

REPORTS:

No

HEARINGS:

No

NEWSPAPER ARTICLES:

Yes

"Whitman signs bill on extreme wrestling," 9-19-2000, Philadelphia Inquirer, p.B3

ASSEMBLY, No. 2304

STATE OF NEW JERSEY 209th LEGISLATURE

INTRODUCED MAY 1, 2000

Sponsored by:

Assemblyman JOSEPH V. DORIA, JR.

District 31 (Hudson)

Assemblyman JACK COLLINS

District 3 (Salem, Cumberland and Gloucester)

Co-Sponsored by:

Assemblyman LeFevre and Senator DiFrancesco

SYNOPSIS

Provides for regulation of extreme wrestling by State Athletic Control Board.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/27/2000)

1 AN ACT concerning extreme wrestling, amending P.L.1985, c.83 and
2 P.L.1988, c.20.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 1 of P.L.1985, c.83 (C.5:2A-1) is amended to read as
8 follows:

9 1. As used in this act:

10 a. "Attending physician" means a physician assigned to attend a
11 boxing exhibition or performance pursuant to this act.

12 b. "Board" means the State Athletic Control Board established
13 pursuant to section 3 of this act.

14 c. "Commissioner" means the commissioner appointed pursuant to
15 section 5 of this act.

16 d. "Contest" means an engagement in which the participants strive
17 in good faith to win.

18 e. "Council" means the State Athletic Control Board Medical
19 Advisory Council established pursuant to section 8 of this act.

20 f. "Event" means any occurrence in which a boxer, wrestler,
21 extreme wrestler, kick boxer or combative sports practitioner displays
22 or exhibits his skills, performs or fights, but does not include
23 professional wrestling except as provided in section 5 of P.L.1997,
24 c.36 (C.5:2A-14.3).

25 g. "Exhibition" means an engagement in which the participants
26 show or display their skills without necessarily striving to win, but
27 does not include professional wrestling except as provided in section
28 5 of P.L.1997, c.36 (C.5:2A-14.3).

29 h. "Kick boxing or Thai boxing" means any professional sport
30 where the use of hands or feet or other striking techniques are utilized
31 to disable or cause injury to an opponent in a contest, exhibition, or
32 performance.

33 i. "Combative sport" means any professional sport where
34 participants intend to and actually inflict kicks, punches, blows, and
35 other techniques to injure or disable an opponent in a contest,
36 exhibition, or performance.

37 j. "Martial arts" means any discipline where the participants utilize
38 kicks, punches, blows, and other techniques where the intent is not to
39 injure or disable an opponent in a contest, exhibition, or performance.

40 k. "Physician" means an individual licensed to practice medicine
41 and surgery in this State.

42 l. "Promoter" means any person, club, corporation or association,
43 and in the case of a corporate promoter includes any officer, director,

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 employee or stockholder thereof, who produces, arranges or stages
2 any professional boxing, wrestling, extreme wrestling, kick boxing, or
3 combative sports exhibition, event, performance or contest.

4 m. "Professional wrestling" means an activity in which participants
5 struggle [hand-in-hand] hand-to-hand primarily for the purpose of
6 providing entertainment to spectators rather than conducting a bona
7 fide athletic contest.

8 n. "Wrestling" means a bona fide athletic contest in which
9 participants struggle hand-in-hand with the object of winning by
10 throwing an opponent or scoring points and in which any purpose of
11 providing entertainment is secondary.

12 o. "Extreme wrestling" means an activity in which participants
13 struggle hand-to-hand and cut, slash or strike each other or themselves
14 with an implement to intentionally cause bleeding or perform any
15 intentional act which could reasonably be expected to cause bleeding,
16 primarily for the purpose of providing entertainment to spectators
17 rather than conducting a bona fide athletic contest.

18 (cf: P.L.1997, c.36, s.1)

19

20 2. Section 2 of P.L.1985, c.83 (C.5:2A-2) is amended to read as
21 follows:

22 2. The Legislature finds and declares to be the public policy of this
23 State that it is in the best interest of the public and of boxing,
24 wrestling, extreme wrestling, kick boxing and combative sports that
25 boxing, wrestling, extreme wrestling, kick boxing and combative
26 sports exhibitions, events, performances and contests should be subject
27 to an effective and efficient system of strict control and regulation in
28 order to:

29 a. Protect the safety and well-being of participants in boxing,
30 wrestling, extreme wrestling, kick boxing and combative sports
31 exhibitions, events, performances and contests; and

32 b. Promote the public confidence and trust in the regulatory
33 process and the conduct of boxing, wrestling, extreme wrestling, kick
34 boxing and combative sports exhibitions, events, performances and
35 contests.

36 To further such public confidence and trust, the regulatory
37 provisions of this act are designed to extend strict State regulation to
38 all persons, practices and associations related to the operation of any
39 boxing, wrestling, extreme wrestling, kick boxing or combative sports
40 exhibition, event, performance or contest held in this State.

41 The Legislature further finds and declares that, because its principal
42 purpose is to entertain without injuring or disabling one of the
43 participants, professional wrestling should be excluded from this
44 system of regulation and control.

45 The Legislature further finds and declares that, because its principal
46 purpose is to entertain by having its participants intentionally cause

1 bleeding, or perform acts which reasonably could be expected to cause
2 bleeding, extreme wrestling should be distinguished from professional
3 wrestling. The emphasis on dangerous stunts that cause injury and
4 bleeding makes extreme wrestling potentially harmful to its
5 participants. Furthermore, the atmosphere of base violence and
6 depravity that prevails at an extreme wrestling event has a deleterious
7 effect on children and young adults. Moreover, the liberal bloodletting
8 that characterizes many extreme wrestling events constitutes a public
9 health hazard not only for the participants, but also the spectators.
10 For all of these reasons, extreme wrestling should be subject to strict
11 State regulation.

12 Because the creativity of those who seek to profit from vulgarity
13 cannot be underestimated, the State Athletic Control Board should be
14 given a proper amount of latitude to regulate the attendant excesses
15 of extreme wrestling that presently exist and that could be
16 incorporated into extreme wrestling events in the future.

17 (cf: P.L.1997, c.36, s.2)

18

19 3. Section 4 of P.L.1985, c.83 (C.5:2A-4) is amended to read as
20 follows:

21 4. a. The State Athletic Control Board shall have and exercise sole
22 discretion, management, control and supervision over all public
23 boxing, wrestling, extreme wrestling, kick boxing and combative
24 sports exhibitions, events, performances and contests. The board shall
25 promulgate such rules and regulations as may be necessary and
26 appropriate to carry out the purposes of this act and for the proper
27 discharge of its responsibilities hereunder and may prescribe and
28 enforce penalties for the violation thereof.

29 b. The board shall promulgate rules that differentiate an extreme
30 wrestler from a professional wrestler, and an extreme wrestling event
31 from a professional wrestling event. If a person is unsure whether he
32 or she is an extreme wrestler, or if a promoter is unsure whether the
33 event being promoted is an extreme wrestling event, it shall be the
34 obligation of the person or the promoter, as appropriate, to consult the
35 board for a ruling.

36 (cf: P.L.1985, c.83, s.4)

37

38 4. Section 7 of P.L.1985, c.83 (C.5:2A-7) is amended to read as
39 follows:

40 7. The board shall have general responsibility for the
41 implementation of this act, as hereinafter provided, including without
42 limitation, the responsibility:

43 a. To issue licenses and to decide causes affecting the granting,
44 suspension, revocation or renewal thereof;

45 b. To conduct hearings or direct that hearings be conducted
46 pursuant to the "Administrative Procedure Act," P.L.1968, c.410

1 (C.52:14B-1 et seq.) pertaining to civil violations of this act or
2 regulations promulgated thereunder;
3 c. To promulgate rules and regulations;
4 d. To establish, prescribe and charge fees for licenses and permits;
5 e. To collect all license fees and taxes imposed by this act and the
6 regulations promulgated thereunder;
7 f. To levy and collect penalties for violations of provisions of this
8 act and the regulations promulgated thereunder; and
9 g. To ensure that all public boxing, wrestling, extreme wrestling,
10 kick boxing and combative sports exhibitions, events, performances
11 and contests are conducted in accordance with the provisions of this
12 act and regulations promulgated pursuant to this act.
13 (cf: P.L.1985, c.83, s.7)

14
15 5. Section 11 of P.L.1985, c.83 (C.5:2A-11) is amended to read as
16 follows:

17 11. a. Any person violating any provision of this act or regulation
18 promulgated thereunder shall, in addition to any other sanction
19 provided herein, be liable to a civil penalty of not less than \$250.00
20 and not more than \$25,000.00 for the first offense and not less than
21 \$500.00 and not more than \$50,000.00 for the second and each
22 subsequent offense. For the purpose of construing this section, each
23 transaction or statutory violation shall constitute a separate offense,
24 except that a second or subsequent offense shall not be deemed to
25 exist unless an administrative or court order has been entered in a
26 prior, separate and independent proceeding.

27 b. An extreme wrestler or promoter of an extreme wrestling event
28 who fails to apply for the required approvals, permits and licenses, or
29 a promoter of an extreme wrestling event who knowingly admits a
30 person under the age of 18 years to an extreme wrestling event shall
31 be subject to a civil penalty of not less than \$5,000 for an offense.
32 (cf: P.L.1985, c.83, s.11)

33
34 6. Section 14 of P.L.1985, c.83 (C.5:2A-14) is amended to read as
35 follows:

36 14. a. No promoter shall hold or conduct any public boxing,
37 wrestling, extreme wrestling, kick boxing or combative sports
38 exhibition, event, performance or contest in the State of New Jersey
39 without first having obtained a license from the board.

40 b. No person shall participate, either directly or indirectly, in any
41 boxing, wrestling, extreme wrestling, kick boxing or combative sports
42 exhibition, event, performance or contest, or be a holder thereof,
43 unless the person shall have first obtained a license from the board.

44 The board shall license all promoters; boxers, wrestlers, extreme
45 wrestlers, kick boxers, combative sports contestants or performers,
46 their managers, scorers and trainers; booking agents; ring officials and

1 other persons the board deems necessary.

2 c. All licenses shall be for a period of one year, unless revoked for
3 cause, and shall be subject to the provisions of this act and to the rules
4 and regulations adopted pursuant to this act. Before acting upon any
5 application for a license, the board may examine, under oath,
6 applicants or other witnesses. All applications shall be on a form
7 prescribed by the board. The board shall, by regulation, establish fees
8 for the issuance or renewal of all licenses.

9 d. A license from the board shall not be required of any person in
10 order to conduct or participate in professional wrestling.

11 (cf: P.L.1997, c.36, s.3)

12

13 7. Section 17 of P.L.1985, c.83 (C.5:2A-17) is amended to read as
14 follows:

15 17. a. The board may revoke any license, after hearing for cause.
16 The board may discipline any licensee who shall violate any of the
17 provisions of this act or the regulations made pursuant thereto. This
18 discipline may take the form of revocation or suspension of a license
19 held by the licensee for all or part of the unexpired portion thereof,
20 and of a refusal to renew a license held by any such licensee.

21 b. The board may, upon its own motion, or upon the verified
22 written complaint of any person charging a licensee with violating any
23 provision of this act or the rules and regulations promulgated
24 hereunder, suspend temporarily any license or permit until final
25 determination by the board when such an action is necessary to protect
26 the public welfare and the best interests of boxing, wrestling, extreme
27 wrestling, kick boxing or combative sports.

28 A hearing shall be held within 30 days after the date on which any
29 license or permit has been suspended temporarily unless extended for
30 good cause.

31 c. The board may also, after affording an opportunity to be heard,
32 take one or more of the following actions:

33 (1) Issue a reprimand or censure with regard to any act, conduct
34 or practice which in the board's judgment upon consideration of all
35 relevant facts and circumstances does not warrant the initiation of
36 formal action;

37 (2) Assess civil penalties in accordance with this act;

38 (3) Order that any person violating any provision of this act or any
39 regulation made pursuant thereto cease and desist from future
40 violations thereof or take such affirmative corrective action as may be
41 necessary with regard to any act or practice found unlawful by the
42 board;

43 (4) Order any person found to have violated any provision of this
44 act or any regulation made pursuant thereto to restore to any person
45 aggrieved by an unlawful act or practice, any moneys or property, real
46 or personal, acquired by means of that act or practice, except that the

1 board shall not order restoration in a dollar amount greater than those
2 moneys received by a licensee or his agent or any other person
3 violating this act or any regulation made pursuant thereto; and

4 (5) Order any person as a condition for continued, reinstated or
5 renewed licensure to secure medical or such other professional
6 treatment as may be necessary.

7 (cf: P.L.1985, c.83, s.17)

8

9 8. Section 18 of P.L.1985, c.83 (C.5:2A-18) is amended to read as
10 follows:

11 18. a. No boxing, wrestling, kick boxing or combative sports
12 exhibition, event, performance or contest shall be held by any
13 promoter unless the promoter shall have, at least two weeks before the
14 holding of the same, notified the board, in such form, with such
15 detailed information and at such place as the board may prescribe, of
16 the proposed holding of the same, and shall, in addition to having a
17 license as provided by section 14 of this act, have obtained from the
18 board a permit in writing to hold the same. No permit shall be
19 granted to any promoter who has been delinquent in paying a tax
20 which has been assessed pursuant to section 20 of this act unless good
21 cause is shown.

22 b. The board shall be notified, at least one week in advance, in such
23 form and with such detailed information as the board may prescribe,
24 that a boxing, wrestling, extreme wrestling, kick boxing or combative
25 sports exhibition, event, performance or contest is to be telecast,
26 televised or broadcast in any manner, including but not limited to
27 television, radio or any transmission via a cable television system, as
28 defined in section 3 of P.L.1972, c.186 (C.48:5A-3), or any
29 transmission via microwave, closed circuit, satellite, fiber optic link or
30 any other method of limited distribution.

31 c. No person shall charge or receive an admission fee for exhibiting
32 within this State a telecast of any boxing, wrestling, extreme wrestling,
33 kick boxing or combative sports exhibition, event, performance or
34 contest which occurs or has occurred within this State without a
35 permit issued by the board. Permits are required for simultaneous
36 telecasts, closed circuit telecasts, or any transmission of any kind,
37 including but not limited to transmission via microwave, closed circuit,
38 satellite or fiber optic link. As a condition of obtaining a permit, the
39 board shall be furnished with all contracts and agreements pertaining
40 to such transmissions.

41 d. The board shall be informed by the promoter when any boxing,
42 wrestling, extreme wrestling, kick boxing or combative sports
43 exhibition, event, performance or contest will be exhibited in any
44 manner either within or without the State. As a condition of obtaining
45 a permit, the board shall be furnished with all contracts and
46 agreements pertaining to such exhibitions viewed either within or

1 without the State.

2 e. No extreme wrestling event shall be held by any promoter who
3 has been licensed pursuant to section 14 of P.L.1985, c.83 (C.5:2A-
4 14) unless the promoter shall have, at least 20 business days before the
5 holding of the event, notified the director of public safety of the
6 municipality in which the event is proposed to take place, in such form
7 and with such detailed information as the board may prescribe, of the
8 proposed holding of the event and received approval in writing
9 therefor. If a municipality does not have a director of public safety or
10 a public safety official with substantially similar duties, the governing
11 body of a municipality shall designate a public safety official to receive
12 notification and approve or disapprove the proposed holding of an
13 extreme wrestling event. In addition to obtaining municipal approval
14 from the appropriate public safety official and having a license as
15 provided by section 14 of P.L.1985, c.83 (C.5:2A-14), a promoter of
16 an extreme wrestling event shall obtain from the board a permit in
17 writing to hold the event.

18 The public safety official of a municipality who receives notice of
19 the proposed holding of an extreme wrestling event shall within 15
20 business days approve or reject the proposed holding of the event.
21 The official may reject the proposed event if the official decides that
22 the holding of the proposed event would constitute a threat to public
23 safety or public health. If the official rejects the proposed event, no
24 permit for the proposed event shall be granted by the board. If the
25 official grants approval, the written approval shall be forwarded by the
26 official to the board, which shall within five business days of the
27 receipt make a determination on the permit to be issued pursuant to
28 subsection a. of this section, notwithstanding the requirement to notify
29 the board at least two weeks before the proposed holding of the event.

30 f. As a condition of obtaining a permit to hold an extreme wrestling
31 event, no person under the age of 18 years shall be admitted to an
32 extreme wrestling event. The promoter of an extreme wrestling event
33 shall make all reasonable effort to ascertain the age of those persons
34 seeking admittance to the event.

35 (cf: P.L.1985, c.83, s.18)

36

37 9. Section 20 of P.L.1985, c.83 (C5:2A-20) is amended to read as
38 follows:

39 20. a. Every promoter shall, within seven days, exclusive of
40 Saturdays, Sundays and legal holidays, after the conclusion of an
41 exhibition, event, performance or contest, furnish to the board at such
42 place as it may prescribe, a duly verified written report of the exact
43 amount of tickets either sold or issued as complimentary tickets for the
44 exhibition, event, performance or contest, the gross proceeds thereof
45 and such other matters as the board may prescribe.

46 b. The board shall determine and fix the number of complimentary

1 tickets for each exhibition, event, performance or contest. All
2 complimentary tickets shall include upon the face of the ticket the
3 price of the ticket and shall be printed or otherwise labeled as a
4 complimentary ticket. The price shall be deemed to be the value of
5 each ticket of the same kind for which the ticket normally would be
6 offered for sale if it was not issued as a complimentary ticket. It shall
7 be a crime of the fourth degree to sell, offer to sell or receive with the
8 intent to sell a ticket which was originally issued as a complimentary
9 ticket.

10 c. Every promoter who holds any boxing, wrestling, but not
11 including extreme wrestling, kick boxing or combative sports
12 exhibition, event, performance or contest shall, within seven days,
13 exclusive of Saturdays, Sundays and legal holidays, after the
14 conclusion thereof, pay to the board a tax:

15 (1) On the total gross receipts from the sale of tickets and on the
16 face value of all tickets issued as complimentary tickets, as follows:
17 3% of the first \$25,000.00 derived from those tickets; 4% of the next
18 \$50,000.00 derived from those tickets; 5% of the next \$125,000.00
19 derived from those tickets; and 6% of any amount derived from those
20 tickets exceeding \$200,000.00, except that in no event shall any tax
21 assessed under the provisions of this subsection exceed \$100,000.00
22 for each exhibition, event, performance or contest;

23 (2) On any moneys received by reason of the lease or sale of
24 television, including cable television and closed circuit television,
25 moving picture or radio rights in connection with any such exhibition
26 or performance a tax of 5% of the first \$50,000.00 derived from the
27 lease or sale of television, moving picture or radio rights; 3% of the
28 next \$100,000.00 derived from the lease or sale of those rights; 2% of
29 the next \$100,000.00 derived from the lease or sale of those rights;
30 and 1% of any amount in excess of \$250,000.00 derived from the lease
31 or sale of those rights, except that in no event shall any tax assessed
32 under the provisions of this subsection exceed \$100,000.00 for each
33 exhibition, event, performance or contest.

34 For the purposes of this subsection, the total gross receipts from the
35 sale of tickets or from the lease or sale of television, moving picture
36 or radio rights shall not be subject to any reduction or allowance of
37 any kind whatsoever.

38 d. The total amount of gross receipts from any such exhibition or
39 performance, including those derived from the sale or lease of
40 television, moving picture and radio rights, and the total amount of tax
41 due hereunder shall be provided to the board for review and
42 determination. For this purpose the board may examine, or cause to
43 be examined, the books and records of any person and hold a hearing
44 as provided herein.

45 e. Should any person being liable for the tax hereby imposed fail to
46 pay the same, an action in the name of the board may be maintained in

1 any court of competent jurisdiction, to be prosecuted by the Attorney
2 General, in addition to any remedies given by the bond filed in
3 accordance with section 16 of this act, which actions and remedies
4 may be pursued simultaneously or in any order which the Attorney
5 General may see fit.

6 (cf: P.L.1985, c.83, s.20)

7

8 10. Section 22 of P.L.1985, c.83 (C.5:2A-22) is amended to read
9 as follows:

10 22. a. The Attorney General is authorized to investigate and
11 prosecute any allegation of criminal or civil violations pertaining to
12 any boxing, wrestling, extreme wrestling, kick boxing or combative
13 sports exhibition, event, performance or contest which is held at or
14 sponsored by any person or entity licensed pursuant to the "Casino
15 Control Act," P.L. 1977, c. 110 (C. 5:12-1 et seq.).

16 b. The identities of all recipients of complimentary tickets to any
17 boxing, wrestling, extreme wrestling, kick boxing or combative sports
18 exhibition, event, performance or contest which are distributed by the
19 holder of a casino license, as defined in section 10 of P.L. 1977, c. 110
20 (C. 5:12-10), shall be included within the quarterly report on
21 complimentary services required pursuant to subsection m. of section
22 102 of P.L.1977, c.110 (C.5:12-102).

23 c. All contracts or agreements entered into by any person or entity
24 licensed pursuant to the "Casino Control Act," P.L.1977, c.110
25 (C.5:12-1 et seq.) and any promoter, sponsor or participant in any
26 boxing, wrestling, extreme wrestling, kick boxing or combative sports
27 exhibition, event, performance or contest shall be made available for
28 inspection upon request by either the board or the Attorney General.
29 All such exhibitions, events, performances and contests and all such
30 contracts or agreements shall be governed as if the exhibition, event,
31 performance or contest took place in a casino hotel complex. The
32 Attorney General is also authorized to examine any contract or
33 agreement relating to the televising of any boxing, wrestling, extreme
34 wrestling, kick boxing or combative sports exhibition, which is
35 supplied to the board pursuant to section 18 of this act.

36 d. Every exhibition, event, performance or contest in a casino hotel
37 licensed pursuant to the "Casino Control Act," P.L.1977, c.110
38 (C.5:12-1 et seq.) shall be subject to licensure in accordance with the
39 "Casino Control Act," P.L. 1977, c. 110 (C. 5:12-1 et seq.).
40 (cf: P.L.1985, c.83, s.22)

41

42 11. Section 4 of P.L.1988, c.20 (C.5:2A-6.1) is amended to read
43 as follows:

44 4. No board member, employee or agent, including the
45 commissioner, shall hold an office or position in any body,
46 organization, association or federation which is established for the

1 purpose of sanctioning boxing, professional wrestling, wrestling,
2 extreme wrestling, kick boxing and combative sports exhibitions,
3 events, performances and contests in this State or other states.

4 (cf: P.L.1997, c.36, s.4)

5
6 12. Section 5 of P.L.1988, c.20 (C.5:2A-14.1) is amended to read
7 as follows:

8 5. No promoter shall hold or conduct any public boxing, wrestling,
9 extreme wrestling, kick boxing or combative sports exhibition, event,
10 performance or contest in a casino hotel which is licensed pursuant to
11 or is an applicant for licensure pursuant to the "Casino Control Act,"
12 P.L.1977, c.110 (C.5:12-1 et seq.) unless the promoter is licensed as
13 a casino service industry or is an applicant for licensure as a casino
14 service industry pursuant to the "Casino Control Act," P.L.1977, c.110
15 (C.5:12-1 et seq.) or is registered as a vendor in accordance with the
16 rules and regulations promulgated by the Casino Control Commission.
17 Within one year of the effective date of this act, all seconds and
18 managers and all promoters, other than those promoters who are
19 applicants for licensure or who are licensed as a casino service
20 industry under section 92 of P.L.1977, c.110 (C.5:12-92) or who are
21 registered as vendors in accordance with the rules and regulations
22 promulgated by the Casino Control Commission, shall undergo
23 background checks conducted by the State Athletic Control Board
24 prior to holding, conducting or participating in any public boxing,
25 wrestling, extreme wrestling, kick boxing or combative sports
26 exhibition, event, performance or contest in this State. Those
27 promoters who are subject to background checks by the State Athletic
28 Control Board pursuant to this section shall bear the costs involved in
29 the conduct of such background checks.

30 The State Athletic Control Board may incur such expenses as are
31 reasonable and necessary in conducting a background check
32 authorized by this section. An amount equivalent to the expenses
33 incurred shall be assessed as a fee against a promoter who is the
34 subject of a background check by the State Athletic Control Board
35 pursuant to this section and shall be collected by the State Athletic
36 Control Board. The amount collected shall be deposited in a special
37 account in the General Fund and this amount is hereby appropriated to
38 the State Athletic Control Board in the Department of Law and Public
39 Safety to reimburse the board for expenses incurred in conducting the
40 background check.

41 The State Athletic Control Board shall promulgate rules and
42 regulations governing the nature of and procedures concerning
43 background checks to be conducted by the board pursuant to this
44 section.

45 (cf: P.L.1988, c.20, s.5)

46 13. Section 9 of P.L.1988, c.20 (C.5:2A-14.2) is amended to read

1 as follows:

2 9. a. Promoters licensed pursuant to P.L.1985, c.83 (C.5:2A-1 et
3 seq.) shall carry medical insurance covering all extreme wrestlers,
4 professional boxers, kick boxers or combative sports participants
5 whom they promote.

6 b. The cost of the insurance required pursuant to this section shall
7 be borne by the promoter.

8 c. The promoter shall obtain medical insurance coverage in an
9 amount to be determined by the commissioner, which amount shall
10 cover the expenses for the treatment of any injuries the extreme
11 wrestler, boxer, kick boxer or combative sports participant may suffer
12 as a result of [a] an extreme wrestling, professional boxing, kick
13 boxing or combative sports exhibition, event, performance or contest.

14 d. The insurance coverage required under this act shall extend for
15 at least six months from the date of the bout.

16 e. No extreme wrestling, professional boxing, kick boxing or
17 combative sports exhibition, event, performance or contest shall be
18 approved in this State unless the promoter is in full compliance with
19 the requirements of this section concerning medical insurance
20 coverage.

21 (cf: P.L.1988, c.20, s.9)

22

23 14. Section 6 of P.L.1988, c.20 (C.5:2A-18.1) is amended to read
24 as follows:

25 6. No extreme wrestling, boxing, kick boxing or combative sports
26 exhibition, event, performance or contest shall commence or proceed
27 unless two qualified physicians designated by the council shall be at
28 ringside for each extreme wrestling, boxing, kick boxing or combative
29 sports exhibition, event, performance or contest and unless an
30 ambulance containing the standard medical equipment necessary to
31 treat cerebral injuries is stationed at the exhibition, event, performance
32 or contest during the entire time the exhibition, event, performance or
33 contest is taking place. The commissioner or his designee shall delay
34 an exhibition, event, performance or contest until the ambulance and
35 the two qualified ringside physicians required by this section are
36 present.

37 (cf: P.L.1988, c.20, s.6)

38

39 15. This act shall take effect on the 30th day after enactment.

40

41

42

STATEMENT

43

44 This bill provides for the regulation of "extreme wrestling", a
45 violent variant of professional wrestling as produced by the World
46 Wrestling Federation (WWF). Unlike WWF wrestling, the popularity

1 of extreme wrestling is driven by the bloodlust of its spectators, who
2 clamor for the participants to continually cut, hit and slash each other
3 with all types of implements, including golf clubs, guitars, and cheese
4 graters. Although extreme wrestling is rehearsed, it is nonetheless
5 quite dangerous for its participants, who voluntarily subject themselves
6 to bleeding wounds, many of them self-inflicted to keep the blood
7 flowing. While the danger to the participants is a serious concern, it
8 is perhaps even more alarming that children, as young as five years
9 old, regularly attend these blood-soaked spectacles. Moreover, the
10 liberal bloodletting that characterizes many of these events constitutes
11 a public health hazard not only for the participants, but also the
12 spectators.

13 Extreme wrestling is the inadvertent by-product of the de-
14 regulation of professional wrestling by P.L.1997, c.36. This bill does
15 not re-regulate professional wrestling groups such as the World
16 Wrestling Federation (WWF), World Championship Wrestling (WCW)
17 or Extreme Championship Wrestling (ECW), but instead distinguishes
18 extreme wrestling from professional wrestling.

19 In particular, the bill defines extreme wrestling, subjects extreme
20 wrestling to regulation by the State Athletic Control Board, provides
21 opportunity for municipalities to approve or reject proposed extreme
22 wrestling events, prohibits persons under 18 years of age from
23 attending extreme wrestling events and imposes certain fines for
24 certain violations.

ASSEMBLY CONSUMER AFFAIRS AND REGULATED
PROFESSIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2304

STATE OF NEW JERSEY

DATED: MAY 22, 2000

The Assembly Consumer Affairs and Regulated Professions Committee reports favorably Assembly Bill No. 2304.

This bill provides for the regulation of "extreme wrestling," a violent variant of professional wrestling as produced by the World Wrestling Federation. Extreme wrestling is the inadvertent by-product of the de-regulation of professional wrestling by P.L.1997, c.36. This bill does not re-regulate professional wrestling groups such as the World Wrestling Federation (WWF), World Championship Wrestling (WCW) or Extreme Championship Wrestling (ECW), but instead distinguishes extreme wrestling from professional wrestling.

In particular, the bill defines extreme wrestling, subjects extreme wrestling to regulation by the State Athletic Control Board, provides opportunity for municipalities to approve or reject proposed extreme wrestling events, prohibits persons under 18 years of age from attending extreme wrestling events and imposes certain fines for certain violations.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2304

STATE OF NEW JERSEY

DATED: JUNE 19, 2000

The Senate Law and Public Safety Committee reports favorably Assembly Bill No. 2304.

This bill provides for the regulation of "extreme wrestling," a violent variant of professional wrestling as produced by the World Wrestling Federation. Extreme wrestling is the inadvertent by-product of the de-regulation of professional wrestling by P.L.1997, c.36. This bill does not re-regulate professional wrestling groups such as the World Wrestling Federation (WWF), World Championship Wrestling (WCW) or Extreme Championship Wrestling (ECW), but instead distinguishes extreme wrestling from professional wrestling.

In particular, the bill defines extreme wrestling, subjects extreme wrestling to regulation by the State Athletic Control Board, provides opportunity for municipalities to approve or reject proposed extreme wrestling events, prohibits persons under 18 years of age from attending extreme wrestling events and imposes certain fines for certain violations.

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY, No. 2304
STATE OF NEW JERSEY
209th LEGISLATURE

DATED: JUNE 22, 2000

SUMMARY

Synopsis: Provides for regulation of extreme wrestling by State Athletic Control Board.

Type of Impact: Increase in State expenditures to be defrayed by licensing fees.

Agencies Affected: Department of Law and Public Safety, State Athletic Control Board (SACB).

Office of Legislative Services Estimate

| Fiscal Impact | <u>Year 1</u> | <u>Year 2</u> | <u>Year 3</u> |
|----------------------|----------------------|----------------------|----------------------|
| State Cost | \$4,000 | \$4,000 | \$4,000 |
| State Revenue | \$4,000 | \$4,000 | \$4,000 |

- ! SACB would regulate extreme wrestling and license wrestlers and promoters of extreme wrestling events.
- ! This estimate is based on the assumption of 12 events per fiscal year. If the number of events in any given fiscal year is greater than 20 events, there will be a need for a part-time clerical position.
- ! This bill authorizes the State Athletic Control Board to establish fees for the issuance or renewal for licenses for extreme wrestlers and extreme wrestling promoters.

BILL DESCRIPTION

Assembly Bill No. 2304 of 2000 provides for the regulation of “extreme wrestling.” As defined in the bill “extreme wrestling” means “an activity in which participants struggle hand-to-hand and cut, slash or strike each other or themselves with an implement to intentionally cause bleeding or perform any intentional act which could reasonably be expected to cause bleeding, primarily for the purpose of providing entertainment to spectators rather than conducting a bona fide athletic contest.” This bill distinguishes extreme wrestling from professional wrestling which was deregulated by P.L.1997, c.36. This bill would license extreme wrestlers and promoters of extreme wrestling events by the SACB. Licenses would be issued for a period of one year,

unless revoked for cause. The board would, by regulation, establish fees for the issuance or renewal of all licenses and would promulgate rules that differentiate an extreme wrestler from a professional wrestler and an extreme wrestling event from a professional wrestling event.

This bill provides the opportunity for municipalities to approve or reject proposed extreme wrestling events, and prohibits persons under 18 years of age from attending extreme wrestling events. Fines of not less than \$5,000 for each offense would be imposed on any extreme wrestler or promoter of an extreme wrestling event who fails to apply for the required approval, permits and licenses, or a promoter of an extreme wrestling event who knowingly admits a person under the age of 18 years to an extreme wrestling event.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

Information provided informally by the Department of Law and Public Safety, SACB indicates that additional annual expenditures of \$4,000 to implement the provisions of this bill will be offset by approximately the same amount of revenue from licensing and fees. This estimate is based on the assumption of 12 events per fiscal year. The SACB notes that if the number of events in any given fiscal year is greater than 20 events, an additional part-time clerical position will be needed. The Office of Legislative Services concurs with this estimate and notes that additional revenue might be realized through fines and penalties assessed on extreme wrestlers and extreme wrestling promoters, as the bill provides.

Under provisions of the current statute, professional wrestling, as defined, is exempt from the television rights tax and the gross receipts ticket tax. This bill explicitly exempts extreme wrestling, as defined, from these taxes. However, there is no fiscal impact to the State in exempting extreme wrestling from these two taxes, as extreme wrestling events are not currently subject to these taxes.

This bill also would permit municipalities to approve or reject the proposed holding of an extreme wrestling event by requiring the promoter of such an event to notify the director of public safety of the municipality in which the event is proposed to take place of the proposed holding of the event. If the official rejects the proposed event, no permit for the proposed event would be granted by the SACB. The SACB would prescribe the forms and detailed information required for submission to the municipal director of public safety. OLS estimates that this provision would have no appreciable fiscal impact on municipalities.

Section: *Law and Public Safety*

Analyst: *James F. Vari*
Associate Fiscal Analyst

Approved: *Alan R. Kooney*
Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.

P.L. 2000, CHAPTER 124, *approved September 18, 2000*
Assembly, No. 2304

1 AN ACT concerning extreme wrestling, amending P.L.1985, c.83 and
2 P.L.1988, c.20.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 1 of P.L.1985, c.83 (C.5:2A-1) is amended to read as
8 follows:

9 1. As used in this act:

10 a. "Attending physician" means a physician assigned to attend a
11 boxing exhibition or performance pursuant to this act.

12 b. "Board" means the State Athletic Control Board established
13 pursuant to section 3 of this act.

14 c. "Commissioner" means the commissioner appointed pursuant to
15 section 5 of this act.

16 d. "Contest" means an engagement in which the participants strive
17 in good faith to win.

18 e. "Council" means the State Athletic Control Board Medical
19 Advisory Council established pursuant to section 8 of this act.

20 f. "Event" means any occurrence in which a boxer, wrestler,
21 extreme wrestler, kick boxer or combative sports practitioner displays
22 or exhibits his skills, performs or fights, but does not include
23 professional wrestling except as provided in section 5 of P.L.1997,
24 c.36 (C.5:2A-14.3).

25 g. "Exhibition" means an engagement in which the participants
26 show or display their skills without necessarily striving to win, but
27 does not include professional wrestling except as provided in section
28 5 of P.L.1997, c.36 (C.5:2A-14.3).

29 h. "Kick boxing or Thai boxing" means any professional sport
30 where the use of hands or feet or other striking techniques are utilized
31 to disable or cause injury to an opponent in a contest, exhibition, or
32 performance.

33 i. "Combative sport" means any professional sport where
34 participants intend to and actually inflict kicks, punches, blows, and
35 other techniques to injure or disable an opponent in a contest,
36 exhibition, or performance.

37 j. "Martial arts" means any discipline where the participants utilize
38 kicks, punches, blows, and other techniques where the intent is not to
39 injure or disable an opponent in a contest, exhibition, or performance.

40 k. "Physician" means an individual licensed to practice medicine
41 and surgery in this State.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 l. "Promoter" means any person, club, corporation or association,
2 and in the case of a corporate promoter includes any officer, director,
3 employee or stockholder thereof, who produces, arranges or stages
4 any professional boxing, wrestling, extreme wrestling, kick boxing, or
5 combative sports exhibition, event, performance or contest.

6 m. "Professional wrestling" means an activity in which participants
7 struggle ~~hand-in-hand~~ hand-to-hand primarily for the purpose of
8 providing entertainment to spectators rather than conducting a bona
9 fide athletic contest.

10 n. "Wrestling" means a bona fide athletic contest in which
11 participants struggle hand-in-hand with the object of winning by
12 throwing an opponent or scoring points and in which any purpose of
13 providing entertainment is secondary.

14 o. "Extreme wrestling" means an activity in which participants
15 struggle hand-to-hand and cut, slash or strike each other or themselves
16 with an implement to intentionally cause bleeding or perform any
17 intentional act which could reasonably be expected to cause bleeding,
18 primarily for the purpose of providing entertainment to spectators
19 rather than conducting a bona fide athletic contest.

20 (cf: P.L.1997, c.36, s.1)

21
22 2. Section 2 of P.L.1985, c.83 (C.5:2A-2) is amended to read as
23 follows:

24 2. The Legislature finds and declares to be the public policy of this
25 State that it is in the best interest of the public and of boxing,
26 wrestling, extreme wrestling, kick boxing and combative sports that
27 boxing, wrestling, extreme wrestling, kick boxing and combative
28 sports exhibitions, events, performances and contests should be subject
29 to an effective and efficient system of strict control and regulation in
30 order to:

31 a. Protect the safety and well-being of participants in boxing,
32 wrestling, extreme wrestling, kick boxing and combative sports
33 exhibitions, events, performances and contests; and

34 b. Promote the public confidence and trust in the regulatory
35 process and the conduct of boxing, wrestling, extreme wrestling, kick
36 boxing and combative sports exhibitions, events, performances and
37 contests.

38 To further such public confidence and trust, the regulatory
39 provisions of this act are designed to extend strict State regulation to
40 all persons, practices and associations related to the operation of any
41 boxing, wrestling, extreme wrestling, kick boxing or combative sports
42 exhibition, event, performance or contest held in this State.

43 The Legislature further finds and declares that, because its principal
44 purpose is to entertain without injuring or disabling one of the
45 participants, professional wrestling should be excluded from this
46 system of regulation and control.

1 The Legislature further finds and declares that, because its principal
2 purpose is to entertain by having its participants intentionally cause
3 bleeding, or perform acts which reasonably could be expected to cause
4 bleeding, extreme wrestling should be distinguished from professional
5 wrestling. The emphasis on dangerous stunts that cause injury and
6 bleeding makes extreme wrestling potentially harmful to its
7 participants. Furthermore, the atmosphere of base violence and
8 depravity that prevails at an extreme wrestling event has a deleterious
9 effect on children and young adults. Moreover, the liberal bloodletting
10 that characterizes many extreme wrestling events constitutes a public
11 health hazard not only for the participants, but also the spectators.
12 For all of these reasons, extreme wrestling should be subject to strict
13 State regulation.

14 Because the creativity of those who seek to profit from vulgarity
15 cannot be underestimated, the State Athletic Control Board should be
16 given a proper amount of latitude to regulate the attendant excesses
17 of extreme wrestling that presently exist and that could be
18 incorporated into extreme wrestling events in the future.

19 (cf: P.L.1997, c.36, s.2)

20

21 3. Section 4 of P.L.1985, c.83 (C.5:2A-4) is amended to read as
22 follows:

23 4. a. The State Athletic Control Board shall have and exercise sole
24 discretion, management, control and supervision over all public
25 boxing, wrestling, extreme wrestling, kick boxing and combative
26 sports exhibitions, events, performances and contests. The board shall
27 promulgate such rules and regulations as may be necessary and
28 appropriate to carry out the purposes of this act and for the proper
29 discharge of its responsibilities hereunder and may prescribe and
30 enforce penalties for the violation thereof.

31 b. The board shall promulgate rules that differentiate an extreme
32 wrestler from a professional wrestler, and an extreme wrestling event
33 from a professional wrestling event. If a person is unsure whether he
34 or she is an extreme wrestler, or if a promoter is unsure whether the
35 event being promoted is an extreme wrestling event, it shall be the
36 obligation of the person or the promoter, as appropriate, to consult the
37 board for a ruling.

38 (cf: P.L.1985, c.83, s.4)

39

40 4. Section 7 of P.L.1985, c.83 (C.5:2A-7) is amended to read as
41 follows:

42 7. The board shall have general responsibility for the
43 implementation of this act, as hereinafter provided, including without
44 limitation, the responsibility:

45 a. To issue licenses and to decide causes affecting the granting,
46 suspension, revocation or renewal thereof;

- 1 b. To conduct hearings or direct that hearings be conducted
2 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
3 (C.52:14B-1 et seq.) pertaining to civil violations of this act or
4 regulations promulgated thereunder;
- 5 c. To promulgate rules and regulations;
- 6 d. To establish, prescribe and charge fees for licenses and permits;
- 7 e. To collect all license fees and taxes imposed by this act and the
8 regulations promulgated thereunder;
- 9 f. To levy and collect penalties for violations of provisions of this
10 act and the regulations promulgated thereunder; and
- 11 g. To ensure that all public boxing, wrestling, extreme wrestling,
12 kick boxing and combative sports exhibitions, events, performances
13 and contests are conducted in accordance with the provisions of this
14 act and regulations promulgated pursuant to this act.
15 (cf: P.L.1985, c.83, s.7)

16

17 5. Section 11 of P.L.1985, c.83 (C.5:2A-11) is amended to read as
18 follows:

19 11. a. Any person violating any provision of this act or regulation
20 promulgated thereunder shall, in addition to any other sanction
21 provided herein, be liable to a civil penalty of not less than \$250.00
22 and not more than \$25,000.00 for the first offense and not less than
23 \$500.00 and not more than \$50,000.00 for the second and each
24 subsequent offense. For the purpose of construing this section, each
25 transaction or statutory violation shall constitute a separate offense,
26 except that a second or subsequent offense shall not be deemed to
27 exist unless an administrative or court order has been entered in a
28 prior, separate and independent proceeding.

29 b. An extreme wrestler or promoter of an extreme wrestling event
30 who fails to apply for the required approvals, permits and licenses, or
31 a promoter of an extreme wrestling event who knowingly admits a
32 person under the age of 18 years to an extreme wrestling event shall
33 be subject to a civil penalty of not less than \$5,000 for an offense.

34 (cf: P.L.1985, c.83, s.11)

35

36 6. Section 14 of P.L.1985, c.83 (C.5:2A-14) is amended to read as
37 follows:

38 14. a. No promoter shall hold or conduct any public boxing,
39 wrestling, extreme wrestling, kick boxing or combative sports
40 exhibition, event, performance or contest in the State of New Jersey
41 without first having obtained a license from the board.

42 b. No person shall participate, either directly or indirectly, in any
43 boxing, wrestling, extreme wrestling, kick boxing or combative sports
44 exhibition, event, performance or contest, or be a holder thereof,
45 unless the person shall have first obtained a license from the board.

46 The board shall license all promoters; boxers, wrestlers, extreme

1 wrestlers, kick boxers, combative sports contestants or performers,
2 their managers, scorers and trainers; booking agents; ring officials and
3 other persons the board deems necessary.

4 c. All licenses shall be for a period of one year, unless revoked for
5 cause, and shall be subject to the provisions of this act and to the rules
6 and regulations adopted pursuant to this act. Before acting upon any
7 application for a license, the board may examine, under oath,
8 applicants or other witnesses. All applications shall be on a form
9 prescribed by the board. The board shall, by regulation, establish fees
10 for the issuance or renewal of all licenses.

11 d. A license from the board shall not be required of any person in
12 order to conduct or participate in professional wrestling.

13 (cf: P.L.1997, c.36, s.3)

14

15 7. Section 17 of P.L.1985, c.83 (C.5:2A-17) is amended to read as
16 follows:

17 17. a. The board may revoke any license, after hearing for cause.
18 The board may discipline any licensee who shall violate any of the
19 provisions of this act or the regulations made pursuant thereto. This
20 discipline may take the form of revocation or suspension of a license
21 held by the licensee for all or part of the unexpired portion thereof,
22 and of a refusal to renew a license held by any such licensee.

23 b. The board may, upon its own motion, or upon the verified
24 written complaint of any person charging a licensee with violating any
25 provision of this act or the rules and regulations promulgated
26 hereunder, suspend temporarily any license or permit until final
27 determination by the board when such an action is necessary to protect
28 the public welfare and the best interests of boxing, wrestling, extreme
29 wrestling, kick boxing or combative sports.

30 A hearing shall be held within 30 days after the date on which any
31 license or permit has been suspended temporarily unless extended for
32 good cause.

33 c. The board may also, after affording an opportunity to be heard,
34 take one or more of the following actions:

35 (1) Issue a reprimand or censure with regard to any act, conduct
36 or practice which in the board's judgment upon consideration of all
37 relevant facts and circumstances does not warrant the initiation of
38 formal action;

39 (2) Assess civil penalties in accordance with this act;

40 (3) Order that any person violating any provision of this act or any
41 regulation made pursuant thereto cease and desist from future
42 violations thereof or take such affirmative corrective action as may be
43 necessary with regard to any act or practice found unlawful by the
44 board;

45 (4) Order any person found to have violated any provision of this
46 act or any regulation made pursuant thereto to restore to any person

1 aggrieved by an unlawful act or practice, any moneys or property, real
2 or personal, acquired by means of that act or practice, except that the
3 board shall not order restoration in a dollar amount greater than those
4 moneys received by a licensee or his agent or any other person
5 violating this act or any regulation made pursuant thereto; and

6 (5) Order any person as a condition for continued, reinstated or
7 renewed licensure to secure medical or such other professional
8 treatment as may be necessary.

9 (cf: P.L.1985, c.83, s.17)

10

11 8. Section 18 of P.L.1985, c.83 (C.5:2A-18) is amended to read as
12 follows:

13 18. a. No boxing, wrestling, kick boxing or combative sports
14 exhibition, event, performance or contest shall be held by any
15 promoter unless the promoter shall have, at least two weeks before the
16 holding of the same, notified the board, in such form, with such
17 detailed information and at such place as the board may prescribe, of
18 the proposed holding of the same, and shall, in addition to having a
19 license as provided by section 14 of this act, have obtained from the
20 board a permit in writing to hold the same. No permit shall be
21 granted to any promoter who has been delinquent in paying a tax
22 which has been assessed pursuant to section 20 of this act unless good
23 cause is shown.

24 b. The board shall be notified, at least one week in advance, in such
25 form and with such detailed information as the board may prescribe,
26 that a boxing, wrestling, extreme wrestling, kick boxing or combative
27 sports exhibition, event, performance or contest is to be telecast,
28 televised or broadcast in any manner, including but not limited to
29 television, radio or any transmission via a cable television system, as
30 defined in section 3 of P.L.1972, c.186 (C.48:5A-3), or any
31 transmission via microwave, closed circuit, satellite, fiber optic link or
32 any other method of limited distribution.

33 c. No person shall charge or receive an admission fee for exhibiting
34 within this State a telecast of any boxing, wrestling, extreme wrestling,
35 kick boxing or combative sports exhibition, event, performance or
36 contest which occurs or has occurred within this State without a
37 permit issued by the board. Permits are required for simultaneous
38 telecasts, closed circuit telecasts, or any transmission of any kind,
39 including but not limited to transmission via microwave, closed circuit,
40 satellite or fiber optic link. As a condition of obtaining a permit, the
41 board shall be furnished with all contracts and agreements pertaining
42 to such transmissions.

43 d. The board shall be informed by the promoter when any boxing,
44 wrestling, extreme wrestling, kick boxing or combative sports
45 exhibition, event, performance or contest will be exhibited in any
46 manner either within or without the State. As a condition of obtaining

1 a permit, the board shall be furnished with all contracts and
2 agreements pertaining to such exhibitions viewed either within or
3 without the State.

4 e. No extreme wrestling event shall be held by any promoter who
5 has been licensed pursuant to section 14 of P.L.1985, c.83 (C.5:2A-
6 14) unless the promoter shall have, at least 20 business days before the
7 holding of the event, notified the director of public safety of the
8 municipality in which the event is proposed to take place, in such form
9 and with such detailed information as the board may prescribe, of the
10 proposed holding of the event and received approval in writing
11 therefor. If a municipality does not have a director of public safety or
12 a public safety official with substantially similar duties, the governing
13 body of a municipality shall designate a public safety official to receive
14 notification and approve or disapprove the proposed holding of an
15 extreme wrestling event. In addition to obtaining municipal approval
16 from the appropriate public safety official and having a license as
17 provided by section 14 of P.L.1985, c.83 (C.5:2A-14), a promoter of
18 an extreme wrestling event shall obtain from the board a permit in
19 writing to hold the event.

20 The public safety official of a municipality who receives notice of
21 the proposed holding of an extreme wrestling event shall within 15
22 business days approve or reject the proposed holding of the event.
23 The official may reject the proposed event if the official decides that
24 the holding of the proposed event would constitute a threat to public
25 safety or public health. If the official rejects the proposed event, no
26 permit for the proposed event shall be granted by the board. If the
27 official grants approval, the written approval shall be forwarded by the
28 official to the board, which shall within five business days of the
29 receipt make a determination on the permit to be issued pursuant to
30 subsection a. of this section, notwithstanding the requirement to notify
31 the board at least two weeks before the proposed holding of the event.

32 f. As a condition of obtaining a permit to hold an extreme wrestling
33 event, no person under the age of 18 years shall be admitted to an
34 extreme wrestling event. The promoter of an extreme wrestling event
35 shall make all reasonable effort to ascertain the age of those persons
36 seeking admittance to the event.

37 (cf: P.L.1985, c.83, s.18)

38

39 9. Section 20 of P.L.1985, c.83 (C5:2A-20) is amended to read as
40 follows:

41 20. a. Every promoter shall, within seven days, exclusive of
42 Saturdays, Sundays and legal holidays, after the conclusion of an
43 exhibition, event, performance or contest, furnish to the board at such
44 place as it may prescribe, a duly verified written report of the exact
45 amount of tickets either sold or issued as complimentary tickets for the
46 exhibition, event, performance or contest, the gross proceeds thereof

1 and such other matters as the board may prescribe.

2 b. The board shall determine and fix the number of complimentary
3 tickets for each exhibition, event, performance or contest. All
4 complimentary tickets shall include upon the face of the ticket the
5 price of the ticket and shall be printed or otherwise labeled as a
6 complimentary ticket. The price shall be deemed to be the value of
7 each ticket of the same kind for which the ticket normally would be
8 offered for sale if it was not issued as a complimentary ticket. It shall
9 be a crime of the fourth degree to sell, offer to sell or receive with the
10 intent to sell a ticket which was originally issued as a complimentary
11 ticket.

12 c. Every promoter who holds any boxing, wrestling, but not
13 including extreme wrestling, kick boxing or combative sports
14 exhibition, event, performance or contest shall, within seven days,
15 exclusive of Saturdays, Sundays and legal holidays, after the
16 conclusion thereof, pay to the board a tax:

17 (1) On the total gross receipts from the sale of tickets and on the
18 face value of all tickets issued as complimentary tickets, as follows:
19 3% of the first \$25,000.00 derived from those tickets; 4% of the next
20 \$50,000.00 derived from those tickets; 5% of the next \$125,000.00
21 derived from those tickets; and 6% of any amount derived from those
22 tickets exceeding \$200,000.00, except that in no event shall any tax
23 assessed under the provisions of this subsection exceed \$100,000.00
24 for each exhibition, event, performance or contest;

25 (2) On any moneys received by reason of the lease or sale of
26 television, including cable television and closed circuit television,
27 moving picture or radio rights in connection with any such exhibition
28 or performance a tax of 5% of the first \$50,000.00 derived from the
29 lease or sale of television, moving picture or radio rights; 3% of the
30 next \$100,000.00 derived from the lease or sale of those rights; 2% of
31 the next \$100,000.00 derived from the lease or sale of those rights;
32 and 1% of any amount in excess of \$250,000.00 derived from the lease
33 or sale of those rights, except that in no event shall any tax assessed
34 under the provisions of this subsection exceed \$100,000.00 for each
35 exhibition, event, performance or contest.

36 For the purposes of this subsection, the total gross receipts from the
37 sale of tickets or from the lease or sale of television, moving picture
38 or radio rights shall not be subject to any reduction or allowance of
39 any kind whatsoever.

40 d. The total amount of gross receipts from any such exhibition or
41 performance, including those derived from the sale or lease of
42 television, moving picture and radio rights, and the total amount of tax
43 due hereunder shall be provided to the board for review and
44 determination. For this purpose the board may examine, or cause to
45 be examined, the books and records of any person and hold a hearing
46 as provided herein.

1 e. Should any person being liable for the tax hereby imposed fail to
2 pay the same, an action in the name of the board may be maintained in
3 any court of competent jurisdiction, to be prosecuted by the Attorney
4 General, in addition to any remedies given by the bond filed in
5 accordance with section 16 of this act, which actions and remedies
6 may be pursued simultaneously or in any order which the Attorney
7 General may see fit.

8 (cf: P.L.1985, c.83, s.20)

9

10 10. Section 22 of P.L.1985, c.83 (C.5:2A-22) is amended to read
11 as follows:

12 22. a. The Attorney General is authorized to investigate and
13 prosecute any allegation of criminal or civil violations pertaining to
14 any boxing, wrestling, extreme wrestling, kick boxing or combative
15 sports exhibition, event, performance or contest which is held at or
16 sponsored by any person or entity licensed pursuant to the "Casino
17 Control Act," P.L. 1977, c. 110 (C. 5:12-1 et seq.).

18 b. The identities of all recipients of complimentary tickets to any
19 boxing, wrestling, extreme wrestling, kick boxing or combative sports
20 exhibition, event, performance or contest which are distributed by the
21 holder of a casino license, as defined in section 10 of P.L. 1977, c. 110
22 (C.5:12-10), shall be included within the quarterly report on
23 complimentary services required pursuant to subsection m. of section
24 102 of P.L.1977, c.110 (C.5:12-102).

25 c. All contracts or agreements entered into by any person or entity
26 licensed pursuant to the "Casino Control Act," P.L.1977, c.110
27 (C.5:12-1 et seq.) and any promoter, sponsor or participant in any
28 boxing, wrestling, extreme wrestling, kick boxing or combative sports
29 exhibition, event, performance or contest shall be made available for
30 inspection upon request by either the board or the Attorney General.
31 All such exhibitions, events, performances and contests and all such
32 contracts or agreements shall be governed as if the exhibition, event,
33 performance or contest took place in a casino hotel complex. The
34 Attorney General is also authorized to examine any contract or
35 agreement relating to the televising of any boxing, wrestling, extreme
36 wrestling, kick boxing or combative sports exhibition, which is
37 supplied to the board pursuant to section 18 of this act.

38 d. Every exhibition, event, performance or contest in a casino hotel
39 licensed pursuant to the "Casino Control Act," P.L.1977, c.110
40 (C.5:12-1 et seq.) shall be subject to licensure in accordance with the
41 "Casino Control Act," P.L. 1977, c. 110 (C. 5:12-1 et seq.).

42 (cf: P.L.1985, c.83, s.22)

43

44 11. Section 4 of P.L.1988, c.20 (C.5:2A-6.1) is amended to read
45 as follows:

46 4. No board member, employee or agent, including the

1 commissioner, shall hold an office or position in any body,
2 organization, association or federation which is established for the
3 purpose of sanctioning boxing, professional wrestling, wrestling,
4 extreme wrestling, kick boxing and combative sports exhibitions,
5 events, performances and contests in this State or other states.

6 (cf: P.L.1997, c.36, s.4)

7

8 12. Section 5 of P.L.1988, c.20 (C.5:2A-14.1) is amended to read
9 as follows:

10 5. No promoter shall hold or conduct any public boxing, wrestling,
11 extreme wrestling, kick boxing or combative sports exhibition, event,
12 performance or contest in a casino hotel which is licensed pursuant to
13 or is an applicant for licensure pursuant to the "Casino Control Act,"
14 P.L.1977, c.110 (C.5:12-1 et seq.) unless the promoter is licensed as
15 a casino service industry or is an applicant for licensure as a casino
16 service industry pursuant to the "Casino Control Act," P.L.1977, c.110
17 (C.5:12-1 et seq.) or is registered as a vendor in accordance with the
18 rules and regulations promulgated by the Casino Control Commission.
19 Within one year of the effective date of this act, all seconds and
20 managers and all promoters, other than those promoters who are
21 applicants for licensure or who are licensed as a casino service
22 industry under section 92 of P.L.1977, c.110 (C.5:12-92) or who are
23 registered as vendors in accordance with the rules and regulations
24 promulgated by the Casino Control Commission, shall undergo
25 background checks conducted by the State Athletic Control Board
26 prior to holding, conducting or participating in any public boxing,
27 wrestling, extreme wrestling, kick boxing or combative sports
28 exhibition, event, performance or contest in this State. Those
29 promoters who are subject to background checks by the State Athletic
30 Control Board pursuant to this section shall bear the costs involved in
31 the conduct of such background checks.

32 The State Athletic Control Board may incur such expenses as are
33 reasonable and necessary in conducting a background check
34 authorized by this section. An amount equivalent to the expenses
35 incurred shall be assessed as a fee against a promoter who is the
36 subject of a background check by the State Athletic Control Board
37 pursuant to this section and shall be collected by the State Athletic
38 Control Board. The amount collected shall be deposited in a special
39 account in the General Fund and this amount is hereby appropriated to
40 the State Athletic Control Board in the Department of Law and Public
41 Safety to reimburse the board for expenses incurred in conducting the
42 background check.

43 The State Athletic Control Board shall promulgate rules and
44 regulations governing the nature of and procedures concerning
45 background checks to be conducted by the board pursuant to this
46 section.

47 (cf: P.L.1988, c.20, s.5)

1 13. Section 9 of P.L.1988, c.20 (C.5:2A-14.2) is amended to read
2 as follows:

3 9. a. Promoters licensed pursuant to P.L.1985, c.83 (C.5:2A-1 et
4 seq.) shall carry medical insurance covering all extreme wrestlers,
5 professional boxers, kick boxers or combative sports participants
6 whom they promote.

7 b. The cost of the insurance required pursuant to this section shall
8 be borne by the promoter.

9 c. The promoter shall obtain medical insurance coverage in an
10 amount to be determined by the commissioner, which amount shall
11 cover the expenses for the treatment of any injuries the extreme
12 wrestler, boxer, kick boxer or combative sports participant may suffer
13 as a result of [a] an extreme wrestling, professional boxing, kick
14 boxing or combative sports exhibition, event, performance or contest.

15 d. The insurance coverage required under this act shall extend for
16 at least six months from the date of the bout.

17 e. No extreme wrestling, professional boxing, kick boxing or
18 combative sports exhibition, event, performance or contest shall be
19 approved in this State unless the promoter is in full compliance with
20 the requirements of this section concerning medical insurance
21 coverage.

22 (cf: P.L.1988, c.20, s.9)

23

24 14. Section 6 of P.L.1988, c.20 (C.5:2A-18.1) is amended to read
25 as follows:

26 6. No extreme wrestling, boxing, kick boxing or combative sports
27 exhibition, event, performance or contest shall commence or proceed
28 unless two qualified physicians designated by the council shall be at
29 ringside for each extreme wrestling, boxing, kick boxing or combative
30 sports exhibition, event, performance or contest and unless an
31 ambulance containing the standard medical equipment necessary to
32 treat cerebral injuries is stationed at the exhibition, event, performance
33 or contest during the entire time the exhibition, event, performance or
34 contest is taking place. The commissioner or his designee shall delay
35 an exhibition, event, performance or contest until the ambulance and
36 the two qualified ringside physicians required by this section are
37 present.

38 (cf: P.L.1988, c.20, s.6)

39

40 15. This act shall take effect on the 30th day after enactment.

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STATEMENT

44

45 This bill provides for the regulation of "extreme wrestling", a
46 violent variant of professional wrestling as produced by the World
47 Wrestling Federation (WWF). Unlike WWF wrestling, the popularity

1 of extreme wrestling is driven by the bloodlust of its spectators, who
2 clamor for the participants to continually cut, hit and slash each other
3 with all types of implements, including golf clubs, guitars, and cheese
4 graters. Although extreme wrestling is rehearsed, it is nonetheless
5 quite dangerous for its participants, who voluntarily subject themselves
6 to bleeding wounds, many of them self-inflicted to keep the blood
7 flowing. While the danger to the participants is a serious concern, it
8 is perhaps even more alarming that children, as young as five years
9 old, regularly attend these blood-soaked spectacles. Moreover, the
10 liberal bloodletting that characterizes many of these events constitutes
11 a public health hazard not only for the participants, but also the
12 spectators.

13 Extreme wrestling is the inadvertent by-product of the de-
14 regulation of professional wrestling by P.L.1997, c.36. This bill does
15 not re-regulate professional wrestling groups such as the World
16 Wrestling Federation (WWF), World Championship Wrestling (WCW)
17 or Extreme Championship Wrestling (ECW), but instead distinguishes
18 extreme wrestling from professional wrestling.

19 In particular, the bill defines extreme wrestling, subjects extreme
20 wrestling to regulation by the State Athletic Control Board, provides
21 opportunity for municipalities to approve or reject proposed extreme
22 wrestling events, prohibits persons under 18 years of age from
23 attending extreme wrestling events and imposes certain fines for
24 certain violations.

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29 _____
30 Provides for regulation of extreme wrestling by State Athletic Control
Board.

CHAPTER 124

AN ACT concerning extreme wrestling, amending P.L.1985, c.83 and P.L.1988, c.20.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section 1 of P.L.1985, c.83 (C.5:2A-1) is amended to read as follows:

C.5:2A-1 Definitions.

1. As used in this act:
 - a. "Attending physician" means a physician assigned to attend a boxing exhibition or performance pursuant to this act.
 - b. "Board" means the State Athletic Control Board established pursuant to section 3 of this act.
 - c. "Commissioner" means the commissioner appointed pursuant to section 5 of this act.
 - d. "Contest" means an engagement in which the participants strive in good faith to win.
 - e. "Council" means the State Athletic Control Board Medical Advisory Council established pursuant to section 8 of this act.
 - f. "Event" means any occurrence in which a boxer, wrestler, extreme wrestler, kick boxer or combative sports practitioner displays or exhibits his skills, performs or fights, but does not include professional wrestling except as provided in section 5 of P.L.1997, c.36 (C.5:2A-14.3).
 - g. "Exhibition" means an engagement in which the participants show or display their skills without necessarily striving to win, but does not include professional wrestling except as provided in section 5 of P.L.1997, c.36 (C.5:2A-14.3).
 - h. "Kick boxing or Thai boxing" means any professional sport where the use of hands or feet or other striking techniques are utilized to disable or cause injury to an opponent in a contest, exhibition, or performance.
 - i. "Combative sport" means any professional sport where participants intend to and actually inflict kicks, punches, blows, and other techniques to injure or disable an opponent in a contest, exhibition, or performance.
 - j. "Martial arts" means any discipline where the participants utilize kicks, punches, blows, and other techniques where the intent is not to injure or disable an opponent in a contest, exhibition, or performance.
 - k. "Physician" means an individual licensed to practice medicine and surgery in this State.
 - l. "Promoter" means any person, club, corporation or association, and in the case of a corporate promoter includes any officer, director, employee or stockholder thereof, who produces, arranges or stages any professional boxing, wrestling, extreme wrestling, kick boxing, or combative sports exhibition, event, performance or contest.
 - m. "Professional wrestling" means an activity in which participants struggle hand-to-hand primarily for the purpose of providing entertainment to spectators rather than conducting a bona fide athletic contest.
 - n. "Wrestling" means a bona fide athletic contest in which participants struggle hand-to-hand with the object of winning by throwing an opponent or scoring points and in which any purpose of providing entertainment is secondary.
 - o. "Extreme wrestling" means an activity in which participants struggle hand-to-hand and cut, slash or strike each other or themselves with an implement to intentionally cause bleeding or perform any intentional act which could reasonably be expected to cause bleeding, primarily for the purpose of providing entertainment to spectators rather than conducting a bona fide athletic contest.

2. Section 2 of P.L.1985, c.83 (C.5:2A-2) is amended to read as follows:

C.5:2A-2 Findings, declarations.

2. The Legislature finds and declares to be the public policy of this State that it is in the best interest of the public and of boxing, wrestling, extreme wrestling, kick boxing and combative sports that boxing, wrestling, extreme wrestling, kick boxing and combative sports exhibitions, events, performances and contests should be subject to an effective and efficient system of strict control and regulation in order to:

- a. Protect the safety and well-being of participants in boxing, wrestling, extreme wrestling,

kick boxing and combative sports exhibitions, events, performances and contests; and

b. Promote the public confidence and trust in the regulatory process and the conduct of boxing, wrestling, extreme wrestling, kick boxing and combative sports exhibitions, events, performances and contests.

To further such public confidence and trust, the regulatory provisions of this act are designed to extend strict State regulation to all persons, practices and associations related to the operation of any boxing, wrestling, extreme wrestling, kick boxing or combative sports exhibition, event, performance or contest held in this State.

The Legislature further finds and declares that, because its principal purpose is to entertain without injuring or disabling one of the participants, professional wrestling should be excluded from this system of regulation and control.

The Legislature further finds and declares that, because its principal purpose is to entertain by having its participants intentionally cause bleeding, or perform acts which reasonably could be expected to cause bleeding, extreme wrestling should be distinguished from professional wrestling. The emphasis on dangerous stunts that cause injury and bleeding makes extreme wrestling potentially harmful to its participants. Furthermore, the atmosphere of base violence and depravity that prevails at an extreme wrestling event has a deleterious effect on children and young adults. Moreover, the liberal bloodletting that characterizes many extreme wrestling events constitutes a public health hazard not only for the participants, but also the spectators. For all of these reasons, extreme wrestling should be subject to strict State regulation.

Because the creativity of those who seek to profit from vulgarity cannot be underestimated, the State Athletic Control Board should be given a proper amount of latitude to regulate the attendant excesses of extreme wrestling that presently exist and that could be incorporated into extreme wrestling events in the future.

3. Section 4 of P.L.1985, c.83 (C.5:2A-4) is amended to read as follows:

C.5:2A-4 Authority of State Athletic Control Board.

4. a. The State Athletic Control Board shall have and exercise sole discretion, management, control and supervision over all public boxing, wrestling, extreme wrestling, kick boxing and combative sports exhibitions, events, performances and contests. The board shall promulgate such rules and regulations as may be necessary and appropriate to carry out the purposes of this act and for the proper discharge of its responsibilities hereunder and may prescribe and enforce penalties for the violation thereof.

b. The board shall promulgate rules that differentiate an extreme wrestler from a professional wrestler, and an extreme wrestling event from a professional wrestling event. If a person is unsure whether he or she is an extreme wrestler, or if a promoter is unsure whether the event being promoted is an extreme wrestling event, it shall be the obligation of the person or the promoter, as appropriate, to consult the board for a ruling.

4. Section 7 of P.L.1985, c.83 (C.5:2A-7) is amended to read as follows:

C.5:2A-7 Responsibilities of board.

7. The board shall have general responsibility for the implementation of this act, as hereinafter provided, including without limitation, the responsibility:

a. To issue licenses and to decide causes affecting the granting, suspension, revocation or renewal thereof;

b. To conduct hearings or direct that hearings be conducted pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) pertaining to civil violations of this act or regulations promulgated thereunder;

c. To promulgate rules and regulations;

d. To establish, prescribe and charge fees for licenses and permits;

e. To collect all license fees and taxes imposed by this act and the regulations promulgated thereunder;

f. To levy and collect penalties for violations of provisions of this act and the regulations

promulgated thereunder; and

g. To ensure that all public boxing, wrestling, extreme wrestling, kick boxing and combative sports exhibitions, events, performances and contests are conducted in accordance with the provisions of this act and regulations promulgated pursuant to this act.

5. Section 11 of P.L.1985, c.83 (C.5:2A-11) is amended to read as follows:

C.5:2A-11 Violations, penalties.

11. a. Any person violating any provision of this act or regulation promulgated thereunder shall, in addition to any other sanction provided herein, be liable to a civil penalty of not less than \$250.00 and not more than \$25,000.00 for the first offense and not less than \$500.00 and not more than \$50,000.00 for the second and each subsequent offense. For the purpose of construing this section, each transaction or statutory violation shall constitute a separate offense, except that a second or subsequent offense shall not be deemed to exist unless an administrative or court order has been entered in a prior, separate and independent proceeding.

b. An extreme wrestler or promoter of an extreme wrestling event who fails to apply for the required approvals, permits and licenses, or a promoter of an extreme wrestling event who knowingly admits a person under the age of 18 years to an extreme wrestling event shall be subject to a civil penalty of not less than \$5,000 for an offense.

6. Section 14 of P.L.1985, c.83 (C.5:2A-14) is amended to read as follows:

C.5:2A-14 Licensure.

14. a. No promoter shall hold or conduct any public boxing, wrestling, extreme wrestling, kick boxing or combative sports exhibition, event, performance or contest in the State of New Jersey without first having obtained a license from the board.

b. No person shall participate, either directly or indirectly, in any boxing, wrestling, extreme wrestling, kick boxing or combative sports exhibition, event, performance or contest, or be a holder thereof, unless the person shall have first obtained a license from the board.

The board shall license all promoters; boxers, wrestlers, extreme wrestlers, kick boxers, combative sports contestants or performers, their managers, scorers and trainers; booking agents; ring officials and other persons the board deems necessary.

c. All licenses shall be for a period of one year, unless revoked for cause, and shall be subject to the provisions of this act and to the rules and regulations adopted pursuant to this act. Before acting upon any application for a license, the board may examine, under oath, applicants or other witnesses. All applications shall be on a form prescribed by the board. The board shall, by regulation, establish fees for the issuance or renewal of all licenses.

d. A license from the board shall not be required of any person in order to conduct or participate in professional wrestling.

7. Section 17 of P.L.1985, c.83 (C.5:2A-17) is amended to read as follows:

C.5:2A-17 Authority of board to discipline licenses.

17. a. The board may revoke any license, after hearing for cause. The board may discipline any licensee who shall violate any of the provisions of this act or the regulations made pursuant thereto. This discipline may take the form of revocation or suspension of a license held by the licensee for all or part of the unexpired portion thereof, and of a refusal to renew a license held by any such licensee.

b. The board may, upon its own motion, or upon the verified written complaint of any person charging a licensee with violating any provision of this act or the rules and regulations promulgated hereunder, suspend temporarily any license or permit until final determination by the board when such an action is necessary to protect the public welfare and the best interests of boxing, wrestling, extreme wrestling, kick boxing or combative sports.

A hearing shall be held within 30 days after the date on which any license or permit has been suspended temporarily unless extended for good cause.

c. The board may also, after affording an opportunity to be heard, take one or more of the following actions:

(1) Issue a reprimand or censure with regard to any act, conduct or practice which in the board's judgment upon consideration of all relevant facts and circumstances does not warrant the initiation of formal action;

(2) Assess civil penalties in accordance with this act;

(3) Order that any person violating any provision of this act or any regulation made pursuant thereto cease and desist from future violations thereof or take such affirmative corrective action as may be necessary with regard to any act or practice found unlawful by the board;

(4) Order any person found to have violated any provision of this act or any regulation made pursuant thereto to restore to any person aggrieved by an unlawful act or practice, any moneys or property, real or personal, acquired by means of that act or practice, except that the board shall not order restoration in a dollar amount greater than those moneys received by a licensee or his agent or any other person violating this act or any regulation made pursuant thereto; and

(5) Order any person as a condition for continued, reinstated or renewed licensure to secure medical or such other professional treatment as may be necessary.

8. Section 18 of P.L.1985, c.83 (C.5:2A-18) is amended to read as follows:

C.5:2A-18 Permit required by promoter.

18. a. No boxing, wrestling, kick boxing or combative sports exhibition, event, performance or contest shall be held by any promoter unless the promoter shall have, at least two weeks before the holding of the same, notified the board, in such form, with such detailed information and at such place as the board may prescribe, of the proposed holding of the same, and shall, in addition to having a license as provided by section 14 of this act, have obtained from the board a permit in writing to hold the same. No permit shall be granted to any promoter who has been delinquent in paying a tax which has been assessed pursuant to section 20 of this act unless good cause is shown.

b. The board shall be notified, at least one week in advance, in such form and with such detailed information as the board may prescribe, that a boxing, wrestling, extreme wrestling, kick boxing or combative sports exhibition, event, performance or contest is to be telecast, televised or broadcast in any manner, including but not limited to television, radio or any transmission via a cable television system, as defined in section 3 of P.L.1972, c.186 (C.48:5A-3), or any transmission via microwave, closed circuit, satellite, fiber optic link or any other method of limited distribution.

c. No person shall charge or receive an admission fee for exhibiting within this State a telecast of any boxing, wrestling, extreme wrestling, kick boxing or combative sports exhibition, event, performance or contest which occurs or has occurred within this State without a permit issued by the board. Permits are required for simultaneous telecasts, closed circuit telecasts, or any transmission of any kind, including but not limited to transmission via microwave, closed circuit, satellite or fiber optic link. As a condition of obtaining a permit, the board shall be furnished with all contracts and agreements pertaining to such transmissions.

d. The board shall be informed by the promoter when any boxing, wrestling, extreme wrestling, kick boxing or combative sports exhibition, event, performance or contest will be exhibited in any manner either within or without the State. As a condition of obtaining a permit, the board shall be furnished with all contracts and agreements pertaining to such exhibitions viewed either within or without the State.

e. No extreme wrestling event shall be held by any promoter who has been licensed pursuant to section 14 of P.L.1985, c.83 (C.5:2A-14) unless the promoter shall have, at least 20 business days before the holding of the event, notified the director of public safety of the municipality in which the event is proposed to take place, in such form and with such detailed information as the board may prescribe, of the proposed holding of the event and received approval in writing therefor. If a municipality does not have a director of public safety or a public safety official with substantially similar duties, the governing body of a municipality shall designate a public safety official to receive notification and approve or disapprove the proposed holding of an

extreme wrestling event. In addition to obtaining municipal approval from the appropriate public safety official and having a license as provided by section 14 of P.L.1985, c.83 (C.5:2A-14), a promoter of an extreme wrestling event shall obtain from the board a permit in writing to hold the event.

The public safety official of a municipality who receives notice of the proposed holding of an extreme wrestling event shall within 15 business days approve or reject the proposed holding of the event. The official may reject the proposed event if the official decides that the holding of the proposed event would constitute a threat to public safety or public health. If the official rejects the proposed event, no permit for the proposed event shall be granted by the board. If the official grants approval, the written approval shall be forwarded by the official to the board, which shall within five business days of the receipt make a determination on the permit to be issued pursuant to subsection a. of this section, notwithstanding the requirement to notify the board at least two weeks before the proposed holding of the event.

f. As a condition of obtaining a permit to hold an extreme wrestling event, no person under the age of 18 years shall be admitted to an extreme wrestling event. The promoter of an extreme wrestling event shall make all reasonable effort to ascertain the age of those persons seeking admittance to the event.

9. Section 20 of P.L.1985, c.83 (C.5:2A-20) is amended to read as follows:

C.5:2A-20 Tax on complimentary tickets, receipts.

20. a. Every promoter shall, within seven days, exclusive of Saturdays, Sundays and legal holidays, after the conclusion of an exhibition, event, performance or contest, furnish to the board at such place as it may prescribe, a duly verified written report of the exact amount of tickets either sold or issued as complimentary tickets for the exhibition, event, performance or contest, the gross proceeds thereof and such other matters as the board may prescribe.

b. The board shall determine and fix the number of complimentary tickets for each exhibition, event, performance or contest. All complimentary tickets shall include upon the face of the ticket the price of the ticket and shall be printed or otherwise labeled as a complimentary ticket. The price shall be deemed to be the value of each ticket of the same kind for which the ticket normally would be offered for sale if it was not issued as a complimentary ticket. It shall be a crime of the fourth degree to sell, offer to sell or receive with the intent to sell a ticket which was originally issued as a complimentary ticket.

c. Every promoter who holds any boxing, wrestling, but not including extreme wrestling, kick boxing or combative sports exhibition, event, performance or contest shall, within seven days, exclusive of Saturdays, Sundays and legal holidays, after the conclusion thereof, pay to the board a tax:

(1) On the total gross receipts from the sale of tickets and on the face value of all tickets issued as complimentary tickets, as follows: 3% of the first \$25,000.00 derived from those tickets; 4% of the next \$50,000.00 derived from those tickets; 5% of the next \$125,000.00 derived from those tickets; and 6% of any amount derived from those tickets exceeding \$200,000.00, except that in no event shall any tax assessed under the provisions of this subsection exceed \$100,000.00 for each exhibition, event, performance or contest;

(2) On any moneys received by reason of the lease or sale of television, including cable television and closed circuit television, moving picture or radio rights in connection with any such exhibition or performance a tax of 5% of the first \$50,000.00 derived from the lease or sale of television, moving picture or radio rights; 3% of the next \$100,000.00 derived from the lease or sale of those rights; 2% of the next \$100,000.00 derived from the lease or sale of those rights; and 1% of any amount in excess of \$250,000.00 derived from the lease or sale of those rights, except that in no event shall any tax assessed under the provisions of this subsection exceed \$100,000.00 for each exhibition, event, performance or contest.

For the purposes of this subsection, the total gross receipts from the sale of tickets or from the lease or sale of television, moving picture or radio rights shall not be subject to any reduction or allowance of any kind whatsoever.

d. The total amount of gross receipts from any such exhibition or performance, including

those derived from the sale or lease of television, moving picture and radio rights, and the total amount of tax due hereunder shall be provided to the board for review and determination. For this purpose the board may examine, or cause to be examined, the books and records of any person and hold a hearing as provided herein.

e. Should any person being liable for the tax hereby imposed fail to pay the same, an action in the name of the board may be maintained in any court of competent jurisdiction, to be prosecuted by the Attorney General, in addition to any remedies given by the bond filed in accordance with section 16 of this act, which actions and remedies may be pursued simultaneously or in any order which the Attorney General may see fit.

10. Section 22 of P.L.1985, c.83 (C.5:2A-22) is amended to read as follows:

C.5:2A-22 Authority of Attorney General relative to casino licensee.

22. a. The Attorney General is authorized to investigate and prosecute any allegation of criminal or civil violations pertaining to any boxing, wrestling, extreme wrestling, kick boxing or combative sports exhibition, event, performance or contest which is held at or sponsored by any person or entity licensed pursuant to the "Casino Control Act," P.L.1977, c.110 (C.5:12-1 et seq.).

b. The identities of all recipients of complimentary tickets to any boxing, wrestling, extreme wrestling, kick boxing or combative sports exhibition, event, performance or contest which are distributed by the holder of a casino license, as defined in section 10 of P.L.1977, c.110 (C.5:12-10), shall be included within the quarterly report on complimentary services required pursuant to subsection m. of section 102 of P.L.1977, c.110 (C.5:12-102).

c. All contracts or agreements entered into by any person or entity licensed pursuant to the "Casino Control Act," P.L.1977, c.110 (C.5:12-1 et seq.) and any promoter, sponsor or participant in any boxing, wrestling, extreme wrestling, kick boxing or combative sports exhibition, event, performance or contest shall be made available for inspection upon request by either the board or the Attorney General. All such exhibitions, events, performances and contests and all such contracts or agreements shall be governed as if the exhibition, event, performance or contest took place in a casino hotel complex. The Attorney General is also authorized to examine any contract or agreement relating to the televising of any boxing, wrestling, extreme wrestling, kick boxing or combative sports exhibition, which is supplied to the board pursuant to section 18 of this act.

d. Every exhibition, event, performance or contest in a casino hotel licensed pursuant to the "Casino Control Act," P.L.1977, c.110 (C.5:12-1 et seq.) shall be subject to licensure in accordance with the "Casino Control Act," P.L.1977, c.110 (C.5:12-1 et seq.).

11. Section 4 of P.L.1988, c.20 (C.5:2A-6.1) is amended to read as follows:

C.5:2A-6.1 Prohibited officeholding.

4. No board member, employee or agent, including the commissioner, shall hold an office or position in any body, organization, association or federation which is established for the purpose of sanctioning boxing, professional wrestling, wrestling, extreme wrestling, kick boxing and combative sports exhibitions, events, performances and contests in this State or other states.

12. Section 5 of P.L.1988, c.20 (C.5:2A-14.1) is amended to read as follows:

C.5:2A-14.1 Events at casino hotels; licensure of promoter required.

5. No promoter shall hold or conduct any public boxing, wrestling, extreme wrestling, kick boxing or combative sports exhibition, event, performance or contest in a casino hotel which is licensed pursuant to or is an applicant for licensure pursuant to the "Casino Control Act," P.L.1977, c.110 (C.5:12-1 et seq.) unless the promoter is licensed as a casino service industry or is an applicant for licensure as a casino service industry pursuant to the "Casino Control Act," P.L.1977, c.110 (C.5:12-1 et seq.) or is registered as a vendor in accordance with the rules and regulations promulgated by the Casino Control Commission. Within one year of the effective

date of this act, all seconds and managers and all promoters, other than those promoters who are applicants for licensure or who are licensed as a casino service industry under section 92 of P.L.1977, c.110 (C.5:12-92) or who are registered as vendors in accordance with the rules and regulations promulgated by the Casino Control Commission, shall undergo background checks conducted by the State Athletic Control Board prior to holding, conducting or participating in any public boxing, wrestling, extreme wrestling, kick boxing or combative sports exhibition, event, performance or contest in this State. Those promoters who are subject to background checks by the State Athletic Control Board pursuant to this section shall bear the costs involved in the conduct of such background checks.

The State Athletic Control Board may incur such expenses as are reasonable and necessary in conducting a background check authorized by this section. An amount equivalent to the expenses incurred shall be assessed as a fee against a promoter who is the subject of a background check by the State Athletic Control Board pursuant to this section and shall be collected by the State Athletic Control Board. The amount collected shall be deposited in a special account in the General Fund and this amount is hereby appropriated to the State Athletic Control Board in the Department of Law and Public Safety to reimburse the board for expenses incurred in conducting the background check.

The State Athletic Control Board shall promulgate rules and regulations governing the nature of and procedures concerning background checks to be conducted by the board pursuant to this section.

13. Section 9 of P.L.1988, c.20 (C.5:2A-14.2) is amended to read as follows:

C.5:2A-14.2 Medical insurance required.

9. a. Promoters licensed pursuant to P.L.1985, c.83 (C.5:2A-1 et seq.) shall carry medical insurance covering all extreme wrestlers, professional boxers, kick boxers or combative sports participants whom they promote.

b. The cost of the insurance required pursuant to this section shall be borne by the promoter.

c. The promoter shall obtain medical insurance coverage in an amount to be determined by the commissioner, which amount shall cover the expenses for the treatment of any injuries the extreme wrestler, boxer, kick boxer or combative sports participant may suffer as a result of an extreme wrestling, professional boxing, kick boxing or combative sports exhibition, event, performance or contest.

d. The insurance coverage required under this act shall extend for at least six months from the date of the bout.

e. No extreme wrestling, professional boxing, kick boxing or combative sports exhibition, event, performance or contest shall be approved in this State unless the promoter is in full compliance with the requirements of this section concerning medical insurance coverage.

14. Section 6 of P.L.1988, c.20 (C.5:2A-18.1) is amended to read as follows:

C.5:2A-18.1 Ringside physicians, ambulance required.

6. No extreme wrestling, boxing, kick boxing or combative sports exhibition, event, performance or contest shall commence or proceed unless two qualified physicians designated by the council shall be at ringside for each extreme wrestling, boxing, kick boxing or combative sports exhibition, event, performance or contest and unless an ambulance containing the standard medical equipment necessary to treat cerebral injuries is stationed at the exhibition, event, performance or contest during the entire time the exhibition, event, performance or contest is taking place. The commissioner or his designee shall delay an exhibition, event, performance or contest until the ambulance and the two qualified ringside physicians required by this section are present.

15. This act shall take effect on the 30th day after enactment.

Approved September 18, 2000.

PO BOX 004
TRENTON, NJ 08625

Office of the Governor
NEWS RELEASE

CONTACT: Jayne O'Connor
Steffanie Bell
609-777-2600

RELEASE: September 18, 2000

**Governor Body Slams Extreme Wrestling
Violent "Entertainment" Subject to Regulation**

Governor Christie Whitman today signed legislation that will place restrictions on extreme wrestling. Noting the gruesome nature of the "entertainment" form, Whitman said the new legislation will prevent children from attending and being exposed to the violence that is commonplace during the events.

"Extreme wrestling goes beyond all sensibilities," said Governor Whitman. "But it will no longer go beyond the law in the State of New Jersey so I am pleased today to sign legislation that subjects extreme wrestling to regulation by the State Athletic Control Board."

"Extreme wrestling is vile, vulgar, and violent. Never let children think that this is acceptable or appropriate behavior. We need to give our kids uplifting messages, and this isn't one of them," Whitman continued.

A-2304, sponsored by Assembly Minority Leader Doria (D-Hudson), Assembly Speaker Collins (R-Salem/Cumberland/Gloucester), Senate President DiFrancesco (R-Middlesex/Morris/ Somerset/Union) and Senator O'Connor (D-Hudson), provides for the regulation of extreme wrestling by the State Athletic Control Board (SACB).

"Extreme wrestling is a grotesque and depraved activity," said Assemblyman Doria. "It's not entertainment. It's blood sport with no redeeming value for our children."

"The challenge here was to protect legitimate professional wrestling while giving the state and municipalities the legal means to control the violent sport of extreme wrestling," said Doria. "I applaud the Governor's speedy response to this commercialized form of brutality."

The legislation requires extreme wrestlers and their promoters to be licensed by the SACB. Promoters must obtain permits prior to holding any extreme wrestling event. In addition, the bill prohibits anyone under the age of 18 from attending the shows. Promoters must also notify the director of public safety in a municipality where they want to have an event at least 20 business days prior to the event. Public Safety officials have 15 business days to approve or reject the event based on public safety or public health concerns.

Any extreme wrestler or promoter who fails to adhere to these regulations would be subject to a civil penalty of no less than \$5,000.