

**By: Delegate Pitkin**

Introduced and read first time: February 23, 1996

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 27, 1996

CHAPTER \_\_\_\_

1 AN ACT concerning

2 **Boxers and Kick Boxers - Blood Tests**

3 FOR the purpose of requiring boxers and kick boxers to submit ~~to a~~ certain evidence of  
4 certain results of blood test tests for human immunodeficiency virus and Hepatitis B  
5 at certain times; ~~prohibiting a boxer or kick boxer who has tested positive for human~~  
6 ~~immunodeficiency virus or Hepatitis B to enter a ring~~ providing that a boxer or kick  
7 boxer may enter the ring only under certain circumstances; requiring the  
8 Commission to keep certain information confidential; establishing certain criminal  
9 penalties for certain violations; making this Act an emergency measure; and  
10 generally relating to requiring boxers and kick boxers to submit certain results of  
11 ~~certain blood tests for boxers and kick boxers.~~

12 BY repealing and reenacting, without amendments,

13 Article - Business Regulation

14 Section 4-304

15 Annotated Code of Maryland

16 (1992 Volume and 1995 Supplement)

17 BY adding to

18 Article - Business Regulation

19 Section 4-304.1

20 Annotated Code of Maryland

21 (1992 Volume and 1995 Supplement)

22 BY repealing and reenacting, with amendments,

23 Article - Business Regulation

24 Section ~~4-304~~ and 4-315

2

1 Annotated Code of Maryland  
2 (1992 Volume and 1995 Supplement)

3 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
4 MARYLAND, That the Laws of Maryland read as follows:

5 **Article - Business Regulation**

6 4-304.

7 (a) A licensee shall be examined by a licensed physician who is chosen by the  
8 Commission and who specializes in neurology or neurosurgery prior to the licensee's first  
9 appearance as a contestant in a kick boxing or boxing contest following the issuance or  
10 renewal of a license.

11 ~~(b) A LICENSEE SHALL SUBMIT TO A BLOOD TEST FOR HUMAN  
12 IMMUNODEFICIENCY VIRUS (HIV) AND HEPATITIS B BY A LICENSED LABORATORY  
13 CHOSEN BY THE COMMISSION PRIOR TO THE LICENSEE'S FIRST APPEARANCE AS A  
14 CONTESTANT IN A KICK BOXING OR BOXING CONTEST FOLLOWING THE ISSUANCE  
15 OR RENEWAL OF A LICENSE AND EVERY 3 MONTHS AFTER THE ISSUANCE OR  
16 RENEWAL OF A LICENSE.~~

17 ~~(c) The Commission shall pay the cost of the neurological examination AND  
18 BLOOD TESTS required under this section from license fees collected under this subtitle.~~

19 4-304.1.

20 (A) EACH APPLICANT FOR A LICENSE TO PARTICIPATE AS A BOXER OR KICK  
21 BOXER IN A CONTEST SHALL PRESENT DOCUMENTARY EVIDENCE, SATISFACTORY  
22 TO THE COMMISSION, THAT:

23 (1) WITHIN THE PRIOR 30-DAY PERIOD, THE APPLICANT HAS BEEN  
24 TESTED FOR THE PRESENCE OF ANTIBODIES TO THE HUMAN IMMUNODEFICIENCY  
25 VIRUS (HIV) AND FOR THE PRESENCE OF THE ANTIGEN OF VIRUS HEPATITIS B; AND

26 (2) THE RESULTS OF BOTH TESTS ARE NEGATIVE.

27 (B) WHENEVER DIRECTED BY THE COMMISSION, AN INDIVIDUAL WHO IS  
28 LICENSED TO PARTICIPATE AS A BOXER OR KICK BOXER IN A CONTEST SHALL  
29 PRESENT DOCUMENTARY EVIDENCE, SATISFACTORY TO THE COMMISSION, THAT:

30 (1) WITHIN 30 DAYS PRIOR TO PARTICIPATING IN A CONTEST, THE  
31 INDIVIDUAL HAS BEEN TESTED FOR THE PRESENCE OF ANTIBODIES TO THE HUMAN  
32 IMMUNODEFICIENCY VIRUS (HIV) AND FOR THE PRESENCE OF THE ANTIGEN OF  
33 VIRUS HEPATITIS B; AND

34 (2) THE RESULTS OF BOTH TESTS ARE NEGATIVE.

35 (C) (1) IF THE COMMISSION DENIES A LICENSE, SUSPENDS, OR REVOKES A  
36 LICENSE, DENIES RENEWAL OF A LICENSE, OR DOES NOT ALLOW AN INDIVIDUAL TO  
37 PARTICIPATE IN A CONTEST BECAUSE OF THE FAILURE OF THE INDIVIDUAL TO  
38 COMPLY WITH THIS SECTION, THE COMMISSION SHALL KEEP THE INFORMATION  
39 CONFIDENTIAL AND MAY NOT DISCLOSE THE REASON FOR ITS ACTION.

1                   (2) A PERSON WHO VIOLATES PARAGRAPH (1) OF THIS SUBSECTION IS  
2 GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT  
3 EXCEEDING \$1,000 FOR THE FIRST OFFENSE AND NOT EXCEEDING \$5,000 FOR EACH  
4 SUBSEQUENT CONVICTION.

5 4-315.

6                   (a) A boxer or kick boxer shall be allowed to enter the ring only [if ] IF:

7                   (1) a physician approved by the Commission declares the boxer or kick  
8 boxer to be physically fit; AND

9                   ~~(2) THE BOXER OR KICK BOXER HAS NOT TESTED POSITIVE FOR~~  
10 ~~HUMAN IMMUNODEFICIENCY VIRUS OR HEPATITIS B ON THE MOST RECENT BLOOD~~  
11 ~~TEST REQUIRED BY § 4-304 OF THIS SUBTITLE.~~

12                   (2) THE BOXER OR KICK BOXER HAS COMPLIED WITH § 4-304.1 OF THIS  
13 SUBTITLE.

14                   (b) Each boxer or kick boxer in a contest shall submit to a chemical test of the  
15 urine of the boxer or kick boxer to detect the presence of a controlled dangerous  
16 substance defined under Article 27, § 277 of the Code or other substance that the  
17 Commission prohibits by regulation.

18                   (c) Each boxer or kick boxer in a contest shall wear gloves that weigh at least 5  
19 ounces.

20                   (d) The Commission shall set the length in rounds of each boxing and kick boxing  
21 contest.

22                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency  
23 measure, is necessary for the immediate preservation of the public health and safety, has  
24 been passed by a ye and nay vote supported by three-fifths of all the members elected to  
25 each of the two Houses of the General Assembly, and shall take effect from the date it is  
26 enacted.