

SB9 INTRODUCED



1 SB9
2 77HH2VE-1
3 By Senator Allen
4 RFD: Judiciary
5 First Read: 04-Feb-25
6 PFD: 23-Aug-24



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SYNOPSIS:

Under existing law, the Alabama Athletic Commission is responsible for regulating boxing, wrestling, and mixed martial arts pursuant to the Alabama Unarmed Combat Act.

This bill would authorize the Attorney General to bring an action for certain violations of the act and would provide criminal penalties for certain violations

A BILL
TO BE ENTITLED
AN ACT

Relating to the Alabama Athletic Commission; to amend Section 41-9-1038, Code of Alabama 1975, to authorize the Attorney General to bring a civil action for certain violations of the Alabama Unarmed Combat Act; and to provide civil fines and criminal penalties for violations.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 41-9-1038 of the Code of Alabama 1975, is amended to read as follows:

"§41-9-1038

(a) (1) Any person may file a written and signed



SB9 INTRODUCED

29 complaint with the commission alleging that any other person
30 has violated any provision of Sections 41-9-1029 ~~to~~ through
31 41-9-1037~~, inclusive~~. A complaint shall be made in the manner
32 prescribed by the board and shall be referred by the
33 commission to a standing investigative committee, consisting
34 of a commission member, the executive director, the attorney
35 for the commission, and an investigator or the chief inspector
36 of the commission. If the investigative committee finds that
37 no probable cause exists, the investigative committee may
38 dismiss the charges and prepare a statement in writing,
39 detailing the reasons for the decision.

40 ~~(b) (1)~~ (2) a. If the investigative committee finds that
41 probable cause exists, the commission shall initiate an
42 administrative proceeding. If the commission determines the
43 person has violated any provision of Sections 41-9-1029 ~~to~~
44 through 41-9-1037~~, inclusive~~, the commission may do any of the
45 following:

46 ~~a.1.~~ a.1. Issue a cease and desist order.

47 ~~b.2.~~ b.2. Suspend or revoke a license.

48 ~~e.3.~~ e.3. Impose an administrative fine of not more than ten
49 thousand dollars (\$10,000) per violation.

50 ~~(2)~~ b. The commission may petition the circuit court of
51 the county where the violation occurred to enforce a cease and
52 desist order and to collect any assessed fine.

53 (b) The Attorney General may bring a civil action
54 requesting relief, including a permanent or temporary
55 injunction, restraining order, or other order, against any
56 person he or she believes is violating any provision of



SB9 INTRODUCED

57 Sections 41-9-1029 through 41-9-1037.

58 (c) (1) Any manager, promoter, matchmaker, or licensee
59 who knowingly violates or coerces or causes any other person
60 to violate any provision of Sections 41-9-1029 through
61 41-9-1037 shall be guilty of a Class C felony.

62 (2) Any member or employee of the commission or any
63 person who administers or enforces this article or rules
64 adopted pursuant to this article who knowingly violates
65 Section 41-9-1033 or Section 41-9-1034 shall be guilty of a
66 Class C felony.

67 (d) (1) Any professional boxer, professional bare
68 knuckle boxer, tough man contestant, professional wrestler,
69 amateur mixed martial arts competitor, or professional
70 competitor in mixed martial arts who knowingly violates this
71 article, except Section 41-9-1034, upon conviction shall be
72 guilty of a Class B misdemeanor.

73 (2) In addition to the criminal penalties provided in
74 subdivision (1), any professional boxer, professional bare
75 knuckle boxer, tough man contestant, professional wrestler,
76 amateur mixed martial arts competitor, or professional
77 competitor in mixed martial arts who violates Section
78 41-9-1034 may be punished by a civil fine not exceeding
79 twenty-five thousand dollars (\$25,000) together with a
80 percentage of the purse not exceeding 15 percent for each
81 violation.

82 (e) A person who participates in or promotes unarmed
83 combat without being properly authorized or licensed by the
84 commission pursuant to this article shall be guilty of a Class



SB9 INTRODUCED

85 A misdemeanor.

86 ~~(e)~~ (f) The criminal penalties in this section shall not
87 be construed to repeal other criminal laws. Whenever conduct
88 prescribed by this article is also prescribed by other
89 provision of law, the provision which carries the more serious
90 penalty shall be applied.

91 ~~(d)~~ (g) Any person aggrieved by an adverse action of the
92 commission may appeal the action to the Circuit Court of
93 Montgomery County in accordance with the Alabama
94 Administrative Procedure Act."

95 Section 2. This act shall become effective on October
96 1, 2025.