

MICHIGAN UNARMED COMBAT REGULATORY ACT (EXCERPT)

Act 403 of 2004

338.3642 Summary suspension.

Sec. 42.

(1) After it conducts an investigation, the department may issue an order summarily suspending a license based on an affidavit by an individual who is familiar with the facts set forth in the affidavit, or, if appropriate, based on an affidavit made on information and belief, that an imminent threat to the integrity of the sport, the public interest, or the welfare and safety of a contestant exists.

(2) A person whose license is summarily suspended under this section may petition the department to dissolve the order. If it receives a petition to dissolve a summary suspension order under this subsection, the department may deny the request to dissolve the order, grant the request to dissolve the order, or immediately schedule a hearing to decide whether to grant or deny the request to dissolve the order.

(3) At a hearing described in subsection (2), an administrative law hearings examiner shall dissolve the summary suspension order, unless sufficient evidence is presented that an imminent threat to the integrity of the sport, the public interest, or the welfare and safety of a contestant exists that requires emergency action and continuation of the department's summary suspension order.

(4) The record created at a hearing described in subsection (2) to dissolve a summary suspension order shall become part of the record on the complaint at any subsequent hearing in a contested case on the complaint.

(5) A summary suspension of a contestant under section 48(5) for refusal or failure to submit to a drug test or for the presence of controlled substances, alcohol, enhancers, stimulants, performance enhancing drugs, or other drugs or substances prohibited by rules promulgated by the department, or derivatives or metabolites of controlled substances, alcohol, enhancers, stimulants, performance enhancing drugs, or other drugs or substances prohibited by rules promulgated by the department, shall proceed under this section.

History: 2004, Act 403, Eff. Feb. 20, 2005 ;-- Am. 2015, Act 183, Eff. Feb. 10, 2016