



April 3, 2009

**ENGROSSED
SENATE BILL No. 160**

DIGEST OF SB 160 (Updated April 1, 2009 11:00 am - DI 14)

Citations Affected: IC 4-22; IC 10-13; IC 22-12; IC 25-1; IC 25-9; IC 35-45; noncode.

Synopsis: Regulation of boxing, sparring, and unarmed combat. Changes the "state boxing commission" to the "state athletic commission." Requires the Indiana gaming commission to oversee the state athletic commission. (Current provisions require the professional licensing agency to oversee the state boxing commission.) Requires the state athletic commission to regulate unarmed combat matches and exhibitions. Allows the state athletic commission to adopt rules to regulate the conduct of mixed martial arts, martial arts, and professional wrestling. Allows the athletic commission to adopt emergency rules. Creates the athletic commission fund for fees and penalties. Requires that balances over \$100,000 in the athletic commission fund at the end of a fiscal year revert to the state general fund. Provides for licensing for promoters and sanctioning bodies for amateur mixed martial arts matches and exhibitions. Makes various other conforming changes. Appropriates money to the athletic commission fund.

Effective: July 1, 2009.

Kruse, Mishler, Stutzman

(HOUSE SPONSORS — DELANEY, BELL, TYLER, CHERRY)

January 7, 2009, read first time and referred to Committee on Rules and Legislative Procedure.

January 29, 2009, amended; reassigned to Committee on Pensions and Labor.

February 19, 2009, amended, reported favorably — Do Pass.

February 23, 2009, read second time, ordered engrossed. Engrossed.

February 24, 2009, read third time, passed. Yeas 49, nays 0.

HOUSE ACTION

March 2, 2009, read first time and referred to Committee on Public Policy.

April 2, 2009, amended, reported — Do Pass.

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April 3, 2009

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 160

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 4-22-2-37.1, AS AMENDED BY P.L.90-2008,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2009]: Sec. 37.1. (a) This section applies to a rulemaking
4 action resulting in any of the following rules:
- 5 (1) An order adopted by the commissioner of the Indiana
6 department of transportation under IC 9-20-1-3(d) or
7 IC 9-21-4-7(a) and designated by the commissioner as an
8 emergency rule.
 - 9 (2) An action taken by the director of the department of natural
10 resources under IC 14-22-2-6(d) or IC 14-22-6-13.
 - 11 (3) An emergency temporary standard adopted by the
12 occupational safety standards commission under
13 IC 22-8-1.1-16.1.
 - 14 (4) An emergency rule adopted by the solid waste management
15 board under IC 13-22-2-3 and classifying a waste as hazardous.
 - 16 (5) A rule, other than a rule described in subdivision (6), adopted
17 by the department of financial institutions under IC 24-4.5-6-107

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- 1 and declared necessary to meet an emergency.
- 2 (6) A rule required under IC 24-4.5-1-106 that is adopted by the
- 3 department of financial institutions and declared necessary to
- 4 meet an emergency under IC 24-4.5-6-107.
- 5 (7) A rule adopted by the Indiana utility regulatory commission to
- 6 address an emergency under IC 8-1-2-113.
- 7 (8) An emergency rule adopted by the state lottery commission
- 8 under IC 4-30-3-9.
- 9 (9) A rule adopted under IC 16-19-3-5 or IC 16-41-2-1 that the
- 10 executive board of the state department of health declares is
- 11 necessary to meet an emergency.
- 12 (10) An emergency rule adopted by the Indiana finance authority
- 13 under IC 8-21-12.
- 14 (11) An emergency rule adopted by the insurance commissioner
- 15 under IC 27-1-23-7.
- 16 (12) An emergency rule adopted by the Indiana horse racing
- 17 commission under IC 4-31-3-9.
- 18 (13) An emergency rule adopted by the air pollution control
- 19 board, the solid waste management board, or the water pollution
- 20 control board under IC 13-15-4-10(4) or to comply with a
- 21 deadline required by or other date provided by federal law,
- 22 provided:
- 23 (A) the variance procedures are included in the rules; and
- 24 (B) permits or licenses granted during the period the
- 25 emergency rule is in effect are reviewed after the emergency
- 26 rule expires.
- 27 (14) An emergency rule adopted by the Indiana election
- 28 commission under IC 3-6-4.1-14.
- 29 (15) An emergency rule adopted by the department of natural
- 30 resources under IC 14-10-2-5.
- 31 (16) An emergency rule adopted by the Indiana gaming
- 32 commission under IC 4-32.2-3-3(b), IC 4-33-4-2, IC 4-33-4-3,
- 33 IC 4-33-4-14, or IC 4-35-4-2.
- 34 (17) An emergency rule adopted by the alcohol and tobacco
- 35 commission under IC 7.1-3-17.5, IC 7.1-3-17.7, or
- 36 IC 7.1-3-20-24.4.
- 37 (18) An emergency rule adopted by the department of financial
- 38 institutions under IC 28-15-11.
- 39 (19) An emergency rule adopted by the office of the secretary of
- 40 family and social services under IC 12-8-1-12.
- 41 (20) An emergency rule adopted by the office of the children's
- 42 health insurance program under IC 12-17.6-2-11.

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- 1 (21) An emergency rule adopted by the office of Medicaid policy
- 2 and planning under IC 12-15-41-15.
- 3 (22) An emergency rule adopted by the Indiana state board of
- 4 animal health under IC 15-17-10-9.
- 5 (23) An emergency rule adopted by the board of directors of the
- 6 Indiana education savings authority under IC 21-9-4-7.
- 7 (24) An emergency rule adopted by the Indiana board of tax
- 8 review under IC 6-1.1-4-34 (repealed).
- 9 (25) An emergency rule adopted by the department of local
- 10 government finance under IC 6-1.1-4-33 (repealed).
- 11 (26) An emergency rule adopted by the boiler and pressure vessel
- 12 rules board under IC 22-13-2-8(c).
- 13 (27) An emergency rule adopted by the Indiana board of tax
- 14 review under IC 6-1.1-4-37(l) (repealed) or an emergency rule
- 15 adopted by the department of local government finance under
- 16 IC 6-1.1-4-36(j) (repealed) or IC 6-1.1-22.5-20.
- 17 (28) An emergency rule adopted by the board of the Indiana
- 18 economic development corporation under IC 5-28-5-8.
- 19 (29) A rule adopted by the department of financial institutions
- 20 under IC 34-55-10-2.5.
- 21 (30) A rule adopted by the Indiana finance authority:
- 22 (A) under IC 8-15.5-7 approving user fees (as defined in
- 23 IC 8-15.5-2-10) provided for in a public-private agreement
- 24 under IC 8-15.5;
- 25 (B) under IC 8-15-2-17.2(a)(10):
- 26 (i) establishing enforcement procedures; and
- 27 (ii) making assessments for failure to pay required tolls;
- 28 (C) under IC 8-15-2-14(a)(3) authorizing the use of and
- 29 establishing procedures for the implementation of the
- 30 collection of user fees by electronic or other nonmanual
- 31 means; or
- 32 (D) to make other changes to existing rules related to a toll
- 33 road project to accommodate the provisions of a public-private
- 34 agreement under IC 8-15.5.
- 35 (31) An emergency rule adopted by the board of the Indiana
- 36 health informatics corporation under IC 5-31-5-8.
- 37 **(32) An emergency rule adopted by the athletic commission**
- 38 **under IC 25-9-1-4.5.**
- 39 (b) The following do not apply to rules described in subsection (a):
- 40 (1) Sections 24 through 36 of this chapter.
- 41 (2) IC 13-14-9.
- 42 (c) After a rule described in subsection (a) has been adopted by the

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1 agency, the agency shall submit the rule to the publisher for the
 2 assignment of a document control number. The agency shall submit the
 3 rule in the form required by section 20 of this chapter and with the
 4 documents required by section 21 of this chapter. The publisher shall
 5 determine the format of the rule and other documents to be submitted
 6 under this subsection.

7 (d) After the document control number has been assigned, the
 8 agency shall submit the rule to the publisher for filing. The agency
 9 shall submit the rule in the form required by section 20 of this chapter
 10 and with the documents required by section 21 of this chapter. The
 11 publisher shall determine the format of the rule and other documents
 12 to be submitted under this subsection.

13 (e) Subject to section 39 of this chapter, the publisher shall:

- 14 (1) accept the rule for filing; and
- 15 (2) electronically record the date and time that the rule is
 16 accepted.

17 (f) A rule described in subsection (a) takes effect on the latest of the
 18 following dates:

- 19 (1) The effective date of the statute delegating authority to the
 20 agency to adopt the rule.
- 21 (2) The date and time that the rule is accepted for filing under
 22 subsection (e).
- 23 (3) The effective date stated by the adopting agency in the rule.
- 24 (4) The date of compliance with every requirement established by
 25 law as a prerequisite to the adoption or effectiveness of the rule.

26 (g) Subject to subsection (h), IC 14-10-2-5, IC 14-22-2-6,
 27 IC 22-8-1.1-16.1, and IC 22-13-2-8(c), and except as provided in
 28 subsections (j), (k), and (l), a rule adopted under this section expires
 29 not later than ninety (90) days after the rule is accepted for filing under
 30 subsection (e). Except for a rule adopted under subsection (a)(13),
 31 (a)(24), (a)(25), or (a)(27), the rule may be extended by adopting
 32 another rule under this section, but only for one (1) extension period.
 33 The extension period for a rule adopted under subsection (a)(28) may
 34 not exceed the period for which the original rule was in effect. A rule
 35 adopted under subsection (a)(13) may be extended for two (2)
 36 extension periods. Subject to subsection (j), a rule adopted under
 37 subsection (a)(24), (a)(25), or (a)(27) may be extended for an unlimited
 38 number of extension periods. Except for a rule adopted under
 39 subsection (a)(13), for a rule adopted under this section to be effective
 40 after one (1) extension period, the rule must be adopted under:

- 41 (1) sections 24 through 36 of this chapter; or
- 42 (2) IC 13-14-9;

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1 as applicable.

2 (h) A rule described in subsection (a)(8), (a)(12), or (a)(29) expires

3 on the earlier of the following dates:

4 (1) The expiration date stated by the adopting agency in the rule.

5 (2) The date that the rule is amended or repealed by a later rule

6 adopted under sections 24 through 36 of this chapter or this

7 section.

8 (i) This section may not be used to readopt a rule under IC 4-22-2.5.

9 (j) A rule described in subsection (a)(24) or (a)(25) expires not later

10 than January 1, 2006.

11 (k) A rule described in subsection (a)(28) expires on the expiration

12 date stated by the board of the Indiana economic development

13 corporation in the rule.

14 (l) A rule described in subsection (a)(30) expires on the expiration

15 date stated by the Indiana finance authority in the rule.

16 (m) A rule described in subsection (a)(5) or (a)(6) expires on the

17 date the department is next required to issue a rule under the statute

18 authorizing or requiring the rule.

19 SECTION 2. IC 10-13-3-38.5, AS AMENDED BY P.L.1-2006,

20 SECTION 173, IS AMENDED TO READ AS FOLLOWS

21 [EFFECTIVE JULY 1, 2009]: Sec. 38.5. (a) Under federal P.L.92-544

22 (86 Stat. 1115), the department may use an individual's fingerprints

23 submitted by the individual for the following purposes:

24 (1) Determining the individual's suitability for employment with

25 the state, or as an employee of a contractor of the state, in a

26 position:

27 (A) that has a job description that includes contact with, care

28 of, or supervision over a person less than eighteen (18) years

29 of age;

30 (B) that has a job description that includes contact with, care

31 of, or supervision over an endangered adult (as defined in

32 IC 12-10-3-2), except the individual is not required to meet the

33 standard for harmed or threatened with harm set forth in

34 IC 12-10-3-2(a)(3);

35 (C) at a state institution managed by the office of the secretary

36 of family and social services or state department of health;

37 (D) at the Indiana School for the Deaf established by

38 IC 20-22-2-1;

39 (E) at the Indiana School for the Blind and Visually Impaired

40 established by IC 20-21-2-1;

41 (F) at a juvenile detention facility;

42 (G) with the Indiana gaming commission under IC 4-33-3-16;

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1 (H) with the department of financial institutions under
 2 IC 28-11-2-3; or
 3 (I) that has a job description that includes access to or
 4 supervision over state financial or personnel data, including
 5 state warrants, banking codes, or payroll information
 6 pertaining to state employees.
 7 (2) Identification in a request related to an application for a
 8 teacher's license submitted to the department of education
 9 established by IC 20-19-3-1.
 10 (3) Use by the state ~~boxing~~ **athletic** commission established under
 11 IC 25-9-1-1 for licensure of a promoter (as defined in
 12 IC 25-9-1-0.7) under IC 25-9-1.
 13 (4) Use by the Indiana board of pharmacy in determining the
 14 individual's suitability for a position or employment with a
 15 wholesale drug distributor, as specified in IC 25-26-14-16(b),
 16 IC 25-26-14-16.5(b), IC 25-26-14-17.8(c), and IC 25-26-14-20.
 17 An applicant shall submit the fingerprints in an appropriate format or
 18 on forms provided for the employment or license application. The
 19 department shall charge each applicant the fee established under
 20 section 28 of this chapter and by federal authorities to defray the costs
 21 associated with a search for and classification of the applicant's
 22 fingerprints. The department may forward fingerprints submitted by an
 23 applicant to the Federal Bureau of Investigation or any other agency for
 24 processing. The state personnel department or the agency to which the
 25 applicant is applying for employment or a license may receive the
 26 results of all fingerprint investigations.
 27 (b) An applicant who is an employee of the state may not be charged
 28 under subsection (a).
 29 (c) Subsection (a)(1) does not apply to an employee of a contractor
 30 of the state if the contract involves the construction or repair of a
 31 capital project or other public works project of the state.
 32 SECTION 3. IC 22-12-1-23 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 23. "Regulated place
 34 of amusement or entertainment" refers to the following:
 35 (1) A theater, opera house, movie theater, dance hall, night club
 36 with a stage or floor show, or another place that offers an
 37 amusement or entertainment to the public for consideration or
 38 promotional purposes.
 39 (2) A place where a boxing, **sparring, or unarmed combat**
 40 **match or** exhibition is conducted under the supervision of the
 41 state ~~boxing~~ **athletic** commission.
 42 (3) A hall, gymnasium, or place of assembly where a school,

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1 college, university, social or fraternal organization, lodge, farmers
 2 organization, society, labor union, trade association, or church
 3 holds any type of amusement.

4 (4) A public or private place where a regulated amusement device
 5 is operated.

6 SECTION 4. IC 25-1-2-6, AS AMENDED BY P.L.3-2008,
 7 SECTION 176, IS AMENDED TO READ AS FOLLOWS
 8 [EFFECTIVE JULY 1, 2009]: Sec. 6. (a) As used in this section,
 9 "license" includes all occupational and professional licenses,
 10 registrations, permits, and certificates issued under the Indiana Code,
 11 and "licensee" includes all occupational and professional licensees,
 12 registrants, permittees, and certificate holders regulated under the
 13 Indiana Code.

14 (b) This section applies to the following entities that regulate
 15 occupations or professions under the Indiana Code:

- 16 (1) Indiana board of accountancy.
- 17 (2) Indiana grain buyers and warehouse licensing agency.
- 18 (3) Indiana auctioneer commission.
- 19 (4) Board of registration for architects and landscape architects.
- 20 (5) State board of barber examiners.
- 21 (6) State board of cosmetology examiners.
- 22 (7) Medical licensing board of Indiana.
- 23 (8) Secretary of state.
- 24 (9) State board of dentistry.
- 25 (10) State board of funeral and cemetery service.
- 26 (11) Worker's compensation board of Indiana.
- 27 (12) Indiana state board of health facility administrators.
- 28 (13) Committee of hearing aid dealer examiners.
- 29 (14) Indiana state board of nursing.
- 30 (15) Indiana optometry board.
- 31 (16) Indiana board of pharmacy.
- 32 (17) Indiana plumbing commission.
- 33 (18) Board of podiatric medicine.
- 34 (19) Private investigator and security guard licensing board.
- 35 (20) State board of registration for professional engineers.
- 36 (21) Board of environmental health specialists.
- 37 (22) State psychology board.
- 38 (23) Indiana real estate commission.
- 39 (24) Speech-language pathology and audiology board.
- 40 (25) Department of natural resources.
- 41 (26) State ~~boxing~~ **athletic** commission.
- 42 (27) Board of chiropractic examiners.

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- 1 (28) Mining board.
- 2 (29) Indiana board of veterinary medical examiners.
- 3 (30) State department of health.
- 4 (31) Indiana physical therapy committee.
- 5 (32) Respiratory care committee.
- 6 (33) Occupational therapy committee.
- 7 (34) Social worker, marriage and family therapist, and mental
- 8 health counselor board.
- 9 (35) Real estate appraiser licensure and certification board.
- 10 (36) State board of registration for land surveyors.
- 11 (37) Physician assistant committee.
- 12 (38) Indiana dietitians certification board.
- 13 (39) Indiana hypnotist committee.
- 14 (40) Attorney general (only for the regulation of athlete agents).
- 15 (41) Manufactured home installer licensing board.
- 16 (42) Home inspectors licensing board.
- 17 (43) State board of massage therapy.
- 18 (44) Any other occupational or professional agency created after
- 19 June 30, 1981.

20 (c) Notwithstanding any other law, the entities included in
 21 subsection (b) shall send a notice of the upcoming expiration of a
 22 license to each licensee at least sixty (60) days prior to the expiration
 23 of the license. The notice must inform the licensee of the need to renew
 24 and the requirement of payment of the renewal fee. If this notice of
 25 expiration is not sent by the entity, the licensee is not subject to a
 26 sanction for failure to renew if, once notice is received from the entity,
 27 the license is renewed within forty-five (45) days of the receipt of the
 28 notice.

29 SECTION 5. IC 25-1-4-0.3, AS AMENDED BY P.L.2-2008,
 30 SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2009]: Sec. 0.3. As used in this chapter, "board" means any of
 32 the following:

- 33 (1) Indiana board of accountancy (IC 25-2.1-2-1).
- 34 (2) Board of registration for architects and landscape architects
 35 (IC 25-4-1-2).
- 36 (3) Indiana athletic trainers board (IC 25-5.1-2-1).
- 37 (4) Indiana auctioneer commission (IC 25-6.1-2-1).
- 38 (5) State board of barber examiners (IC 25-7-5-1).
- 39 ~~(6) State boxing commission (IC 25-9-1).~~
- 40 ~~(7)~~ (6) Board of chiropractic examiners (IC 25-10-1).
- 41 ~~(8)~~ (7) State board of cosmetology examiners (IC 25-8-3-1).
- 42 ~~(9)~~ (8) State board of dentistry (IC 25-14-1).

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- 1 ~~(10)~~ **(9)** Indiana dietitians certification board (IC 25-14.5-2-1).
 2 ~~(11)~~ **(10)** State board of registration for professional engineers
 3 (IC 25-31-1-3).
 4 ~~(12)~~ **(11)** Board of environmental health specialists (IC 25-32-1).
 5 ~~(13)~~ **(12)** State board of funeral and cemetery service
 6 (IC 25-15-9).
 7 ~~(14)~~ **(13)** Indiana state board of health facility administrators
 8 (IC 25-19-1).
 9 ~~(15)~~ **(14)** Committee of hearing aid dealer examiners
 10 (IC 25-20-1-1.5).
 11 ~~(16)~~ **(15)** Home inspectors licensing board (IC 25-20.2-3-1).
 12 ~~(17)~~ **(16)** Indiana hypnotist committee (IC 25-20.5-1-7).
 13 ~~(18)~~ **(17)** State board of registration for land surveyors
 14 (IC 25-21.5-2-1).
 15 ~~(19)~~ **(18)** Manufactured home installer licensing board
 16 (IC 25-23.7).
 17 ~~(20)~~ **(19)** Medical licensing board of Indiana (IC 25-22.5-2).
 18 ~~(21)~~ **(20)** Indiana state board of nursing (IC 25-23-1).
 19 ~~(22)~~ **(21)** Occupational therapy committee (IC 25-23.5).
 20 ~~(23)~~ **(22)** Indiana optometry board (IC 25-24).
 21 ~~(24)~~ **(23)** Indiana board of pharmacy (IC 25-26).
 22 ~~(25)~~ **(24)** Indiana physical therapy committee (IC 25-27-1).
 23 ~~(26)~~ **(25)** Physician assistant committee (IC 25-27.5).
 24 ~~(27)~~ **(26)** Indiana plumbing commission (IC 25-28.5-1-3).
 25 ~~(28)~~ **(27)** Board of podiatric medicine (IC 25-29-2-1).
 26 ~~(29)~~ **(28)** Private investigator and security guard licensing board
 27 (IC 25-30-1-5.2).
 28 ~~(30)~~ **(29)** State psychology board (IC 25-33).
 29 ~~(31)~~ **(30)** Indiana real estate commission (IC 25-34.1-2).
 30 ~~(32)~~ **(31)** Real estate appraiser licensure and certification board
 31 (IC 25-34.1-8).
 32 ~~(33)~~ **(32)** Respiratory care committee (IC 25-34.5).
 33 ~~(34)~~ **(33)** Social worker, marriage and family therapist, and
 34 mental health counselor board (IC 25-23.6).
 35 ~~(35)~~ **(34)** Speech-language pathology and audiology board
 36 (IC 25-35.6-2).
 37 ~~(36)~~ **(35)** Indiana board of veterinary medical examiners
 38 (IC 25-38.1-2).

39 SECTION 6. IC 25-1-6-3, AS AMENDED BY P.L.3-2008,
 40 SECTION 177, IS AMENDED TO READ AS FOLLOWS
 41 [EFFECTIVE JULY 1, 2009]: Sec. 3. (a) The licensing agency shall
 42 perform all administrative functions, duties, and responsibilities

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1 assigned by law or rule to the executive director, secretary, or other
2 statutory administrator of the following:

- 3 (1) Indiana board of accountancy (IC 25-2.1-2-1).
- 4 (2) Board of registration for architects and landscape architects
5 (IC 25-4-1-2).
- 6 (3) Indiana auctioneer commission (IC 25-6.1-2-1).
- 7 (4) State board of barber examiners (IC 25-7-5-1).
- 8 ~~(5) State boxing commission (IC 25-9-1).~~
- 9 ~~(6)~~ (5) State board of cosmetology examiners (IC 25-8-3-1).
- 10 ~~(7)~~ (6) State board of funeral and cemetery service (IC 25-15-9).
- 11 ~~(8)~~ (7) State board of registration for professional engineers
12 (IC 25-31-1-3).
- 13 ~~(9)~~ (8) Indiana plumbing commission (IC 25-28.5-1-3).
- 14 ~~(10)~~ (9) Indiana real estate commission (IC 25-34.1).
- 15 ~~(11)~~ (10) Real estate appraiser licensure and certification board
16 (IC 25-34.1-8-1).
- 17 ~~(12)~~ (11) Private investigator and security guard licensing board
18 (IC 25-30-1-5.2).
- 19 ~~(13)~~ (12) State board of registration for land surveyors
20 (IC 25-21.5-2-1).
- 21 ~~(14)~~ (13) Manufactured home installer licensing board
22 (IC 25-23.7).
- 23 ~~(15)~~ (14) Home inspectors licensing board (IC 25-20.2-3-1).
- 24 ~~(16)~~ (15) State board of massage therapy (IC 25-21.8-2-1).

25 (b) Nothing in this chapter may be construed to give the licensing
26 agency policy making authority, which remains with each board.

27 SECTION 7. IC 25-1-7-1, AS AMENDED BY P.L.134-2008,
28 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
29 JULY 1, 2009]: Sec. 1. As used in this chapter:

30 "Board" means the appropriate agency listed in the definition of
31 regulated occupation in this section.

32 "Director" refers to the director of the division of consumer
33 protection.

34 "Division" refers to the division of consumer protection, office of
35 the attorney general.

36 "Licensee" means a person who is:

- 37 (1) licensed, certified, or registered by a board listed in this
38 section; and
- 39 (2) the subject of a complaint filed with the division.

40 "Person" means an individual, a partnership, a limited liability
41 company, or a corporation.

42 "Regulated occupation" means an occupation in which a person is

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- 1 licensed, certified, or registered by one (1) of the following:
- 2 (1) Indiana board of accountancy (IC 25-2.1-2-1).
- 3 (2) Board of registration for architects and landscape architects
- 4 (IC 25-4-1-2).
- 5 (3) Indiana auctioneer commission (IC 25-6.1-2-1).
- 6 (4) State board of barber examiners (IC 25-7-5-1).
- 7 (5) State ~~boxing~~ **athletic** commission (IC 25-9-1).
- 8 (6) Board of chiropractic examiners (IC 25-10-1).
- 9 (7) State board of cosmetology examiners (IC 25-8-3-1).
- 10 (8) State board of dentistry (IC 25-14-1).
- 11 (9) State board of funeral and cemetery service (IC 25-15-9).
- 12 (10) State board of registration for professional engineers
- 13 (IC 25-31-1-3).
- 14 (11) Indiana state board of health facility administrators
- 15 (IC 25-19-1).
- 16 (12) Medical licensing board of Indiana (IC 25-22.5-2).
- 17 (13) Indiana state board of nursing (IC 25-23-1).
- 18 (14) Indiana optometry board (IC 25-24).
- 19 (15) Indiana board of pharmacy (IC 25-26).
- 20 (16) Indiana plumbing commission (IC 25-28.5-1-3).
- 21 (17) Board of podiatric medicine (IC 25-29-2-1).
- 22 (18) Board of environmental health specialists (IC 25-32-1).
- 23 (19) State psychology board (IC 25-33).
- 24 (20) Speech-language pathology and audiology board
- 25 (IC 25-35.6-2).
- 26 (21) Indiana real estate commission (IC 25-34.1-2).
- 27 (22) Indiana board of veterinary medical examiners (~~IC 25-5-1-1~~;
- 28 *IC 25-34.1-2*).
- 29 (23) Department of natural resources for purposes of licensing
- 30 water well drillers under IC 25-39-3.
- 31 (24) Respiratory care committee (IC 25-34.5).
- 32 (25) Private investigator and security guard licensing board
- 33 (IC 25-30-1-5.2).
- 34 (26) Occupational therapy committee (IC 25-23.5).
- 35 (27) Social worker, marriage and family therapist, and mental
- 36 health counselor board (IC 25-23.6).
- 37 (28) Real estate appraiser licensure and certification board
- 38 (IC 25-34.1-8).
- 39 (29) State board of registration for land surveyors
- 40 (IC 25-21.5-2-1).
- 41 (30) Physician assistant committee (IC 25-27.5).
- 42 (31) Indiana athletic trainers board (IC 25-5.1-2-1).

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- 1 (32) Indiana dietitians certification board (IC 25-14.5-2-1).
- 2 (33) Indiana hypnotist committee (IC 25-20.5-1-7).
- 3 (34) Indiana physical therapy committee (IC 25-27).
- 4 (35) Manufactured home installer licensing board (IC 25-23.7).
- 5 (36) Home inspectors licensing board (IC 25-20.2-3-1).
- 6 (37) State department of health, for out-of-state mobile health
- 7 care entities.
- 8 (38) State board of massage therapy (IC 25-21.8-2-1).
- 9 (39) Any other occupational or professional agency created after
- 10 June 30, 1981.
- 11 SECTION 8. IC 25-1-8-1, AS AMENDED BY P.L.3-2008,
- 12 SECTION 179, IS AMENDED TO READ AS FOLLOWS
- 13 [EFFECTIVE JULY 1, 2009]: Sec. 1. As used in this chapter, "board"
- 14 means any of the following:
- 15 (1) Indiana board of accountancy (IC 25-2.1-2-1).
- 16 (2) Board of registration for architects and landscape architects
- 17 (IC 25-4-1-2).
- 18 (3) Indiana auctioneer commission (IC 25-6.1-2-1).
- 19 (4) State board of barber examiners (IC 25-7-5-1).
- 20 (5) State ~~boxing~~ **athletic** commission (IC 25-9-1).
- 21 (6) Board of chiropractic examiners (IC 25-10-1).
- 22 (7) State board of cosmetology examiners (IC 25-8-3-1).
- 23 (8) State board of dentistry (IC 25-14-1).
- 24 (9) State board of funeral and cemetery service (IC 25-15).
- 25 (10) State board of registration for professional engineers
- 26 (IC 25-31-1-3).
- 27 (11) Indiana state board of health facility administrators
- 28 (IC 25-19-1).
- 29 (12) Medical licensing board of Indiana (IC 25-22.5-2).
- 30 (13) Mining board (IC 22-10-1.5-2).
- 31 (14) Indiana state board of nursing (IC 25-23-1).
- 32 (15) Indiana optometry board (IC 25-24).
- 33 (16) Indiana board of pharmacy (IC 25-26).
- 34 (17) Indiana plumbing commission (IC 25-28.5-1-3).
- 35 (18) Board of environmental health specialists (IC 25-32-1).
- 36 (19) State psychology board (IC 25-33).
- 37 (20) Speech-language pathology and audiology board
- 38 (IC 25-35.6-2).
- 39 (21) Indiana real estate commission (IC 25-34.1-2-1).
- 40 (22) Indiana board of veterinary medical examiners
- 41 (IC 25-38.1-2-1).
- 42 (23) Department of insurance (IC 27-1).

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- 1 (24) State police department (IC 10-11-2-4), for purposes of
- 2 certifying polygraph examiners under IC 25-30-2.
- 3 (25) Department of natural resources for purposes of licensing
- 4 water well drillers under IC 25-39-3.
- 5 (26) Private investigator and security guard licensing board
- 6 (IC 25-30-1-5.2).
- 7 (27) Occupational therapy committee (IC 25-23.5-2-1).
- 8 (28) Social worker, marriage and family therapist, and mental
- 9 health counselor board (IC 25-23.6-2-1).
- 10 (29) Real estate appraiser licensure and certification board
- 11 (IC 25-34.1-8).
- 12 (30) State board of registration for land surveyors
- 13 (IC 25-21.5-2-1).
- 14 (31) Physician assistant committee (IC 25-27.5).
- 15 (32) Indiana athletic trainers board (IC 25-5.1-2-1).
- 16 (33) Board of podiatric medicine (IC 25-29-2-1).
- 17 (34) Indiana dietitians certification board (IC 25-14.5-2-1).
- 18 (35) Indiana physical therapy committee (IC 25-27).
- 19 (36) Manufactured home installer licensing board (IC 25-23.7).
- 20 (37) Home inspectors licensing board (IC 25-20.2-3-1).
- 21 (38) State board of massage therapy (IC 25-21.8-2-1).
- 22 (39) Any other occupational or professional agency created after
- 23 June 30, 1981.

24 SECTION 9. IC 25-1-8-6, AS AMENDED BY P.L.105-2008,
 25 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2009]: Sec. 6. (a) As used in this section, "board" means any
 27 of the following:

- 28 (1) Indiana board of accountancy (IC 25-2.1-2-1).
- 29 (2) Board of registration for architects and landscape architects
- 30 (IC 25-4-1-2).
- 31 (3) Indiana athletic trainers board (IC 25-5.1-2-1).
- 32 (4) Indiana auctioneer commission (IC 25-6.1-2-1).
- 33 (5) State board of barber examiners (IC 25-7-5-1).
- 34 ~~(6) State boxing commission (IC 25-9-1).~~
- 35 ~~(7)~~ (6) Board of chiropractic examiners (IC 25-10-1).
- 36 ~~(8)~~ (7) State board of cosmetology examiners (IC 25-8-3-1).
- 37 ~~(9)~~ (8) State board of dentistry (IC 25-14-1).
- 38 ~~(10)~~ (9) Indiana dietitians certification board (IC 25-14.5-2-1).
- 39 ~~(11)~~ (10) State board of registration for professional engineers
- 40 (IC 25-31-1-3).
- 41 ~~(12)~~ (11) Board of environmental health specialists (IC 25-32-1).
- 42 ~~(13)~~ (12) State board of funeral and cemetery service

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- 1 (IC 25-15-9).
- 2 ~~(14)~~ **(13)** Indiana state board of health facility administrators
- 3 (IC 25-19-1).
- 4 ~~(15)~~ **(14)** Committee of hearing aid dealer examiners
- 5 (IC 25-20-1-1.5).
- 6 ~~(16)~~ **(15)** Home inspectors licensing board (IC 25-20.2-3-1).
- 7 ~~(17)~~ **(16)** Indiana hypnotist committee (IC 25-20.5-1-7).
- 8 ~~(18)~~ **(17)** State board of registration for land surveyors
- 9 (IC 25-21.5-2-1).
- 10 ~~(19)~~ **(18)** Manufactured home installer licensing board
- 11 (IC 25-23.7).
- 12 ~~(20)~~ **(19)** Medical licensing board of Indiana (IC 25-22.5-2).
- 13 ~~(21)~~ **(20)** Indiana state board of nursing (IC 25-23-1).
- 14 ~~(22)~~ **(21)** Occupational therapy committee (IC 25-23.5).
- 15 ~~(23)~~ **(22)** Indiana optometry board (IC 25-24).
- 16 ~~(24)~~ **(23)** Indiana board of pharmacy (IC 25-26).
- 17 ~~(25)~~ **(24)** Indiana physical therapy committee (IC 25-27).
- 18 ~~(26)~~ **(25)** Physician assistant committee (IC 25-27.5).
- 19 ~~(27)~~ **(26)** Indiana plumbing commission (IC 25-28.5-1-3).
- 20 ~~(28)~~ **(27)** Board of podiatric medicine (IC 25-29-2-1).
- 21 ~~(29)~~ **(28)** Private investigator and security guard licensing board
- 22 (IC 25-30-1-5.2).
- 23 ~~(30)~~ **(29)** State psychology board (IC 25-33).
- 24 ~~(31)~~ **(30)** Indiana real estate commission (IC 25-34.1-2).
- 25 ~~(32)~~ **(31)** Real estate appraiser licensure and certification board
- 26 (IC 25-34.1-8).
- 27 ~~(33)~~ **(32)** Respiratory care committee (IC 25-34.5).
- 28 ~~(34)~~ **(33)** Social worker, marriage and family therapist, and
- 29 mental health counselor board (IC 25-23.6).
- 30 ~~(35)~~ **(34)** Speech-language pathology and audiology board
- 31 (IC 25-35.6-2).
- 32 ~~(36)~~ **(35)** Indiana board of veterinary medical examiners
- 33 (IC 25-38.1).
- 34 ~~(37)~~ **(36)** State board of massage therapy (IC 25-21.8-2-1).
- 35 (b) This section does not apply to a license, certificate, or
- 36 registration that has been revoked or suspended.
- 37 (c) Notwithstanding any other law regarding the reinstatement of a
- 38 delinquent or lapsed license, certificate, or registration and except as
- 39 provided in section 8 of this chapter, the holder of a license, certificate,
- 40 or registration that was issued by the board that is three (3) years or less
- 41 delinquent must be reinstated upon meeting the following
- 42 requirements:

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- 1 (1) Submission of the holder's completed renewal application.
- 2 (2) Payment of the current renewal fee established by the board
- 3 under section 2 of this chapter.
- 4 (3) Payment of a reinstatement fee established by the Indiana
- 5 professional licensing agency.
- 6 (4) If a law requires the holder to complete continuing education
- 7 as a condition of renewal, the holder:
- 8 (A) shall provide the board with a sworn statement, signed by
- 9 the holder, that the holder has fulfilled the continuing
- 10 education requirements required by the board; or
- 11 (B) shall, if the holder has not complied with the continuing
- 12 education requirements, meet any requirements imposed under
- 13 IC 25-1-4-5 and IC 25-1-4-6.
- 14 (d) Notwithstanding any other law regarding the reinstatement of a
- 15 delinquent or lapsed license, certificate, or registration and except as
- 16 provided in section 8 of this chapter, unless a statute specifically does
- 17 not allow a license, certificate, or registration to be reinstated if it has
- 18 lapsed for more than three (3) years, the holder of a license, certificate,
- 19 or registration that was issued by the board that is more than three (3)
- 20 years delinquent must be reinstated upon meeting the following
- 21 requirements:
- 22 (1) Submission of the holder's completed renewal application.
- 23 (2) Payment of the current renewal fee established by the board
- 24 under section 2 of this chapter.
- 25 (3) Payment of a reinstatement fee equal to the current initial
- 26 application fee.
- 27 (4) If a law requires the holder to complete continuing education
- 28 as a condition of renewal, the holder:
- 29 (A) shall provide the board with a sworn statement, signed by
- 30 the holder, that the holder has fulfilled the continuing
- 31 education requirements required by the board; or
- 32 (B) shall, if the holder has not complied with the continuing
- 33 education requirements, meet any requirements imposed under
- 34 IC 25-1-4-5 and IC 25-1-4-6.
- 35 (5) Complete such remediation and additional training as deemed
- 36 appropriate by the board given the lapse of time involved.
- 37 (6) Any other requirement that is provided for in statute or rule
- 38 that is not related to fees.
- 39 SECTION 10. IC 25-1-11-1, AS AMENDED BY P.L.3-2008,
- 40 SECTION 181, IS AMENDED TO READ AS FOLLOWS
- 41 [EFFECTIVE JULY 1, 2009]: Sec. 1. As used in this chapter, "board"
- 42 means any of the following:

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- 1 (1) Indiana board of accountancy (IC 25-2.1-2-1).
- 2 (2) Board of registration for architects and landscape architects
- 3 (IC 25-4-1-2).
- 4 (3) Indiana auctioneer commission (IC 25-6.1-2).
- 5 (4) State board of barber examiners (IC 25-7-5-1).
- 6 (5) State ~~boxing~~ **athletic** commission (IC 25-9-1).
- 7 (6) State board of cosmetology examiners (IC 25-8-3-1).
- 8 (7) State board of registration of land surveyors (IC 25-21.5-2-1).
- 9 (8) State board of funeral and cemetery service (IC 25-15-9).
- 10 (9) State board of registration for professional engineers
- 11 (IC 25-31-1-3).
- 12 (10) Indiana plumbing commission (IC 25-28.5-1-3).
- 13 (11) Indiana real estate commission (IC 25-34.1-2-1).
- 14 (12) Real estate appraiser licensure and certification board
- 15 (IC 25-34.1-8).
- 16 (13) Private investigator and security guard licensing board
- 17 (IC 25-30-1-5.2).
- 18 (14) Manufactured home installer licensing board (IC 25-23.7).
- 19 (15) Home inspectors licensing board (IC 25-20.2-3-1).
- 20 (16) State board of massage therapy (IC 25-21.8-2-1).

21 SECTION 11. IC 25-1-14-2, AS AMENDED BY P.L.105-2008,
 22 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2009]: Sec. 2. (a) A member of a board, committee, or
 24 commission may participate in a meeting of the board, committee, or
 25 commission:

- 26 (1) except as provided in subsections (b) and (c), at which at least
- 27 a quorum is physically present at the place where the meeting is
- 28 conducted; and
- 29 (2) by using a means of communication that permits:
- 30 (A) all other members participating in the meeting; and
- 31 (B) all members of the public physically present at the place
- 32 where the meeting is conducted;
- 33 to simultaneously communicate with each other during the
- 34 meeting.

35 (b) A member of a board, committee, or commission may participate
 36 in an emergency meeting of the board, committee, or commission to
 37 consider disciplinary sanctions under IC 25-1-9-10 or IC 25-1-11-13 by
 38 using a means of communication that permits:

- 39 (1) all other members participating in the meeting; and
- 40 (2) all members of the public physically present at the place
- 41 where the meeting is conducted;
- 42 to simultaneously communicate with each other during the meeting.

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1 (c) A member of the state ~~boxing~~ **athletic** commission may
2 participate in meetings of the commission to consider the final approval
3 of a permit for a particular boxing, ~~or sparring,~~ **or unarmed combat**
4 match or exhibition under IC 25-9-1-6(b) by using a means of
5 communication that permits:

- 6 (1) all other members participating in the meeting; and
7 (2) all members of the public physically present at the place
8 where the meeting is conducted;
9 to simultaneously communicate with each other during the meeting.

10 (d) A member who participates in a meeting under subsection (b) or
11 (c):

- 12 (1) is considered to be present at the meeting;
13 (2) shall be counted for purposes of establishing a quorum; and
14 (3) may vote at the meeting.

15 SECTION 12. IC 25-9-1-0.1 IS ADDED TO THE INDIANA CODE
16 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
17 1, 2009]: **Sec. 0.1. As used in this chapter, "boxing" means the art**
18 **of attack and defense with the fists, or feet in the case of kick**
19 **boxing, practiced as a sport.**

20 SECTION 13. IC 25-9-1-0.2 IS ADDED TO THE INDIANA CODE
21 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
22 1, 2009]: **Sec. 0.2. As used in this chapter, "commission" refers to**
23 **the state athletic commission established by IC 25-9-1-1.**

24 SECTION 14. IC 25-9-1-0.3 IS ADDED TO THE INDIANA CODE
25 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
26 1, 2009]: **Sec. 0.3. As used in this chapter, "mixed martial arts"**
27 **means the unarmed physical confrontation of persons involving the**
28 **use, subject to limitations as established by the commission, of a**
29 **combination of techniques from different disciplines of the martial**
30 **arts, including grappling, kicking, and striking.**

31 SECTION 15. IC 25-9-1-0.4 IS ADDED TO THE INDIANA CODE
32 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
33 1, 2009]: **Sec. 0.4. As used in this chapter, "professional boxer"**
34 **means a person who competes for money, teaches, pursues, or**
35 **assists in the practice of boxing as a means to obtain a livelihood or**
36 **pecuniary gain.**

37 SECTION 16. IC 25-9-1-0.6 IS ADDED TO THE INDIANA CODE
38 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
39 1, 2009]: **Sec. 0.6. As used in this chapter, "sparring" means**
40 **combat in which participants intend to and actually:**

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

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

3 SECTION 17. IC 25-9-1-0.8 IS ADDED TO THE INDIANA CODE
4 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
5 1, 2009]: **Sec. 0.8. As used in this chapter, "unarmed combat"**
6 **means the practice, or any related practice, of mixed martial arts**
7 **or martial arts.**

8 SECTION 18. IC 25-9-1-0.9 IS ADDED TO THE INDIANA CODE
9 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
10 1, 2009]: **Sec. 0.9. As used in this chapter, "unarmed competitor"**
11 **means a person who engages in an unarmed combat match,**
12 **contest, exhibition, or performance.**

13 SECTION 19. IC 25-9-1-1 IS AMENDED TO READ AS
14 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. (a) There is hereby
15 created a commission to be known as the state ~~boxing~~ **athletic**
16 **commission**, consisting of three (3) persons to be appointed by the
17 governor. The governor shall initially appoint one (1) of said
18 commissioners for a period of one (1) year, one (1) for a period of two
19 (2) years, and one (1) for a period of three (3) years; and upon the
20 expiration of the terms of such respective commissioners, the governor
21 shall appoint their successors, each to serve for a term of three (3)
22 years, and all to serve until their successors are appointed and
23 qualified. The members of the commission shall each be paid a salary
24 per diem for each day engaged in the discharge of ~~his~~ **the member's**
25 **duties**, and reimbursement for all necessary traveling and hotel
26 expenses expended outside the city of Indianapolis in accordance with
27 travel policies and procedures established by the department of
28 administration and the state budget agency.

29 (b) **The purpose of the commission is to ensure the:**
30 (1) **safety of participants in;**
31 (2) **fairness of; and**
32 (3) **integrity of;**
33 **sparring, boxing, and unarmed combat matches or exhibitions in**
34 **Indiana.**

35 SECTION 20. IC 25-9-1-1.5 IS ADDED TO THE INDIANA CODE
36 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
37 1, 2009]: **Sec. 1.5. (a) As used in this chapter, "fund" refers to the**
38 **athletic commission fund created by this section.**

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

42 (c) **Expenses of administering the fund shall be paid from money**

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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 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.

SECTION 21. IC 25-9-1-3, AS AMENDED BY P.L.197-2007, SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3. (a) The **executive director of the Indiana professional licensing agency gaming 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, ~~or~~ 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 ~~licensing agency~~ executive director of the Indiana gaming 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;**
- (3) prepare for service notices and other papers as may be required by the commission; and**
- (4) perform other duties as the ~~licensing agency~~ executive director of the Indiana gaming commission may prescribe.**

The ~~licensing agency~~ **executive director of the Indiana gaming commission** may employ only such clerical employees as may be actually necessary and fix their salaries as provided by law.

(c) The executive director of the Indiana gaming commission or

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1 **a deputy appointed under subsection (a) may, upon the request of**
2 **the commission, execute orders, subpoenas, continuances, and**
3 **other legal documents on behalf of the commission.**

4 ~~(c)~~ **(d)** Each commissioner shall be reimbursed for all actual and
5 necessary traveling expenses and disbursements incurred by them in
6 the discharge of their official duties. All reimbursements for traveling
7 expenses shall be in accordance with travel policies and procedures
8 established by the Indiana department of administration and the budget
9 agency. All expenses incurred in the administration of this chapter shall
10 be paid from the ~~general~~ fund upon appropriation being made for the
11 expenses.

12 SECTION 22. IC 25-9-1-4, AS AMENDED BY P.L.1-2006,
13 SECTION 425, IS AMENDED TO READ AS FOLLOWS
14 [EFFECTIVE JULY 1, 2009]: Sec. 4. The commission shall maintain
15 offices for the transaction of its business in the city of Indianapolis,
16 Indiana, and may, with the approval of the **executive director of the**
17 **Indiana professional licensing agency** ~~(IC 25-1-5-3)~~, **gaming**
18 **commission**, incur the necessary expense for rent, office furniture,
19 stationery, printing, and other incidental expense.

20 SECTION 23. IC 25-9-1-4.5, AS ADDED BY P.L.112-2007,
21 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2009]: Sec. 4.5. **(a)** In accordance with IC 35-45-18-1(b), the
23 commission ~~shall~~ **may** adopt rules under IC 4-22-2 to ~~define~~ **regulate**
24 **the conduct of** the following:

- 25 ~~(1) Ultimate fighting:~~
- 26 ~~(2) Ultimate Fighting Championships:~~
- 27 ~~(3) (1) Mixed martial arts.~~
- 28 ~~(4) (2) Martial arts, including the following:~~
 - 29 (A) Jujutsu.
 - 30 (B) Karate.
 - 31 (C) Kickboxing.
 - 32 (D) Kung fu.
 - 33 (E) Tae kwon do.
 - 34 **(F) Judo.**
 - 35 **(G) Sambo.**
 - 36 **(H) Pankration.**
 - 37 **(I) Shootwrestling.**
- 38 ~~(5) (3) Professional wrestling.~~
- 39 **(4) Boxing.**
- 40 **(5) Sparring.**

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

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

4 **(2) an emergency rule is likely to address the need.**

5 SECTION 24. IC 25-9-1-5, AS AMENDED BY P.L.197-2007,
 6 SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2009]: Sec. 5. (a) Boxing, ~~and~~ sparring, **and unarmed**
 8 **combat** matches or exhibitions, **whether or not** for prizes or purses,
 9 may be held in Indiana.

10 (b) The commission:

11 (1) has the sole direction, management, control, and jurisdiction
 12 over all boxing, ~~and~~ sparring, **and unarmed combat** matches or
 13 exhibitions to be conducted, held, or given in Indiana; and

14 (2) may issue licenses for those matches or exhibitions.

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

17 (1) conducted by any school, college, or university within Indiana;

18 **or**

19 (2) sanctioned by United States Amateur Boxing, Inc.; ~~or~~

20 ~~(3) without a prize or purse;~~

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

25 (d) **Except as provided under IC 25-9-1-9.5**, no boxing, ~~or~~
 26 sparring, **or unarmed combat** match or exhibition, except as provided
 27 in this article, shall be held or conducted within Indiana except under
 28 a license and permit issued by the ~~state boxing athletic~~ **gaming** commission in
 29 accordance with the provisions of this chapter and the rules adopted
 30 under this chapter.

31 SECTION 25. IC 25-9-1-6, AS AMENDED BY P.L.197-2007,
 32 SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2009]: Sec. 6. (a) The commission may:

34 (1) cause to be issued by the **executive director of the** Indiana
 35 ~~professional licensing agency~~ **gaming commission** under the
 36 name and seal of the ~~state boxing~~ **gaming** commission, an annual license
 37 in writing for holding boxing, ~~or~~ sparring, **or unarmed combat**
 38 matches or exhibitions to any person who is qualified under this
 39 chapter; and

40 (2) adopt rules to establish the qualifications of the applicants.

41 (b) In addition to the general license, a person must, before
 42 conducting any particular boxing, ~~or~~ sparring, **or unarmed combat**

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1 match or exhibition where one (1) or more contests are to be held,
2 obtain a permit from the ~~state boxing~~ commission.

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

6 (d) A person who conducts a boxing, ~~or~~ sparring, **or unarmed**
7 **combat** match or exhibition without first obtaining a license or permit
8 commits a Class B misdemeanor.

9 SECTION 26. IC 25-9-1-7, AS AMENDED BY P.L.197-2007,
10 SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2009]: Sec. 7. (a) Applications for licenses or permits to
12 conduct or participate in, either directly or indirectly, a boxing, ~~or~~
13 sparring, **or unarmed combat** match or exhibition shall be:

14 (1) made in writing upon forms prescribed by the ~~state boxing~~
15 commission and shall be addressed to and filed with the **executive**
16 **director of the** Indiana ~~professional licensing agency; gaming~~
17 **commission;** and

18 (2) verified by the applicant, if an individual, or by some officer
19 of the club, corporation, or association in whose behalf the
20 application is made.

21 (b) The application for a permit to conduct a particular boxing, ~~or~~
22 sparring, **or unarmed combat** match or exhibition, shall, among other
23 things, state:

24 (1) the time and exact place at which the boxing, ~~or~~ sparring, **or**
25 **unarmed combat** match or exhibition is proposed to be held;

26 (2) the names of the contestants who will participate and their
27 seconds;

28 (3) the seating capacity of the buildings or the hall in which such
29 exhibition is proposed to be held;

30 (4) the admission charge which is proposed to be made;

31 (5) the amount of the compensation percentage of gate receipts
32 which is proposed to be paid to each of the participants;

33 (6) the name and address of the person making the application;

34 (7) the names and addresses of all the officers if the person is a
35 club, a corporation, or an association; and

36 (8) the record of each contestant from a source approved by the
37 commission.

38 (c) The commission shall cause to be kept by the ~~licensing agency~~
39 **executive director of the Indiana gaming commission** proper records
40 of the names and addresses of all persons receiving permits and
41 licenses.

42 SECTION 27. IC 25-9-1-9 IS AMENDED TO READ AS

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1 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 9. All promoters, either
 2 corporations or natural persons, physicians, referees, judges,
 3 timekeepers, matchmakers, professional boxers, **unarmed**
 4 **competitors, their managers of professional boxers or unarmed**
 5 **competitors,** trainers and seconds, shall be licensed as provided in this
 6 chapter, and no such corporation or person shall be permitted to
 7 participate, either directly or indirectly, in any such boxing, or sparring,
 8 **or unarmed combat** match or exhibition, or the holding thereof,
 9 unless such corporation and all such persons shall have first procured
 10 licenses. For the purpose of this chapter a "professional boxer" is
 11 deemed to be one who competes for money or teaches or pursues or
 12 assists in the practice of boxing as a means of obtaining a livelihood or
 13 pecuniary gain; and any No contest conforming to the rules, regulations
 14 and requirements of this chapter shall be deemed to be a boxing match
 15 and not a prize-fight.

16 SECTION 28. IC 25-9-1-9.5 IS ADDED TO THE INDIANA CODE
 17 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 18 1, 2009]: Sec. 9.5. (a) As used in this section, "amateur mixed
 19 martial arts" refers to mixed martial arts that is:

- 20 (1) performed for training purposes in a school or other
 21 educational facility for no:
 22 (A) purse; or
 23 (B) prize with a value greater than one hundred dollars
 24 (\$100); or
 25 (2) performed in a match, contest, exhibition, or performance
 26 for no:
 27 (A) purse; or
 28 (B) prize with a value greater than one hundred dollars
 29 (\$100).

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

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

41 (c) For amateur mixed martial arts matches or exhibitions, only:
 42 (1) a body sanctioning the match or exhibition; and

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1 (2) the promoter of the match or exhibition;
2 must procure licenses under this article. The commission shall
3 develop procedures and standards governing application for
4 licensure and license renewal of bodies sanctioning a match or
5 exhibition and promoters under this section. The commission shall
6 develop procedures for inspection and enforcement with respect to
7 licenses issued under this subsection.

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

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

14 (1) The presence of a medical doctor licensed under
15 IC 25-22.5.

16 (2) The presence of an ambulance.

17 (3) Requirements for medical and life insurance to be carried
18 for each participant.

19 (4) The need for medical tests, including:

20 (A) tests for HIV;

21 (B) pregnancy tests for women participants; and

22 (C) screening tests for illegal drugs.

23 SECTION 29. IC 25-9-1-10 IS AMENDED TO READ AS
24 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 10. No permit or
25 license may be issued to any person who has not complied with this
26 chapter or who, prior to the applications, has failed to obey a rule,
27 regulation or order of the ~~state boxing~~ commission. In the case of a
28 club, corporation, or association, no license or permit may be issued to
29 it if, prior to its application, any of its officers have violated this
30 chapter or any rule, regulation or order of the ~~state boxing~~ commission.
31 No promoters, physicians, referees, judges, timekeepers, matchmakers,
32 ~~or~~ professional boxers, **unarmed competitors**, ~~their~~ managers of
33 **professional boxers or unarmed competitors**, trainers or seconds
34 may be licensed if they are holders of a federal gambling stamp. A
35 license or permit when issued shall recite that the person to whom it is
36 granted has complied with this chapter, and a license or permit is not
37 transferable.

38 SECTION 30. IC 25-9-1-11 IS AMENDED TO READ AS
39 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 11. The commission
40 shall have full power and authority to limit the number of boxing, ~~or~~
41 sparring, **or unarmed combat** matches or exhibitions to be held or
42 given by any person, club, organization, or corporation in any city or

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1 town in this state.

2 SECTION 31. IC 25-9-1-12 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 12. (a) A person to
4 whom a permit is issued shall not:

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

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

17 SECTION 32. IC 25-9-1-13 IS AMENDED TO READ AS
18 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 13. In case the ~~state~~
19 ~~boxing~~ commission refuses to grant a license or permit to any
20 applicant, the applicant, at ~~his or its~~ **the applicant's** option, shall be
21 entitled to a hearing in the manner hereinafter provided, but if the ~~state~~
22 ~~boxing~~ commission, prior to such refusal, after a hearing, has found by
23 a valid finding that the applicant has been guilty of disobeying any rule,
24 regulation, or order, of the ~~state boxing~~ commission, or of any of the
25 provisions of this chapter, such applicant shall not be entitled to a
26 license or permit; and in case any boxing, ~~or sparring,~~ **or unarmed**
27 **combat** match, or exhibition has been conducted by any person, club,
28 corporation, or association under the provisions of this chapter, the
29 ~~state boxing~~ commission on its own motion, or on the petition of any
30 resident of the state of Indiana, under the provisions of IC 25-1-7, ~~and~~
31 ~~section 14 of this chapter,~~ may conduct a hearing to determine whether
32 such person, club, corporation, or association has disobeyed any rule,
33 regulation, or order of the ~~state boxing~~ commission or has been guilty
34 of any violation of the provisions of this chapter.

35 SECTION 33. IC 25-9-1-14.1 IS AMENDED TO READ AS
36 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 14.1. Any hearing by
37 the ~~board~~ **commission** shall be in accordance with IC 4-21.5-3.

38 SECTION 34. IC 25-9-1-15, AS AMENDED BY P.L.197-2007,
39 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
40 JULY 1, 2009]: Sec. 15. All buildings or structures used, or in any way
41 to be used for the purpose of holding or giving therein boxing, ~~or~~
42 sparring, **or unarmed combat** matches or exhibitions, shall be

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1 properly ventilated and provided with fire exits and fire escapes, if
2 need be, and in all manner shall conform to the laws, ordinances, and
3 regulations pertaining to buildings in the city or town where situated.

4 SECTION 35. IC 25-9-1-16, AS AMENDED BY P.L.197-2007,
5 SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
6 JULY 1, 2009]: Sec. 16. (a) A person shall not:

- 7 (1) permit any person under the age of eighteen (18) years to
8 participate in any boxing or sparring match or exhibition;
- 9 (2) permit any gambling on the result of, or on any contingency in
10 connection with, any boxing or sparring match or exhibition
11 conducted by it; or
- 12 (3) participate in or permit any sham or collusive boxing or
13 sparring match or exhibition.

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

- 16 (1) have the person's license or permit revoked, **suspended, or**
17 **restricted by the commission;**
- 18 (2) **be placed on probation by the commission;**
- 19 (3) **pay a civil penalty not to exceed one thousand dollars**
20 **(\$1,000) imposed by the commission; and be**
- 21 (4) **be rendered ineligible by the commission** for a license or
22 permit at any future time; **or**
- 23 (5) **be subject to the imposition by the commission of any**
24 **combination of the penalties set forth in subdivisions (1)**
25 **through (4).**

26 SECTION 36. IC 25-9-1-17, AS AMENDED BY P.L.197-2007,
27 SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 JULY 1, 2009]: Sec. 17. (a) A person shall not:

- 29 (1) participate in any sham or collusive boxing or sparring match
30 or exhibition where the match or exhibition is conducted by a
31 licensed person; or
- 32 (2) being under the age of eighteen (18), participate in any boxing
33 or sparring match or exhibition.

34 (b) If a person violating this section is a licensed contestant in this
35 state, the person shall for the first offense, in addition to the fine: ~~suffer~~
36 ~~a revocation of the~~

- 37 (1) **have the person's license or permit and for revoked,**
38 **suspended, or restricted by the commission;**
- 39 (2) **be placed on probation by the commission;**
- 40 (3) **pay a civil penalty not to exceed one thousand dollars**
41 **(\$1,000) imposed by the commission;**
- 42 (4) **be rendered ineligible by the commission for a license or**

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1 **permit at any future time; or**
 2 **(5) be subject to the imposition by the commission of any**
 3 **combination of the penalties set forth in subdivisions (1)**
 4 **through (4).**

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

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

12 SECTION 37. IC 25-9-1-18 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 18. (a) Each contestant
 14 for boxing, ~~or~~ sparring, **or unarmed combat** shall be examined within
 15 two (2) hours prior to entering the ring by a competent physician
 16 licensed under IC 25-22.5 appointed by the commission. The physician
 17 shall, ~~if he~~ **the physician** so finds the facts, certify in writing forthwith
 18 over ~~his~~ **the physician's** signature that each contestant is physically fit
 19 to engage in the contest, and the physician's certificate shall be
 20 delivered to the commission before the contest. The physician shall
 21 also mail the report of examination to the commission within a period
 22 of twenty-four (24) hours after the contest. Blank forms of physicians'
 23 reports shall be furnished to physicians by the commission, and
 24 questions on blank forms must be answered in full. No match, contest,
 25 or exhibition shall be held unless a licensed physician is in attendance.
 26 Any boxer **or unarmed competitor** who, in the opinion of the
 27 physician, is physically unfit to enter the match or exhibition shall be
 28 excused by the commission or its deputy. During the conduct of the
 29 match or exhibition, the physician may observe the physical condition
 30 of the boxers **or unarmed competitors** and advise the referee with
 31 regard thereto; and if, in the opinion of the physician, any contestant in
 32 any match or exhibition is physically unfit to continue, ~~he~~ **the**
 33 **physician** shall so advise the referee.

34 (b) No boxing or sparring match or exhibition may last more than
 35 twelve (12) rounds, and no one (1) round may last more than three (3)
 36 minutes. There must not be less than one (1) minute intermission
 37 between each round. The commission may in respect to any bout or in
 38 respect to any class of contestants limit the number of rounds of the
 39 bout within the maximum of twelve (12) rounds.

40 (c) Any contestant in a boxing or sparring match or an exhibition
 41 shall wear gloves of standard make, weighing not less than eight (8)
 42 ounces, and the gloves worn by each of the contestants shall be equal

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in weight.

(d) At each boxing, ~~or~~ sparring, **or unarmed combat** match or exhibition there must be in attendance, at the expense of the person conducting the match or exhibition, a duly licensed referee who shall direct and control the same. Before starting each contest, the referee shall ascertain from each contestant the name of his chief second, and shall hold the chief second responsible for the conduct of his assistant seconds during the contest. The referee may declare forfeited any remuneration or purse or any part thereof belonging to the contestants, or one (1) of them, if, in the referee's judgment, the contestant or contestants are not honestly competing. Any remuneration or purse, or part thereof, so forfeited shall be paid into the ~~state treasury for the use of the state:~~ **fund.**

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

(f) A person who holds any boxing, ~~or~~ 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.

SECTION 38. IC 25-9-1-19, AS AMENDED BY P.L.197-2007, SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 19. (a) No contestant shall be permitted to participate in any boxing, ~~or~~ sparring, **or unarmed combat** match or exhibition unless duly registered and licensed with the ~~state boxing~~ commission, which license must be renewed biennially. The license fee and the renewal fee shall 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 Indiana professional licensing agency; gaming commission,** which application shall, among other things, state:

- (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. Application for renewal license shall 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

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1 has been registered with the commission with the correct name of the
2 applicant.

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

11 SECTION 39. IC 25-9-1-20, AS AMENDED BY P.L.194-2005,
12 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 2009]: Sec. 20. (a) The commission shall, upon **proper**
14 application, ~~to the Indiana professional licensing agency,~~ grant licenses
15 to competent referees and judges whose qualifications may be tested by
16 the commission, and the commission may revoke any such license
17 granted to any referee or judge upon such cause as the commission may
18 deem sufficient. Such license must be renewed biennially. No person
19 shall be permitted to act as referee or judge in Indiana unless holding
20 such license.

21 (b) The application for license as referee, or renewal thereof, shall
22 be accompanied by a fee established by the commission under
23 IC 25-1-8-2.

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

26 SECTION 40. IC 25-9-1-20.5, AS AMENDED BY P.L.197-2007,
27 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 JULY 1, 2009]: Sec. 20.5. The commission may declare any person
29 who has been convicted of an offense under IC 35-48 ineligible to
30 participate in any boxing, ~~or~~ sparring, **or unarmed combat** match or
31 exhibition, or any other activity or event regulated by the commission,
32 notwithstanding that the person may hold a valid license issued by the
33 commission. The period of ineligibility shall be for not less than six (6)
34 months nor more than three (3) years, as determined by the
35 commission. If any such person shall be declared ineligible, the
36 commission shall suspend such convicted person and declare the
37 person ineligible to participate in any boxing, ~~or~~ sparring, **or unarmed**
38 **combat** match or exhibition, or any other activity or event regulated by
39 the commission, as soon as it discovers the conviction, but the period
40 of ineligibility shall commence from the actual date of the conviction.
41 During the period of ineligibility, the suspended person may reapply to
42 the commission for a license in the manner provided, and the

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1 commission may rescind the prior order of suspension.
 2 SECTION 41. IC 25-9-1-21, AS AMENDED BY P.L.197-2007,
 3 SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 4 JULY 1, 2009]: Sec. 21. (a) Any license provided for under this chapter
 5 may be revoked or suspended by the commission for reasons deemed
 6 sufficient under this chapter and under IC 25-1-11.
 7 (b) If a person displays to the public credentials issued by the
 8 commission that:
 9 (1) have been revoked or suspended under this section or under
 10 sections 16, 17, and 20.5 of this chapter; or
 11 (2) have expired;
 12 the commission may act under this section, or the commission may
 13 declare the person ineligible for a period to be determined by the
 14 commission to participate in any boxing, ~~or~~ sparring, **or unarmed**
 15 **combat** match, exhibition, or other activity regulated by the
 16 commission.
 17 SECTION 42. IC 25-9-1-22, AS AMENDED BY P.L.197-2007,
 18 SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2009]: Sec. 22. (a) Every person, club, corporation, firm, or
 20 association which may conduct any match or exhibition under this
 21 chapter shall, within twenty-four (24) hours after the termination
 22 thereof:
 23 (1) furnish to the ~~Indiana professional licensing agency~~
 24 **commission** by mail, a written report duly verified by that person
 25 or, if a club, corporation, firm, or association, by one (1) of its
 26 officers, showing the amount of the gross proceeds for the match
 27 or exhibition, and other related matters as the commission may
 28 prescribe; ~~and~~
 29 (2) pay a tax of five percent (5%) of the price of admission
 30 collected from the sale of each admission ticket to the match or
 31 exhibition, which price shall be a separate and distinct charge and
 32 shall not include any tax imposed on and collected on account of
 33 the sale of any such ticket. Money derived from such state tax
 34 shall be deposited in the ~~state general~~ fund; **and**
 35 **(3) pay all fees established by the commission necessary to**
 36 **cover the administrative costs of its regulatory oversight**
 37 **function.**
 38 (b) Before any license shall be granted for any boxing, ~~or~~ sparring,
 39 **or unarmed combat** match or exhibition in this state, a bond or other
 40 instrument that provides financial recourse must be provided to the
 41 ~~state boxing~~ commission. The instrument must be:
 42 (1) in an amount determined by the commission;

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- 1 (2) approved as to form and sufficiency of the sureties thereon by
- 2 the commission;
- 3 (3) payable to the state of Indiana; and
- 4 (4) conditioned for the payment of the tax imposed, the officials
- 5 and contestants, and compliance with this chapter and the valid
- 6 rules of the commission.

7 SECTION 43. IC 25-9-1-22.5 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 22.5. (a) Every person,
 9 club, corporation, firm, or association holding or showing any boxing,
 10 ~~or~~ sparring, **or unarmed combat** matches on a closed circuit telecast,
 11 pay per view telecast, or subscription television viewed within Indiana,
 12 whether originating within Indiana or another state, shall furnish the
 13 **executive director of the Indiana professional licensing agency**
 14 **gaming commission** a written report, under oath, stating the amount
 15 of gross proceeds thereof, and such other matter as the commission
 16 may prescribe, and shall, within seventy-two (72) hours after the
 17 showing of the contest, pay a tax of five percent (5%) of its total gross
 18 receipts for the showing of the boxing, ~~or~~ sparring, **or unarmed**
 19 **combat** match. Money derived from such state tax shall be placed in
 20 the ~~state general~~ fund.

21 (b) This section does not apply to a showing occurring at a private
 22 residence.

23 SECTION 44. IC 25-9-1-24, AS AMENDED BY P.L.197-2007,
 24 SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2009]: Sec. 24. The commission may appoint official
 26 representatives, designated as inspectors, each of whom shall receive
 27 from the commission a card authorizing the official representative to
 28 act as an inspector wherever the commission may designate the official
 29 representative to act. One (1) inspector or deputy shall be present at all
 30 boxing, ~~or~~ sparring, **or unarmed combat** matches or exhibitions, and
 31 see that the rules of the commission and the provisions of this chapter
 32 are strictly observed, and shall also be present at the counting up of the
 33 gross receipts, and shall immediately mail to the commission the final
 34 box-office statement received by ~~him~~ **the inspector or deputy** from the
 35 person or officers of the club, corporation, or association conducting
 36 the match or exhibition.

37 SECTION 45. IC 25-9-1-25 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 25. The weights and
 39 classes of boxers **and unarmed competitors** and the rules and
 40 regulations of boxing **and unarmed combat** shall be determined by the
 41 ~~state boxing~~ commission.

42 SECTION 46. IC 25-9-1-26, AS AMENDED BY P.L.197-2007,

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1 SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2009]: Sec. 26. All tickets of admission to any boxing, ~~or~~
3 sparring, **or unarmed combat** match or exhibition shall clearly show
4 their purchase price, and no such tickets shall be sold for more than the
5 price printed on the tickets. It shall be unlawful for any person, club,
6 corporation, or association to admit to such contest a number of people
7 greater than the seating capacity of the place where such contest is
8 held.

9 SECTION 47. IC 25-9-1-28, AS AMENDED BY P.L.1-2006,
10 SECTION 426, IS AMENDED TO READ AS FOLLOWS
11 [EFFECTIVE JULY 1, 2009]: Sec. 28. All fees received by the
12 **executive director of the Indiana professional licensing agency**
13 ~~(IC 25-1-5-3)~~ **gaming commission** on behalf of the commission under
14 the provisions of this chapter shall be paid to the ~~state treasurer to be~~
15 ~~placed by the treasurer in the general fund of the state: fund.~~

16 SECTION 48. IC 25-9-1-34 IS ADDED TO THE INDIANA CODE
17 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY
18 1, 2009]: **Sec. 34. The commission may adopt rules under IC 4-22-2**
19 **to administer this chapter.**

20 SECTION 49. IC 35-45-18-1, AS ADDED BY P.L.112-2007,
21 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2009]: Sec. 1. (a) As used in this chapter, "combative
23 fighting" (also known as "toughman fighting", "badman fighting", and
24 "extreme fighting") means a match, contest, or exhibition that involves
25 at least (2) contestants, with or without gloves or protective headgear,
26 in which the contestants:

- 27 (1) use their:
 - 28 (A) hands;
 - 29 (B) feet; or
 - 30 (C) both hands and feet;
- 31 to strike each other; and
- 32 (2) compete for a financial prize or any item of pecuniary value.
- 33 (b) The term does not include:
 - 34 (1) a boxing, ~~or~~ sparring, **or unarmed combat** match regulated
35 under IC 25-9-;
 - 36 ~~(2) ultimate fighting; as defined by the state boxing commission~~
37 ~~in rules adopted under IC 25-9-1-4.5;~~
 - 38 ~~(3) Ultimate Fighting Championships; as defined by the state~~
39 ~~boxing commission in rules adopted under IC 25-9-1-4.5;~~
 - 40 ~~(4) (2) mixed martial arts as defined by the state boxing~~
41 ~~commission in rules adopted under IC 25-9-1-4.5; (as defined by~~
42 ~~IC 25-9-1-0.3).~~

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- 1 ~~(5)~~ **(3)** martial arts, as ~~defined~~ **regulated** by the state ~~boxing~~
 2 **athletic** commission in rules adopted under IC 25-9-1-4.5;
- 3 ~~(6)~~ **(4)** professional wrestling, as ~~defined~~ **regulated** by the state
 4 ~~boxing~~ **athletic** commission in rules adopted under IC 25-9-1-4.5;
- 5 or
- 6 ~~(7)~~ **(5)** a match, contest, or game in which a fight breaks out
 7 among the participants as an unplanned, spontaneous event and
 8 not as an intended part of the match, contest, or game.

9 SECTION 50. [EFFECTIVE JULY 1, 2009] **808 IAC 1-1.1-2, 808**
 10 **IAC 1-1.1-3, and 808 IAC 1-1.1-4 are void. The publisher of the**
 11 **Indiana Administrative Code and Indiana Register shall remove**
 12 **these sections from the Indiana Administrative Code.**

13 SECTION 51. [EFFECTIVE JULY 1, 2009] **(a) The rules adopted**
 14 **by the state boxing commission before July 1, 2009, and in effect on**
 15 **June 30, 2009, shall be treated after June 30, 2009, as the rules of**
 16 **the state athletic commission.**

17 **(b) On July 1, 2009, the state athletic commission becomes the**
 18 **owner of all personal property of the state boxing commission**
 19 **abolished by this act.**

20 SECTION 52. [EFFECTIVE JULY 1, 2009] **Any rules adopted by**
 21 **the Indiana professional licensing agency before July 1, 2009, and**
 22 **in effect on June 30, 2009, that govern the state boxing commission**
 23 **shall be treated after June 30, 2009, as the rules of the state athletic**
 24 **commission established by IC 25-9-1-1, as amended by this act.**

25 SECTION 53. [EFFECTIVE JULY 1, 2009] **(a) As used in this**
 26 **SECTION, "fund" refers to the athletic commission fund created**
 27 **by IC 25-9-1-1.5, as added by this act.**

28 **(b) There is appropriated to the fund from the state general**
 29 **fund an amount sufficient to administer IC 25-9-1 for the state**
 30 **fiscal year beginning July 1, 2009, and ending July 1, 2010.**

31 **(c) This SECTION expires December 31, 2010.**

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COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 160, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill be reassigned to the Senate Committee on Pensions and Labor.

(Reference is to SB 160 as introduced.)

LONG, Chairperson

 COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Bill No. 160, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 14, line 13, delete "." and insert "**or martial arts.**".

Page 14, line 18, after "arts" insert "**or martial arts.**".

Page 15, line 21, delete "Indiana gaming commission or the".

Page 15, line 23, delete "Indiana gaming commission or the".

Page 16, between lines 11 and 12, begin a new line double block indented and insert:

"(F) Judo.

(G) Sambo.

(H) Pankration.

(I) Shootwrestling."

Page 16, between lines 12 and 13, begin a new line block indented and insert:

"(4) Boxing.

(5) Sparring."

Page 16, line 26, strike "or".

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Page 16, between lines 26 and 27, begin a new line block indented and insert:

"(3) sanctioned by the National Martial Arts Federation and held at a venue with a seating capacity of less than five thousand (5,000) spectators; or".

Page 16, line 27, strike "(3)" and insert "(4)".

Page 25, line 41, delete "Indiana gaming".

Page 27, line 4, delete "Indiana" and insert **"state athletic commission established by IC 25-9-1-1, as amended by this act."**.

Page 27, delete line 5.

and when so amended that said bill do pass.

(Reference is to SB 160 as printed January 30, 2009.)

KRUSE, Chairperson

Committee Vote: Yeas 8, Nays 0.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, to which was referred Senate Bill 160, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations and to make an appropriation.

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 4-22-2-37.1, AS AMENDED BY P.L.90-2008, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 37.1. (a) This section applies to a rulemaking action resulting in any of the following rules:

- (1) An order adopted by the commissioner of the Indiana department of transportation under IC 9-20-1-3(d) or IC 9-21-4-7(a) and designated by the commissioner as an emergency rule.
- (2) An action taken by the director of the department of natural resources under IC 14-22-2-6(d) or IC 14-22-6-13.
- (3) An emergency temporary standard adopted by the occupational safety standards commission under IC 22-8-1.1-16.1.

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- (4) An emergency rule adopted by the solid waste management board under IC 13-22-2-3 and classifying a waste as hazardous.
- (5) A rule, other than a rule described in subdivision (6), adopted by the department of financial institutions under IC 24-4.5-6-107 and declared necessary to meet an emergency.
- (6) A rule required under IC 24-4.5-1-106 that is adopted by the department of financial institutions and declared necessary to meet an emergency under IC 24-4.5-6-107.
- (7) A rule adopted by the Indiana utility regulatory commission to address an emergency under IC 8-1-2-113.
- (8) An emergency rule adopted by the state lottery commission under IC 4-30-3-9.
- (9) A rule adopted under IC 16-19-3-5 or IC 16-41-2-1 that the executive board of the state department of health declares is necessary to meet an emergency.
- (10) An emergency rule adopted by the Indiana finance authority under IC 8-21-12.
- (11) An emergency rule adopted by the insurance commissioner under IC 27-1-23-7.
- (12) An emergency rule adopted by the Indiana horse racing commission under IC 4-31-3-9.
- (13) An emergency rule adopted by the air pollution control board, the solid waste management board, or the water pollution control board under IC 13-15-4-10(4) or to comply with a deadline required by or other date provided by federal law, provided:
- (A) the variance procedures are included in the rules; and
 - (B) permits or licenses granted during the period the emergency rule is in effect are reviewed after the emergency rule expires.
- (14) An emergency rule adopted by the Indiana election commission under IC 3-6-4.1-14.
- (15) An emergency rule adopted by the department of natural resources under IC 14-10-2-5.
- (16) An emergency rule adopted by the Indiana gaming commission under IC 4-32.2-3-3(b), IC 4-33-4-2, IC 4-33-4-3, IC 4-33-4-14, or IC 4-35-4-2.
- (17) An emergency rule adopted by the alcohol and tobacco commission under IC 7.1-3-17.5, IC 7.1-3-17.7, or IC 7.1-3-20-24.4.
- (18) An emergency rule adopted by the department of financial institutions under IC 28-15-11.

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- (19) An emergency rule adopted by the office of the secretary of family and social services under IC 12-8-1-12.
- (20) An emergency rule adopted by the office of the children's health insurance program under IC 12-17.6-2-11.
- (21) An emergency rule adopted by the office of Medicaid policy and planning under IC 12-15-41-15.
- (22) An emergency rule adopted by the Indiana state board of animal health under IC 15-17-10-9.
- (23) An emergency rule adopted by the board of directors of the Indiana education savings authority under IC 21-9-4-7.
- (24) An emergency rule adopted by the Indiana board of tax review under IC 6-1.1-4-34 (repealed).
- (25) An emergency rule adopted by the department of local government finance under IC 6-1.1-4-33 (repealed).
- (26) An emergency rule adopted by the boiler and pressure vessel rules board under IC 22-13-2-8(c).
- (27) An emergency rule adopted by the Indiana board of tax review under IC 6-1.1-4-37(l) (repealed) or an emergency rule adopted by the department of local government finance under IC 6-1.1-4-36(j) (repealed) or IC 6-1.1-22.5-20.
- (28) An emergency rule adopted by the board of the Indiana economic development corporation under IC 5-28-5-8.
- (29) A rule adopted by the department of financial institutions under IC 34-55-10-2.5.
- (30) A rule adopted by the Indiana finance authority:
- (A) under IC 8-15.5-7 approving user fees (as defined in IC 8-15.5-2-10) provided for in a public-private agreement under IC 8-15.5;
 - (B) under IC 8-15-2-17.2(a)(10):
 - (i) establishing enforcement procedures; and
 - (ii) making assessments for failure to pay required tolls;
 - (C) under IC 8-15-2-14(a)(3) authorizing the use of and establishing procedures for the implementation of the collection of user fees by electronic or other nonmanual means; or
 - (D) to make other changes to existing rules related to a toll road project to accommodate the provisions of a public-private agreement under IC 8-15.5.
- (31) An emergency rule adopted by the board of the Indiana health informatics corporation under IC 5-31-5-8.
- (32) An emergency rule adopted by the athletic commission under IC 25-9-1-4.5.**

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(b) The following do not apply to rules described in subsection (a):

- (1) Sections 24 through 36 of this chapter.
- (2) IC 13-14-9.

(c) After a rule described in subsection (a) has been adopted by the agency, the agency shall submit the rule to the publisher for the assignment of a document control number. The agency shall submit the rule in the form required by section 20 of this chapter and with the documents required by section 21 of this chapter. The publisher shall determine the format of the rule and other documents to be submitted under this subsection.

(d) After the document control number has been assigned, the agency shall submit the rule to the publisher for filing. The agency shall submit the rule in the form required by section 20 of this chapter and with the documents required by section 21 of this chapter. The publisher shall determine the format of the rule and other documents to be submitted under this subsection.

(e) Subject to section 39 of this chapter, the publisher shall:

- (1) accept the rule for filing; and
- (2) electronically record the date and time that the rule is accepted.

(f) A rule described in subsection (a) takes effect on the latest of the following dates:

- (1) The effective date of the statute delegating authority to the agency to adopt the rule.
- (2) The date and time that the rule is accepted for filing under subsection (e).
- (3) The effective date stated by the adopting agency in the rule.
- (4) The date of compliance with every requirement established by law as a prerequisite to the adoption or effectiveness of the rule.

(g) Subject to subsection (h), IC 14-10-2-5, IC 14-22-2-6, IC 22-8-1.1-16.1, and IC 22-13-2-8(c), and except as provided in subsections (j), (k), and (l), a rule adopted under this section expires not later than ninety (90) days after the rule is accepted for filing under subsection (e). Except for a rule adopted under subsection (a)(13), (a)(24), (a)(25), or (a)(27), the rule may be extended by adopting another rule under this section, but only for one (1) extension period. The extension period for a rule adopted under subsection (a)(28) may not exceed the period for which the original rule was in effect. A rule adopted under subsection (a)(13) may be extended for two (2) extension periods. Subject to subsection (j), a rule adopted under subsection (a)(24), (a)(25), or (a)(27) may be extended for an unlimited number of extension periods. Except for a rule adopted under

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subsection (a)(13), for a rule adopted under this section to be effective after one (1) extension period, the rule must be adopted under:

- (1) sections 24 through 36 of this chapter; or
- (2) IC 13-14-9;

as applicable.

(h) A rule described in subsection (a)(8), (a)(12), or (a)(29) expires on the earlier of the following dates:

- (1) The expiration date stated by the adopting agency in the rule.
- (2) The date that the rule is amended or repealed by a later rule adopted under sections 24 through 36 of this chapter or this section.

(i) This section may not be used to readopt a rule under IC 4-22-2.5.

(j) A rule described in subsection (a)(24) or (a)(25) expires not later than January 1, 2006.

(k) A rule described in subsection (a)(28) expires on the expiration date stated by the board of the Indiana economic development corporation in the rule.

(l) A rule described in subsection (a)(30) expires on the expiration date stated by the Indiana finance authority in the rule.

(m) A rule described in subsection (a)(5) or (a)(6) expires on the date the department is next required to issue a rule under the statute authorizing or requiring the rule."

Page 14, line 18, delete "competes for money, teaches, pursues, or" and insert "**engages in an unarmed combat match, contest, exhibition, or performance.**"

Page 14, delete lines 19 through 20.

Page 14, line 22, after "Sec. 1." insert "(a)".

Page 14, between lines 36 and 37, begin a new paragraph and insert:

"(b) The purpose of the commission is to ensure the:

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

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

SECTION 20. IC 25-9-1-1.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 1.5. (a) As used in this chapter, "fund" refers to the athletic commission fund created by this section.**

(b) The athletic commission 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

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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 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."

Page 15, line 30, strike "general".

Page 15, line 42, after "4.5." insert "(a)".

Page 16, between lines 18 and 19, begin a new paragraph and insert:

"(b) The athletic commission may adopt emergency rules under IC 4-22-2-37.1 if the athletic 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."**

Page 16, line 22, delete "exhibitions" and insert "exhibitions, whether or not".

Page 16, line 22, after "purses" insert ",".

Page 16, line 31, after ";" insert "or".

Page 16 delete lines 33 through 35.

Page 16, line 36, delete "(4)".

Page 16, line 36, strike "without a prize or purse;".

Page 16, line 41, delete "No" and insert **"Except as provided under IC 25-9-1-9.5, no"**.

Page 17, line 2, after "boxing" insert **"athletic"**.

Page 17, line 18, after "revoked" insert **"or suspended"**.

Page 18, between lines 30 and 31, begin a new paragraph and insert:
"SECTION 26, IC 25-9-1-9.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 9.5. (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**

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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 article. 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;

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**(B) pregnancy tests for women participants; and
(C) screening tests for illegal drugs."**

Page 20, delete lines 12 through 42, begin a new paragraph and insert:

"SECTION 32. IC 25-9-1-16, AS AMENDED BY P.L.197-2007, SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 16. (a) A person shall not:

- (1) permit any person under the age of eighteen (18) years 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 shall, in addition to any criminal penalty:

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

SECTION 1. IC 25-9-1-17, AS AMENDED BY P.L.197-2007, SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 17. (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 under the age of eighteen (18), participate in any boxing or sparring match or exhibition.

(b) If a person violating this section is a licensed contestant in this state, the person shall for the first offense, in addition to the fine: ~~suffer a revocation of the~~

- (1) have the person's license or permit ~~and~~ for revoked, suspended, or restricted by the commission;**
- (2) be placed on probation by the commission;**
- (3) pay a civil penalty not to exceed one thousand dollars (\$1,000) imposed by the commission;**

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- (4) be rendered ineligible by the commission for a license or permit at any future time; or**
- (5) be 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)."

Page 21, delete line 1.

Page 22, line 2, strike "state treasury for the use".

Page 22, strike line 3 and insert "**fund**".

Page 24, line 24, strike "state general".

Page 25, line 10, strike "state general".

Page 26, line 4, strike "state treasurer to be".

Page 26, strike line 5 and insert "**fund**".

Page 27, after line 14, begin a new paragraph and insert:

"SECTION 51. [EFFECTIVE JULY 1, 2009] **(a) As used in this SECTION, "fund" refers to the athletic commission fund created by IC 25-9-1-1.5, as added by this act.**

(b) There is appropriated to the fund from the state general fund an amount sufficient to administer IC 25-9-1 for the state fiscal year beginning July 1, 2009, and ending July 1, 2010.

(c) This SECTION expires December 31, 2010."

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 160 as printed February 20, 2009.)

VAN HAAFTEN, Chair

Committee Vote: yeas 8, nays 0.

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