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# A BILL FOR AN ACT

RELATING TO MIXED MARTIAL ARTS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1.    The Hawaii Revised Statutes is amended by  
2    adding a new chapter to be appropriately designated and to read  
3    as follows:

4                                 "CHAPTER

5                                 **MIXED MARTIAL ARTS CONTESTS**

6           **§   -1 Definitions.**    As used in this chapter, unless the  
7    context otherwise requires:

8           "Amateur mixed martial arts contest" means a mixed martial  
9    arts contest in which no money, prize, purse, or other form of  
10   compensation is offered or given to contestants.

11           "Department" means the department of commerce and consumer  
12    affairs.

13           "Director" means the director of commerce and consumer  
14    affairs.

15           "Executive officer" means the executive officer assigned to  
16    the director.

17           "Manager" means any person who:



1           (1) Undertakes or has undertaken to represent in any way  
2           the interests of any mixed martial arts contestant in  
3           procuring, arranging, or conducting any contest in  
4           which the mixed martial arts contestant is to  
5           participate; provided that "manager" shall not include  
6           an attorney licensed to practice in this state in the  
7           attorney's legal representation of a mixed martial  
8           arts contestant; or

9           (2) Directs or controls the mixed martial arts activities  
10          of the mixed martial arts contestant.

11          "Mixed martial arts" means unarmed combat involving the  
12          use, subject to any applicable limits set forth in this chapter  
13          and any rules adopted to implement these limits, of a  
14          combination of techniques from different disciplines of martial  
15          arts, including grappling, kicking, and striking.

16          "Mixed martial arts contest" or "contest" means a contest  
17          or exhibition in a mixed martial arts event in which a mixed  
18          martial arts contestant competes with another mixed martial arts  
19          contestant, using mixed martial arts, and in which any  
20          contestant in the mixed martial arts event receives any money,  
21          prize, purse, or other forms of compensation; provided that the  
22          term shall not include an amateur mixed martial arts contest.



1 "Mixed martial arts contestant" or "contestant" means a  
2 person who is trained in mixed martial arts and competes in a  
3 mixed martial arts contest.

4 "Mixed martial arts event" or "event" means one or more  
5 mixed martial arts contests held at the same location on the  
6 same date.

7 "No rules combat, extreme or ultimate fighting, or similar  
8 contest" means a contest or exhibition performed in this state  
9 in which the contestants are permitted to use, with few or no  
10 rules or restrictions, a combination of combative contact  
11 techniques, including punches, kicks, chokes, joint locks, and  
12 other maneuvers, with or without the use of weapons, that place  
13 contestants at an unreasonably high risk of bodily injury or  
14 death, whether or not for money, prize, reward, purse, or other  
15 compensation, or promise thereof; provided that the term does  
16 not include a contest involving the exclusive use of boxing,  
17 wrestling, kickboxing, martial arts, or mixed martial arts.

18 "Promoter" means an individual, corporation, joint venture,  
19 partnership, limited liability corporation, limited liability  
20 partnership, or any other type of business entity that promotes,  
21 conducts, holds, or gives a mixed martial arts contest.



1       **§ -2 Executive officer.** The director shall assign an  
2 executive officer to carry out the director's activities,  
3 duties, and other obligations under this chapter.

4       **§ -3 Assistants.** The director may appoint and remove  
5 assistants to assist the director in carrying out the director's  
6 activities, duties, and other obligations under this chapter.  
7 The director may direct one or more assistants to be present at  
8 any mixed martial arts contest and to supervise and control the  
9 mixed martial arts contest, in accordance with this chapter and  
10 the rules adopted by the director pursuant thereto. The  
11 assistants shall submit a written report to the executive  
12 officer in the manner and form prescribed by the director  
13 detailing the conditions prevailing at every contest.

14       **§ -4 Other employees.** Subject to chapter 76, the  
15 department may employ clerks, inspectors, and other employees as  
16 it deems necessary for the purposes of this chapter.

17       **§ -5 Authority to subpoena witnesses and administer**  
18 **oaths and penalties.** The director may issue subpoenas for the  
19 attendance of witnesses, with the same effect as if the  
20 subpoenas were issued in an action in the circuit court, and may  
21 administer oaths in all matters connected with the  
22 administration of this chapter. Disobedience of a subpoena and



1 false swearing before the executive officer or the director  
2 shall be attended by the same consequences and be subject to the  
3 same penalties as if disobedience or false swearing occurred in  
4 an action in the circuit court.

5       **§ -6 Powers and duties of the director.** (a) In  
6 addition to any other powers and duties authorized by law, the  
7 director shall have the following powers and duties:

8           (1) To adopt, amend, or repeal rules and forms as  
9                necessary to effectuate this chapter. All rules shall  
10              be pursuant to chapter 91 and shall have the force and  
11              effect of law. The rules may include but not be  
12              limited to the following:

13            (A) An appropriate method of ensuring that all  
14                financial obligations are met by a promoter who  
15                conducts, holds, or gives a mixed martial arts  
16                contest;

17            (B) A public record accounting for the distribution  
18                of all tickets provided to the director by a  
19                promoter and anything else of value that is  
20                provided to the director;

21            (C) Clinics or seminars on health and safety for  
22                licensees deemed necessary by the director;



- 1 (D) Criteria for a mandatory neurological and eye  
2 examination of any mixed martial arts contestant;
- 3 (E) Criteria for, and duration of, an automatic  
4 medical suspension from mixed martial arts  
5 contests;
- 6 (F) Procedures to evaluate the professional records  
7 and physician's certification of each mixed  
8 martial arts contestant participating in a mixed  
9 martial arts contest in the state and to deny  
10 authorization to a mixed martial arts contestant  
11 to fight when the requirements of this chapter  
12 are not met;
- 13 (G) Procedures to ensure that no mixed martial arts  
14 contestant is permitted to compete while under  
15 suspension from any entity which regulates mixed  
16 martial arts due to:
  - 17 (i) A recent knockout or series of consecutive  
18 losses;
  - 19 (ii) An injury, any required medical procedure,  
20 or a physician's denial of certification to  
21 compete;
  - 22 (iii) Failure of any drug test; or



- 1 (iv) The use of false aliases or falsifying or  
2 attempting to falsify official  
3 identification cards or documents relating  
4 to mixed martial arts contests;
- 5 (H) Procedures to review a suspension if appealed by  
6 a mixed martial arts contestant, including an  
7 opportunity for the contestant to present  
8 contradictory evidence;
- 9 (I) Procedures to revoke a suspension if a mixed  
10 martial arts contestant furnishes proof of  
11 sufficiently improved medical or physical  
12 condition or furnishes proof that the suspension  
13 was not, or is no longer, warranted by the facts;  
14 and
- 15 (J) Procedures to require updated medical and  
16 criminal background checks prior to a contest and  
17 at the time of license renewal; and
- 18 (2) To enforce this chapter and the rules adopted pursuant  
19 thereto; and
- 20 (3) To discipline a person or entity who violates this  
21 chapter or the rules adopted pursuant thereto.



1 (b) The director may either establish a mixed martial arts  
2 registry or data bank on mixed martial arts contestants or use  
3 an established registry or data bank that is approved by the  
4 director, and issue license cards to mixed martial arts  
5 contestants.

6 (c) The director may appoint an advisory committee to  
7 assist with the implementation of this chapter and any rules  
8 adopted pursuant to this chapter.

9 **§ -7 Jurisdiction of director.** (a) The director is  
10 vested with the sole jurisdiction, direction, management, and  
11 control over all mixed martial arts contests to be conducted,  
12 held, or given within the state; provided that this excludes  
13 amateur mixed martial arts contests. No mixed martial arts  
14 contest shall be conducted, held, or given within the state  
15 except in accordance with this chapter and the rules adopted by  
16 the director pursuant thereto.

17 (b) No mixed martial arts event shall take place unless  
18 the director has granted a permit for the proposed event. In  
19 addition, the director shall not allow any mixed martial arts  
20 contest unless:

21 (1) The contest consists of not more than five rounds of a  
22 duration of not more than five minutes each with an





1 interval of at least one minute between each round and  
2 the succeeding round;

3 (2) Each contestant is at least eighteen years of age, is  
4 not disqualified from competing in a similar mixed  
5 martial arts contest in another jurisdiction at the  
6 time of the contest, and does not use stimulants or  
7 banned substances before or during the contest;

8 (3) Each mixed martial arts contestant is examined one  
9 hour prior to the contest by at least one physician  
10 licensed under chapter 453 or 460 who shall certify in  
11 writing to the referee of the contest that the  
12 contestant is physically fit to engage therein;

13 (4) Each contestant furnishes to the director:

14 (A) A medical report of a medical examination  
15 completed not less than six months before the  
16 contest, at the sole expense of the promoter,  
17 including the results of HIV and hepatitis  
18 testing; and

19 (B) Previous fight records that establish the  
20 contestant's fitness to compete in the contest;

21 (5) The contest is under the control of a licensed referee  
22 in the ring who has at least one year's experience in



1 refereeing a match or exhibition involving mixed  
2 martial arts and who has passed a physical examination  
3 by a physician licensed under chapter 453 or 460,  
4 including an eye examination, within two years prior  
5 to the contest;

6 (6) The promoter has complied with sections -8 and  
7 -9; and

8 (7) All licensees have complied with the requirements of  
9 this chapter and rules adopted in accordance with  
10 chapter 91, including any rules or requirements that  
11 protect the safety of the contestants to the extent  
12 feasible.

13 (c) No person shall promote, conduct, hold, give or  
14 participate in any no rules combat, extreme or ultimate  
15 fighting, or similar contests. The director shall enforce the  
16 prohibition on no rules combat, extreme or ultimate fighting, or  
17 similar contests, and may adopt rules, pursuant to chapter 91,  
18 to enforce the prohibition. In addition to any applicable  
19 judicial remedy, a person who violates this subsection shall be  
20 subject to the penalties, fines, and other disciplinary  
21 provisions of this chapter.



1           **§ -8 Licenses; promoters.** (a) A promoter may apply to  
2 the director for a license which shall be required to promote,  
3 conduct, hold, or give mixed martial arts contests. The  
4 application shall be in writing, on a form prescribed by the  
5 director, and signed by the applicant, and shall include the  
6 following:

7           (1) Evidence of financial integrity in accordance with  
8 rules adopted by the director pursuant to chapter 91;  
9 and

10          (2) Proof that the applicant has currently satisfied all  
11 of the applicable requirements of the department's  
12 business registration division.

13          (b) The application shall contain a recital of the facts  
14 as may be specified by the director for the director to  
15 determine whether or not the applicant possesses the necessary  
16 physical, mental, moral, and financial qualifications to entitle  
17 the applicant to a license.

18          (c) The director shall not issue any license to conduct,  
19 hold, or give mixed martial arts contests unless the director is  
20 satisfied that the applicant has complied with the conditions of  
21 this chapter, possesses the necessary qualifications for a  
22 license, is the real party in interest, and intends to conduct,



1 hold, or give the mixed martial arts contest itself. The  
2 director shall not issue a promoter's license to an applicant if  
3 the applicant or any of the applicant's officers, directors,  
4 partners, members, or associates has been convicted of any crime  
5 related to gambling or a crime that is directly related to the  
6 person's performance in the sport of mixed martial arts.

7 (d) A license may be revoked at any time if the director  
8 finds after a hearing that:

9 (1) The licensee is not the real party in interest or has  
10 not complied with this chapter or the rules of the  
11 director; or

12 (2) The licensee or any of the licensee's officers,  
13 directors, partners, members, or associates has been  
14 convicted of any crime related to gambling or a crime  
15 that is directly related to the person's performance  
16 in the sport of mixed martial arts.

17 (e) Every license shall be subject to this chapter and the  
18 rules of the director.

19 (f) The application for a license to promote mixed martial  
20 arts contests shall be accompanied by a fee as provided in rules  
21 adopted by the director pursuant to chapter 91.



1           **§ -9 Permit required to hold each mixed martial arts**  
2 **event.** (a) No mixed martial arts event shall be held unless  
3 the director issues a permit for the event. To obtain a permit  
4 to conduct, hold, or give a mixed martial arts event, a promoter  
5 shall:

- 6           (1) Provide proof of medical insurance for mixed martial  
7           arts contestants in accordance with rules adopted by  
8           the director. All promoters shall be responsible for  
9           paying any deductible amount of the medical insurance  
10           policy;
- 11           (2) Submit all contracts with managers, mixed martial arts  
12           contestants, and venues, including any agreement of  
13           pre-contest training funds advanced to any contestant  
14           either by the promoter or manager or any party of  
15           interest, to the director for the director's review  
16           and approval;
- 17           (3) Submit to the director, for the director's review and  
18           approval, all ring records of all mixed martial arts  
19           contestants scheduled to participate in the event;
- 20           (4) Provide cashier's or certified checks made payable to  
21           each mixed martial arts contestant for the amount due  
22           the contestant or the contestant's manager, as the



1 case may be, in accordance with the contracts approved  
2 by the director;

3 (5) Provide to the director written confirmation that an  
4 ambulance with paramedics and appropriate security  
5 have been obtained and will be present at all times at  
6 the venue of the mixed martial arts event;

7 (6) Provide evidence to the director that security  
8 personnel and resources will be present in sufficient  
9 number and force to exercise crowd control and to  
10 protect spectators at the mixed martial arts event;

11 (7) Provide to the director evidence that the mixed  
12 martial arts event will be conducted in compliance  
13 with municipal fire codes; and

14 (8) Maintain sanitary conditions at the site of the mixed  
15 martial arts event.

16 (b) Failure, refusal, or neglect of any licensed promoter  
17 to comply with this section shall result in the automatic denial  
18 of a permit to hold the mixed martial arts event.

19 (c) Licensed promoters may engage in promotions with other  
20 licensed promoters as long as each promoter holds a valid,  
21 unexpired license and has received the written approval of the  
22 director prior to the promotion.



1 (d) In addition to the payment of other fees and moneys  
2 due under this chapter, a licensed promoter shall pay:

3 (1) A license fee of three per cent of the first \$50,000  
4 of the total gross receipts from admission fees to an  
5 event, exclusive of federal, state, and local taxes;

6 (2) A license fee of two per cent of the total gross  
7 receipts over \$50,000 from admission fees to an event,  
8 exclusive of federal, state, and local taxes;

9 (3) Two per cent of the gross sales price for the sale,  
10 lease, or other exploitation of broadcasting,  
11 television, Internet, and motion picture rights for a  
12 contest or an event, without any deductions for  
13 commission, brokerage fees, distribution fees,  
14 advertising, contestants' purses, or any other  
15 expenses or charges, including federal, state, or  
16 local taxes; and

17 (4) Two per cent of the gross receipts from subscription  
18 or admission fees, exclusive of federal, state, and  
19 local taxes, charged for viewing within the State of a  
20 simultaneous telecast of a contest or event;



1 provided that payments under this subsection shall be deposited  
2 into a separate account in the compliance resolution fund and  
3 shall be used for the costs of administering this chapter.

4 (e) Within seven calendar days following a mixed martial  
5 arts contest, the promoter shall provide the director with an  
6 unedited video record of the contest in a format prescribed by  
7 the director.

8 (f) No mixed martial arts event shall be commenced without  
9 a permit from the director pursuant to this section.

10 **§ -10 Licenses, participants.** (a) Any person may apply  
11 to the director for a license to act as a physician, referee,  
12 judge, manager, second, or mixed martial arts contestant to  
13 participate, either directly or indirectly, in any mixed martial  
14 arts contest. The application shall be in writing, on a form  
15 prescribed by the director, and signed by the applicant. The  
16 application shall contain a recital of facts as specified by the  
17 director for the director to determine whether or not the  
18 applicant possesses the necessary licensure and physical,  
19 mental, and moral qualifications to entitle the applicant to a  
20 license. The director shall adopt rules for licensure in  
21 accordance with chapter 91.





1 (b) In addition, the applicant for a referee, judge,  
2 manager, or second license shall take and pass an examination or  
3 evaluation as provided by the director. The director may exempt  
4 an applicant for a manager, referee, judge, or second license  
5 from taking the examination or evaluation if the applicant holds  
6 a valid manager, referee, judge, or second license in another  
7 jurisdiction with comparable mixed martial arts regulations.

8 (c) Any license to act as a physician, referee, judge,  
9 manager, second, or mixed martial arts contestant may be  
10 suspended or revoked, or the person otherwise disciplined by the  
11 director after a contested case hearing held in accordance with  
12 chapter 91.

13 (d) No license shall be granted to a contestant or  
14 promoter unless the contestant and promoter have authorized the  
15 Hawaii criminal data justice center to release a criminal  
16 history record check on the contestant and promoter to the  
17 director and the director has received the criminal history  
18 record information.

19 **§ -11 License fees.** License fees shall be paid  
20 biennially to the State by every applicant to whom a license is  
21 issued to participate in the conduct of mixed martial arts in  
22 any of the following capacities set forth in this chapter:



1 promoter, physician, referee, judge, manager, second, and mixed  
2 martial arts contestant. The charge for a duplicate license and  
3 all fees required by this chapter shall be as provided in rules  
4 adopted by the director pursuant to chapter 91 and shall be  
5 deposited with the director to the credit of the compliance  
6 resolution fund.

7       **§ -12 Licenses, limitations, renewals.** (a) No mixed  
8 martial arts contest shall be conducted, held, or given unless  
9 all the parties participating, as designated in this chapter,  
10 are licensed by the director, and it shall be unlawful for any  
11 individual or entity to participate in a contest in any capacity  
12 designated in this chapter unless the person is licensed to do  
13 so.

14       (b) The director may limit the number of licenses issued  
15 for any purpose as specified in this chapter and may limit the  
16 number of mixed martial arts contests conducted, held, or given  
17 in any county.

18       (c) All licenses shall be for a period of not more than  
19 two years and all licenses shall expire on June 30 of each odd-  
20 numbered year.

21       (d) The director, at the director's discretion and upon  
22 application and payment of fees by the licensee, may renew a



1 license for the following biennium. Failure to timely apply for  
2 renewal of any license shall result in the automatic forfeiture  
3 of the license. Any applicant whose license has been forfeited  
4 shall file an application for a new license and meet all current  
5 requirements, including successful passage of the examination,  
6 as the case may be, for the license.

7 (e) Every individual or promoter licensed under this  
8 chapter shall be subject to the rules adopted by the director.

9 **§ -13 Receipts and reports from promoters.** (a) Every  
10 promoter holding a license to conduct, hold, or give mixed  
11 martial arts contests, within three business days after the  
12 conclusion of every contest for which admission fees are charged  
13 and received, shall furnish to the director a written report,  
14 duly verified, showing the number of tickets sold for the  
15 contest, the amount of the gross receipts or proceeds thereof,  
16 and other matters as the director prescribes in rules adopted in  
17 accordance with chapter 91.

18 (b) For purposes of this chapter, "gross receipts"  
19 includes income received from the sale of print, Internet,  
20 broadcasting, television, and motion picture rights.

21 **§ -14 Failure to report receipts.** Whenever any promoter  
22 holding a license to conduct, hold, or give mixed martial arts



1 contests fails to timely submit a report of any contest or  
2 comply with the requirements of this chapter, or whenever the  
3 report is unsatisfactory to the director, the director, at the  
4 licensee's expense, may examine or cause to be examined, the  
5 books and records of the promoter.

6       **§ -15 Admission tickets.** All tickets of admission to  
7 any mixed martial arts contest for which admission fees are  
8 charged and received shall have printed clearly upon the face  
9 thereof the purchase price of same, and no ticket shall be sold  
10 for more than the price as printed thereon.

11       **§ -16 Inspectors; duties.** The director shall appoint  
12 inspectors, each of whom shall receive from the director a card  
13 or badge authorizing the person to act as inspector whenever the  
14 director may designate the person to so act. An inspector or  
15 the executive officer shall be present at all mixed martial arts  
16 contests and see that this chapter and the rules adopted  
17 pursuant thereto are strictly observed.

18       **§ -17 Judges; duties.** The director, in the director's  
19 discretion, may appoint two licensed judges to act with the  
20 referee in rendering a decision, or three licensed judges to act  
21 with a nonvoting referee in rendering a decision.



1           **§ -18 Physician; duties.** Every promoter holding a  
2 license to conduct, hold, or give mixed martial arts contests  
3 shall have in attendance at every contest at least two  
4 physicians licensed to practice medicine in the state under  
5 chapter 453 or 460, who shall observe the physical condition of  
6 the mixed martial arts contestants and advise the referee with  
7 regard thereto and, one hour before each contestant enters the  
8 ring, certify in writing as to the physical condition of the  
9 contestant to engage in the contest. A report of the medical  
10 examination shall be filed with the director not later than  
11 forty-eight hours after the conclusion of the contest. In the  
12 event a contestant is knocked down or severely injured during a  
13 contest, or for such other reasons as provided in rules adopted  
14 by the director pursuant to chapter 91, at least one physician  
15 shall immediately examine the contestant and file a written  
16 medical opinion with the director within forty-eight hours of  
17 the contest.

18           **§ -19 Referees; duties.** (a) At each mixed martial arts  
19 contest there shall be in attendance a duly licensed referee  
20 designated by the director, who shall direct and control the  
21 contest. The referee shall render a decision for each contest,  
22 except as otherwise provided under section -17.



1 (b) The referee may recommend and the director, in the  
2 director's discretion, may terminate a mixed martial arts  
3 contest or order the forfeiture of any prize, purse, or  
4 remuneration, or any part thereof, to which one or both of the  
5 mixed martial arts contestants may be entitled, or any part of  
6 the gate receipts for which the contestants are competing, if in  
7 the director's judgment one or both of the contestants are not  
8 honestly competing.

9 (c) Each referee shall warn contestants of the referee's  
10 power to terminate the contest or to recommend the forfeiture of  
11 any purse or purses, should there be any violation of contest  
12 rules.

13 (d) In any case where the referee decides that the  
14 contestants are not honestly competing and that under the law  
15 the contest should be terminated or that the purse, prize, or  
16 remuneration of one or both of the contestants should be  
17 forfeited, the contest shall be stopped before the end of the  
18 last round, and no decision shall be given. A contestant earns  
19 nothing and shall not be paid for a contest in which there is  
20 stalling, faking, dishonesty, or collusion. The director,  
21 independently of the referee or the referee's decision, may  
22 determine the merits of any contest and take whatever action the



1 director considers proper. In any case, the director may order  
2 the purse of the contestant violating any rules or statutes held  
3 up for investigation and action.

4 (e) The referee shall stop the contest when, in the  
5 referee's judgment, either of the contestants shows a marked  
6 superiority or is apparently outclassed.

7 **§ -20 Drug test; withholding of wages; penalty.** (a) On  
8 the advice of one or both of the physicians in attendance at  
9 every contest, a post-contest drug test may be administered to  
10 any contestant, at the sole expense of the promoter, to  
11 determine whether the contestant has consumed any illegal drugs  
12 or drugs banned by the director.

13 (b) Any money, prize, purse, or other form of compensation  
14 due to a contestant shall be withheld by the director until the  
15 director, in consultation with the two attending physicians, is  
16 satisfied that the contestant did not have the presence of any  
17 illegal or banned drugs in the contestant's system.

18 (c) Any contestant who fails a drug test shall have the  
19 contestant's license suspended by the director for not less than  
20 twelve months from the date of the offense and, in the  
21 discretion of the director, may have the contestant's license  
22 permanently terminated.



1           **§ -21 Sham mixed martial arts contest; forfeiture of**  
2 **license.** Any promoter who conducts, holds, gives, or  
3 participates in any sham or fake mixed martial arts contest,  
4 knowing the same to be a sham or fake, shall forfeit the license  
5 issued in accordance with this chapter, and the license shall be  
6 automatically terminated by the director. The promoter and any  
7 officers, partners, or members of the promoter shall not  
8 thereafter be entitled to receive and shall not be given another  
9 license.

10           **§ -22 Sham mixed martial arts contest; penalty against**  
11 **contestant.** The license of any mixed martial arts contestant  
12 who knowingly participates in any sham or false mixed martial  
13 arts contest shall be automatically suspended by the director  
14 from further participation in any contest held or given under  
15 this chapter for not less than twelve months from the date of  
16 the offense and may be permanently disqualified from further  
17 participation in any contest held or given under this chapter.

18           **§ -23 Financial interest in mixed martial arts**  
19 **contestant prohibited.** (a) The director shall not receive any  
20 compensation from any person who sanctions, arranges, promotes,  
21 conducts, holds, or gives mixed martial arts contests; nor shall  
22 the director have, either directly or indirectly, any financial





1 interest in any contestant competing in any mixed martial arts  
2 contest.

3 (b) For the purposes of this section, "compensation" shall  
4 not include funds held in escrow for payment to another person  
5 in connection with a mixed martial arts contest. The  
6 prohibition set forth in this section shall not apply to any  
7 contract entered into, or any reasonable compensation received,  
8 by the director to supervise a mixed martial arts contest in  
9 this state or another state.

10 **§ -24 Wages of contestant; prepayment prohibited.** All  
11 moneys paid to a mixed martial arts contestant for services, as  
12 money prize, reward, compensation, or otherwise, shall be  
13 considered wages. No contestant shall be paid for services  
14 before a mixed martial arts contest; provided that with the  
15 approval of the director, a promoter may advance sums of money  
16 for training purposes.

17 **§ -25 Disposition of receipts.** Except as otherwise  
18 provided for in this chapter, all fees and other moneys received  
19 by the director shall be deposited into the compliance  
20 resolution fund.

21 **§ -26 Summary disciplinary action.** The director may  
22 fine, withhold purse money or fees, and issue immediate



1 temporary suspensions of not more than sixty days against a  
2 licensee for violations of this chapter or rules adopted  
3 pursuant thereto. The director shall notify the licensee in  
4 writing of any temporary suspension, fine, or withholding of  
5 purse money within five days of the director's action. The  
6 licensee shall have a right to a hearing in accordance with  
7 chapter 91; provided that the licensee notifies the director in  
8 writing of the request for a hearing within thirty days after  
9 the director notifies the licensee in writing, by mail or  
10 personal service, of the director's order.

11       **§ -27 Chapter does not apply to active duty armed**  
12 **forces, national guard, armed forces reserve, or Police**  
13 **Activities League.** This chapter shall not apply to any mixed  
14 martial arts contest held as a recreational activity by active  
15 duty armed forces, armed forces reserve, or national guard  
16 personnel, or the Police Activities League, when the contest is  
17 held under the supervision of a recreational officer of the  
18 active duty armed forces, armed forces reserve, national guard,  
19 or a Police Activities League staff member.

20       **§ -28 Revocation; suspension.** (a) In addition to any  
21 other acts or conditions provided by law, the director may  
22 refuse to renew, reinstate, or restore or may deny, revoke,



1 suspend, fine, reprimand, or condition in any manner, the  
2 license of any person or entity issued under this chapter, for  
3 any cause authorized by law, including but not limited to the  
4 following:

- 5 (1) Violation of any provision of this chapter or the  
6 rules adopted by the director, or any other law or  
7 rule that applies to those persons licensed under this  
8 chapter;
- 9 (2) Manifest incapacity, professional misconduct, or  
10 unethical conduct;
- 11 (3) Making any false representations or promises through  
12 advertising or other dissemination of information;
- 13 (4) Any fraudulent, dishonest, or deceitful act in  
14 connection with the licensing of any promoter under  
15 this chapter or in connection with any mixed martial  
16 arts contest;
- 17 (5) Making any false or misleading statement in any  
18 application or document submitted or required to be  
19 filed under this chapter;
- 20 (6) Revocation or suspension of a license or other  
21 disciplinary action against the licensee by any other  
22 regulatory entity over mixed martial arts contests;



1 (7) Failure to report any disciplinary action, including  
2 medical and mandatory suspensions, or revocation or  
3 suspension of a license in another jurisdiction not  
4 less than fifteen calendar days preceding any mixed  
5 martial arts match in which the licensee participates  
6 or within thirty calendar days following the  
7 disciplinary decision, whichever is earlier; or

8 (8) Participation in any sham or false mixed martial arts  
9 contest.

10 (b) A manager may be held responsible for all violations  
11 of this chapter by a mixed martial arts contestant whom the  
12 manager manages and may be subject to license revocation or  
13 suspension, or a fine, or any combination thereof, irrespective  
14 of whether any disciplinary action is taken against the mixed  
15 martial arts contestant.

16 **§ -29 Penalties.** (a) Any person in violation of this  
17 chapter or the rules adopted pursuant thereto shall be fined not  
18 more than \$5,000 for each violation. Each day's violation or  
19 failure to comply shall be deemed a separate offense.

20 (b) In addition to the penalties provided in this chapter,  
21 any person in violation of this chapter may be prohibited from



1 engaging in any mixed martial arts activities in the state for a  
2 period in conformity with that set forth in section 92-17.

3       **§ -30 Cumulative penalties.** Unless otherwise expressly  
4 provided, the remedies or penalties provided by this chapter are  
5 cumulative to each other and to the remedies or penalties  
6 available under all other laws of this state.

7       **§ -31 Injunctive relief.** The director may, in addition  
8 to any other remedies available, bring an action in any court of  
9 this state to enjoin a person from continuing any violation of  
10 this chapter or doing any acts in furtherance thereof, and for  
11 any other relief that the court deems appropriate."

12       SECTION 2. Section 26H-4, Hawaii Revised Statutes, is  
13 amended to read as follows:

14       "**§26H-4 Repeal dates for newly enacted professional and**  
15 **vocational regulatory programs.** (a) Any professional or  
16 vocational regulatory program enacted after January 1, 1994, and  
17 listed in this section shall be repealed on [~~December 31, 2008.~~]  
18 the date as provided. The auditor shall perform an evaluation  
19 of the program, pursuant to section 26H-5, prior to its repeal  
20 date.

21       (b) Chapter 453D (mental health counselors) shall be  
22 repealed on December 31, 2008.



1        (c) Chapter (mixed martial arts contests) shall be  
2 repealed on June 30, 2010."

3        SECTION 3. Chapter 440D, Hawaii Revised Statutes, is  
4 repealed.

5        SECTION 4. There is appropriated out of the general  
6 revenues of the State of Hawaii the sum of \$            , or so much  
7 thereof as may be necessary for fiscal year 2007-2008, and the  
8 sum of            , or so much thereof as may be necessary for fiscal  
9 year 2008-2009, to fund the operational and administrative  
10 expenses in implementing and regulating mixed martial arts  
11 contests, including the hiring of a regulatory  
12 boards/commissions administrative assistant, secretary, and  
13 clerks.

14        The sums appropriated shall be expended by the department  
15 of commerce and consumer affairs for the purposes of this Act.

16        SECTION 5. Statutory material to be repealed is bracketed  
17 and stricken. New statutory material is underscored.

18        SECTION 6. This Act shall take effect on July 1, 2030;  
19 provided that this Act shall be repealed on June 30, 2010.



S.B. NO. 1712  
S.D. 2  
H.D. 1

**REPORT Title:**

Mixed Martial Arts; Prohibition on No Rules Combat

**Description:**

Gives the director of commerce and consumer affairs licensing authority over mixed martial arts contests. Prohibits no rules combat, extreme or ultimate fighting, or other similar contests. Makes an appropriation. (SB1712 HD1)

SB1712 HD1 HMS 2007-3124

