

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

Date: March 19, 1998 Revised: _____

Subject: Pugilistic Exhibitions

	<u>Analyst</u>	<u>Staff Director</u>	<u>Reference</u>	<u>Action</u>
1.	<u>Matthews</u>	<u>Guthrie</u>	<u>RI</u>	<u>Favorable/CS</u>
2.	_____	_____	<u>GO</u>	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

This bill amends certain provisions of the Joe Lang Kershaw Act (Chapter 548, Florida Statutes relating to pugilistic exhibitions). It deletes the specific office location requirement for the State Athletic Commission and clarifies language regarding toughman and badman competitions and the duration of licenses, and grants the commission authority to adopt rules regarding weights, classes, and gloves.

This bill substantially amends the following sections of the Florida Statutes: 548.003, 548.007, 548.008, 548.026, and 548.043.

II. Present Situation:

Chapter 548, F.S., establishes the State Athletic Commission. The 5-member commission is appointed by the Governor. It receives administrative support from the Department of Business and Professional Regulation but otherwise operates independently. The commission is responsible for oversight and regulation of pugilistic (boxing) contests and exhibitions, implementation of licensing requirements, establishment and administration of medical guidelines, administration and collection of fees, fines, taxes and other financial interests, and oversight of ticket policies.

The commission is required to maintain an office in Tallahassee and is also authorized to establish any other necessary branch offices. See s. 548.003(3), F.S. The commission presently operates primarily out of the office located in Tampa, while maintaining a branch office in Tallahassee staffed with one part-time OPS employee. The office in Tampa is staffed by the executive director of the commission and an assistant executive secretary. The rationale offered for relocation of the principle office is that most pugilistic events have been or are scheduled in central or south Florida. For 1997, 37 events were held in south Florida, 13 in central Florida, and 6 in north

Florida. For 1998 thus far, 13 events are scheduled for south Florida, 2 in central Florida and 2 in north Florida. The commission employs varying numbers of OPS inspectors for events, according to the size of the event.

Toughman or badman competitions include any contest or exhibition where participants use a combination of fighting skills, other than kickboxing. Due to the reportedly very dangerous nature of toughman or badman competition, these types of exhibitions are prohibited. See s. 548.008, F.S. Participation or promotion of a toughman or badman match is punishable as a misdemeanor of the second degree. A potential loophole exists in the law which may allow toughman or badman competition among *amateurs*. Section 548.007, F.S., exempts amateur matches from the provisions of the act.

III. Effect of Proposed Changes:

Section 1 amends s. 548.003, F.S., relating to the State Athletic Commission, to no longer require a specific office location.

Section 2 amends s. 548.007, F.S., relating to the inapplicability of the Act to amateur and certain other matches, to clarify that both professional and amateur toughman or badman competitions are not exempt from the provisions of the Act.

Section 3 amends subsection (1) of s. 548.008, F.S., relating to the prohibition of toughman or badman competition, to close an existing loophole by clarifying that neither professional or amateur toughman or badman competition can be held in the state.

Section 4 amends s. 548.026, F.S., relating to the duration of license, to provide that a license expires one year after the date of issuance, rather than on the following December 31, as provided by current law.

Section 5 amends s. 548.043, F.S., relating to weights, classes, and gloves, to grant specific authority to the commission for existing rules on the maximum acceptable difference in weight between participants and the appropriate weight boxing gloves. The maximum difference in weight between participants provided by law is increased from 10 to 12 pounds.

Section 6 provides for the bill to become effective upon becoming law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

This bill should provide additional safeguards in the regulation of the pugilistic exhibitions.

C. Government Sector Impact:

The department and the commission anticipate no need for additional resources to administer this bill. The commission anticipates minimal fiscal impact from the change in the licensure expiration date because licensing fees constitute a relatively small percentage of the commission's revenues.

VI. Technical Deficiencies:

None.

VII. Related Issues:

The bill provides adequate and appropriate standards and guidelines to direct the agency's implementation of the proposed legislation.

VIII. Amendments:

None.