C2 5lr0159

By: Chairman, Economic Matters Committee (By Request - Departmental -Labor, Licensing and Regulation) Introduced and read first time: January 24, 2005 Assigned to: Economic Matters Committee Report: Favorable with amendments House action: Adopted Read second time: February 15, 2005 CHAPTER\_\_\_\_ 1 AN ACT concerning 2 State Athletic Commission - Hepatitis C Testing Requirement for Boxers and 3 **Kick Boxers** FOR the purpose of requiring boxers and kick boxers an applicant for a license to 4 participate in a contest as a boxer or kick boxer to submit to the State Athletic 5 Commission certain evidence of certain results of a blood tests test for virus 6 hepatitis C at certain times; requiring an individual licensed to participate in a 7 contest as a boxer or kick boxer to submit, as directed by the Commission, 8 certain evidence of the results of a blood test for virus hepatitis C; and generally 9 relating to the licensing of boxers and kick boxers. 10 11 BY repealing and reenacting, with amendments, Article - Business Regulation 12 13 Section 4-304.1 14 Annotated Code of Maryland 15 (2004 Replacement Volume) SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 17 MARYLAND, That the Laws of Maryland read as follows: **Article - Business Regulation** 18 19 4-304.1. 20 (a) (1)Each applicant for a license to participate as a boxer or kick boxer in 21 a contest shall present documentary evidence, satisfactory to the Commission, that:

1 2	for the presence	1) <del>]</del> ( <del>1)</del> e of:	within	the prior 30-day period, the applicant has been tested
3 4	(HIV) [and for	the preser	1. nce of];	(I) antibodies to the human immunodeficiency virus
5			<del>2.</del>	(II) the antigen of virus hepatitis B; AND
6			<del>3.</del>	(III) ANTIBODIES TO VIRUS HEPATITIS C; and
7 8	the results of [b	2) <del>] (II</del> ooth] ALL	/	PT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, pative.
11 12	(2) IF AN APPLICANT FOR A LICENSE IS UNABLE TO COMPLY WITH  PARAGRAPH (1)(1)3 OF THIS SUBSECTION, THE APPLICANT SHALL PRESENT  DOCUMENTARY EVIDENCE, SATISFACTORY TO THE COMMISSION, THAT WITHIN THE  PRIOR 30 DAY PERIOD, THE APPLICANT HAS BEEN TESTED FOR THE PRESENCE OF  THE ANTIGEN OF VIRUS HEPATITIS C, AND THE RESULT OF THE TEST IS NEGATIVE.			
	14 (b) (1) Whenever directed by the Commission, an individual who is licensed 15 to participate as a boxer or kick boxer in a contest shall present documentary 16 evidence, satisfactory to the Commission, that:			
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19 20	(HIV) [and for	the prese	1. nce of];	(I) antibodies to the human immunodeficiency virus
21			<del>2.</del>	(II) the antigen of virus hepatitis B; AND
22			<del>3.</del>	(III) ANTIBODIES TO VIRUS HEPATITIS C; and
_	23 [(2)] (II) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, 24 the results of [both] ALL tests are negative.			
27 28	125 (2) IF A LICENSEE IS UNABLE TO COMPLY WITH PARAGRAPH (1)(I)3 OF 126 THIS SUBSECTION, THE APPLICANT SHALL PRESENT DOCUMENTARY EVIDENCE, 127 SATISFACTORY TO THE COMMISSION, THAT WITHIN THE PRIOR 30 DAY PERIOD, THE 128 LICENSEE HAS BEEN TESTED FOR THE PRESENCE OF THE ANTIGEN OF VIRUS 129 HEPATITIS C, AND THE RESULT OF THE TEST IS NEGATIVE.			
	A test for the presence of HIV conducted under the provisions of this section shall be conducted in accordance with the provisions of Title 4, Subtitle 3 and \$18-336 of the Health - General Article.			
35	3 (d) (1) If the Commission denies a license, suspends, or revokes a license, 4 denies renewal of a license, or does not allow an individual to participate in a contest 5 because of the failure of the individual to comply with this section, the Commission 6 shall keep the information confidential and may not disclose the reason for its action.			

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- 1 (2) A person who violates paragraph (1) of this subsection is guilty of a 2 misdemeanor and on conviction is subject to a fine not exceeding \$1,000 for the first 3 offense and not exceeding \$5,000 for each subsequent conviction.

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