

JAN 24 2007

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 "Commission" means the mixed martial arts commission of
9 Hawaii established in section -2.

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

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

14 "Executive officer" means the executive officer assigned to
15 the commission.

16 "Manager" means any person who:

17 (1) Undertakes or has undertaken to represent in any way
18 the interests of any mixed martial arts contestant in



1 procuring, arranging, or conducting any contest in
2 which the mixed martial arts contestant is to
3 participate; provided that "manager" shall not include
4 an attorney licensed to practice in this State while
5 the attorney is representing the legal interests of a
6 mixed martial arts contestant as a client; or

7 (2) Directs or controls the mixed martial arts activities
8 of the mixed martial arts contestant.

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

14 "Mixed martial arts contest" or "contest" means a contest
15 or exhibition in which a mixed martial arts contestant competes
16 with another mixed martial arts contestant, using mixed martial
17 arts, for money, prize, purse, or other forms of compensation.

18 "Mixed martial arts contestant" or "contestant" means a
19 person who is trained in mixed martial arts and competes in a
20 mixed martial arts contest.



1 "No rules combat, extreme or ultimate fighting, or similar
2 contest" means a contest or exhibition performed in this State
3 in which the contestants:

4 (1) Are permitted to use, with few or no rules or
5 restrictions, a combination of combative contact
6 techniques, including punches, kicks, chokes, joint
7 locks, and other maneuvers, with or without the use of
8 weapons, that place contestants at an unreasonably
9 high risk of bodily injury or death; and

10 (2) Have received, directly or indirectly, any money,
11 prize, reward, purse, or other compensation, or
12 promise thereof, for the expenses of training, taking
13 part in the contest, or winning the contest;

14 provided that the term does not include a contest involving the
15 exclusive use of boxing, wrestling, kickboxing, martial arts, or
16 mixed martial arts.

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

21 § -2 **Commission established.** There shall be appointed a
22 commission that shall be known as the mixed martial arts



1 commission of Hawaii. The commission shall consist of five
2 members appointed by the governor pursuant to section 26-34;
3 provided that at least one member shall have experience as a
4 mixed martial arts contestant. The governor shall designate one
5 member as chairperson of the commission.

6 § -3 **Executive officer.** The director shall assign an
7 executive officer to the commission to carry out the
8 commission's activities, duties, and other obligations under
9 this chapter.

10 § -4 **Deputy commissioners.** The director may appoint
11 deputy commissioners; provided that the director has the
12 approval of the commission prior to any appointment. The
13 director may remove deputy commissioners after consultation with
14 the commission. The commission may direct one or more deputy
15 commissioners to be present at any mixed martial arts contest
16 and, in the absence of the commission or a member thereof, to
17 supervise and control the mixed martial arts contest, in
18 accordance with this chapter and the rules adopted by the
19 commission pursuant thereto. The deputy commissioners shall
20 submit a written report to the executive officer in the manner
21 and form prescribed by the commission detailing the conditions
22 prevailing at every contest.



1 § -5 **Other employees.** Subject to chapter 76, the
2 department may employ clerks, inspectors, and other employees as
3 it deems necessary for the purposes of this chapter.

4 § -6 **Authority to subpoena witnesses and administer**
5 **oaths and penalties.** The chairperson of the commission or the
6 executive officer may issue subpoenas for the attendance of
7 witnesses before the commission, with the same effect as if the
8 subpoenas were issued in an action in the circuit court, and may
9 administer oaths in all matters connected with the
10 administration of the affairs of the commission. Disobedience
11 of a subpoena and false swearing before the executive officer or
12 the commission shall be attended by the same consequences and be
13 subject to the same penalties as if disobedience or false
14 swearing occurred in an action in the circuit court.

15 § -7 **Powers and duties of the commission.** The
16 commission may adopt rules pursuant to chapter 91 necessary or
17 expedient for the conduct of its business and the regulation of
18 the matters in this chapter committed to its charge, including:

19 (1) An appropriate method of ensuring that all financial
20 obligations are met by a promoter who conducts, holds,
21 or gives a mixed martial arts contest;



- 1 (2) A public record accounting for the distribution of all
2 tickets provided to the commission by a promoter and
3 anything else of value that is provided to the
4 commission;
- 5 (3) Clinics or seminars on health and safety for licensees
6 deemed necessary by the commission;
- 7 (4) A mandatory neurological examination for any mixed
8 martial arts contestant who is knocked out in a mixed
9 martial arts contest, and an eye examination as part
10 of a mixed martial arts contestant's annual medical
11 examination;
- 12 (5) An automatic medical suspension from mixed martial
13 arts contests for a period of time to be determined by
14 the commission for any mixed martial arts contestant
15 who is knocked out from head blows or who has received
16 a severe beating about the head. The period of time
17 of the automatic medical suspension shall be based
18 upon the severity of the beating received by the mixed
19 martial arts contestant;
- 20 (6) Procedures to evaluate the professional records and
21 physician's certification of each mixed martial arts
22 contestant participating in a mixed martial arts



1 contest in the State and to deny authorization to a
2 mixed martial arts contestant to fight when the
3 requirements of this paragraph are not met;

4 (7) Procedures to ensure that no mixed martial artist is
5 permitted to compete while under suspension from any
6 government entity which regulates mixed martial arts
7 due to:

8 (A) A recent knockout or series of consecutive
9 losses;

10 (B) An injury, any required medical procedure, or a
11 physician's denial of certification to compete;

12 (C) Failure of any drug test; or

13 (D) The use of false aliases or falsifying or
14 attempting to falsify official identification
15 cards or documents relating to mixed martial arts
16 contests;

17 (8) Procedures to review a suspension if appealed by a
18 mixed martial arts contestant, including an
19 opportunity for the contestant to present
20 contradictory evidence;

21 (9) Procedures to revoke a suspension if a mixed martial
22 arts contestant furnishes proof of sufficiently



1 improved medical or physical condition or furnishes
2 proof that the suspension was not, or is no longer,
3 warranted by the facts; and

4 (10) Establishing a mixed martial arts registry and the
5 issuance of an identification card to mixed martial
6 arts contestants.

7 § -8 **Jurisdiction of commission.** (a) The commission is
8 vested with the sole jurisdiction, direction, management, and
9 control over all mixed martial arts contests to be conducted,
10 held, or given within the State. No mixed martial arts contest
11 shall be conducted, held, or given within the State except in
12 accordance with this chapter and the rules adopted by the
13 commission pursuant thereto.

14 (b) No mixed martial arts contest shall take place unless
15 the commission has approved the proposed contest. In addition,
16 the commission shall not allow any mixed martial arts contest
17 unless:

18 (1) The contest consists of not more than five rounds of a
19 duration of not more than five minutes each with an
20 interval of at least one minute between each round and
21 the succeeding round;



- 1 (2) Each contestant is at least eighteen years of age and
2 is not disqualified from competing in a similar mixed
3 martial arts contest in another jurisdiction at the
4 time of the contest;
- 5 (3) One hour prior to the contest, each mixed martial arts
6 contestant is examined by at least one physician
7 licensed under chapter 453 or 460 who shall certify in
8 writing to the referee of the contest that the
9 contestant is physically fit to engage therein;
- 10 (4) The contest is under the control of a licensed referee
11 in the ring who has at least one year's experience in
12 refereeing a match or exhibition involving mixed
13 martial arts and who has passed a physical examination
14 by a physician licensed under chapter 453 or 460,
15 including an eye examination, within two years prior
16 to the contest;
- 17 (5) At least thirty days prior to a mixed martial arts
18 contest, a promoter of the contest provides to the
19 commission information and documents, as prescribed by
20 the commission, together with a review and enforcement
21 fee of \$500, to establish that the mixed martial arts
22 contest is not prohibited under this chapter; provided



1 that if the commission determines that the contest is
2 prohibited by this chapter, then the commission shall
3 refund the \$500 review and enforcement fee to the
4 promoter;

5 (6) The promoter has complied with sections -9 and
6 -10; and

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

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

21 § -9 **Licenses; promoters.** (a) A promoter may apply to
22 the commission for a license that shall be required to conduct,



1 hold, or give mixed martial arts contests. The application
2 shall be in writing, addressed to the commission, and signed by
3 the applicant, and shall include the following:

4 (1) Evidence of financial integrity in accordance with
5 rules adopted by the commission pursuant to chapter
6 91; and

7 (2) Proof that the applicant has currently satisfied all
8 of the applicable requirements of the department's
9 business registration division.

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

15 (c) The commission shall not issue any license to conduct,
16 hold, or give mixed martial arts contests unless it is satisfied
17 that the applicant has complied with the conditions of this
18 chapter, possesses the necessary qualifications for a license,
19 and is the real party in interest, and intends to conduct, hold,
20 or give the mixed martial arts contest itself. The commission
21 shall not issue a promoter's license to an applicant if the
22 applicant or any of the applicant's officers, partners, members,



1 or associates have been convicted of any crime related to
2 gambling or a crime that is directly related to the person's
3 performance in the sport of mixed martial arts.

4 (d) A license may be revoked at any time if the commission
5 finds after a hearing that:

6 (1) The licensee is not the real party in interest or has
7 not complied with this chapter or the rules of the
8 commission; or

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

14 (e) Every license shall be subject to this chapter and the
15 rules of the commission.

16 § -10 Requirements to hold a mixed martial arts contest.

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

20 (b) For approval to conduct, hold, or give a mixed martial
21 arts contest, a promoter shall provide proof of medical
22 insurance for mixed martial arts contestants in accordance with



1 rules adopted by the commission. All promoters shall be
2 responsible for paying any deductible amount of the medical
3 insurance policy.

4 (c) Prior to each mixed martial arts contest, a promoter
5 shall provide a bond, in an amount determined by the commission,
6 to adequately cover the promoter's obligations in conducting,
7 holding, or giving a mixed martial arts contest. The bond shall
8 be executed by the promoter as principal and by a surety company
9 authorized to do business in the State as the surety. If the
10 promoter fails to pay any obligations covered by the bond, any
11 aggrieved person may file an action against the bond to recover
12 the amount owed, in the circuit court in the circuit in which
13 the mixed martial arts contest was conducted, held, or given;
14 provided that the aggregate liability of the surety to all
15 aggrieved persons shall not exceed the amount of the bond. Any
16 action against the bond shall be commenced within ninety days
17 after the mixed martial arts contest was conducted, held, or
18 given.

19 (d) Prior to any mixed martial arts contest, all contracts
20 with managers, mixed martial arts contestants, and venues,
21 including any agreement of pre-contest training funds advanced
22 to any contestant either by the promoter or manager or any party



1 of interest, shall be submitted by the promoter to the
2 commission for its review and approval.

3 (e) Prior to any mixed martial arts contest, the promoter
4 shall submit to the commission, for its review and approval, all
5 ring records of all mixed martial arts contestants scheduled to
6 participate in the contest.

7 (f) A promoter shall provide cashier's or certified checks
8 made payable to each mixed martial arts contestant for the
9 amount due the contestant or the contestant's manager, as the
10 case may be, in accordance with the contracts approved by the
11 commission.

12 (g) A promoter shall provide to the commission written
13 confirmation that an ambulance with paramedics and appropriate
14 security have been obtained and will be present at all times at
15 the venue of the mixed martial arts contest.

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

19 (i) 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 commission prior to the promotion.



1 (j) 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 a
5 contest, 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 a
8 contest, 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, without any deductions for commission,
13 brokerage fee, distribution fees, advertising,
14 contestants' purses, or any other expenses or charges,
15 including federal, state, or local taxes; and

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

20 provided that payments under this subsection shall be deposited
21 into a separate account in the compliance resolution fund and



1 shall be used to cover the costs of the commission and
2 regulating this chapter.

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

7 (l) No mixed martial arts contest shall be commenced
8 without the approval of the commission pursuant to this section.

9 § -11 Licenses, participants. (a) Any person may apply
10 to the commission for a license to act as a physician, referee,
11 judge, matchmaker, manager, timekeeper, second, or mixed martial
12 arts contestant to participate, either directly or indirectly,
13 in any mixed martial arts contest. The application shall be in
14 writing, addressed to the commission, and signed by the
15 applicant. The application shall contain a recital of facts as
16 may be specified by the commission for it to determine whether
17 or not the applicant possesses the necessary licensure and
18 physical, mental, and moral qualifications to entitle the
19 applicant to a license. The commission shall adopt rules for
20 licensure in accordance with chapter 91.

21 (b) In addition, the applicant for a referee, judge,
22 manager, or second license shall take and pass a written



1 examination as provided by the commission. The commission may
2 exempt an applicant for a manager or second license from taking
3 the examination, if the applicant holds a valid manager or
4 second license in another jurisdiction with comparable mixed
5 martial arts regulations.

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

11 § -12 **License fees.** License fees shall be paid annually
12 to the State by every applicant to whom a license is issued to
13 participate in the conduct of mixed martial arts in any of the
14 capacities set forth in this chapter: promoter, physician,
15 referee, judge, matchmaker, manager, timekeeper, second, and
16 mixed martial arts contestant. The charge for a duplicate of a
17 license and all fees required by this chapter shall be as
18 provided in rules adopted by the director pursuant to chapter 91
19 and shall be deposited with the director to the credit of the
20 compliance resolution fund.

21 § -13 **Licenses, limitations, renewals.** (a) No mixed
22 martial arts contest shall be conducted, held, or given unless



1 all the parties participating, as designated herein, are
2 licensed by the commission, and it shall be unlawful for any
3 individual or promoter to participate in a contest in any
4 capacity designated herein unless the person is licensed to do
5 so.

6 (b) The commission may limit the number of licenses issued
7 for any purpose as specified in this chapter and may limit the
8 number of mixed martial arts contests conducted, held, or given
9 in any county of the State.

10 (c) All licenses shall be for a period of not more than
11 one year and all licenses shall expire on December 31 of the
12 year in which the licenses are issued.

13 (d) The commission, at its discretion and upon
14 application, may renew the licenses for the following year.
15 Failure to timely apply for renewal of any license shall result
16 in the automatic forfeiture of the license. Any applicant whose
17 license has been forfeited shall file an application for a new
18 license and meet all current requirements, including successful
19 passage of the examination, as the case may be, for the license.

20 (e) Every individual or promoter licensed under this
21 chapter shall be subject to the rules adopted by the commission.



1 § **-14 Receipts and reports thereon.** (a) Every promoter
2 holding a license to conduct, hold, or give mixed martial arts
3 contests, within seventy-two hours after the determination of
4 every contest for which admission fees are charged and received,
5 shall furnish to the commission a written report, duly verified,
6 showing the number of tickets sold for the contest, the amount
7 of the gross receipts or proceeds thereof, and other matters as
8 the commission prescribes.

9 (b) For purposes of this section, "gross receipts" include
10 income received from the sale of print, Internet, broadcasting,
11 television, and motion picture rights.

12 § **-15 Failure to report receipts.** Whenever any promoter
13 holding a license to conduct, hold, or give mixed martial arts
14 contests fails to make a report of any contest at the time and
15 in the manner herein prescribed in this chapter, or whenever the
16 report is unsatisfactory to the commission, the executive
17 officer, at the licensee's expense, may examine, or cause to be
18 examined, the books and records of the promoter.

19 § **-16 Admission tickets.** All tickets of admission to
20 any mixed martial arts contest for which admission fees are
21 charged and received shall have printed clearly upon the face



1 thereof the purchase price of same, and no ticket shall be sold
2 for more than the price as printed thereon.

3 § -17 **Inspectors; duties.** The commission may appoint
4 official representatives designated as inspectors, each of whom
5 shall receive from the commission a card or badge authorizing
6 the person to act as inspector whenever the commission may
7 designate the person to so act. An inspector, the executive
8 officer, or a deputy commissioner shall be present at all mixed
9 martial contests and see that this chapter and the rules are
10 strictly observed.

11 § -18 **Judges; duties.** The mixed martial arts
12 commission, in its discretion, may appoint two judges to act
13 with the referee in rendering a decision, or three judges to act
14 with a nonvoting referee in rendering a decision.

15 § -19 **Physician; duties.** Every promoter holding a
16 license to conduct, hold, or give mixed martial arts contests
17 shall have in attendance at every contest at least two
18 physicians licensed to practice medicine in the State under
19 chapter 453 or 460, and is licensed pursuant to this chapter who
20 shall observe the physical condition of the mixed martial arts
21 contestants and advise the referee with regard thereto and, one
22 hour before each contestant enters the ring, certify in writing



1 as to the physical condition of the contestant to engage in the
2 contest. A report of the medical examination shall be filed
3 with the commission not later than forty-eight hours after the
4 termination of the contest. In addition, at least one physician
5 shall immediately examine every contestant who was knocked down
6 or who sustained a severe beating about the head during the
7 contest and shall file a written medical opinion within forty-
8 eight hours of the contest to the executive officer.

9 § -20 **Referees; duties.** (a) At each mixed martial arts
10 contest there shall be in attendance a duly licensed referee
11 designated by the commission, who shall direct and control the
12 contest. The referee shall render a decision for each contest,
13 except as otherwise provided under section -18.

14 (b) The referee may recommend and the commission in its
15 discretion may declare the forfeiture of any prize, purse, or
16 remuneration, or any part thereof, to which one or both of the
17 mixed martial arts contestants may be entitled, or any part of
18 the gate receipts for which the contestants are competing, if in
19 the commission's judgment one or both of the contestants are not
20 honestly competing.



1 (c) Each referee shall warn contestants of the referee's
2 power to recommend the forfeiture of purse or purses, should
3 there be any apparent cause for the warning.

4 (d) In any case where the referee decides that the
5 contestants are not honestly competing and that under the law
6 the contestants' purses or the purse of either contestant should
7 be forfeited, the contest shall be stopped before the end of the
8 last round, and no decision shall be given. A contestant earns
9 nothing and shall not be paid for a contest in which there is
10 stalling, faking, dishonesty, or collusion. The commission,
11 independently of the referee or the referee's decision, may
12 determine the merits of any contest and take whatever action it
13 considers proper. In any case, the executive officer or any
14 commissioner may order the purse of the offender held up for
15 investigation and action.

16 (e) The referee shall stop the contest when, in the
17 referee's judgement, either of the contestants shows a marked
18 superiority or is apparently outclassed.

19 § -21 **Timekeeper; duties.** (a) At each mixed martial
20 arts contest there shall be in attendance at least one
21 timekeeper licensed pursuant to this chapter and designated to
22 act as the official timekeeper of the contest.



1 (b) The timekeeper shall keep track of the time elapsing
2 during each round of a contest and the time intervals between
3 round and between contests. The timekeeper shall keep the
4 referee aware during each contest of the time constraints of
5 each contest.

6 § -22 **Drug test; withholding of wages; penalty.** (a) On
7 the advice of one or both of the physicians in attendance at
8 every contest, a post-contest drug test may be administered to
9 any contestant, at the sole expense of the promoter, to
10 determine whether the contestant has consumed any illegal drugs
11 or drugs banned by the commission.

12 (b) Any wages due to a contestant shall be withheld by the
13 commission until the commission, in consultation with the two
14 attending physicians, is satisfied that the contestant did not
15 have the presence of any illegal or banned drugs in his person.

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

21 § -23 **Sham mixed martial arts contest; forfeiture of**
22 **license.** Any promoter who conducts, holds, gives, or



1 participates in any sham or fake mixed martial arts contest,
2 knowing the same to be a sham or fake, shall forfeit the license
3 issued in accordance with this chapter, and the license shall be
4 canceled and declared void by the commission. The promoter and
5 any officers, partners, or members of the promoter shall not
6 thereafter be entitled to receive and shall not be given another
7 license.

8 § -24 **Sham mixed martial arts contest; penalty against**
9 **contestant.** Any mixed martial arts contestant who knowingly
10 participates in any sham or false mixed martial arts contest
11 shall be suspended by the mixed martial arts commission for not
12 less than twelve months from the date of the offense from
13 further participation in any contest held or given under this
14 chapter and may be permanently disqualified from further
15 participation in any contest held or given under this chapter.

16 § -25 **Financial interest in mixed martial arts**
17 **contestant prohibited.** (a) No commission member or staff, or
18 appointee, may receive any compensation from any person who
19 sanctions, arranges, or promotes mixed martial arts contests;
20 nor shall they have, either directly or indirectly, any
21 financial interest in any contestant competing in any mixed
22 martial arts contest.



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

8 § -26 **Wages of contestant; prepayment prohibited.** All
9 moneys paid to a mixed martial arts contestant for services, as
10 money prize, reward, compensation, or otherwise, shall be
11 considered wages. No contestant shall be paid for services
12 before a mixed martial arts contest; provided that with the
13 approval of the commission, a promoter may advance sums of money
14 for training purposes.

15 § -27 **Disposition of receipts.** Except as otherwise
16 provided for in this chapter, all fees and other moneys received
17 by the commission shall be deposited into the compliance
18 resolution fund.

19 § -28 **Summary disciplinary action.** The commission may
20 fine, withhold purse money or fees, and issue immediate
21 temporary suspensions of not more than sixty days against a
22 licensee for violations of this chapter or commission rules.



1 The commission shall notify the licensee in writing of any
2 temporary suspension, fine, or withholding of purse money within
3 five days of the commission's action. The licensee shall have a
4 right to a hearing in accordance with chapter 91; provided that
5 the licensee notifies the commission in writing of the request
6 for a hearing within thirty days after the commission notifies
7 the licensee in writing, by mail or personal service, of the
8 commission's order.

9 § -29 Chapter does not to apply to active duty armed
10 forces, armed forces reserves, national guard, or Police
11 Activities League. This chapter shall not apply to any mixed
12 martial arts contest held as a recreational activity by
13 personnel of the active duty armed forces, armed forces
14 reserves, or national guard, or the Police Activities League,
15 when the contest is held under the supervision of a recreational
16 officer of the active duty armed forces, armed forces reserves,
17 national guard, or Police Activities League staff member.

18 § -30 Revocation; suspension. (a) In addition to any
19 other actions authorized by law, the commission shall have the
20 power to revoke or suspend the license of any person licensed
21 under any of the classifications designated in this chapter, or



1 fine the licensee, or both, for any cause authorized by law,
2 including but not limited to the following:

3 (1) Violation of any provision of this chapter or the
4 rules adopted pursuant thereto or any other law, or
5 any rule that applies to those persons licensed under
6 this chapter;

7 (2) Manifest incapacity, professional misconduct, or
8 unethical conduct;

9 (3) Making any false representations or promises through
10 advertising or other dissemination of information;

11 (4) Any fraudulent, dishonest, or deceitful act in
12 connection with the licensing of any promoter under
13 this chapter or in connection with any mixed martial
14 arts contest;

15 (5) Making any false or misleading statement in any
16 application or document submitted or required to be
17 filed under this chapter;

18 (6) Revocation or suspension of a license or other
19 disciplinary action against the licensee by another
20 mixed martial arts commission, or similar commission;

21 (7) Failure to report any disciplinary action, including
22 medical and mandatory suspensions, or revocation or



1 suspension of a license in another jurisdiction within
2 fifteen days preceding any mixed martial arts match in
3 which the licensee participates; or

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

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

12 § -31 Penalties. (a) Any person in violation of this
13 chapter or the rules of the commission shall be fined not more
14 than \$5,000 for each violation. Each day's violation or failure
15 to comply shall be deemed a separate offense.

16 (b) In addition to the penalties provided in this chapter,
17 any person in violation of this chapter may be prohibited from
18 engaging in any mixed martial arts activities in the State for a
19 period in conformity with that set forth in section 92-17.

20 § -32 Cumulative penalties. Unless otherwise expressly
21 provided, the remedies or penalties provided by this chapter are



1 cumulative to each other and to the remedies or penalties
2 available under all other laws of this State.

3 § -33 **Injunctive relief.** The commission, in addition to
4 any other remedies available, may bring an action in any court
5 of this State to enjoin a person from continuing any violation
6 of this chapter or doing any acts in furtherance thereof, and
7 for any other relief that the court deems appropriate."

8 SECTION 2. Chapter 440D, Hawaii Revised Statutes, is
9 repealed.

10 SECTION 3. There is appropriated out of the general
11 revenues of the State of Hawaii the sum of \$, or so much
12 thereof as may be necessary for fiscal year 2007-2008, and the
13 same sum, or so much thereof as may be necessary for fiscal year
14 2008-2009, for the purpose of funding the operational and
15 administrative expenses of the mixed martial arts commission of
16 Hawaii.

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

19 SECTION 4. This Act shall take effect on July 1, 2008;
20 provided that:



S.B. NO. 1655

- 1 (1) Sections -2 and -7 in section 1 of this Act
2 shall take effect upon the date of approval of this
3 Act; and
4 (2) Section 3 of this Act shall take effect on July 1,
5 2007.

6

INTRODUCED BY: *Will Egan*



Report Title:

Mixed Martial Arts Commission; Prohibition on No Rules Combat

Description:

Establishes a state mixed martial arts commission. Provides for regulation of mixed martial arts. Prohibits no rules combat, extreme or ultimate fighting, or similar contests.

