determine whether the unarmed combatant who has been fouled can continue or not. If the unarmed combatant's chance of continuing has not been seriously jeopardized as a result of a foul and if the foul did not involve a concussive impact to the head of the unarmed combatant who was fouled, the referee may order the contest or event continued after a reasonable interval. Before the contest or event begins again, the referee shall inform the commission member or the commission's designee present at the contest or event of his determination that the foul was unintentional.

(c) If the referee determines that the contest or event may not continue because of an injury suffered as the result of an unintentional foul, the contest or event shall be declared a no contest if the foul occurs during:

(1) The first three (3) rounds of a contest or event that is scheduled for six (6) rounds or less; or

(2) The first four (4) rounds of a contest or event that is scheduled for more than six (6) rounds.

(d) If an unintentional foul renders an unarmed combatant unable to continue the contest or event after:

(1) The completed third round of a contest or event that is scheduled for six (6) rounds or less; or

(2) The completed fourth round of a contest or event that is scheduled for more than six (6) rounds,

the outcome shall be determined by scoring the completed rounds and the round during which the referee stops the contest or event.

(e) If an injury inflicted by an unintentional foul later becomes aggravated by fair blows and the referee orders the contest or event stopped because of the injury, the outcome shall be determined by scoring the completed rounds and the round during which the referee stops the contest or event.

(f) The provisions of subsections (a)-(e) shall not apply to a contest or event of mixed martial arts.

(g) If a contest or event of mixed martial arts is stopped because of an unintentional foul, the referee shall determine whether the unarmed combatant who has been fouled can continue or not. If the unarmed combatant's chance of continuing has not been seriously jeopardized as a result of the foul and if the foul did not involve a concussive impact to the head of the unarmed combatant who has been fouled, the referee may order the contest or event continued after a recuperative interval of not more than five (5) minutes. Immediately after separating the unarmed combatants, the referee shall inform the commission member or the commission's designee present at the contest or event of his determination that the foul was unintentional.

(h) If the referee determines that a contest or event of mixed martial arts may not continue because of an injury suffered as the result of an unintentional foul, the contest or event shall be declared a no contest if the foul occurs during:

(1) The first two (2) rounds of a contest or event that is scheduled for three (3) rounds or less; or

(2) The first three (3) rounds of a contest or event that is scheduled for more than three (3) rounds.

(i) If an unintentional foul renders an unarmed combatant unable to continue the contest or event after:

(1) The completed second round of a contest or event that is scheduled for three (3) rounds or less; or

(2) The completed third round of a contest or event that is scheduled for more than three (3) rounds, the outcome shall be determined by scoring the completed rounds and the round during which the referee stops the contest or event.

(j) If an injury inflicted by an unintentional foul later becomes aggravated by fair blows and the referee orders the contest or event stopped because of the injury, the outcome shall be determined by scoring the completed rounds and the round during which the referee stops the contest or event.

(k) The provisions of subsections (g)-(j) shall not apply to a boxing contest or event.

AND FURTHER AMEND by deleting from subsection (a) in § 68-115-612 of the printed bill the word "male".

AND FURTHER AMEND by deleting subsection (b) in § 68-115-612 of the printed bill in its entirety.

AND FURTHER AMEND by deleting § 68-115-613 of the printed bill in its entirety and substituting instead the following:

§ 68-115-613.

(a) Non-championship mixed martial arts contests and events shall not exceed three (3) rounds, each round not to exceed five (5) minutes, with a rest period of one (1) minute.

(b) Championship mixed martial arts contests and events shall not exceed five (5) rounds, each round not to exceed five (5) minutes, with a rest period of one (1) minute.

AND FURTHER AMEND by deleting subdivisions (3)(D)(iv), (5) and (7) in § 68-115-614 of the printed bill in their entirety and renumbering the remaining subdivisions accordingly.

AND FURTHER AMEND by deleting subsection (a) in § 68-115-617 of the printed bill in its entirety and redesignating the subsequent subsections accordingly.

AND FURTHER AMEND by deleting from § 68-115-618 of the printed bill the language “costume” wherever it appears and substituting instead the language “attire”.

AND FURTHER AMEND by deleting from subsection (a) in § 68-115-618 of the printed bill the language “that are so similar” and substituting instead the language “that is so similar”

AND FURTHER AMEND by deleting from the last sentence of subsection (e) in § 68-115-618 of the printed bill the language “referee” and substituting instead the language “commission or commission designee”.

AND FURTHER AMEND by deleting the first sentence of subsection (b) in § 68-115-620 of the printed bill in its entirety and substituting instead the following:

A contest examination of a female combatant shall include abdominal, breast, and pelvic examinations, to be conducted within fourteen (14) days of the event or contest.

AND FURTHER AMEND by deleting subdivision (3) in § 68-115-621 of the printed bill in its entirety and substituting instead the following:

(3) Give three (3) slaps or use of any sound approved by the commission to indicate ten (10) seconds remaining in the round;

AND FURTHER AMEND by deleting from subsection (d) in § 68-115-623 of the printed bill the language “public address system during a bout” and substituting instead the language “public address system during live action”.

AND FURTHER AMEND by deleting from subsection (a) in § 68-115-624 of the printed bill the language “music played during a bout” and substituting instead the language “music played during live action”.

AND FURTHER AMEND by deleting subsection (b) in § 68-115-624 of the printed bill in its entirety and substituting instead the following:

(b) Combatant entrée music or event music with profane or abusive lyrics, and foul language is prohibited, with the penalty to be established by the commission.

AND FURTHER AMEND by deleting from subsection (a) in § 68-115-625 of the printed bill the language “managers and”.

AND FURTHER AMEND by deleting from subsection (b) in § 68-115-625 of the printed bill the language “Five (5) managers and seconds” and substituting instead the language “Four (4) seconds”.

AND FURTHER AMEND by deleting subsection (d) in § 68-115-625 of the printed bill in its entirety and redesignating the subsequent subsections accordingly.

AND FURTHER AMEND by deleting from the first sentence of subsection (e) in § 68-115-625 of the printed bill the language “manager or” and by deleting the language “while the other two (2) shall stand outside the ring ropes” and substituting instead the language “while the others shall stand outside the ring ropes or fighting area”.

AND FURTHER AMEND by adding at the end of the last sentence of subsection (e) in § 68-115-625 of the printed bill the language “, along with one (1) cut man. For the purposes of this section, “cut man” means a person who tends to combatant cuts at ringside”.

AND FURTHER AMEND by deleting § 68-115-626 of the printed bill in its entirety.

AND FURTHER AMEND by deleting the first sentence of subsection (a) in § 68-115-701 of the printed bill in its entirety and substituting instead the following:

Promoters shall not schedule less than twenty-four (24) rounds of boxing, with all additional rounds to be approved by the commission.

AND FURTHER AMEND by deleting from subdivision (c)(2) in § 68-115-701 of the printed bill the language:

176 lbs. and over..... no limit.

and substituting instead the language:

176 lbs.-195 lbs..... not more than 14 pounds over 195 pounds.

AND FURTHER AMEND by deleting from § 68-115-702 of the printed bill the language “costume” wherever it appears and substituting instead the language “attire”.

AND FURTHER AMEND by deleting from subsection (a) in § 68-115-702 of the printed bill the language “that are so similar” and substituting instead the language “that is so similar”.

AND FURTHER AMEND by deleting § 68-115-703 of the printed bill in its entirety and substituting instead the following:

§ 68-115-703.

(a) With respect to contests or events of boxing or kickboxing, an unarmed combatant shall not compete in this state without the written approval of the commission unless:

(1) Four (4) days have elapsed since the combatant’s last contest or event, if the contest or event lasted not more than four (4) rounds;

(2) Seven (7) days have elapsed since the combatant’s last contest or event, if the contest or event lasted five (5) or six (6) rounds;

(3) Fourteen (14) days have elapsed since the combatant's last contest or event, if the contest or event lasted seven (7) or eight (8) rounds;

(4) Twenty-one (21) days have elapsed since the combatant's last contest or event, if the contest or event lasted nine (9) or ten (10) rounds; or

(5) Thirty (30) days have elapsed since the combatant's last contest or event, if the contest or event lasted eleven (11) or twelve (12) rounds.

(b) With respect to contests or events of mixed martial arts, an unarmed combatant may not compete in this state without the written approval of the commission unless four (4) days for each round that the combatant's last contest or event of mixed martial arts lasted have elapsed since the combatant's last contest or event of mixed martial arts.

AND FURTHER AMEND by deleting the first sentence in § 68-115-704 of the printed bill in its entirety and substituting instead the following:

The ring or fighting area shall be not less than twenty feet (20') square within the ropes.

AND FURTHER AMEND by deleting from the first sentence in § 68-115-708 of the printed bill the language "The following acts shall be considered intentional fouls:" and substituting instead the language "The following acts shall be considered either intentional or unintentional fouls, as applicable:".

AND FURTHER AMEND by deleting from the first sentence of subsection (b) in § 68-115-709 of the printed bill the language "one (1)" and substituting instead the language "two (2)".

AND FURTHER AMEND by deleting from the first sentence of subsection (a) in § 68-115-710 of the printed bill the language ", in consultation with the ringside physician,".

AND FURTHER AMEND by deleting from the first sentence of subsection (b) in § 68-115-710 of the printed bill the language “If the referee or the ringside physician determine that the bout shall not continue” and substituting instead the language “If the referee determines that the contest shall not continue”.

AND FURTHER AMEND by deleting the last sentence of subsection (b) in § 68-115-710 of the printed bill and substituting instead the following:

After the bell rings to end the fourth round, the outcome shall be determined by the scoring the completed rounds in which the referee stopped the contest or event.

AND FURTHER AMEND by deleting from subsection (c) in § 68-115-710 of the printed bill the language “the referee shall penalize the boxer guilty of the foul” and substituting instead the language “the referee may penalize the boxer guilty of the foul”.

AND FURTHER AMEND by deleting the third and fourth sentences from the third paragraph in § 68-115-711 of the printed bill in their entirety.

AND FURTHER AMEND by adding the following new section after § 68-115-713 of the printed bill:

§ 68-115-714. The provisions of this act shall not apply to any amateur wrestling event or professional wrestling contest, including but not limited to high school and college wrestling. Nor shall the provisions of this act apply to any form of wrestling for entertainment purposes.