



SPONSOR: Rep. Valihura & Sen. Sokola
Rep. Hudson

HOUSE OF REPRESENTATIVES

144th GENERAL ASSEMBLY

HOUSE BILL NO. 501
AS AMENDED BY
HOUSE AMENDMENT NO. 1 AS AMENDED
BY HOUSE AMENDMENT NO. 1 TO HOUSE
AMENDMENT NO. 1

AN ACT TO AMEND TITLES 11, 28 AND 29 OF THE DELAWARE CODE RELATING TO BOXING.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Two-thirds of all members elected to each house thereof concurring therein):

1 Section 1. Amend Chapter 5, Title 11 of the Delaware Code, by inserting new “§ 1367” and “§ 1368” to read as
2 follows: “ § 1367. Unauthorized promotion of boxing, mixed martial arts or of a combative sports entertainment or
3 combative fighting match, contest, or event; class A misdemeanor.

4 A person is guilty of the unauthorized promotion of boxing, mixed martial arts or of a combative sports
5 entertainment or combative fighting match, contest, or event if the person promotes, arranges, advertises, or
6 conducts a combative sports entertainment or combative fighting match, contest, or event in violation of
7 Chapter 1 of Title 28 of the Delaware Code.

8 A charge of the unauthorized promotion of boxing, mixed martial arts or of a combative sports entertainment or
9 combative fighting match, contest, or event shall not exclude prosecution for other offenses or violations of
10 this Code.

11 The unauthorized promotion of boxing, mixed martial arts or of a combative sports entertainment or combative
12 fighting match, contest, or event is a class A misdemeanor.

13 § 1368. Unauthorized participation in a boxing, mixed martial arts or in a combative sports entertainment or
14 combative fighting match, contest, or event; class A misdemeanor.

15 (a) A person is guilty of the unauthorized participation in a boxing, mixed martial arts or in a combative sports
16 entertainment or combative fighting match, contest, or event if the person participates as a competitor in a

17 boxing, mixed martial arts or in a combative sports entertainment or combative fighting match, contest, or
18 event in violation of Chapter 1 of Title 28 of the Delaware Code.

19 (b) A charge of the unauthorized participation in a boxing, mixed martial arts or in a combative sports
20 entertainment or combative fighting match, contest, or event shall not exclude prosecution for other
21 offenses or violations this Code.

22 (c) The unauthorized participation in a boxing, mixed martial arts or in a combative sports entertainment or
23 combative fighting match, contest, or event is a class A misdemeanor.”.

24 Section 2. Amend Title 28 of the Delaware Code, by inserting therein a new Chapter to read as follows:

25 “CHAPTER 1. BOXING AND COMBATIVE SPORTS ENTERTAINMENT.

26 Subchapter I. General Provisions.

27 § 101. Legislative intent and findings; statutory construction.

28 (a) It is the intent of the General Assembly in enacting this Chapter to regulate amateur and professional boxing,
29 mixed martial arts and combative sports entertainment. Unregulated boxing and combative sports entertainment
30 matches, contests, and events threaten the health, safety, and welfare not only of their participants, but also of
31 those charged with staging and judging them, those who train to participate in them at a future time, and in some
32 cases those who attend them.

33 (b) To the end of furthering the substantial and compelling interest of the people of this State in regulating boxing,
34 mixed martial arts and combative sporting entertainment events, and in order to promote the health, safety and
35 welfare, of those effected by combative sports in Delaware, this chapter shall be liberally construed so as to
36 effectuate its purposes.

37 § 102. Definitions.

38 The following words, terms, and phrases shall, when used in this Chapter, shall have the meaning ascribed to
39 them in this section, except where the context clearly indicates a different meaning.

40 (1) ‘Amateur boxing’ shall mean any boxing event, as herein defined, which is sanctioned by an amateur boxing
41 association recognized by the Director, such as, but not limited to, the International Amateur Boxing
42 Association, Golden Gloves USA Boxing, Inc. or Mid-Atlantic Association, and for which boxers who
43 engage in a match or contest where no purse of cash or any other article of value is awarded for his or her
44 participation or victory, and who has never received any purse of cash or other article of value for his or her

45 participation or victory in a match or contest, which is greater than the maximum amount permitted by the
46 Division, as defined in rule and regulations of the Division.

47 (2) 'Bout' shall mean one boxing or mixed martial arts match, as defined herein.

48 (3) 'Boxing' shall mean the act, activity, or sport of attack and defense in which a participant delivers blows with
49 his or her fists, especially according to rules requiring the use of boxing gloves and limiting legal blows to
50 those striking above the waist and on the front or sides of the opponent.

51 (4) 'Boxing Match' shall mean a single boxing bout wherein participants use their best efforts to prevail through
52 knockout, technical knockout, judges' decision or any other manner of determining victory which are
53 consistent with the rules governing boxing and authorized by the rules and regulations of the Division.

54 (5) 'Combative fighting' shall include, but not be limited to such terms as "toughman fighting", "toughwoman
55 fighting", "badman fighting", "U.F.C.", "extreme fighting", "mixed martial arts" and all such similar terms or
56 names, and shall mean any unsanctioned boxing or wrestling match, contest or exhibition between two or
57 more participants and where members of the public are selected from the audience to participate with or
58 without protective headgear, who use their hands, with or without gloves, or their feet, or both, and who
59 compete for a financial prize or any item of pecuniary value, and which match, contest, tournament,
60 championship or exhibition is not recognized or sanctioned by any international, national or regional
61 professional sanctioning organization recognized by the Director.

62 (6) 'Combative sports entertainment', included but not limited to "celebrity boxing", "entertainment boxing" and
63 all such similar terms or names shall mean a display of skill for the purpose of entertaining an audience,
64 consisting of choreographed or simulated combat in which techniques commonly used in combative sports are
65 employed by participants. The participants do not exert their best effort and the winner is determined prior to
66 the match.

67 (7) 'Contest' shall mean a bout or group of bouts involving contestants competing in a professional or amateur
68 boxing event or permitted combative sports entertainment event.

69 (8) 'Contestant' shall mean a person who competes in any licensed boxing event, mixed martial arts event or
70 permitted combative sports entertainment event.

71 (9) 'Council' shall mean the Boxing and Combative Sports Advisory Council.

72 (10) 'Director' shall mean the Director of the Division of Professional Regulation of the Department of State.

- 73 (11) 'Division' shall mean the Division of Professional Regulation of the Department of State.
- 74 (12) 'Event' shall mean an organized series of contests and/or individual matches presented as a single occasion.
- 75 (13) 'Mixed martial arts' shall mean combative discipline in which a combination of controls, takedowns,
76 submissions and striking techniques are employed by trained practitioners.
- 77 (14) 'Professional' shall mean a person who engages in a match or contest where a purse of cash or other article of
78 value is awarded for his or her participation or victory which is greater than the maximum amount permitted by
79 the Division to be awarded to an amateur, as defined in the Division's rule and regulations .
- 80 (15) 'Professional boxing' shall mean a boxing match as herein defined, which is sanctioned by a professional
81 boxing association recognized by the Director, such as, but not limited to, the World Boxing Association or the
82 World Boxing Conference of the North American Boxing Association, and for which the boxers are compensated
83 financially.
- 84 (16) 'Promoter' shall mean any person, regardless of job title, who arranges, advertises, produces, stages or
85 conducts a boxing, mixed martial arts or combative sports entertainment event.
- 86 (17) 'Secretary' means the Secretary of State or designee.

87 Subchapter II. Powers and Duties of the Division.

88 § 103. Rules and Regulations.

89 In the interest and for the protection of the public health, safety, and welfare, the Division of Professional Regulation
90 shall promulgate and enforce rules and regulations relating to the regulation of boxing, mixed martial arts and combative
91 sports entertainment events in Delaware.

92 The Division shall have the following powers and duties related to the regulation of boxing, mixed martial arts and
93 combative sporting entertainment events:

- 94 (1) To make and publish rules regulating all professional and amateur boxing, mixed martial arts and
95 combative sports entertainment events held in the State of Delaware, and such rules shall have the force and
96 effect of law;
- 97 (2) To accept applications for and issue licenses and permits for boxing, mixed martial arts or combative sports
98 entertainment events held in the State of Delaware. Such licenses and permits shall be issued in accordance
99 with rules duly adopted by the Division;

- 100 (3) To suspend or revoke licenses and to fine licensees or permittees for any violation of this statute or any
101 regulation made pursuant thereto;
- 102 (4) To charge fees to be determined by the Director of any license or permit authorized hereby; and the amount
103 charged for fees imposed under this chapter shall approximate and reasonably reflect costs necessary to
104 defray the expenses of the Council, as well as the proportional expenses incurred by the Division. There
105 shall be a separate fee charged for each service or activity, but no fee shall be charged for a purpose not
106 specified in this chapter;
- 107 (5) To establish reasonable qualifications for any applicant seeking a license or permit, or to be registered,
108 pursuant to this chapter;
- 109 (6) To establish criteria to determine whether and when a bond shall be posted by a permittee or licensee, the
110 amount of any bond it requires to be posted, and any other conditions relating to the posting of a bond,
111 including those relative to any waiver or exclusion from such posting requirement;
- 112 (7) To provide for the designation and assignment of an agent who shall:
- 113 a. be present at all times during any boxing, mixed martial arts or combative sports
114 entertainment event to which he or she is assigned;
- 115 b. represent the State and act on behalf of the Division at such event for all reasons consistent
116 with the Division's authority under this chapter; and
- 117 c. exercise and enforce this chapter and the Division's regulations including, but not limited to:
- 118 1. the authority to veto the decisions of event officials and participants for good cause; and
119 2. the authority to halt any or all matches undertaken during the event, or to halt the entire
120 event.
- 121 d. Any such agent, and any of its authorized representatives and employees, shall be treated as an
122 agency of the State and/or a public officer or employee of the State, for purposes of
123 subchapter I of Chapter 40 of Title 10 of the Delaware Code.
- 124 (8) To be present at licensed and permitted events in all areas where contestants are prepared and evaluated,
125 including dressing rooms and ringside.
- 126 (9) To veto the decisions of event officials and participants for good cause; and the authority to halt any or
127 all matches undertaken during the event, or to halt the entire event for good cause.

128 § 104. Investigative Authority; Complaints.

- 129 (a) The Director, or his/her designee, shall investigate either by complaint or *sua sponte* all allegations of
130 violation of statutory or regulatory provisions regulating boxing, mixed martial arts and combative
131 sports entertainment in the State of Delaware, and in doing so, an agent of the Division may enter, at a
132 reasonable time and without prior notice, any place of business or other establishment or building in
133 which activity alleged to violate this chapter may occur. All violations shall be investigated as
134 prescribed in § 8735(h) of Title 29 of the Delaware Code. The Secretary, or his/her designee, shall have
135 the authority to suspend or revoke any license or permit or to impose an administrative penalty on any
136 licensee or permittee for any violation of this statute or any rules or regulations made pursuant thereto.
137 Any license may be suspended pending a hearing before the Secretary, or his/her designee, for any
138 statutory or regulatory violation which, in the opinion of the Director, or his or her designee presents an
139 imminent threat to the safety of the contestants or to the health, welfare or safety of the general public.
140 The Director, or his or her designee, shall immediately inform the promoter of the boxing, mixed
141 martial arts and/or combative sports entertainment event and the manager of each contestant in the event
142 of the nature of the violation and the reason for the suspension. All violations shall be heard by the
143 Secretary, or his or her designee within 30 days of the suspension. All hearings regarding statutory or
144 regulatory violations shall be governed by the provisions set forth in the Delaware Administrative
145 Procedures Act, 29 Del C., 101. The proceeds of all administrative penalties imposed by the Secretary
146 shall be paid to the Division.
- 147 (b) Any person wishing to make a complaint against any licensee or permittee shall file such a complaint in
148 the form and manner set forth in § 8735(h) of Title 29 of the Delaware Code.

149 Subchapter III. Licensing, Registration, and Permits.

150 § 105. Boxing or mixed martial arts License.

- 151 (a) No person shall participate in a professional boxing or mixed martial arts event unless licensed by the
152 Division or the Division's designated agent and the following conditions exist:
- 153 (1) Where the promoter presents proof of insurance sufficient to provide medical care of the nature
154 and quality recognized as falling within the standard of medical care in the State of Delaware by
155 the medical community of the State; and

- 156 (2) Where a physician, licensed to practice medicine by the Delaware Board of Medical Practice, or in
157 the jurisdiction of the designated agent is in attendance under the authority of the Division or
158 its designated agent; and
- 159 (3) Where the promoter, contestant, referee, timekeeper, seconds and judges shall be licensed by the
160 Division or its designated agent; and
- 161 (4) Where the event is held in accordance with the sanctioning organization's rules, bylaws,
162 guidelines or other such conditions.
- 163 (5) Where all license fees have been paid to license the event, in an amount established by the Director
164 or the Division's designee.
- 165 (6) No contestant shall be licensed to participate in a boxing or mixed martial arts event unless
166 certified as physically and mentally fit by a medical doctor licensed by the State of Delaware or in
167 the jurisdiction of the designated agent for professional boxing events. The medical examination
168 of the contestant shall take place no sooner than five days prior to the boxing or mixed martial arts
169 event. The costs of the examination shall be paid by the promoter and not deducted from or
170 charged against the purse or other monetary or financial compensation awarded to the contestant.
171 Medical certification of all contestants shall be presented to the Division prior to the boxing or
172 mixed martial arts event. The criteria for physical and mental fitness shall be established by rule.
- 173 (7) All contestants who suffer loss of consciousness or who have been injured seriously as a result of
174 blows received to the head or body shall be supervised for a period not to exceed one hundred
175 twenty days by a licensed medical doctor. The determination of loss of consciousness or of
176 serious injury shall be made only by a medical doctor licensed by the State of Delaware and
177 approved by the Director, or his or her designee, for attendance at the event. The Secretary, or his
178 or her designee, shall suspend the license to engage in boxing or mixed martial arts of any
179 contestant who shall have suffered loss of consciousness or serious injury as a result of blows
180 received to the head or body for a period of no less than 60 days. Such suspension shall remain
181 effective unless and until such contestant shall present to the Secretary, or his or her designee, a
182 certificate of medical clearance on a form approved by the Director and signed by a medical

183 doctor licensed in the State of Delaware certifying that the contestant is physically and mentally
184 fit to engage in boxing or mixed martial arts.

185 (b) No person shall participate in an amateur boxing or mixed martial arts event unless that event is permitted by
186 the Division and the following conditions exist:

187 (1) Where such boxing or mixed martial arts event is sanctioned by an amateur sanctioning
188 organization recognized by the Director; and

189 (2) Where such amateur boxing or mixed martial arts event is permitted by the Division;

190 (3) Where the event is held in accordance with the sanctioning organization's rules, bylaws and
191 guidelines or other such conditions;

192 (4) Where a fee has been paid to permit the event, in an amount established by the Director.

193 (5) No contestant shall be licensed to participate in a boxing or mixed martial arts event unless
194 certified as physically and mentally fit by a medical doctor licensed by the State of Delaware or in
195 the jurisdiction of the designated agent for professional boxing or mixed martial arts events. The
196 medical examination of the contestant shall take place no sooner than five days prior to the boxing
197 or mixed martial arts event. The costs of the examination shall be paid by the promoter and not
198 deducted from or charged against the purse or other monetary or financial compensation awarded
199 to the contestant. Medical certification of all contestants shall be presented to the Division prior to
200 the boxing or mixed martial arts event. The criteria for physical and mental fitness shall be
201 established by rule.

202 (6) All contestants who suffer loss of consciousness or who have been injured seriously as a result of
203 blows received to the head or body shall be supervised for a period not to exceed one hundred
204 twenty days by a licensed medical doctor. The determination of loss of consciousness or of
205 serious injury shall be made only by a medical doctor licensed by the State of Delaware and
206 approved by the Director, or his or her designee, for attendance at the event. The Secretary, or his
207 or her designee, shall suspend the license to engage in boxing or mixed martial arts of any
208 contestant who shall have suffered loss of consciousness or serious injury as a result of blows
209 received to the head or body for a period of no less than 60 days. Such suspension shall remain
210 effective unless and until such contestant shall present to the Secretary, or his or her designee, a

211 certificate of medical clearance on a form approved by the Director and signed by a medical doctor
212 licensed in the State of Delaware certifying that the contestant is physically and mentally fit to
213 engage in boxing or mixed martial arts.

214 § 106. Combative Sports Entertainment Permit.

215 (a) No person may hold, conduct, or exhibit any combative sports entertainment event unless the person first
216 obtains from the Division a permit to hold, conduct, or exhibit the specific combative sports entertainment event. A permit is
217 only valid for the single occasion for which it is issued.

218 (b) Submit a permit application and pay a fee as determined by the Director.

219 Subchapter IV. Exceptions.

220 § 107. Exceptions.

221 (a) The licensing, permitting, registration and bonding requirements set forth in the chapter do not apply to a
222 match, contest, or event, or the participants therein:

223 (1) To any intramural or intermural boxing or mixed martial arts event or athletic competition of any
224 school, college, or university accredited by the Delaware Department of Education or any boxing
225 or mixed martial arts event held on any federal military reservation, provided that those
226 participating in such an event are students or faculty of such school, college or university or
227 students or faculty from a school, college or university inside or outside the State of Delaware and
228 accredited by the appropriate State educational authority or members of the armed forces of the
229 United States or enrolled in and supervised by the Delaware State Police Academy.

230 Subchapter V. Penalties; Injunctive Relief.

231 §108. Penalties

232 (1) Combative fighting, as defined herein, shall be prohibited in the State of Delaware. All participants in a
233 combative fighting event, including, but not limited to contestants, promoters, managers, matchmakers,
234 seconds, judges, timekeepers and referees, shall be subject to prosecution under Title 11 of the Delaware
235 Code.

236 (2) No boxing, mixed martial arts or combative sports entertainment event shall be permitted unless licensed
237 by the Division or its designated agents. All participants in such an unlicensed boxing, mixed martial arts
238 or combative sports entertainment event, including, but not limited to, contestants, promoters, managers,

239 matchmakers, seconds, judges, timekeepers and referees, shall be subject to prosecution under Title 11 of
240 the Delaware Code for applicable offenses.

241 (3) Any promoter who has been found guilty by the Secretary, or his or her designee, of promoting an
242 unsanctioned boxing or mixed martial arts match shall be assessed an administrative penalty of no less than
243 \$500 nor more than \$1,000 per individual boxing or mixed martial arts match regardless of the number of
244 matches scheduled.

245 (4) Any promoter who has been found guilty by the Secretary, or his or her designee, of promoting an
246 unsanctioned combative sports entertainment event shall be assessed an administrative penalty of no less
247 than \$500 nor more than \$1000 per event scheduled.

248 § 109. Injunctive relief.

249 (a) The Division may seek injunctive relief in any court of competent jurisdiction of this State to enjoin any
250 person from undertaking any combative sporting event in violation of this chapter or of the Division's
251 regulations or to compel obedience to any order of the Director relating to combative sports.

252 (b) In addition to any other statutory or regulatory sanction that may be imposed, the Director shall have the
253 authority to apply to the Delaware Court of Chancery for an injunction, restraining order or any other order
254 as may be appropriate to enjoin any person, partnership, organization, corporation, limited liability
255 company, limited partnership or limited partnership from:

256 (1) promoting or offering to promote any unlicensed amateur or, professional boxing event,
257 mixed martial arts event or combative sports entertainment event;

258 (2) advertising or offering to advertise any unlicensed amateur or professional boxing event,
259 mixed martial arts event or combative sports entertainment event;

260 (3) conducting or offering to conduct any unlicensed amateur or professional boxing event, mixed
261 martial arts event or combative sports entertainment event; or

262 (4) competing or offering to compete in any unlicensed amateur or professional boxing event,
263 mixed martial arts event or combative sports entertainment event.

264 (c) Any court of competent jurisdiction in this State may assess and compel payment of a civil penalty pursuant
265 to this section.

266 Subchapter VI. Boxing and Combative Sports Advisory Council.

267 § 110. Boxing and Combative Sports Advisory Council.

268 (a) The Division shall establish a Boxing and Combative Sports Advisory Council.

269 (b) The Advisory Council shall be composed of five members who shall be appointed by the Director of the
270 Division of Professional Regulation. The members shall include the following:

271 (1) One member shall be a physician licensed by and a resident in the State of Delaware with an expertise in
272 sports medicine.

273 (2) One member, who is currently, or shall have been a full-time member of a Delaware police agency or a
274 federal agency with law enforcement responsibilities with no less than 3 years experience in the areas of
275 gambling, organized crime or related areas.

276 (3) One member shall be a Delaware resident with no less than 3 years experience as a boxer.

277 (4) One member shall be a Delaware resident with no less than 3 years experience as a mixed martial arts
278 practitioner.

279 (5) One member shall be a Delaware resident with no less than 3 years experience as a promoter.

280 (6) One member shall be a Delaware resident with no less than 3 years experience as a referee.

281 (7) One member shall be a public member that shall not be, nor ever have been a boxer, promoter, manager,
282 second, referee or judge or employed by a boxer, manager, second, referee or judge nor have been engaged
283 in an activity directly related to boxing. The public member shall be accessible to inquiries, comments and
284 suggestions from the public.

285 (c) The Boxing and Combative Sports Advisory Council shall:

286 (1) Hold open, public meetings as required by the Director, and in accordance with the provisions of the
287 Delaware Freedom of Information Act (29 Del. C. § 100) and the Delaware Administrative Procedures Act
288 (29 Del. C. Chap. 101), to discuss issues relating to the state of boxing and sports entertainment in
289 Delaware including, but not limited to: rules and regulations, proposed legislation, policy guidelines,
290 amateur and professional participation in boxing and combative sports entertainment events, and such other
291 issues as it deems appropriate;

292 (2) Submit to the Director of the Division of Professional Regulation proposed rules, regulations, legislation, or
293 policy guidelines relating to the conduct of boxing and combative sports entertainment matches, contests,
294 and events, and the participants therein;

- 295 (3) Upon the request of the Director or any licensee or permittee or upon a motion of two thirds of the Council,
296 review any rule, regulation, statutory provision, or policy guideline issued by the Division governing any
297 amateur or professional boxing or combative sports entertainment event for the purpose of advising the
298 Division as to the fairness or a violation thereof; and
- 299 (4) Review all written reports submitted by a referee following a boxing or combative sports entertainment
300 match the end of which was not satisfactory to the referee and make recommendations thereon to the
301 Division;
- 302 (d) The Council may review at the request of the Director all applications for any license or permit issued by
303 the Division for the purpose of regulating the conduct of amateur and professional boxing or combative
304 sports entertainment event within Delaware. When reviewing such applications, the Council shall review
305 any medical or criminal histories contained therein in executive session, and such histories shall be exempt
306 from disclosure under the Delaware Freedom of Information Act.
- 307 (e) The Advisory Council may require any licensee, permittee, registrant, medical personnel, or other person
308 identified in the Division's regulations to submit one or more reports relating to any match, contest, or event in
309 order to fulfill its duties under subsection (c) of this section. Such reports shall be submitted under oath and
310 notarized on a form approved by the Division. Refusal by any licensee, permittee, or registrant to comply with
311 the Advisory Council's reporting requirement pursuant to this subsection shall be deemed sufficient grounds for
312 immediate censure, suspension, or revocation of the respective license, permit or registration.
- 313 (f) The Advisory Council may hear oral testimony from any witness having relevant evidence in any matter relating
314 to any match, contest, or event in order to fulfill its duties under subsection (c) of this section. Such testimony
315 shall be given under oath and permanently preserved on audio recording tape, by stenographic transcript, or in
316 another manner pursuant to the Division's regulations.

317 Subchapter VII. Grounds for refusal to issue a license or permit; disciplinary procedures.

318 § 111. Revocation, suspension, censure, reprimand, probation, fine, license or permit refusal.

319 The Secretary or his or her designee may refuse a license or permit, suspend or revoke a license or permit issued
320 or allowed pursuant to this chapter, or may reprimand, censure or fine a licensee or permittee, if he or she has
321 reasonable grounds to believe that the applicant, licensee, registrant, or permittee has:

- 322 (1) Violated a provision of this chapter or of the Division's regulations;

- 323 (2) Been adjudged guilty in another jurisdiction of violating any statute or regulation governing boxing or any
324 combative sports entertainment event prohibited or regulated by the Division;
- 325 (3) Been disciplined by any sanctioning organization recognized by the Division;
- 326 (4) Pleaded guilty to, or been convicted of, any crime that is substantially related to boxing or combative sports
327 entertainment in any jurisdiction, including but not limited to bribery, gambling, racketeering, combative
328 fighting or organized-crime activities;
- 329 (5) Been found to have committed an administrative violation in any jurisdiction for acts constituting bribery,
330 gambling, racketeering, combative fighting or organized-crime activities;
- 331 (6) Been afflicted with a physical or mental disability or impairment that renders him or her no longer capable
332 of exercising the rights or discharging the duties granted pursuant to the license, registration, or permit;
333 provided, however, that the Division must consider, as a mitigating factor, the person's participation in the
334 Voluntary Treatment Option Program as set forth in Section 8735(n) of Title 29 of the Delaware Code;
- 335 (7) Failed to complete at the direction of the Division, its designee or of the Council, any paperwork or
336 administrative formalities in connection with his or her participation in or association with a boxing or
337 combative sports entertainment match conducted in this State, as defined in rule and regulation; or
- 338 (8) Engaged in an activity that, in the opinion of the Director, warrants refusal of license or permit, censure,
339 probation, issuing a reprimand or fine, suspension, or revocation in order to preserve the integrity of boxing
340 and combative sports entertainment in Delaware.

341 § 112. Forfeiture of purse.

342 The Director may order any boxing or combative sports entertainment participant or manager who has received
343 a purse of cash, or any other article of value, in an amount in excess of \$1,000 to forfeit the same to the Division for any
344 serious violation of this chapter or Division regulations. The Division shall establish by regulation guidelines for determining
345 what violations of this chapter or of the Division's regulations are considered serious violations requiring a participant or
346 manager to forfeit of a purse.

347 § 113. Judicial review; appeal from decision or order.

- 348 (a) Any person aggrieved by a decision or order of the Secretary or the Director relating to boxing or combative
349 sports entertainment may seek judicial review thereof by appealing the matter to the Superior Court within 30
350 days of the dated the decision was mailed.

351 (b) Any appeal taken pursuant to this section does not stay the effect of the decision or order of the Director which
352 is the subject of the appeal. The Court may order a stay upon a showing of irreparable harm to the appellant.
353 The Court may require a bond if it orders a stay pursuant to this section.

354 (c) Any appeal taken pursuant to this section shall be on the record to the extent one exists. Where no record exists,
355 the Court may remand the matter to the Director for the purposes of establishing a record or may, for good cause
356 shown, retain the matter and accept such additional evidence as it deems necessary to render a decision in the
357 matter. If the Court retains the matter, it may affirm or reverse the decision or order, or may remand the matter
358 to the Director for further proceedings.

359 § 114. Service of process.

360 Notice of an appeal filed pursuant to § 113 of this Title shall be served upon the Director, or the Director’s
361 designee, and all other parties of record who are subject to the decision or order, together with such other material and
362 information as required by the Court. Service of process shall be perfected pursuant to the Rules of the Superior Court
363 governing service of process in civil proceedings.

364 § 115. Certification of record.

365 (a) Upon being served with a notice of appeal pursuant to § 113 of this Title the Director, or the Director’s
366 designee, shall certify to the Court the record of the proceedings to which the petition relates, if one exists.

367 (b) The petitioner shall pay all costs associated with the preparation and certification of the record pursuant to
368 this section, which shall be paid upon the conclusion of the proceedings at the direction of the Court.”.

369 Section 3. Amend § 8735(b), Title 29 of the Delaware Code, by striking said subsection in its entirety and by
370 substituting in lieu thereof the following:

371 “(b) The Division of Professional Regulation shall have the powers, duties and functions related to the
372 regulation of amateur and professional boxing and combative sports entertainment as set forth in Chapter 1 of Title 28 of the
373 Delaware Code.”

374 Section 4. Amend §10161(a), Title 29 of the Delaware Code by adding a new paragraph “(52)” to read as follows:

375 “(52) Division of Professional Regulation”