

By: **Chairman, Economic Matters Committee (By Request - Departmental - Labor, Licensing and Regulation)**

Introduced and read first time: January 24, 2005

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **State Athletic Commission - Hepatitis C Testing Requirement for Boxers and**
3 **Kick Boxers**

4 FOR the purpose of requiring boxers and kick boxers to submit certain evidence of
5 certain results of blood tests for virus hepatitis C at certain times; and generally
6 relating to the licensing of boxers and kick boxers.

7 BY repealing and reenacting, with amendments,
8 Article - Business Regulation
9 Section 4-304.1
10 Annotated Code of Maryland
11 (2004 Replacement Volume)

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

14 **Article - Business Regulation**

15 4-304.1.

16 (a) (1) Each applicant for a license to participate as a boxer or kick boxer in
17 a contest shall present documentary evidence, satisfactory to the Commission, that:

18 [(1)] (I) within the prior 30-day period, the applicant has been tested
19 for the presence of:

20 1. antibodies to the human immunodeficiency virus (HIV)

21 [and for the presence of];

22 2. the antigen of virus hepatitis B; AND

23 3. ANTIBODIES TO VIRUS HEPATITIS C; and

24 [(2)] (II) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,
25 the results of [both] ALL tests are negative.

1 (2) IF AN APPLICANT FOR A LICENSE IS UNABLE TO COMPLY WITH
2 PARAGRAPH (1)(I)3 OF THIS SUBSECTION, THE APPLICANT SHALL PRESENT
3 DOCUMENTARY EVIDENCE, SATISFACTORY TO THE COMMISSION, THAT WITHIN THE
4 PRIOR 30-DAY PERIOD, THE APPLICANT HAS BEEN TESTED FOR THE PRESENCE OF
5 THE ANTIGEN OF VIRUS HEPATITIS C, AND THE RESULT OF THE TEST IS NEGATIVE.

6 (b) (1) Whenever directed by the Commission, an individual who is licensed
7 to participate as a boxer or kick boxer in a contest shall present documentary
8 evidence, satisfactory to the Commission, that:

9 [(1)] (I) within 30 days prior to participating in a contest, the individual
10 has been tested for the presence of:

- 11 1. antibodies to the human immunodeficiency virus (HIV)
12 [and for the presence of];
- 13 2. the antigen of virus hepatitis B; AND
- 14 3. ANTIBODIES TO VIRUS HEPATITIS C; and

15 [(2)] (II) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,
16 the results of [both] ALL tests are negative.

17 (2) IF A LICENSEE IS UNABLE TO COMPLY WITH PARAGRAPH (1)(I)3 OF
18 THIS SUBSECTION, THE APPLICANT SHALL PRESENT DOCUMENTARY EVIDENCE,
19 SATISFACTORY TO THE COMMISSION, THAT WITHIN THE PRIOR 30-DAY PERIOD, THE
20 LICENSEE HAS BEEN TESTED FOR THE PRESENCE OF THE ANTIGEN OF VIRUS
21 HEPATITIS C, AND THE RESULT OF THE TEST IS NEGATIVE.

22 (c) A test for the presence of HIV conducted under the provisions of this
23 section shall be conducted in accordance with the provisions of Title 4, Subtitle 3 and
24 § 18-336 of the Health - General Article.

25 (d) (1) If the Commission denies a license, suspends, or revokes a license,
26 denies renewal of a license, or does not allow an individual to participate in a contest
27 because of the failure of the individual to comply with this section, the Commission
28 shall keep the information confidential and may not disclose the reason for its action.

29 (2) A person who violates paragraph (1) of this subsection is guilty of a
30 misdemeanor and on conviction is subject to a fine not exceeding \$1,000 for the first
31 offense and not exceeding \$5,000 for each subsequent conviction.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
33 effect October 1, 2005.