

Wrestling Act

Act 32 of 1992 (effective May 13, 1992)

5 Pa.C.S. §§ 1901-2110

§ 1901. Short title of subpart

This subpart shall be known and may be cited as the Wrestling Act.

§ 1902. Definitions

Subject to additional definitions contained in subsequent provisions of this subpart which are applicable to specific provisions of this subpart, the following words and phrases when used in this subpart shall have the meanings given to them in this section unless the context clearly indicates otherwise:

“PROMOTER.” Any person and, in the case of a corporation, an officer, director, employee or shareholder thereof who produces, arranges or stages any professional wrestling exhibition.

“WRESTLING CONTEST.” A wrestling engagement in which the wrestlers strive earnestly in good faith to win.

“WRESTLING EVENT.” One or more wrestling exhibitions conducted at the same location on the same day.

“WRESTLING EXHIBITION.” An engagement in which the participants display their skills in a struggle against each other in the ring, with or without the use of accessories, without necessarily striving to win, provided that contests prohibited by law shall not be considered exhibitions.

§ 1903. Applicability of subpart

This subpart shall not apply to any amateur or professional wrestling contest or exhibition held solely as a training event for the Olympic Games and certified as such an event by the commission.

§ 2101. Promoter's license

(a) **REQUIRED.**-- No promoter shall conduct, hold or promote any professional wrestling contest or exhibition unless the promoter has first obtained a promoter's license from the commission. A promoter licensed under the act of July 1, 1989 (P.L. 160, No. 29), known as the Professional Wrestling Act, including a promoter deemed licensed under section 3(a) of that act, shall be deemed licensed under this subpart, unless the commission has suspended or revoked the license or the license has expired. A promoter's license shall be issued by the commission upon the filing by an applicant of the following:

(1) A license fee of \$ 100.

(2) A surety bond as required under section 2102 (relating to promoter's bonding requirements).

(3) An application form stating the name, address, phone number, taxpayer identification number and nature of the entity applying for the license.

(b) PROHIBITION.-- The commission shall not issue or renew a promoter's license to a person who has been convicted of or pleaded guilty or nolo contendere to any of the following offenses during the ten years preceding the application date:

- (1) Bribery.
- (2) Corrupt solicitation.
- (3) Extortion.
- (4) Perjury or subornation of perjury.
- (5) Carrying a deadly weapon.
- (6) Any offense set forth in 18 Pa.C.S. Ch. 43 Subch. A (relating to definition of offenses generally), 55 (relating to riot, disorderly conduct and related offenses), 59 (relating to public indecency) or 63 (relating to minors).
- (7) Bribery in athletic contests.
- (8) Soliciting or accepting a bribe in athletic contests.
- (9) Professional theft.
- (10) Murder.
- (11) Administering drugs.
- (12) Rape.
- (13) Indecent assault.
- (14) Kidnapping.
- (15) Any offense involving the use, sale or delivery of narcotics.

(c) RENEWAL.-- A promoter's license shall be renewed annually upon payment of a license fee of \$100 to the Athletic Commission Augmentation Account. The license shall expire on December 31 next following issuance.

(d) REPORTS.-- At least ten days before the scheduled date of any professional wrestling contest or exhibition, the promoter of the contest or exhibition shall notify the commission in writing of the date, time and location of the event.

(e) SUSPENSION.-- Upon conviction of a promoter for any violation of this subpart, the commission shall suspend the promoter's license for a period as follows:

- (1) For an offense other than as provided in paragraph (2), 60 days.
- (2) For an offense committed within 12 months after conviction of a prior offense, 90 days.

(f) REVOCATION.-- Upon conviction of a promoter of a violation of this subpart committed within 12 months after conviction of a violation as defined under subsection (e)(2), the commission shall revoke the promoter's license. The license shall not be reissued prior to the expiration of one year from the effective date of revocation.

(g) PROMOTING WITHOUT A LICENSE.-- The commission may issue an order prohibiting a promoter from holding or promoting a professional wrestling contest or exhibition without having obtained the promoter's license required under subsection (a). If it is determined the respondent has engaged in the promotion of any professional contest or exhibition without having first obtained a promoter's license from the commission, the court, on petition by the commission, shall enjoin him from such activities unless and until he has been duly licensed. The procedure in such cases shall be the same as in any other injunction suit. The remedies under this subsection are in addition to any other remedies under this part.

§ 2102. Promoter's bonding requirements

(a) GENERAL RULE.-- Before the scheduled date of any professional wrestling contest or exhibition, the promoter shall provide the commission and shall maintain in effect a surety bond in an amount of not less than \$ 10,000, as the department shall determine.

(b) **CONDITIONS OF BOND.**-- The surety bond shall be conditioned upon the faithful performance by the promoter of his obligations under this subpart and any contract with an entity in charge of an arena or other facility at which the exhibition is held. All bonds shall be on a form supplied by the department and shall be accompanied by a filing fee fixed by the commission.

(c) **RECOVERY ON BOND.**-- Recovery may be had on the bond in the same manner as penalties are recoverable at law.

§ 2103. Gross receipts taxes

(a) **IMPOSITION OF TAX.**-- In addition to any Federal tax or tax imposed by any political subdivision of this Commonwealth to be paid on gross receipts, every promoter shall pay a State tax of 5% of the face value of all tickets sold to any wrestling contest or exhibition.

(b) **PAYMENT OF TAX.**-- The tax payment shall be made to the commission within ten days after the contest or exhibition. The payment shall be accompanied by a form prescribed by the commission setting forth the taxable receipts received from the contest or exhibition, together with such other information as the department may require. Payment shall be accompanied by a verified statement by the ticket printer showing the number of tickets printed for use at the contest or exhibition. Any payment not received by the commission within the ten-day period shall be subject to a late fee fixed by the commission by regulation, which shall be not more than \$100.

§ 2104. Physician to be in attendance

Before any professional wrestling contest or exhibition shall take place, the promoter and the operator of the arena or facility shall employ a physician to be present at every wrestling contest or exhibition. The physician shall observe the physical condition of the participants throughout the contest or exhibition and shall be authorized to terminate the contest or exhibition when, in his judgment, severe injury would result if the contest or exhibition were to continue. The physician's fee shall be paid by the promoter.

§ 2105. Ambulance available

Before any professional wrestling contest or exhibition shall take place, the promoter and the operator of the arena or facility shall have an ambulance or paramedical unit present at the arena in case a serious injury were to occur. If the ambulance or paramedical unit is located within five miles of the arena and that unit has been notified to be on call by the promoter, the unit need not be present at the arena.

§ 2106. Crowd control

Before any professional wrestling contest or exhibition shall take place, the promoter and the operator of the arena or facility shall ensure that adequate security personnel are in attendance to control fans in attendance. The size of the security force is at the discretion of the promoter and the owner or operator of the arena or facility, as they shall agree.

§ 2107. Prohibited acts

(a) ARENA OWNERS OR OPERATORS.-- An owner or operator of an arena or other facility at which a professional wrestling contest or exhibition takes place shall not destroy any ticket or ticket stub, whether sold or unsold, within three months after the date of any exhibition.

(b) WRESTLERS.-- A wrestler shall not deliberately cut or otherwise mutilate himself while participating in a wrestling contest or exhibition.

(c) PROMOTER.-- A promoter shall not do any of the following:

(1) Conduct any professional wrestling contest or exhibition without satisfying the bond requirements specified in section 2102 (relating to promoter's bonding requirements).

(2) Employ as a participant in a wrestling contest or exhibition any individual who is under 18 years of age.

§ 2108. Enforcement

(a) GENERAL RULE.-- The executive director may assign a representative of the commission to any professional wrestling contest or exhibition to ensure compliance with this subpart. This representative shall be admitted by the promoter without fee. In place of a commission representative, the executive director may, upon notifying the police chief of any municipal police department, request that a designee of the local police department monitor the compliance of this subpart at the exhibition.

(b) ENFORCEMENT FEE.-- The promoter shall pay a fee of \$100 for each wrestling event to the enforcement entity attending the event under subsection (a) to cover the costs of enforcement of this subpart.

§ 2109. Penalties

Except for a violation of section 2101 (relating to promoter's license) or 2107 (relating to prohibited acts), a knowing or reckless violation of any provision of this subpart shall be a summary offense. A knowing or reckless violation of section 2101 or 2107 shall be a misdemeanor of the third degree. In addition to any other procedure for instituting proceedings, the executive director may, upon receiving a report of an unlawful incident or a violation of this subpart, authorize the filing of a complaint or citation pursuant to the Pennsylvania Rules of Criminal Procedure.

§ 2110. Disposition of commission receipts

Fees, taxes, fines, forfeitures and other money collected under the provisions of this subpart and the rules and regulations promulgated under this part, including all fees charged under this part and fines imposed and collected for violations of this part, shall be collected by the commission, transmitted to the Department of Revenue and paid into the Athletic Commission Augmentation Account established in section 1512 (relating to Athletic Commission Augmentation Account).