

IC 4-33-22

Chapter 22. Boxing and Mixed Martial Arts

IC 4-33-22-1

"Boxing"

Sec. 1. As used in this chapter, "boxing" means the art of attack and defense with the fists, or feet in the case of kickboxing, practiced as a sport.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-2

"Mixed martial arts"

Sec. 2. As used in this chapter, "mixed martial arts" means the unarmed physical confrontation of persons involving the use, subject to limitations as established by the commission, of a combination of techniques from different disciplines of the martial arts, including grappling, kicking, and striking.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-3

"Professional boxer"

Sec. 3. As used in this chapter, "professional boxer" means a person who competes for money, teaches, pursues, or assists in the practice of boxing as a means to obtain a livelihood or pecuniary gain.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-4

"Matchmaker"

Sec. 4. As used in this chapter, "matchmaker" means a person who, under contract, agreement, or other arrangement with a boxer, acts as a booker, an agent, a booking agent, or a representative to secure:

- (1) an engagement; or
- (2) a contract;

for the boxer.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-5

"Sparring"

Sec. 5. As used in this chapter, "sparring" means combat in which participants intend to and actually:

- (1) inflict kicks, punches, and blows; and
- (2) apply other techniques;

that may reasonably be expected to inflict injury on an opponent in a contest, exhibition, or performance.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-6

"Promoter"

Sec. 6. (a) As used in this chapter, and except as provided in section 18 of this chapter, "promoter" means the person primarily responsible for organizing, promoting, and producing a professional boxing or sparring, professional unarmed combat, or professional wrestling match, contest, or exhibition.

(b) The term does not include a hotel, casino, resort, or other commercial establishment hosting or sponsoring a professional boxing or sparring, professional unarmed combat, or professional wrestling match, contest, or exhibition, unless:

(1) the hotel, casino, resort, or other commercial establishment is primarily responsible for organizing, promoting, and producing the match, contest, or exhibition; and

(2) there is no other person primarily responsible for organizing, promoting, and producing the match, contest, or exhibition.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-7

"Unarmed combat"

Sec. 7. As used in this chapter, "unarmed combat" means the practice, or any related practice, of mixed martial arts or martial arts.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-8

"Unarmed competitor"

Sec. 8. As used in this chapter, "unarmed competitor" means a person who engages in an unarmed combat match, contest, exhibition, or performance.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-9

"Fund"

Sec. 9. (a) As used in this chapter, "fund" refers to the athletic fund created by this section.

(b) The athletic fund is created for purposes of administering this chapter. The fund shall be administered by the Indiana gaming commission.

(c) Expenses of administering the fund shall be paid from money in the fund.

(d) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the state general fund.

(e) The fund consists of:

(1) appropriations made by the general assembly;

(2) fees collected under this chapter; and

(3) penalties collected under this chapter.

(f) An amount necessary to administer this chapter is continually appropriated from the fund to the Indiana gaming commission.

(g) If the balance in the fund at the end of a particular fiscal year

exceeds one hundred thousand dollars (\$100,000), the amount that exceeds one hundred thousand dollars (\$100,000) reverts to the state general fund.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-10

Commission duties

Sec. 10. The commission shall ensure the:

- (1) safety of participants in;
- (2) fairness of; and
- (3) integrity of;

sparring, boxing, and unarmed combat matches or exhibitions in Indiana.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-11

Appointment of personnel; powers of secretary; issuance of legal documents

Sec. 11. (a) The executive director of the commission may appoint and remove deputies for use by the commission. The commission shall, when the commission considers it advisable, direct a deputy to be present at any place where sparring, boxing, or unarmed combat matches or exhibitions are to be held under this chapter. The deputies shall ascertain the exact conditions surrounding the match or exhibition and make a written report of the conditions in the manner and form prescribed by the commission.

(b) The executive director of the commission may appoint and remove a secretary for the commission, who shall:

- (1) keep a full and true record of all the commission's proceedings;
- (2) preserve at its general office all the commission's books, documents, and papers; and
- (3) prepare for service notices and other papers as may be required by the commission.

The executive director of the commission may employ only such clerical employees as are actually necessary and fix their salaries as provided by law.

(c) The executive director of the commission or a deputy appointed under subsection (a) may execute orders, subpoenas, continuances, and other legal documents on behalf of the commission.

(d) All expenses incurred in the administration of this chapter shall be paid from the fund upon appropriation being made for the expenses.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-12

Adoption of rules

Sec. 12. (a) In accordance with IC 35-45-18-1(b), the commission may adopt rules under IC 4-22-2 to regulate the conduct of the

following:

- (1) Mixed martial arts.
- (2) Martial arts, including the following:
 - (A) Jujutsu.
 - (B) Karate.
 - (C) Kickboxing.
 - (D) Kung fu.
 - (E) Tae kwon do.
 - (F) Judo.
 - (G) Sambo.
 - (H) Pankration.
 - (I) Shootwrestling.
- (3) Professional wrestling.
- (4) Boxing.
- (5) Sparring.

(b) The commission may adopt emergency rules under IC 4-22-2-37.1 if the commission determines that:

- (1) the need for a rule is so immediate and substantial that the ordinary rulemaking procedures under IC 4-22-2 are inadequate to address the need; and
- (2) an emergency rule is likely to address the need.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-13

Authority of commission over matches and exhibitions; license and permit requirement

Sec. 13. (a) Boxing, sparring, and unarmed combat matches or exhibitions, whether or not for prizes or purses, may be held in Indiana.

(b) The commission:

- (1) has the sole direction, management, control, and jurisdiction over all boxing, sparring, and unarmed combat matches or exhibitions to be conducted, held, or given in Indiana; and
- (2) may issue licenses for those matches or exhibitions.

(c) A boxing, sparring, or unarmed combat match or an exhibition that is:

- (1) conducted by any school, college, or university within Indiana; or
- (2) sanctioned by United States Amateur Boxing, Inc.;

is not subject to the provisions of this chapter requiring a license. The term "school, college, or university" does not include a school or other institution for the principal purpose of furnishing instruction in boxing, or other athletics.

(d) Except as provided under section 18 of this chapter, no boxing, sparring, or unarmed combat match or exhibition, except as provided in this chapter, may be held or conducted within Indiana except under a license and permit issued by the commission in accordance with this chapter and the rules adopted under this chapter.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-14

Annual licenses; event permits; penalties

Sec. 14. (a) The commission may:

- (1) cause to be issued an annual license in writing for holding boxing, sparring, or unarmed combat matches or exhibitions to any person who is qualified under this chapter; and
- (2) adopt rules to establish the qualifications of the applicants.

(b) In addition to a general license, a person must, before conducting any particular boxing, sparring, or unarmed combat match or exhibition where one (1) or more contests are to be held, obtain a permit from the commission.

(c) Annual licenses may be revoked or suspended by the commission upon hearing and proof that any holder of an annual license has violated this chapter or any rule or order of the commission.

(d) A person who knowingly, recklessly, or intentionally conducts a boxing, sparring, or unarmed combat match or exhibition without first obtaining a license or permit commits a Class B misdemeanor.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-15

Applications

Sec. 15. (a) Applications for licenses or permits to conduct or participate in, either directly or indirectly, a boxing, sparring, or unarmed combat match or exhibition must be:

- (1) made in writing upon forms prescribed by the commission and shall be addressed to and filed with the gaming commission; and
- (2) verified by the applicant, if an individual, or by an officer of the club, corporation, or association in whose behalf the application is made.

(b) The application for a permit to conduct a particular boxing, sparring, or unarmed combat match or exhibition must, among other things, state:

- (1) the time and exact place at which the boxing, sparring, or unarmed combat match or exhibition is proposed to be held;
- (2) the names of the contestants who will participate and their seconds;
- (3) the seating capacity of the buildings or the hall in which such exhibition is proposed to be held;
- (4) the proposed admission charge;
- (5) the amount of the compensation percentage of gate receipts that is proposed to be paid to each of the participants;
- (6) the name and address of the applicant;
- (7) the names and addresses of all the officers if the applicant is a club, a corporation, or an association; and
- (8) the record of each contestant from a source approved by the commission.

(c) The commission shall keep records of the names and addresses of all persons receiving permits and licenses.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-16

Submission of fingerprints and financial information; criminal history checks

Sec. 16. (a) As used in this section, "applicant" means a person applying for a promoter's license or permit.

(b) The commission shall require an applicant to provide:

- (1) information, including fingerprints, that is needed to facilitate access to criminal history information; and
- (2) financial information, to the extent allowed by law.

(c) The state police department shall:

- (1) provide assistance in obtaining criminal history information of an applicant; and
- (2) forward fingerprints submitted by an applicant to the Federal Bureau of Investigation for the release of an applicant's criminal history information for the purposes of licensure under this chapter.

(d) The applicant shall pay any fees associated with the release of the criminal history information of the applicant.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-17

Licensing of promoters, participants, and other persons

Sec. 17. All promoters, either corporations or natural persons, physicians, referees, judges, timekeepers, matchmakers, professional boxers, unarmed competitors, managers of professional boxers or unarmed competitors, trainers and seconds, shall be licensed as provided in this chapter, and such a corporation or person may not be permitted to participate, either directly or indirectly, in any such boxing, sparring, or unarmed combat match or exhibition, or the holding thereof, unless the corporation and all such persons have first procured licenses. A contest conforming to the rules and requirements of this chapter is not considered to be a prizefight.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-18

Amateur mixed martial arts; requirements

Sec. 18. (a) As used in this section, "amateur mixed martial arts" refers to mixed martial arts that is:

(1) performed for training purposes in a school or other educational facility for no:

- (A) purse; or
- (B) prize with a value greater than one hundred dollars (\$100); or

(2) performed in a match, contest, exhibition, or performance for no:

- (A) purse; or
- (B) prize with a value greater than one hundred dollars (\$100).

(b) As used in this section, "promoter" means the person primarily responsible for organizing, promoting, and producing an amateur mixed martial arts match or exhibition. The term does not include a hotel, casino, resort, or other commercial establishment hosting or sponsoring an amateur mixed martial arts match unless:

- (1) the hotel, casino, resort, or other commercial establishment is primarily responsible for organizing, promoting, and producing the match or exhibition; and
- (2) there is no other person primarily responsible for organizing, promoting, and producing the match or exhibition.

(c) For amateur mixed martial arts matches or exhibitions, only:

- (1) a body sanctioning the match or exhibition; and
- (2) the promoter of the match or exhibition;

must procure licenses under this chapter. The commission shall develop procedures and standards governing application for licensure and license renewal of bodies sanctioning a match or exhibition and promoters under this section. The commission shall develop procedures for inspection and enforcement with respect to licenses issued under this subsection.

(d) The commission shall adopt rules under IC 4-22-2 to license sanctioning bodies and promoters required to be licensed under this chapter.

(e) The commission shall adopt rules under IC 4-22-2 that apply to each match or exhibition covered under this section and that determine requirements for the following:

- (1) The presence of a medical doctor licensed under IC 25-22.5.
- (2) The presence of an ambulance.
- (3) Requirements for medical and life insurance to be carried for each participant.
- (4) The need for medical tests, including:
 - (A) tests for HIV;
 - (B) pregnancy tests for women participants; and
 - (C) screening tests for illegal drugs.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-19

Eligibility for licenses and permits; nontransferability of licenses and permits

Sec. 19. A permit or license may not be issued to any person who has not complied with this chapter or who, before the applications, failed to obey a rule or order of the commission. In the case of a club, corporation, or association, a license or permit may not be issued to it if, before its application, any of its officers have violated this chapter or any rule or order of the commission. A promoter, physician, referee, judge, timekeeper, matchmaker, professional boxer, unarmed competitor, manager of a professional boxer or unarmed competitor, trainer, or second may not be licensed if the person holds a federal gambling stamp. A license or permit when issued must recite that the person to whom it is granted has complied with this chapter and that a license or permit is not transferable.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-20

Authority to limit number of matches or exhibitions

Sec. 20. The commission has full power and authority to limit the number of boxing, sparring, or unarmed combat matches or exhibitions to be held or given by any person, club, organization, or corporation in any city or town in Indiana.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-21

Requirement to comply with terms of application

Sec. 21. (a) A person to whom a permit is issued may not:

- (1) hold the match or exhibition at any other time or place;
- (2) permit any other contestant to participate in the match or exhibition;
- (3) charge a greater rate or rates of admission; or
- (4) pay a greater fee, compensation, or percentage to contestants than that specified in the application filed before the issuance of the permit.

(b) Notwithstanding subsection (a), in case of emergency the commission may, upon application, allow a person to hold a boxing, sparring, or unarmed combat match or exhibition wherever and whenever it considers fit within the city in which the person is located and substitute contestants or seconds as circumstances may require.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-22

Denial of license or permit; violation of laws or rules; hearing

Sec. 22. In case the commission refuses to grant a license or permit to any applicant, the applicant, at the applicant's option, is entitled to a hearing in the manner provided by this chapter, but if the commission, before the refusal, after a hearing, makes a valid finding that the applicant has been guilty of disobeying any rule or order of the commission, or of any provision of this chapter, the applicant is not entitled to a license or permit; and in case any boxing, sparring, or unarmed combat match, or exhibition has been conducted by any person, club, corporation, or association under this chapter, the commission on its own motion, or on the petition of any resident of Indiana, may conduct a hearing to determine whether such person, club, corporation, or association has disobeyed any rule or order of the commission or has been guilty of any violation of this chapter.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-23

Procedures for hearings

Sec. 23. Any hearing by the commission must be in accordance with IC 4-21.5-3.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-24

Matches and exhibitions; site requirements

Sec. 24. All buildings or structures used, or in any way to be used for the purpose of holding or giving therein boxing, sparring, or unarmed combat matches or exhibitions, must be properly ventilated and provided with fire exits and fire escapes, if necessary, and in all manner must conform to the laws, ordinances, and regulations pertaining to buildings in the city or town where situated.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-25

Matches and exhibitions; age limits; gaming and other restrictions; penalties

Sec. 25. (a) A person shall not:

- (1) permit any person less than eighteen (18) years of age to participate in any boxing or sparring match or exhibition;
- (2) permit any gambling on the result of, or on any contingency in connection with, any boxing or sparring match or exhibition conducted by it; or
- (3) participate in or permit any sham or collusive boxing or sparring match or exhibition.

(b) A person who violates this section, in addition to any criminal penalty:

- (1) shall have the person's license or permit revoked, suspended, or restricted by the commission;
- (2) shall be placed on probation by the commission;
- (3) shall pay a civil penalty imposed by the commission not to exceed one thousand dollars (\$1,000);
- (4) is ineligible for a license or permit at any future time; or
- (5) is subject to the imposition by the commission of any combination of the penalties set forth in subdivisions (1) through (4).

As added by P.L.113-2010, SEC.11.

IC 4-33-22-26

Participation in violation; penalties

Sec. 26. (a) A person shall not:

- (1) participate in any sham or collusive boxing or sparring match or exhibition where the match or exhibition is conducted by a licensed person; or
- (2) being less than eighteen (18) years of age, participate in any boxing or sparring match or exhibition.

(b) For a first offense, in addition to the fine, a person who is a licensed contestant in Indiana and violates this section:

- (1) shall have the person's license or permit revoked, suspended, or restricted by the commission;
- (2) shall be placed on probation by the commission;
- (3) shall pay a civil penalty imposed by the commission not to exceed one thousand dollars (\$1,000);
- (4) is ineligible for a license or permit at any future time; or

(5) is subject to the imposition by the commission of any combination of the penalties set forth in subdivisions (1) through (4).

For a second offense, a licensed contestant who violates this section may be forever barred from receiving any license or permit or participating in any boxing or sparring match or exhibition in Indiana.

(c) A person who gambles on the result of, or on any contingency in connection with, any boxing or sparring match or exhibition and is convicted under IC 35-45-5 shall, in addition to any criminal penalty imposed, be penalized as provided in subsection (b).

As added by P.L.113-2010, SEC.11.

IC 4-33-22-27

Contestants; examinations; limitations on length of match or exhibition; required personnel at matches or exhibitions; penalties

Sec. 27. (a) Each contestant for boxing, sparring, or unarmed combat shall be examined within two (2) hours before entering the ring by a competent physician licensed under IC 25-22.5 appointed by the commission. The physician shall certify in writing that each contestant is physically fit to engage in the contest if the physician so determines, and the physician's certificate shall be delivered to the commission before the contest. The physician shall mail the report of examination to the commission within twenty-four (24) hours after the contest. Blank forms of physicians' reports shall be furnished to physicians by the commission, and questions on blank forms must be answered in full. No match, contest, or exhibition shall be held unless a licensed physician is in attendance. Any boxer or unarmed competitor who, in the opinion of the physician, is physically unfit to enter the match or exhibition shall be excused by the commission or its deputy. During the conduct of the match or exhibition, the physician may observe the physical condition of the boxers or unarmed competitors and if, in the opinion of the physician, any contestant in any match or exhibition is physically unfit to continue, the physician shall advise the referee.

(b) A boxing or sparring match or exhibition may not last more than twelve (12) rounds, and each round may not last more than three (3) minutes. There must not be less than a one (1) minute intermission between each round. The commission may for any bout or any class of contestants limit the number of rounds of the bout within the maximum of twelve (12) rounds.

(c) Any contestant in a boxing or sparring match or an exhibition must wear standard gloves, weighing at least eight (8) ounces, and the gloves worn by each of the contestants must be equal in weight.

(d) At each boxing, sparring, or unarmed combat match or exhibition there must be in attendance, at the expense of the person conducting the match or exhibition, a licensed referee who shall direct and control the match or exhibition. Before starting each contest, the referee shall ascertain from each contestant the name of the contestant's chief second, and shall hold the chief second

responsible for the conduct of the chief second's assistant seconds during the contest. The referee may declare forfeited a part or all of any remuneration or purse belonging to the contestants, or one (1) of them, if, in the referee's judgment, the contestant or contestants are not honestly competing. Any forfeited amount shall be paid into the fund.

(e) There must also be in attendance at the expense of the person conducting the match or exhibition three (3) licensed judges who shall, at the termination of each boxing, sparring, or unarmed combat match or exhibition render their decisions as to the winner.

(f) A person who holds any boxing, sparring, or unarmed combat match or exhibition in violation of this section commits a Class A infraction.

(g) A physician who knowingly certifies falsely to the physical condition of any contestant commits a Class B infraction.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-28

Contestants; biennial licenses; fees

Sec. 28. (a) A contestant may not participate in any boxing, sparring, or unarmed combat match or exhibition unless registered and licensed with the commission, which license must be renewed biennially. The license fee and the renewal fee may not be less than five dollars (\$5), paid at the time of the application for the license or renewal.

(b) Any person who desires to be registered and licensed as a contestant shall file an application in writing with the executive director of the commission stating:

- (1) the correct name of the applicant;
- (2) the date and place of the applicant's birth;
- (3) the place of the applicant's residence; and
- (4) the applicant's employment, business, or occupation, if any.

The application must be verified under oath of the applicant. An application for a renewal license must be in similar form.

(c) No assumed or ring names shall be used in any application nor in any advertisement of any contest, unless the ring or assumed name has been registered with the commission with the correct name of the applicant.

(d) Each application for license by a contestant or for a license renewal must be accompanied by the certificate of a physician residing within Indiana who is licensed as provided in this article and has practiced in Indiana for not less than five (5) years, certifying that the physician has made a thorough physical examination of the applicant, and that the applicant is physically fit and qualified to participate in boxing, sparring, or unarmed combat matches or exhibitions.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-29

Referees and judges; biennial licenses

Sec. 29. (a) The commission shall, upon proper application, grant licenses to competent referees and judges whose qualifications may be tested by the commission, and the commission may revoke any such license granted to any referee or judge upon cause as the commission finds sufficient. A referee's or judge's license must be renewed biennially. No person shall be permitted to act as referee or judge in Indiana without a license.

(b) The application for license as referee, or renewal thereof, shall be accompanied by a fee established by the commission.

(c) The commission shall appoint, from among licensed officials, all officials for all contests held under this chapter.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-30

Ineligibility for and revocation of license; conviction of offense related to controlled substances

Sec. 30. The commission may declare any person who has been convicted of an offense under IC 35-48 ineligible to participate in any boxing, sparring, or unarmed combat match or exhibition, or any other activity or event regulated by the commission, notwithstanding that the person may hold a valid license issued by the commission. The period of ineligibility shall be for not less than six (6) months nor more than three (3) years, as determined by the commission. If a convicted person is declared ineligible, the commission shall suspend the person and declare the person ineligible to participate in any boxing, sparring, or unarmed combat match or exhibition, or any other activity or event regulated by the commission, as soon as it discovers the conviction, but the period of ineligibility shall commence from the actual date of the conviction. During the period of ineligibility, the suspended person may reapply to the commission for a license.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-31

Revocation and suspension

Sec. 31. (a) Any license under this chapter may be revoked or suspended by the commission for reasons sufficient under this chapter.

(b) If a person displays to the public credentials issued by the commission that:

- (1) have been revoked or suspended under this chapter; or
- (2) have expired;

the commission may declare the person ineligible for a period to be determined by the commission to participate in any boxing, sparring, or unarmed combat match, exhibition, or other activity regulated by the commission.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-32

Match or exhibition; gross receipts tax; report

Sec. 32. (a) Every person, club, corporation, firm, or association that may conduct any match or exhibition under this chapter shall do the following within twenty-four (24) hours after the end of the match or exhibition:

(1) Furnish to the commission, by mail, a written report duly verified by that person or, if a club, corporation, firm, or association, by one (1) of its officers, showing the amount of the gross proceeds for the match or exhibition and other related matters as the commission may prescribe.

(2) Pay a tax of five percent (5%) of the price from the sale of each admission ticket to the match or exhibition, which price is a separate and distinct charge and may not include any tax imposed on and collected on account of the sale of the ticket. Money derived from the tax shall be deposited in the fund.

(3) Pay all fees established by the commission necessary to cover the administrative costs of its regulatory oversight function.

The commission may waive the tax on the price of admission for complimentary admissions.

(b) Before any license is granted for any boxing, sparring, or unarmed combat match or exhibition in Indiana, a bond or other instrument that provides financial recourse must be provided to the commission. The instrument must be:

(1) in an amount determined by the commission;

(2) approved as to form and sufficiency of the sureties by the commission;

(3) payable to the state; and

(4) conditioned for the payment of the tax imposed, the officials and contestants, and compliance with this chapter and the valid rules of the commission.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-33

Closed circuit telecast; pay per view telecast; subscription television; gross receipts tax; report

Sec. 33. Every promoter holding or showing any public boxing, sparring, mixed martial arts, or unarmed combat match or exhibition for viewing in Indiana on a closed circuit telecast, pay per view telecast, or subscription television that is viewed by subscribers who are not present at the venue shall furnish the executive director of the commission a written report, under oath, stating the amount of gross proceeds from the closed circuit telecast, pay per view telecast, or subscription television viewing in Indiana and any other matter as the commission may prescribe. The promoter shall, within seventy-two (72) hours after the determination of the outcome of the match or exhibition, pay a tax of three percent (3%) of the gross receipts from the viewing of the match or exhibition on a closed circuit telecast, pay per view telecast, or subscription television. However, the tax may not exceed fifty thousand dollars (\$50,000) for each event. Money derived from the tax shall be placed in the state general fund.

The budget agency may augment appropriations from the fund to the Indiana gaming commission to regulate boxing, sparring, unarmed combat, and any other form of mixed martial arts.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-34

Unsatisfactory reports; examination of records; penalties

Sec. 34. Whenever a report under section 32 or 33 of this chapter is unsatisfactory to the state treasurer, the state treasurer may examine or cause to be examined the books and records of the person, club, corporation, or association and subpoena and examine, under oath, that person or officers and other persons as witnesses for the purpose of determining the total amount of the gross receipts derived from any contest, and the amount of tax due, under this chapter, which tax the state treasurer may upon examination, fix and determine. In case of default in the payment of any tax due, together with the expenses incurred in making the examination for a period of twenty (20) days after written notice to the delinquent person, club, corporation, or association of the amount fixed by the state treasurer as delinquent, the person, club, corporation, or association shall be disqualified from receiving any new license or permit, and the attorney general shall institute suit upon the bond filed under section 32 of this chapter, to recover the tax and penalties imposed by this chapter. In addition to the tax due from the delinquent person, club, corporation, or association, a penalty in the sum of not more than one thousand dollars (\$1,000) for each offense shall be recovered by the attorney general for the state.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-35

Appointment of inspectors

Sec. 35. The commission may appoint official representatives, designated as inspectors, each of whom shall receive from the commission a card authorizing the official representative to act as an inspector wherever the commission may designate the official representative to act. One (1) inspector or deputy shall:

- (1) be present at all boxing, sparring, or unarmed combat matches or exhibitions and ensure that the rules of the commission and this chapter are strictly observed; and
- (2) be present at the counting up of the gross receipts and immediately mail to the commission the final box office statement received by the inspector or deputy from the person or officers of the club, corporation, or association conducting the match or exhibition.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-36

Regulation of weights and classes of contestants; rules

Sec. 36. The commission shall determine the weights and classes of boxers and unarmed competitors and the rules and regulations of

boxing and unarmed combat.
As added by P.L.113-2010, SEC.11.

IC 4-33-22-37

Display of purchase price on tickets; maximum attendance limits

Sec. 37. All tickets of admission to any boxing, sparring, or unarmed combat match or exhibition must clearly show the purchase price. Tickets shall not be sold for more than the price printed on the tickets. It is unlawful for any person, club, corporation, or association to admit to a contest a number of people greater than the seating capacity of the place where the contest is held.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-38

Contestants; prohibition on prepayment of services; honest exhibition condition of payment

Sec. 38. A contestant shall not be paid for services before the contest, and the referee and judges must determine that if any contestant did not give an honest exhibition of the contestant's skill, the contestant's services shall not be paid for.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-39

Deposit of fees in fund

Sec. 39. All fees received by the executive director of the commission on behalf of the commission under this chapter shall be paid into the fund.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-40

Penalties

Sec. 40. A person who knowingly, recklessly, or intentionally violates this chapter commits a Class B misdemeanor.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-41

Adoption of rules

Sec. 41. The commission may adopt rules under IC 4-22-2 to administer this chapter.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-42

Grounds for disciplinary action

Sec. 42. A licensee shall comply with the standards established by the commission. A practitioner is subject to the disciplinary sanctions under section 43 of this chapter if, after a hearing, the commission finds any of the following concerning the practitioner:

- (1) Failure, without just cause, to observe the terms of any contract required to be on file with the commission.
- (2) Violation of any of the provisions of the statutes, rules, or

orders of the commission.

(3) Interference with the official duties of other licensees, the commission, or any administrative officer or representative of the commission.

(4) Gambling that is otherwise prohibited by law on the result of any bout permitted by the commission.

(5) Noncompetitive boxing, sparring, or unarmed combat or the solicitation of noncompetitive boxers or unarmed competitors.

(6) Failure to appear at designated times and places as required by the commission.

(7) Bribery or attempted bribery of any licensee, employee, or member of the commission.

(8) Employing or knowingly cooperating in fraud or material deception in order to obtain any license or permit issued by the commission.

(9) Conviction for a crime that has a direct bearing on the applicant's or licensee's ability to perform acts that require a license or permit issued by the commission.

(10) Unlicensed or unpermitted participation in any activity in Indiana for which a license or permit issued by the commission is required.

(11) Participating, directly or indirectly, in any agreement to circumvent any rules or ruling of the commission.

(12) Any activity that undermines the integrity of boxing, sparring, or unarmed combat.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-43

Sanctions

Sec. 43. (a) The commission may impose any of the following sanctions, singly or in combination, if the commission finds that a licensee is subject to disciplinary sanctions under section 42 of this chapter:

(1) Permanently revoke a licensee's license.

(2) Suspend a licensee's license.

(3) Censure a licensee.

(4) Issue a letter of reprimand.

(5) Place a licensee on probation status and require the licensee to:

(A) report regularly to the commission upon the matters that are the basis of probation;

(B) limit the licensee's participation at boxing, sparring, or unarmed combat events to those areas prescribed by the commission; or

(C) perform any acts, including community restitution or service without compensation, or refrain from performing any acts, that the commission considers appropriate to the public interest or to the rehabilitation or treatment of the licensee.

(6) Assess a civil penalty against the licensee for not more than

one thousand dollars (\$1,000) for each violation listed in section 42 of this chapter.

(7) Order a licensee to pay consumer restitution to a person who suffered damages as a result of the conduct or omission that was the basis for the disciplinary sanctions under this chapter.

(b) When imposing a civil penalty under subsection (a)(6), the commission shall consider a licensee's ability to pay the amount assessed. If the licensee fails to pay the civil penalty within the time specified by the commission, the commission may suspend the licensee's license without additional proceedings. However, a suspension may not be imposed if the sole basis for the suspension is the licensee's inability to pay a civil penalty.

(c) The commission may withdraw or modify the probation under subsection (a)(5) if the commission finds after a hearing that the deficiency that required disciplinary action has been remedied or that changed circumstances warrant a modification of the order.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-44

Summary suspension

Sec. 44. (a) The commission may summarily suspend a licensee's license for ninety (90) days before a final adjudication or during the appeals process if the commission finds that a licensee represents a clear and immediate danger to the public's health, safety, or property if the licensee is allowed to continue to participate in boxing, sparring, or unarmed combat matches, contests, or exhibitions. The summary suspension may be renewed upon a hearing before the commission, and each renewal may be for not more than ninety (90) days.

(b) Before the commission may summarily suspend a license under this section, the commission shall make a reasonable attempt to notify the licensee of:

(1) a hearing by the commission to suspend the licensee's license; and

(2) information regarding the allegation against the licensee.

The commission shall also notify the licensee that the licensee may provide a written or an oral statement to the commission on the licensee's behalf before the commission issues an order for summary suspension. A reasonable attempt to notify the licensee is made if the commission attempts to notify the licensee by telephone or facsimile at the last telephone number or facsimile number of the licensee on file with the commission.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-45

Reinstatement

Sec. 45. The commission may reinstate a license that has been suspended under this chapter if, after a hearing, the commission is satisfied that the applicant is able to participate at a boxing, sparring, or unarmed combat match, contest, or exhibition in a professional

manner and with reasonable skill. As a condition of reinstatement, the commission may impose disciplinary or corrective measures authorized under this chapter.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-46

Reinstatement not available for revoked license; waiting period before reapplying for license

Sec. 46. The commission may not reinstate a license that has been revoked under this chapter. An individual whose license has been revoked under this chapter may not apply for a new license until seven (7) years after the date of revocation.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-47

Surrender of license

Sec. 47. A licensee may petition the commission to accept the surrender of the licensee's license instead of having a hearing before the commission. The licensee may not surrender the licensee's license without the written approval of the commission, and the commission may impose any conditions appropriate to the surrender or reinstatement of a surrendered license.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-48

Costs of disciplinary proceeding

Sec. 48. A licensee who has been subjected to disciplinary sanctions may be required by the commission to pay the costs of the proceeding. The licensee's ability to pay shall be considered when costs are assessed. If the licensee fails to pay the costs, a suspension may not be imposed solely upon the licensee's inability to pay the amount assessed. These costs are limited to costs for the following:

- (1) Court reporters.
- (2) Transcripts.
- (3) Certification of documents.
- (4) Photo duplication.
- (5) Witness attendance and mileage fees.
- (6) Postage.
- (7) Expert witnesses.
- (8) Depositions.
- (9) Notarizations.
- (10) Administrative law judges.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-49

Effect of disciplinary action by another state or jurisdiction; probationary licenses

Sec. 49. (a) The commission may refuse to issue a license or may issue a probationary license to an applicant for licensure if:

- (1) the applicant has:

(A) been disciplined by a licensing entity of another state or jurisdiction; or

(B) committed an act that would have subjected the applicant to the disciplinary process if the applicant had been licensed in Indiana when the act occurred; and

(2) the violation for which the applicant was or could have been disciplined has a bearing on the applicant's ability to competently and professionally participate in a boxing, sparring, or unarmed combat match, contest, or exhibition in Indiana.

(b) The board may:

(1) refuse to issue a license; or

(2) issue a probationary license;

to an applicant for licensure if the applicant participated in a boxing, sparring, or unarmed combat match, contest, or exhibition in Indiana without a license in violation of the law.

(c) Whenever the commission issues a probationary license, the commission may require a licensee to do any of the following:

(1) Report regularly to the commission upon the matters that are the basis of the discipline of the other state or jurisdiction.

(2) Limit participation in a boxing, sparring, or unarmed combat match, contest, or exhibition to the areas prescribed by the commission.

(3) Engage in community restitution or service without compensation for the number of hours specified by the commission.

(4) Perform or refrain from performing an act that the commission considers appropriate to the public interest or to the rehabilitation or treatment of the applicant.

(d) The commission shall remove any limitations placed on a probationary license under this section if the commission finds after a public hearing that the deficiency that required disciplinary action has been remedied.

As added by P.L.113-2010, SEC.11.