

104TH CONGRESS
2^D SESSION

H. R. 4167

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 26, 1996

Received

AN ACT

To provide for the safety of journeymen boxers, and for
other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Professional Boxing
5 Safety Act of 1996”.

1 **SEC. 2. DEFINITIONS.**

2 For purposes of this Act:

3 (1) **BOXER.**—The term “boxer” means an indi-
4 vidual who fights in a professional boxing match.

5 (2) **BOXING COMMISSION.**—(A) The term “box-
6 ing commission” means an entity authorized under
7 State law to regulate professional boxing matches.

8 (3) **BOXER REGISTRY.**—The term “boxer reg-
9 istry” means any entity certified by the Association
10 of Boxing Commissions for the purposes of main-
11 taining records and identification of boxers.

12 (4) **LICENSEE.**—The term “licensee” means an
13 individual who serves as a trainer, second, or cut
14 man for a boxer.

15 (5) **MANAGER.**—The term “manager” means a
16 person who receives compensation for service as an
17 agent or representative of a boxer.

18 (6) **MATCHMAKER.**—The term “matchmaker”
19 means a person that proposes, selects, and arranges
20 the boxers to participate in a professional boxing
21 match.

22 (7) **PHYSICIAN.**—The term “physician” means
23 a doctor of medicine legally authorized to practice
24 medicine by the State in which the physician per-
25 forms such function or action.

1 (8) PROFESSIONAL BOXING MATCH.—The term
2 “professional boxing match” means a boxing contest
3 held in the United States between individuals for fi-
4 nancial compensation. Such term does not include a
5 boxing contest that is regulated by an amateur
6 sports organization.

7 (9) PROMOTER.—The term “promoter” means
8 the person primarily responsible for organizing, pro-
9 moting, and producing a professional boxing match.

10 (10) STATE.—The term “State” means each of
11 the 50 States, Puerto Rico, the District of Columbia,
12 and any territory or possession of the United States.

13 **SEC. 3. PURPOSES.**

14 The purposes of this Act are—

15 (1) to improve and expand the system of safety
16 precautions that protects the welfare of professional
17 boxers; and

18 (2) to assist State boxing commissions to pro-
19 vide proper oversight for the professional boxing in-
20 dustry in the United States.

21 **SEC. 4. BOXING MATCHES IN STATES WITHOUT BOXING**
22 **COMMISSIONS.**

23 No person may arrange, promote, organize, produce,
24 or fight in a professional boxing match held in a State
25 that does not have a boxing commission unless the match

1 is supervised by a boxing commission from another State
2 and subject to the most recent version of the recommended
3 regulatory guidelines certified and published by the Asso-
4 ciation of Boxing Commissions as well as any additional
5 relevant professional boxing regulations and requirements
6 of such other State.

7 **SEC. 5. SAFETY STANDARDS.**

8 No person may arrange, promote, organize, produce,
9 or fight in a professional boxing match without meeting
10 each of the following requirements or an alternative re-
11 quirement in effect under regulations of a boxing commis-
12 sion that provides equivalent protection of the health and
13 safety of boxers:

14 (1) A physical examination of each boxer by a
15 physician certifying whether or not the boxer is
16 physically fit to safely compete, copies of which must
17 be provided to the boxing commission.

18 (2) Except as otherwise expressly provided
19 under regulation of a boxing commission promul-
20 gated subsequent to the enactment of this Act, an
21 ambulance or medical personnel with appropriate re-
22 suscitation equipment continuously present on site.

23 (3) A physician continuously present at ring-
24 side.

1 (4) Health insurance for each boxer to provide
2 medical coverage for any injuries sustained in the
3 match.

4 **SEC. 6. REGISTRATION.**

5 (a) REQUIREMENTS.—Each boxer shall register
6 with—

7 (1) the boxing commission of the State in which
8 such boxer resides; or

9 (2) in the case of a boxer who is a resident of
10 a foreign country, or a State in which there is no
11 boxing commission, the boxing commission of any
12 State that has such a commission.

13 (b) IDENTIFICATION CARD.—

14 (1) ISSUANCE.—A boxing commission shall
15 issue to each professional boxer who registers in ac-
16 cordance with subsection (a), an identification card
17 that contains each of the following:

18 (A) A recent photograph of the boxer.

19 (B) The social security number of the
20 boxer (or, in the case of a foreign boxer, any
21 similar citizen identification number or profes-
22 sional boxer number from the country of resi-
23 dence of the boxer).

24 (C) A personal identification number as-
25 signed to the boxer by a boxing registry.

1 (2) RENEWAL.—Each professional boxer shall
2 renew his or her identification card at least once
3 every 2 years.

4 (3) PRESENTATION.—Each professional boxer
5 shall present his or her identification card to the ap-
6 propriate boxing commission not later than the time
7 of the weigh-in for a professional boxing match.

8 **SEC. 7. REVIEW.**

9 (a) PROCEDURES.—Each boxing commission shall es-
10 tablish each of the following procedures:

11 (1) Procedures to evaluate the professional
12 records and physician’s certification of each boxer
13 participating in a professional boxing match in the
14 State, and to deny authorization for a boxer to fight
15 where appropriate.

16 (2) Procedures to ensure that, except as pro-
17 vided in subsection (b), no boxer is permitted to box
18 while under suspension from any boxing commission
19 due to—

20 (A) a recent knockout or series of consecu-
21 tive losses;

22 (B) an injury, requirement for a medical
23 procedure, or physician denial of certification;

24 (C) failure of a drug test; or

1 (D) the use of false aliases, or falsifying,
2 or attempting to falsify, official identification
3 cards or documents.

4 (3) Procedures to review a suspension where
5 appealed by a boxer, including an opportunity for a
6 boxer to present contradictory evidence.

7 (4) Procedures to revoke a suspension where a
8 boxer—

9 (A) was suspended under subparagraph
10 (A) or (B) of paragraph (2) of this subsection,
11 and has furnished further proof of a sufficiently
12 improved medical or physical condition; or

13 (B) furnishes proof under subparagraph
14 (C) or (D) of paragraph (2) that a suspension
15 was not, or is no longer, merited by the facts.

16 (b) **SUSPENSION IN ANOTHER STATE.**—A boxing
17 commission may allow a boxer who is under suspension
18 in any State to participate in a professional boxing
19 match—

20 (1) for any reason other than those listed in
21 subsection (a) if such commission notifies in writing
22 and consults with the designated official of the sus-
23 pending State's boxing commission prior to the
24 grant of approval for such individual to participate
25 in that professional boxing match; or

1 (2) if the boxer appeals to the Association of
2 Boxing Commissions, and the Association of Boxing
3 Commissions determines that the suspension of such
4 boxer was without sufficient grounds, for an im-
5 proper purpose, or not related to the health and
6 safety of the boxer or the purposes of this Act.

7 **SEC. 8. REPORTING.**

8 Not later than 48 business hours after the conclusion
9 of a professional boxing match, the supervising boxing
10 commission shall report the results of such boxing match
11 and any related suspensions to each boxer registry.

12 **SEC. 9. CONFLICTS OF INTEREST.**

13 No member or employee of a boxing commission, no
14 person who administers or enforces State boxing laws, and
15 no member of the Association of Boxing Commissions may
16 belong to, contract with, or receive any compensation
17 from, any person who sanctions, arranges, or promotes
18 professional boxing matches or who otherwise has a finan-
19 cial interest in an active boxer currently registered with
20 a boxer registry. For purposes of this section, the term
21 “compensation” does not include funds held in escrow for
22 payment to another person in connection with a profes-
23 sional boxing match. The prohibition set forth in this sec-
24 tion shall not apply to any contract entered into, or any
25 reasonable compensation received, by a boxing commission

1 to supervise a professional boxing match in another State
2 as described in section 4.

3 **SEC. 10. ENFORCEMENT.**

4 (a) INJUNCTIONS.—Whenever the Attorney General
5 of the United States has reasonable cause to believe that
6 a person is engaged in a violation of this Act, the Attorney
7 General may bring a civil action in the appropriate district
8 court of the United States requesting such relief, including
9 a permanent or temporary injunction, restraining order,
10 or other order, against the person, as the Attorney Gen-
11 eral determines to be necessary to restrain the person
12 from continuing to engage in, sanction, promote, or other-
13 wise participate in a professional boxing match in violation
14 of this Act.

15 (b) CRIMINAL PENALTIES.—

16 (1) MANAGERS, PROMOTERS, MATCHMAKERS,
17 AND LICENSEES.—Any manager, promoter, match-
18 maker, and licensee who knowingly violates, or co-
19 erces or causes any other person to violate, any pro-
20 vision of this Act shall, upon conviction, be impris-
21 oned for not more than 1 year or fined not more
22 than \$20,000, or both.

23 (2) CONFLICT OF INTEREST.—Any member or
24 employee of a boxing commission, any person who
25 administers or enforces State boxing laws, and any

1 member of the Association of Boxing Commissions
2 who knowingly violates section 9 of this Act shall,
3 upon conviction, be imprisoned for not more than 1
4 year or fined not more than \$20,000, or both.

5 (3) BOXERS.—Any boxer who knowingly vio-
6 lates any provision of this Act shall, upon conviction,
7 be fined not more than \$1,000.

8 **SEC. 11. NOTIFICATION OF SUPERVISING BOXING COMMIS-**
9 **SION.**

10 Each promoter who intends to hold a professional
11 boxing match in a State that does not have a boxing com-
12 mission shall, not later than 14 days before the intended
13 date of that match, provide written notification to the su-
14 pervising boxing commission designated under section 4.
15 Such notification shall contain each of the following:

16 (1) Assurances that, with respect to that pro-
17 fessional boxing match, all applicable requirements
18 of this Act will be met.

19 (2) The name of any person who, at the time
20 of the submission of the notification—

21 (A) is under suspension from a boxing
22 commission; and

23 (B) will be involved in organizing or par-
24 ticipating in the event.

1 (3) For any individual listed under paragraph
2 (2), the identity of the boxing commission that is-
3 sued the suspension described in paragraph (2)(A).

4 **SEC. 12. STUDIES.**

5 (a) PENSION.—The Secretary of Labor shall conduct
6 a study on the feasibility and cost of a national pension
7 system for boxers, including potential funding sources.

8 (b) HEALTH, SAFETY AND EQUIPMENT.—The Sec-
9 retary of Health and Human Services shall conduct a
10 study to develop recommendations for health, safety, and
11 equipment standards for boxers and for professional box-
12 ing matches.

13 (c) REPORTS.—Not later than one year after the date
14 of enactment of this Act, the Secretary of Labor shall sub-
15 mit a report to the Congress on the findings of the study
16 conducted pursuant to subsection (a). Not later than 180
17 days after the date of enactment of this Act, the Secretary
18 of Health and Human Services shall submit a report to
19 the Congress on the findings of the study conducted pur-
20 suant to subsection (b).

21 **SEC. 13. PROFESSIONAL BOXING MATCHES CONDUCTED ON**
22 **INDIAN RESERVATIONS.**

23 (a) DEFINITIONS.—For purposes of this section, the
24 following definitions shall apply:

1 (1) INDIAN TRIBE.—The term “Indian tribe”
2 has the same meaning as in section 4(e) of the In-
3 dian Self-Determination and Education Assistance
4 Act (25 U.S.C. 450b(e)).

5 (2) RESERVATION.—The term “reservation”
6 means the geographically defined area over which a
7 tribal organization exercises governmental jurisdic-
8 tion.

9 (3) TRIBAL ORGANIZATION.—The term “tribal
10 organization” has the same meaning as in section
11 4(l) of the Indian Self-Determination and Education
12 Assistance Act (25 U.S.C. 450b(l)).

13 (b) REQUIREMENTS.—

14 (1) IN GENERAL.—Notwithstanding any other
15 provision of law, a tribal organization of an Indian
16 tribe may, upon the initiative of the tribal organiza-
17 tion—

18 (A) regulate professional boxing matches
19 held within the reservation under the jurisdic-
20 tion of that tribal organization; and

21 (B) carry out that regulation or enter into
22 a contract with a boxing commission to carry
23 out that regulation.

24 (2) STANDARDS AND LICENSING.—If a tribal
25 organization regulates professional boxing matches

1 pursuant to paragraph (1), the tribal organization
2 shall, by tribal ordinance or resolution, establish and
3 provide for the implementation of health and safety
4 standards, licensing requirements, and other require-
5 ments relating to the conduct of professional boxing
6 matches that are at least as restrictive as—

7 (A) the otherwise applicable standards and
8 requirements of a State in which the reserva-
9 tion is located; or

10 (B) the most recently published version of
11 the recommended regulatory guidelines certified
12 and published by the Association of Boxing
13 Commissions.

14 **SEC. 14. RELATIONSHIP WITH STATE LAW.**

15 Nothing in this Act shall prohibit a State from adopt-
16 ing or enforcing supplemental or more stringent laws or
17 regulations not inconsistent with this Act, or criminal,
18 civil, or administrative fines for violations of such laws or
19 regulations.

20 **SEC. 15. EFFECTIVE DATE.**

21 The provisions of this Act shall take effect on Janu-
22 ary 1, 1997, except as follows:

23 (1) Section 9 shall not apply to an otherwise
24 authorized boxing commission in the Commonwealth
25 of Virginia until July 1, 1998.

