

SENATE No. 2601

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act establishing boxer protection.

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. Section 12 of chapter 22 of the General Laws, as appearing in the 2022
2 Official Edition, is hereby repealed.

3 SECTION 2. Section 17 of chapter 23N of the General Laws, as so appearing, is hereby
4 amended in paragraph (2) by striking the figure “17.5” and inserting in place thereof the
5 following:- “16.5”.

6 SECTION 3. Said section 17 of said chapter 23N, as so appearing, is hereby further
7 amended in paragraph (3) by striking the figure “27.5” and inserting in place thereof the
8 following:- “25.5”.

9 SECTION 4. Said section 17 of said chapter 23N, as so appearing, is hereby further
10 amended in paragraph (4) by striking the figure “1” and inserting in place thereof the following:-
11 “4”.

12 SECTION 5. Section 19 of said chapter 23N, as amended by section 13 of chapter 2 of
13 the Acts of 2023, is hereby further amended in line 58 by striking the word “and” the second
14 time it appears.

15 SECTION 6. Said section 19 of said chapter 23N, as so appearing, is hereby further
16 amended in paragraph (3) by inserting at the end thereof the following:-

17 “; and

18 (4) For a transfer to the State Athletic Commission Fund established pursuant to section
19 2AAAA of chapter 29 for the purpose of rebalancing any lost revenue from licensing fees
20 waived in accordance with section 24 of chapter 23O”.

21 SECTION 7. The General Laws, as appearing in the 2022 Official Edition, are hereby
22 amended by inserting after chapter 23N the following new chapter:-

23 Chapter 23O. The Massachusetts State Athletic Commission

24 Section 1. Definitions.

25 As used in this chapter, the following words shall have the following meanings unless the
26 context clearly requires otherwise:

27 “Affiliate”, a person who directly or indirectly controls, or is controlled by, or is under
28 common control with, a specified person.

29 “Boxing”, the art of attack and defense with gloved fists practiced as a sport limited to
30 legal blows above the waist and on the front or sides of the opponent.

31 “Business”, a corporation, sole proprietorship, partnership, limited liability company or
32 any other organization formed for the purpose of carrying on a commercial enterprise.

33 “Chair”, the chair of the commission.

34 “Combat sports background”, a minimum of 10 years of documented experience in
35 professional unarmed combative sports including, but not limited to: (i) a professional
36 combatant, (ii) a licensed promoter, (iii) a licensed manager, (iv) a licensed referee, (v) a
37 licensed judge or (vi) regulator.

38 “Commission”, the Massachusetts state athletic commission established in section 2.

39 “Executive director”, the executive director of the Massachusetts state athletic
40 commission.

41 “Kickboxing”, a form of competition in which a person delivers blows with any part of
42 the arm below the shoulder, including the hand and any part of the leg below the hip, including
43 the foot.

44 “Mixed martial arts”, any form of unarmed combat involving the use of a combination of
45 techniques including, but not limited to, grappling, kicking and striking, commonly associated
46 with boxing, kickboxing, wrestling and various disciplines of the martial arts including, but not
47 limited to, karate, kung fu, tae kwon-do, Jiu-Jitsu or any combination thereof.

48 “Person”, an individual, corporation, association, operation, firm, partnership, trust or
49 other form of business association.

50 “Toughman”, a boxing or unarmed combative sporting match or exhibition in which
51 combatants do not qualify for licensure by the commission as a professional combatant or for

52 amateur status by a commission-approved amateur organization; provided, however, that
53 “toughman” shall not include matches or exhibitions conducted pursuant to section 22.

54 “Unarmed combative sport”, any form of competition in which a blow is usually struck
55 which may reasonably be expected to inflict injury and no weapon is used; provided, however,
56 that “unarmed combative sport” shall not include professional wrestling.

57 “Youth sport”, any organized physical activity or athletic or sporting event in which the
58 team or contestants are predominantly under the age of 18; provided, however, that “youth
59 sports” shall not include, for the purposes of this chapter, any athletic or sporting event subject to
60 the rules and regulations promulgated by the Massachusetts Interscholastic Athletic Association,
61 Middle Level Athletic Committee of the Massachusetts School Administrators Association,
62 National Collegiate Athletic Association or other governing body as determined by the
63 commission.

64 “Youth sports background”, expertise in general athletics and youth sports; provided,
65 however, that relevant experience may include, but not be limited to: (i) a prior role as athletic
66 director in an educational setting or as program director of a youth sports program, or (ii)
67 significant academic study in physical education or youth development.

68 Section 2. Massachusetts state athletic commission; duty, qualification, term and
69 compensation of commissioners; divisions; executive leadership.

70 (a) There shall be a Massachusetts state athletic commission which shall consist of 5
71 commissioners to be appointed by the governor, at least 1 of whom shall have a combat sports
72 background in the sport of boxing, at least 1 of whom shall have a combat sports background in

73 the sport of mixed martial arts, muay thai or kickboxing and at least 2 of whom shall have a
74 youth sports background. The governor shall designate the chair of the commission.

75 (b) Each commissioner shall serve for a term of 5 years or until a successor is appointed
76 and shall be eligible for reappointment. A person appointed to fill a vacancy in the office of a
77 commissioner shall be appointed in a like manner and shall serve for only the unexpired term of
78 such commissioner. The governor may remove a commissioner if the commissioner: (i) is guilty
79 of malfeasance in office; (ii) substantially neglects the duties of a commissioner; (iii) is unable to
80 discharge the powers and duties of the commissioner's office; or (iv) commits gross misconduct.

81 (c) Three commissioners shall constitute a quorum and the affirmative vote of 3
82 commissioners shall be required for an action of the commission; provided, however, that the
83 affirmative vote of at least 1 commissioner with a youth sports background shall be required for
84 any action of the commission with regard to the youth sports division. The chair or 3 members of
85 the commission may call a meeting; provided, however, that notice of all meetings shall be given
86 to each commissioner and to other persons who request such notice. The commission shall adopt
87 regulations establishing procedures, which may include electronic communications, by which a
88 request to receive notice shall be made and the method by which timely notice may be given.

89 (d) Commissioners shall receive salaries not greater than three quarters of the salary of
90 the commissioner of administration under section 4 of chapter 7; provided, however, that the
91 chair shall receive a salary equal to the salary of the commissioner of administration.
92 Commissioners shall devote their full time and attention to the duties of their office.

93 (e) Commissioners shall receive compensation for traveling expenses necessarily
94 incurred in the performance of their duties and shall be allowed such sums for clerical assistance

95 as the commission may approve; provided, however, that the commission may designate 1 or
96 more employees to represent the commission at any match or exhibited held under this chapter;
97 provided further, that the commission may approve that such employee receives compensation
98 for travel and incidental expenses necessarily incurred in the discharge of their duties; and
99 provided further, that the commission shall establish a comprehensive employee accountability
100 and internal control system that closely aligns with the human resources division's rules and
101 policies established pursuant to section 28 of chapter 7 for employees and managers not subject
102 to collective bargaining under chapter 150E which takes into account rates set by the United
103 States General Services Administration for similar services when determining the maximum
104 reimbursable rate for such travel and incidental expenses.

105 (f) The commission shall annually elect 1 of its members to serve as secretary and 1 of its
106 members to serve as treasurer. The secretary shall keep a record of the proceedings of the
107 commission and shall be the custodian and keeper of the records of all books, documents and
108 papers filed by the commission and of its minute book. The secretary shall cause copies to be
109 made of all minutes and other records and documents of the commission and shall certify that
110 such copies are true copies, and all persons dealing with the commission may rely upon such
111 certification. No funds shall be transferred by the commission without the approval of the
112 commission and the signature of the treasurer.

113 (g) The chair shall have and exercise supervision and control over all the affairs of the
114 commission. The chair shall preside at all hearings at which the chair is present and shall
115 designate a commissioner to act as chair in the chair's absence. To promote efficiency in
116 administration, the chair shall, from time to time, make such division or re-division of the work
117 of the commission among the commissioners as the chair deems expedient.

118 (h) All of the commissioners shall, if so directed by the chair, participate in the hearing
119 and decision of any matter before the commission; provided, however, that at least 2
120 commissioners shall participate in the hearing and decision of matters other than those of formal
121 or administrative character coming before the commission; provided further, that at least 1
122 commissioner with a youth sports background shall participate in any such matters concerning
123 youth sports; and provided further, that any such matter may be heard, examined and
124 investigated by an employee of the commission designed and assigned by the chair, with the
125 concurrence of 1 other commissioner. Such employee shall make a report in writing relative to
126 the hearing, examination and investigation of every such matter to the commission for its
127 decision. For the purposes of hearing, examining and investigating any such matter, such
128 employee shall have all of the powers conferred upon a commissioner by this section. For each
129 hearing, the concurrence of a majority of the commissions participating in the decision shall be
130 necessary.

131 (i) The commission shall appoint an executive director. The executive director shall serve
132 at the pleasure of the commission, shall receive such salary as may be determined by the
133 commission, and shall devote full time and attention to the duties of the office. The executive
134 director shall be a person with skill and experience in management and shall be the executive and
135 administrative head of the commission. The executive director shall be responsible for
136 administering and enforcing the provisions of law relative to the commission and to each
137 administrative unit thereof and shall serve as the commission's liaison to the governor and
138 general court.

139 (j) The executive director may, from time to time and subject to the approval of the
140 commission, establish within the commission such administrative units as may be necessary for

141 the efficient and economical administration of the commission and, when necessary for such
142 purpose, may abolish any such administrative unit or may merge any 2 or more units; provided,
143 however, that the commission shall at all times retain a division of combat sports responsible for
144 discharging the duties of sections 4 to 23, inclusive, and a division of youth sports responsible
145 for discharging the duties of section 24. The executive director shall prepare and keep current a
146 plan of organization of the commission, of the assignment of its functions to its various
147 administrative units, office and employees and of the place at which and the methods by which
148 the public may receive information or make requests. A current copy of the plan of organization
149 shall be kept on file with the state secretary and in the office of the secretary of administration
150 and finance.

151 (k) The executive director shall appoint and employ the following positions:

152 (i) General counsel, who shall provide legal advice, ensure adherence to all applicable
153 general and special laws and represent the commission in legal proceedings;

154 (ii) A compliance officer, who shall monitor adherence to any applicable state regulations
155 at all events licensed by the commission, collaborate with promoters and ensure that events align
156 with licensing agreements entered into under this chapter; provided, however, that the
157 compliance officer shall have a combat sports background or experience in regulatory roles
158 within athletics;

159 (iii) A chief of communications and economic development, who shall prioritize national
160 promotion, venue support, strategic partnerships, public relations, economic impact analysis,
161 community development or any duties as may be assigned by the executive director;

162 (iv) A chief of the combat sports division, who shall have a combat sports background in
163 the commonwealth; and

164 (v) A chief of the youth sports division, who shall have a youth sports background in the
165 commonwealth.

166 (l) The executive director may, subject to the approval of the commission, employ
167 additional employees, consultants, agents and advisors and shall attend meetings of the
168 commission. In the case of an absence of vacancy in the office of the executive director or in the
169 case of disability as determined by the commission, the commission may designate an active
170 executive director to serve as executive director until the vacancy is filled or the absence or
171 disability ceases. The acting executive director shall have all of the powers and duties of the
172 executive director and shall have similar qualification as the executive director.

173 (m) The executive director may appoint such persons as the executive director shall
174 consider necessary to perform the functions of the commission; provided, however, that chapter
175 31 and section 9A of chapter 30 shall not apply to commission employees. If an employee
176 serving in a position which is classified under said chapter 31 or in which an employee has
177 tenure by reason of said section 9A of said chapter 30 shall be appointed to a position within the
178 commission which is not subject to said chapter 31, the employee shall, upon termination of
179 service in such position, be restored to the position which the employee held immediately prior
180 to such appointment; provided however, that the employee's service in such position shall be
181 determined by the civil service commission in accordance with the standards applied by that
182 commission in administering said section 9A of said chapter 30 and without loss of seniority,
183 retirement or other rights to which uninterrupted service in such prior position would have

184 entitled such employee. During the period of such appointment, each person so appointed from a
185 position in the classified civil service shall be eligible to take any competitive promotional
186 examination for which such person would otherwise have been eligible. Employees of the
187 commission, including employees working in the bureau, shall be classified as group 1 pursuant
188 to paragraph (g) of subdivision (2) of section 3 of chapter 32.

189 (n) (1) The commission shall require a prospective employee to: (i) submit an application
190 and a personal disclosure on a form prescribed by the commission which shall include a
191 complete criminal history, including convictions and current charges for all felonies and
192 misdemeanors; (ii) undergo testing which detects the presence of illegal substances in the body;
193 (iii) provide fingerprints and a photograph consistent with standards adopted by the state police;
194 and (iv) provide authorization for the commission to conduct a background check. The
195 commission shall verify the identification, employment and education of each prospective
196 employee, including: (i) legal name, including any alias; (ii) all secondary and post-secondary
197 educational institutions attended regardless of graduation status; and (iii) employment history.

198 (2) The commission shall not hire a prospective employee if the prospective employee
199 has: (i) been convicted of any felony or misdemeanor involving a minor; (ii) had prior
200 involvement with any violation of the provisions of chapters 23K or 23N; (iii) been dismissed
201 from prior employment for gross misconduct or incompetence; or (iv) intentionally made a false
202 statement concerning a material fact in connection with the prospective employee's application
203 to the commission. If an employee is charged with a felony or misdemeanor while employed by
204 the commission, the commission shall suspend the employee, with or without pay, and may
205 terminate employment with the commission upon conviction if, in the discretion of the

206 commission, the offense for which the employee has been convicted bears a close relationship to
207 the duties and responsibilities of the position held with the commission.

208 (o) Chapters 268A and 268B shall apply to the commissioners and to employees of the
209 commission; provided, however, that the commission shall establish a code of ethics for all
210 members and employees that shall be at least as restrictive as said chapters 268A and 268B. A
211 copy of the code shall be filed with the state ethics commission. The code shall include
212 provisions reasonably necessary to carry out the purposes of this chapter and any other laws
213 subject to the jurisdiction of the commission including, but not limited to: (i) prohibiting the
214 receipt of gifts by commissioners and employees from any combat sports or youth sports
215 licensee, affiliate or other person or entity subject to the jurisdiction of the commission; (ii)
216 prohibiting the participation by commissioners and employees in a particular matter as defined in
217 section 1 of said chapter 268A that affects the financial interest of a relative within the third
218 degree of consanguinity or a person with whom such commissioner or employee has a significant
219 relationship as defined in the code; and (iii) providing for recusal of a commissioner in any
220 decision of the commission due to a potential or perceived conflict of interest; provided,
221 however, that a commissioner's or employee's involvement with a youth sports team or
222 organization shall not be cause for a conflict of interest if said commissioner or employee is
223 involved solely as the parent of an athlete, a volunteer coach, or a volunteer trainer; and provided
224 further, that any such relationship shall be disclosed to the state ethics commission.

225 (p) No employee of the commission shall pursue any other business or occupation or
226 other gainful employment outside of the commission without the prior written approval of the
227 commission that such employment will not interfere or be in conflict with the employee's duties
228 to the commission.

229 (q) No commissioner shall hold a direct or indirect interest in, or be employed by, a
230 person licensed by the commission for a period of 3 years after the termination of employment
231 with the commission.

232 (r) No employee of the commission shall acquire an interest in, or accept employment
233 with, a person licensed by the commission for a period of 1 year after the termination of
234 employment with the commission.

235 (s) The commissioners and those employees holding major policymaking positions shall
236 be sworn to the faithful performance of their official duties. The commissioners and those
237 employees holding major policymaking positions shall: (i) conduct themselves in a manner so as
238 to render decisions that are fair and impartial and in the public interest; (ii) avoid impropriety and
239 the appearance of impropriety in all matters under their jurisdiction; (iii) avoid all prohibited
240 communications; (iv) require staff and personnel subject to their direction and control to observe
241 the same standards of fidelity and diligence; (v) disqualify themselves from proceedings in
242 which their impartiality might reasonably be questioned; and (vi) refrain from financial or
243 business dealings which would tend to reflect adversely on impartiality.

244 (t) Neither the commission nor any of its officers, agents, employees, consultants or
245 advisors shall be subject to sections 9A, 45, 46 and 52 of chapter 30, chapter 31 or to chapter 200
246 of the acts of 1976.

247 (u) The Massachusetts state athletic commission shall be a commission for the purposes
248 of section 3 of chapter 12.

249 Section 3. Powers of the commission.

250 The commission shall have all powers necessary or convenient to carry out and effectuate
251 its purposes including, but not limited to, the power to:

252 (1) appoint officers and hire employees;

253 (2) establish, and from time to time amend, a plan of organization that it considers
254 expedient;

255 (3) execute all instruments necessary or convenient for accomplishing the purposes of
256 this chapter;

257 (4) enter into agreements or other transactions with a person, including, but not limited
258 to, a public entity or other governmental instrumentality or authority in connection with its
259 powers and duties under this chapter;

260 (5) appear on its own behalf before boards, commissions, departments or other agencies
261 of municipal, state or federal government;

262 (6) apply for and accept subventions, grants, loans, advances and contributions of money,
263 property, labor or other things of value from any source, to be held, used and applied for its
264 purposes;

265 (7) provide and pay for advisory services and technical assistance that may be necessary
266 in its judgment to carry out this chapter and fix the compensation of persons providing such
267 services or assistance;

268 (8) prepare, publish and distribute, with or without charge as the commission may
269 determine, such studies, reports, bulletins and other materials as the commission considers
270 appropriate;

271 (9) require an applicant for a position which requires a license under this chapter to apply
272 for such license and approve or disapprove any such application or other transactions, events and
273 processes as provided in this chapter;

274 (10) deny an application or limit, condition, restrict, revoke or suspend a license,
275 registration, finding of suitability or approval, or fine a person licensed, registered, found
276 suitable or approved for any cause that the commission deems reasonable;

277 (11) gather facts and information applicable to the commission's obligation to issue,
278 suspend or revoke licenses, work permits or registrations for: (i) a violation of this chapter or any
279 regulation adopted by the commission; (ii) willfully violating an order of the commission
280 directed to a licensee; (iii) the conviction of a criminal offense; or (iv) the violation of any other
281 offense which would disqualify such a licensee from holding a license, work permit or
282 registration;

283 (12) conduct investigations into the qualifications of all applicants for employment by the
284 commission and by any regulated entity and all applications for licensure;

285 (13) request and receive from the state police, the criminal history systems board or other
286 criminal justice agencies including, but not limited to, the Federal Bureau of Investigation and
287 the Internal Revenue Service, such criminal offender record information relating to criminal and
288 background investigations as necessary for the purpose of evaluating employees of, and
289 applicants for employment by, the commission and any regulated entity, and evaluating licensees
290 and applicants for licensure under this chapter;

291 (14) levy and collect assessments, fees and fines and impose penalties and sanctions for a
292 violation of this chapter or any regulations promulgating by the commission;

- 293 (15) collect taxes and fees under this chapter;
- 294 (16) restrict, suspend or revoke licenses issued under this chapter;
- 295 (17) conduct adjudicatory proceedings and promulgate regulations in accordance with
296 chapter 30A;
- 297 (18) refer cases for criminal prosecution to the appropriate federal, state or local
298 resources;
- 299 (19) issue subpoenas and compel the attendance of witnesses at any place within the
300 commonwealth, administer oaths and require testimony under oath before the commission in the
301 course of an investigation or hearing conducted under this chapter;
- 302 (20) maintain an official internet website for the commission;
- 303 (21) adopt, amend or repeal regulations for the implementation, administration and
304 enforcement of this chapter; and
- 305 (22) act as trustees for the Boxers' Fund established in section 2AAAA½ of chapter 29
306 and the State Athletic Commission Fund established in section 2AAAA of said chapter 29.

307 Section 4. Necessity of license to hold boxing, kickboxing, mixed martial arts or other
308 unarmed combative sporting event or sparring match or exhibition.

309 (a) No boxing, kickboxing, mixed martial arts or other unarmed combative sporting event
310 or sparring match or exhibition for a prize or purse, or at which an admission fee is charged,
311 either directly or indirectly, in the form of dues or otherwise, whether professional or amateur,
312 shall take place or be conducted except in accordance with a license granted as hereinafter

313 provided by the commission. Applications for a license shall be accompanied by the fee, as
314 established annually the commissioner of administration and finance pursuant to section 3B of
315 chapter 7, which may take into consideration the population of the city or town or the seating
316 capacity of the building or place in which the match or exhibition is to be held; provided,
317 however, that a license, the fee for which is established on the basis of seating capacity of a
318 building or place as aforesaid, shall be exercised only in such building or place. Toughman or
319 similar type matches or exhibitions shall be prohibited. In the case of exhibitions or bouts held in
320 accordance with the rules and regulations of amateur organizations as may be approved by the
321 commission, the commission may issue special licenses without the requirement of a bond as
322 provided in section 6 or payment of the annual fee.

323 (b) Any persons holding, conducting, promoting or participating in a match or exhibition
324 held without a license, as provided in section 5, or a toughman or similar type match or
325 exhibition, shall be punished by imprisonment in the house of corrections for not more than 3
326 months or by a fine of not more than \$10,000, or both such fine and imprisonment.

327 (c) Matches or exhibitions under the governance of the Massachusetts Interscholastic
328 Athletic Association, the National Collegiate Athletic Association or any equivalent school or
329 college organization shall be exempt from the requirements of this section if the competitors are
330 amateurs; provided, however, that any such match or exhibition that the commission determines
331 to be a youth sport shall be subject to the licensing requirements contained herein. In the case of
332 such a youth sport, the commission may, at its discretion, issue a special license without the
333 requirement of a bond as provided in section 6 or payment of the annual fee.

334 (d) A license may be granted to an applicant under this chapter, notwithstanding the
335 social security number requirements of section 13A of chapter 30A; provided, however, that the
336 applicant provides a form of identification sufficient to identify the applicant.

337 Section 5. Issuance and term of license; revocation of license; issuance of license for
338 toughman competition prohibited.

339 In accordance with this chapter, the commission may issue licenses to conduct boxing,
340 kickboxing, mixed martial arts or other unarmed combative sporting events, sparring matches
341 and exhibitions. The license shall be valid only for the date approved by the commission. The
342 commission may revoke the license at any time in the interest of public safety. No license shall
343 be issued for a toughman competition or similar event.

344 Section 6. Bond

345 Except as otherwise provided in subsections (a) and (c) of section 4, no license as
346 aforesaid shall be granted unless the licensee has executed and filed with the commission a bond
347 in a penal sum of \$50,000, with such surety or sureties as shall be satisfactory to the commission,
348 running to the commission, conditioned upon the payment to the commonwealth of the sums
349 mentioned in section 15, and upon faithful compliance by the licensee with the provisions of this
350 chapter, the rules and regulations of the commission and with such other laws of the
351 commonwealth and may be applicable to anything done by the licensee in pursuance of the
352 license. The commission may enforce the terms of the bond for the use and benefit of any person
353 who may suffer loss by reason of the failure by the licensee to carry out terms of the bout
354 agreement or due to acts of the licensee determined to be detrimental to combat sports. The bond
355 shall also provide for a forfeiture to the commonwealth, recoverable at the suit of the attorney

356 general, of each sum, not exceeding \$10,000, as may be stipulated in the bond for each case of
357 non-compliance.

358 Section 7. Licenses for physician, promoter, referee, judge, timekeeper, professional
359 boxer, kickboxer, mixed martial arts contestant or other unarmed combative sport contestant, or a
360 manager, trainer or second of such a contestant; fees.

361 No person shall act, directly or indirectly, as a physician, promoter, referee, judge,
362 timekeeper, professional boxer, kickboxer, mixed martial arts contestant or other unarmed
363 combative sport contestant, or as a manager, trainer or second of such a contestant, at a match or
364 exhibition or as a matchmaker therefore, unless licensed by the commission upon receipt of the
365 classified fee to be determined annually by the commissioner of administration and finance
366 under section 3B of chapter 7. The commission shall set minimum requirements for licensure
367 based upon skill or other fundamental prerequisites deemed necessary to adequately and safely
368 execute the functions of the respective position. The commission may refuse to license any
369 individual who does not meet those requirements or whose safety and well-being it determines
370 will be put at substantial risk by engaging in their respective position. Whoever acts in such
371 capacity, without being so license shall be punished by a fine of not more than \$10,000. Any
372 official who desires to officiate without charge at amateur boxing or sparring matching or
373 exhibitions shall be licensed without charge. In accordance with section 12, the commission may
374 license an individual who is under 18 years of age without charge.

375 Section 8. Amateur boxing, mixed martial arts or other unarmed combative sporting
376 events, sparring matches and exhibitions; acknowledgment of rules and regulations of amateur

377 governing body; licensing of amateur referees, judges and officials; limitation on number and
378 timing of competitions; gloves.

379 (1) Notwithstanding section 9, the commission shall, in the conduct of all amateur
380 boxing, mixed martial arts or other unarmed combative sporting events, sparring matches and
381 exhibitions sanctioned by the national governing body and its local affiliate which are appointed
382 and recognized by the United States Olympic Committee for such purposes, acknowledge and
383 follow the rules and regulations of the amateur governing bodies.

384 (2) No amateur match which is subject to section 4 shall be held unless it is licensed by
385 the commission and sanctioned and supervised by an amateur sanctioning organization approved
386 by the commission.

387 (3) The commission shall recognize and license, upon receipt of the classified fee to be
388 determined annually by the commissioner of administration and finance of section 3B of chapter
389 7, the amateur referees, judges and other amateur officials assigned to the amateur matches or
390 exhibitions by the amateur governing bodies and certified under their rules and regulations.

391 (4) The commission shall cooperate fully with the amateur boxing governing bodies to
392 assure that amateur boxers are eligible to participate and compete for selection to the United
393 States Olympic boxing team.

394 (5) No contestant in amateur boxing shall compete in more than 2 tournaments in any 7-
395 day period, nor shall the contestant participate in more than 3 contests in a period of 13 hours.
396 All amateur boxing or sparring matches or exhibitions shall terminate not later than 12:30 a.m.
397 on the day following the start of the match.

398 (6) During a contest, contestants in amateur boxing or kickboxing matches or exhibitions
399 shall wear gloves weighing at least 8 ounces each unless otherwise authorized by the amateur
400 boxing governing body. During a contest, contestants in amateur mixed martial arts and other
401 unarmed combative sport matches or exhibitions shall wear gloves weighing at least 4 ounces
402 each unless otherwise authorized by the amateur governing body.

403 Section 9. Necessity of referee and judges; power and duties; vote; decision; forfeitures;
404 fees of officials; payment

405 (a) At every boxing, kickboxing, mixed martial arts or other unarmed combative sporting
406 event, sparring match or exhibition there shall be in attendance a referee, duly licensed under this
407 section and sections 7 and 8. There shall also be in attendance at least 3 duly-licensed judges,
408 each of whom shall, at the termination of a match or exhibition, vote for the contestant in whose
409 favor the decision should, in their opinion, be rendered or, for a draw if, in their opinion, neither
410 contestant is entitled to a decision in their favor and the decision shall be rendered in favor of the
411 contestant receiving a majority of the votes or, if neither receives a majority as aforementioned, a
412 decision of a draw shall be rendered. Upon the rendering of a decision, the vote of each judge
413 shall be announced from the ring. The referee shall have full power to stop the match or
414 exhibition whenever they deem it advisable because of the physical condition of a contestant or
415 when 1 contestant is clearly outclassed by their opponent or for other sufficient reason.

416 (b) The commission shall set forth rules and regulations for contracts between a manager
417 and an unarmed combatant and contracts between a promoter and an unarmed combatant. An
418 unarmed combatant may not enter into a contract with a manager or a promoter unless it is filed
419 with the commission prior to a scheduled contest in an amount of time set forth by the

420 commission. The commission shall only honor a contract that is executed and notarized on a
421 form provided by the commission, unless the terms of the contract comply with the requirements
422 set forth by the commission.

423 (c) The commission shall be the sole arbiter of a breach of contract and may establish
424 rules governing breach of contract dispute resolution. If during a contest, a contestant is believed
425 to not be competing in good faith, a member of the commission or their designee shall withhold
426 any prize, remuneration or purse until a hearing can be held. The commission shall at a hearing
427 following the contest declare forfeited any prize, remuneration or purse or any part thereof,
428 belonging to a contestant if, in the judgment of a majority of the commissioners, after
429 consultation with the judges and the referee, the contestant was not competing in good faith.

430 (d) Whoever violates any provision of this chapter or who conducts themselves at any
431 time or place in a manner which is deemed by the commission to reflect discredit to any unarmed
432 combative sports, may have their license revoked and fined, suspended or otherwise disciplined
433 in such manner as the commission may direct.

434 Section 10. Necessity of physician; duties; qualifications; fees; certificate of contestant's
435 fitness

436 At any boxing, kickboxing, mixed martial arts or other unarmed combative sporting
437 event, sparring match or exhibition there shall be in attendance at least 1 duly licensed physician,
438 whose duty it shall be to observe the physical condition of the contestants and advise the referee
439 or judges with regard thereto. A competent physician who has at least 3 years of experience as a
440 medical practitioners may be licensed. No contestant shall be allowed to enter the ring unless a
441 physician licensed under this section and section 7 certifies in writing that the contestant is

442 physically fit to engage in the proposed contest. The physician's fee, as fixed by the commission,
443 shall be paid by the licensee conducting the match or exhibition.

444 Section 11. Number and time of rounds; frequency of tournaments or contests; gloves;
445 protective devices

446 No boxing, kickboxing or other unarmed combative sporting match or exhibition shall
447 exceed 10 rounds; provided, however, if a match is to determine a championship, it may exceed
448 the round limits with the prior approval of the commission. No mixed martial arts match or
449 exhibition shall exceed 3 rounds; provided, however, if a match is to determine a championship,
450 it may exceed the round limits with the prior approval of the commission. No round in a boxing,
451 kickboxing or other unarmed combative sporting match or exhibition shall exceed 3 minutes. No
452 round in a mixed martial arts match or exhibition shall exceed 5 minutes. No contestant in a
453 professional match or exhibition shall participate in more than 10 rounds unless otherwise
454 authorized by the commission, as the case may be, during a 72-hour period. During a contest,
455 contestants in professional boxing and kickboxing matches or exhibitions shall wear gloves
456 weighing at least 8 ounces each unless otherwise authorized by the commission. During a
457 contest, contestants in mixed martial arts and other unarmed combative sporting events, matches
458 or exhibitions shall wear gloves weighing at least 4 ounces each unless otherwise authorized by
459 the commission. Every contestant participating in boxing, kickboxing, mixed martial arts or
460 other unarmed combative sporting event or exhibition shall be required to wear standard
461 protective devices as outlined by regulation by the commission.

462 Section 12. Ages of contestants and persons admitted to matches

463 (a) Except as hereinafter provided, no contestant under 18 years of age or over 34 years
464 of age shall be permitted to engage in a boxing, kickboxing, mixed martial arts or other unarmed
465 combative sport event, sparring match or exhibition, except that the age requirement shall not
466 apply to a world boxing champion who is still actively engaged as a professional boxer, or to a
467 former boxing champion of the world who has not been inactive as a professional boxer for more
468 than 2 years from the date of their last boxing contest; provided, however, that an amateur boxer
469 shall be allowed to compete as such at the age of 16. At the discretion of the commission, a
470 professional boxer, kickboxer, mixed martial arts contestant or other unarmed combat sports
471 contest over the age of 34 may be permitted to engage in a match if the contestant has passed a
472 physical examination or is otherwise medically cleared to participate by a physician selected by
473 the commission. At the discretion of the commission, an amateur boxer who is 16 or 17 years of
474 age may be licensed as a professional boxer. The foregoing shall not apply to courses of
475 instruction in boxing, kickboxing, mixed martial arts or other unarmed combative sports
476 sponsored and conducted by recognized boys and girls clubs, youth organizations, private clubs
477 and athletic associations, schools or colleges, municipal or state park or recreational departments,
478 law enforcement organizations or incorporated, private, nonprofit boxing teams, under the
479 supervision of qualified instructors and directors; provided, however, that at the discretion of the
480 commission the requirements relative to amateur boxing, kickboxing, mixed martial arts or other
481 unarmed combative sports under sections 4 to 23, inclusive, may apply to such courses of
482 instruction and any related matches or exhibitions.

483 (b) No person under the age of 16 shall be admitted to, or be present at, a professional
484 match or exhibition unless accompanied by an adult.

485 Section 13. Boxer, kickboxer, mixed martial arts contestant or other unarmed combative
486 sport contestant previously knocked out six or more times

487 No professional boxer, kickboxer, mixed martial arts contestant or other unarmed
488 combative sport contestant licensed under section 7 who has been knocked out, technically or
489 otherwise, or lost a contest by way of submission, 6 or more times in the preceding 12 months
490 shall take part in a match or exhibition until they have been examined and found fit to take part
491 in a match or exhibition, by a physician selected by the commission, at a place and time
492 designated by the commission. The cost of conducting the examination shall be borne by the
493 contestant. If a contestant is found unfit to engage in a match or exhibition, they shall be
494 excluded from participation for 3 months, after which time they may make a request to the
495 commission for another physical examination. A license issued to an individual under section 7
496 shall be immediately suspended for at least 30 days if the individual is knocked out.

497 Section 14. Insurance on contestants

498 A person licensed under section 5 to conduct boxing, kickboxing, mixed martial arts or
499 other unarmed combative sport events, sparring matches or exhibitions, except those persons to
500 whom a special license may be granted thereunder without the requirement of a bond or payment
501 of the annual fee, shall take out a policy of accident insurance on each contestant participating in
502 the match or exhibition in the amount of \$5,000 to compensate said contestant for medical and
503 hospital expenses incurred as the result of injuries received in such match or exhibition and a
504 policy in the amount of \$50,000 to be paid to the estate of the deceased contestant in the event of
505 death to the contestant resulting from participation in the match or exhibition. The premiums on
506 the policies shall be paid by the licensee.

507 Section 15. Percentage of receipts paid to commonwealth; reports to commission; filing
508 of contracts entered into for sale, lease or exploitation of broadcasting rights; enforcement

509 (a) Every licensee holding or conducting a boxing, kickboxing, mixed martial arts or
510 other unarmed combative sporting event, sparring match or other unarmed combative sporting
511 event, sparring match or exhibition shall, before the commencement of the final feature bout of
512 the event, pay to the commission a sum equal to 5 per cent of the total gross receipts from the
513 sale of tickets or from admission fees. The licensee shall pay to the commission an additional
514 sum equal to 2 per cent of the total gross receipts generated by the sale, lease or other
515 exploitation of the television, pay-per-view, motion picture or other broadcasting rights,
516 regardless of whether the event is broadcast live or in the future, such sum to be paid by the
517 licensee whether or not the licensee ever receives a portion of that amount; provided, however,
518 that if the match or exhibition is conducted as an incidental feature in an event or entertainment
519 of a different character, the portion of the total receipts and the total amount shall be paid to the
520 commonwealth, as the commission may determine or as may be fixed by rule adopted by the
521 commission. If the payment is for a fixed amount, payment shall be made 24 hours prior to the
522 event but in no event shall payment be made later than 48 hours after the live event. Pay-per-
523 view showings of an event more than 48 hours after the live event shall be exempt from the
524 requirements of this section. The broadcasting fee imposed under this section shall be not more
525 than \$75,000 per event. Within 72 hours after its conclusion, the licensee shall furnish to the
526 commonwealth a report, showing the exact number of tickets sold and admission fees collected
527 for the contest, the gross receipts thereof and such other data as the commission may require.

528 (b) A licensee holding or conducting a boxing, kickboxing, mixed martial arts or other
529 unarmed combative sporting event, sparring match or exhibition shall, at least 48 hours before a

530 licensed contest or exhibition, file with the commission a copy of all contracts entered into for
531 the sale, lease, or other exploitation of broadcasting rights for the contest or exhibition. All
532 contracts filed with the commission under this section shall be exempt from disclosure in section
533 10 of chapter 66. The commission shall enforce this section.

534 Section 16. Boxers' Fund

535 Every licensee holding or conducting any boxing, kickboxing, mixed martial arts or other
536 unarmed combative sporting event or sparring match or exhibition shall, before the
537 commencement of the feature bout of the event, pay to the state treasurer, in addition to the
538 payment required under section 15, a sum equal to 1 per cent of the total gross receipts from the
539 sale or tickets or from admission fees; provided, however, that if the match or exhibition is
540 conducted as an incidental feature in an event or entertainment of a different character, the
541 portion of the total receipts shall be paid to the commonwealth as the commission may
542 determine. Such sums shall be credited by the state treasurer to the Boxers' Fund established
543 pursuant to section 2AAAA½ of chapter 29.

544 Section 17. Number of persons admitted; limitation

545 No licensee under section 5 shall sell or cause to be sold or issued more tickets or
546 invitations purporting to admit to any such match or exhibition, or otherwise admit to the same,
547 more persons than are admissible according to the authorized capacity of the building, or part
548 thereof actually used therefor.

549 Section 18. Revocation or suspension of license; administrative penalty

550 (a) Any license may be revoked or suspended by the commission for a violation of any
551 provision of this chapter or of any other law of the commonwealth or of any rule or regulation
552 adopted by the commission or whenever the licensee has, in the judgment of the commission,
553 been guilty of any act or offense detrimental to the public interest.

554 (b) The commission may suspend a license of a combatant issued under section 7 without
555 a hearing upon a finding that it would be unsafe for the individual to compete until either the
556 passing of a fixed period of time or upon medical clearance. The commission may assess an
557 administrative penalty not to exceed \$2,000 for each violation of this chapter or the
558 commission's rules and regulations committed by an individual required to be licensed herein.

559 Section 19. Financial interest of licensee in boxer; prepayment of contestant

560 No licensee under section 5 shall have, directly or indirectly, any financial interest in a
561 boxer, kickboxer, mixed martial arts contestant or other unarmed combative sport contestant
562 competing on premises owned or leased by the licensee, or in which the licensee is otherwise
563 interested. No contestant in a match or exhibition shall be paid for services before the same are
564 rendered.

565 Section 20. Enjoining unlicensed or illegal matches

566 The superior court shall have jurisdiction in equity upon any information filed by the
567 commission, the attorney general, the district attorney for the district where a match or exhibition
568 is held or is announced to be held, the police authorities of the city or town where a match or
569 exhibition is held or is announced to be held, or by any five legal voters of the commonwealth
570 stating that a certain building, tenement or place is used for matches or exhibitions, whether
571 professional or amateur, by an individual, group, partnership, club, corporation or association not

572 licensed under section 5 or contrary to any provision of this sections 4 to 23, inclusive, or that a
573 match or exhibition is being advertised or announced, or has been advertised or announced, to
574 take place in a certain building or place, or that a certain individual, club, corporation or
575 association is selling, exchanging or giving away tickets, tokens or symbols purporting to entitle
576 the holder to the right or privilege of attending a certain match or exhibition not licensed by the
577 commission and contrary to the provisions of this chapter to enjoin and abate the same as a
578 common nuisance.

579 Section 21. Prohibition of licensed event by municipality; notice of exercise of municipal
580 option

581 The commission shall notify a municipality in writing of the issuance of a license for an
582 event scheduled to take place therein within 24 hours of said issuance. At its option, a
583 municipality may prohibit an event licensed by the commission under section 5. The prohibition
584 shall be by a majority vote of the city council with approval of the mayor in a city or by a
585 majority vote of the select board in a town. The municipal option shall be exercised within 7
586 days of issuance of a license by the commission. The municipality shall notify the commission
587 within 24 hours of any such action. Upon receipt of such notice, the commission shall
588 immediately notify the promoter of the determination of the municipality and the license shall be
589 revoked.

590 Section 22. Courses of instruction in boxing, kickboxing, mixed martial arts and other
591 unarmed combative sports or matches or exhibitions sponsored by youth organizations, private
592 clubs, law enforcement agencies, etc.

593 Except as otherwise provided herein, courses of instruction in boxing, kickboxing, mixed
594 martial arts and other unarmed combative sports, or sparring matches or exhibitions sponsored
595 and conducted by recognized boys and girls clubs, youth organization, private clubs and athletic
596 associations, schools and colleges, law enforcement agencies or municipal or state parks and
597 recreation departments, under the supervision of qualified instructors and directors, shall not
598 require a license under section 5 to be conducted; provided, however, that the commission may
599 at its discretion require a match or exhibition under this section to procure a license under section
600 5 if such match or exhibition is conducted in substantially the same character as amateur or
601 professional matches which require licensure pursuant to this chapter.

602 Section 23. Statutes not applicable to matches or exhibitions

603 Sections 9 to 12, inclusive, of chapter 265 shall not apply to any boxing, kickboxing,
604 mixed martial arts or other unarmed combative sporting event or sparring match or exhibition
605 licensed under section 5 and conducted under and in accordance with this chapter and any
606 accompanying rules and regulations promulgated by the commission.

607 Section 24. Regulation of youth sports; public education campaign; recommendations

608 (a) The commission shall promulgate rules and regulations related to participation in and
609 the administration of youth sports in the commonwealth. Regulations may include, but not be
610 limited to: (i) maximum participation hours per youth sport in a defined period of time; (ii)
611 licensing of businesses and coaches, including licensing fees and the conditions under which any
612 such licensing fee may be waived to promote access to participation; (iii) criminal offender
613 record information, provided that the commission may prohibit an individual from obtaining any
614 applicable license on the basis of a felony conviction in order to prioritize player safety, at the

615 discretion of the commission; and (iv) standards for player safety, including concussion
616 protocols and athletic trainer requirements.

617 (b) Except as provided for by any general or special law to the contrary, the commission
618 shall enforce such rules and regulations; provided, however, that penalties for noncompliance
619 under this section may include, but not be limited to: (i) suspension or revocation of any
620 applicable license issued by the commission; (ii) enjoinder and abatement of a particular youth
621 sports event occurring in violation of this section; or (iii) fines as determined by the commission.

622 (c) The commission shall conduct a public education campaign regarding youth sports.
623 The commission shall exercise its discretion with regard to distribution means and methods;
624 provided, however, that said campaign shall be directed primarily toward parents, coaches, youth
625 athletes and other members of the public. Said campaign shall include, but not be limited to, the
626 physical and mental health, personal financial and economic development impacts of youth
627 sports. The commission shall consult with subject matter experts in the preparation of said
628 campaign, including on the matters of single sport specialization, appropriate training and
629 overtraining conscious of athlete age and the relationship between youth sports participation and
630 higher education or career outcomes.

631 (d) The commission shall annually, not later than November 1, file a written report with
632 the respective clerks of the senate and house of representatives, the joint committee on economic
633 development and emerging technologies and the joint committee on health care financing
634 describing therein the activities undertaken by the commission regarding youth sports for the
635 prior year, including any recommendations or requests for legislation arising therefrom in
636 furtherance of the purpose of the commission and the current rates of any licensing fees fixed by

637 the commission in accordance with subsection (a) of this section, if any. The commission may, at
638 any time, request or recommend such legislative remedies, provided that any such previously
639 extended request or recommendation shall also be summarized in said report.

640 SECTION 8. Chapter 29 of the General Laws, as so appearing, is hereby amended by
641 striking section 2AAAA and inserting in place thereof the following:-

642 “Section 2AAAA. State Athletic Commission Fund

643 (a) There shall be established and set up on the books of the commonwealth a separate
644 fund to be known as the State Athletic Commission Fund. The Massachusetts state athletic
645 commission, established pursuant to section 2 of chapter 23O, shall be the trustee of the fund and
646 shall expend monies to finance operational activities of said commission. The fund shall be
647 credited any appropriations, bond proceeds or other monies authorized by the general court and
648 specifically designated to be credited thereto, any monies from licensing fees or other fees and
649 fines collected under sections 4 to 7, inclusive, 15 and 18 of chapter 23O and section 12 of
650 chapter 265 and any monies credited from the Youth Development and Achievement Fund
651 pursuant to section 19 of chapter 23N. All available monies in the fund that are unexpended at
652 the end of each fiscal year shall not revert to the General Fund and shall be available for
653 expenditure in the subsequent fiscal year. Said commission shall record all expenditures made by
654 a subsidiary on the Massachusetts management and account reporting system according to
655 regulations established by the state comptroller. For the purposes of accommodating
656 discrepancies between the receipt of retained revenues and related expenditures, said commission
657 may incur expense and the comptroller may certify for payment amounts not to exceed the lower
658 of \$750,000 or the most recent revenue estimate as reported in the state accounting system.

659 (b) The Massachusetts state athletic commission shall, for the purposes of compliance
660 with state finance law, operate as a state agency as defined in section 1 of chapter 29 and shall be
661 subject to the provisions applicable to agencies under the control of the governor including, but
662 not limited to, chapters 7, 7A, 10 and 29; provided, however, that the comptroller may identify
663 any additional instructions or actions necessary for the commission to manage fiscal operations
664 in the state accounting system and meet statewide and other governmental accounting and audit
665 standards. Unless otherwise exempted by law or the applicable central service agency, said
666 commission shall participate in any other available commonwealth central services including, but
667 not limited to, the state payroll system under section 31 of said chapter 29 and may purchase
668 other goods and services provided by state agencies in accordance with comptroller provisions.
669 The comptroller may chargeback said commission for the transition and ongoing costs for
670 participation in the state accounting and payroll systems and may retain and expend such costs
671 without further appropriation for the purposes of this section. Said commission shall be subject
672 to section 5D of chapter 29 and subsection (f) of section 6B of chapter 29.

673 (c) The commission shall annually submit a finance plan to the secretary of
674 administration and finance, the chairs of the house and senate committees on ways and means
675 and the chairs of the joint committee on economic development and emerging technologies. Said
676 finance plan shall include, but not be limited to, activities related to the State Athletic
677 Commission Fund and the Boxers' Fund established pursuant to section 2AAAA½.”

678 SECTION 9. Chapter 29 of the General Laws, as so appearing, is hereby further amended
679 by inserting after section 2AAAA the following new section:-

680 “Section 2AAAA½. Boxers' Fund

681 There shall be established and set up on the books of the commonwealth a separate fund
682 to be known as the Boxers' Fund. The Massachusetts state athletic commission, established
683 pursuant to section 2 of chapter 23O, shall be the trustee of the fund and shall expend for the use
684 and benefit of a contestant or former contestant in an event governed by chapter 23O and any
685 accompanying regulations promulgated by said commission under the purview of said
686 commission for funeral expenses or assistance needed as a result of an injury suffered while
687 participating in such an event. The fund shall be credited any appropriations, bond proceeds or
688 other monies authorized by the general court and specifically designated to be credited thereto
689 and any monies collected under section 15 of chapter 23O. All available monies in the fund that
690 are unexpended at the end of each fiscal year shall not revert to the General Fund and shall be
691 available for expenditure in the subsequent fiscal year.”

692 SECTION 10. Chapter 147 of the General Laws, as so appearing, is hereby amended by
693 repealing sections 32 to 51, inclusive.

694 SECTION 11. Section 9 of chapter 265 of the General Laws, as so appearing, is hereby
695 amended by striking the words “sections thirty-two to fifty, inclusive, of chapter one hundred
696 and forty-seven” and inserting in place thereof the following:- “sections 4 to 23, inclusive, of
697 chapter 23O”.

698 SECTION 12. Section 10 of said chapter 265, as so appearing, is hereby amended by
699 striking the words “sections thirty-two to fifty, inclusive, of chapter one hundred and forty-
700 seven” and inserting in place thereof the following:- “sections 4 to 23, inclusive, of chapter
701 23O”.

702 SECTION 13. Section 12 of said chapter 265, as so appearing, is hereby amended by
703 striking the words “sections 32 to 50A, inclusive, of chapter 147,” and inserting in place thereof
704 the following:- “sections 4 to 23, inclusive, of chapter 23O”.