

By Senator Kurth

15-1159-00

1                                   A bill to be entitled  
2           An act relating to the Florida State Boxing  
3           Commission; amending s. 548.002, F.S.; defining  
4           the term "second"; amending ss. 548.003,  
5           548.041, 548.043, 548.046, 548.049, F.S.;  
6           adding requirements governing facilities,  
7           safety, participants, representatives; other  
8           personnel and their responsibilities, and the  
9           weighing of participants; prescribing licensure  
10          requirements and providing for suspension or  
11          revocation of licenses under specified  
12          circumstances; providing for drug testing;  
13          increasing insurance requirements; amending s.  
14          548.008, F.S.; revising provisions prohibiting  
15          toughman or badman competition and increasing  
16          penalties with respect to violations of such  
17          prohibition; creating s. 548.024, F.S.;  
18          authorizing background investigations of  
19          applicants for licensure; amending s. 548.05,  
20          F.S.; adding requirements regarding contracts;  
21          amending s. 548.057, F.S.; adding requirements  
22          regarding judges; amending s. 548.074, F.S.;  
23          revising provisions relating to investigative  
24          powers; amending s. 548.079, F.S.; providing a  
25          penalty for the submission of false  
26          information; providing an effective date.

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28   Be It Enacted by the Legislature of the State of Florida:  
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1           Section 1. Present subsection (17) of section 548.002,  
2 Florida Statutes, is redesignated as subsection (18) and a new  
3 subsection (17) is added to that section to read:

4           548.002 Definitions.--As used in this act, the term:  
5           (17) "Second" means a person, also known as a  
6 cornerman, who is licensed to assist a fight participant  
7 between rounds and maintain the corner of the participant  
8 during the match.

9           Section 2. Subsection (2) of section 548.003, Florida  
10 Statutes, is amended to read:

11           548.003 Florida State Boxing Commission; organization;  
12 meetings; accountability of commission members; compensation  
13 and travel expenses; association membership and  
14 participation.--

15           (2) The Florida State Boxing Commission, as created by  
16 subsection (1), shall administer the provisions of this  
17 chapter. The commission has authority to adopt rules pursuant  
18 to ss. 120.536(1) and 120.54 to implement the provisions of  
19 this chapter and to implement each of the duties and  
20 responsibilities conferred upon the commission, including, but  
21 not limited to:

22           (a) Developing ~~development~~ of an ethical code of  
23 conduct for commissioners, commission staff, and commission  
24 officials;

25           (b) Establishing facility and safety requirements  
26 relating to the ring, floor plan, apron seating, emergency  
27 medical equipment and services, and other equipment and  
28 services necessary for conducting a program of matches;

29           (c) Establishing requirements regarding a  
30 participant's apparel, bandages, handwraps, gloves,  
31 mouthpiece, and appearance during a match;

1           (d) Establishing requirements relating to a manager's  
2 participation, presence, and conduct during a match;

3           (e) Establishing duties and responsibilities of  
4 licenses under this chapter;

5           (f) Providing for the appointment of and establishing  
6 criteria for inspectors and chief inspectors, and their duties  
7 with respect to overseeing and coordinating activities for  
8 each program of matches regulated under this chapter;

9           (g) Providing for the designation of and establishing  
10 the duties of a knockdown timekeeper;

11           (h) Establishing procedures for hearings and  
12 resolution of disputes;

13           (i) Establishing qualifications for the appointment of  
14 referees and judges; and

15           (j) Setting fee and reimbursement schedules for  
16 referees and other officials appointed by the commission or  
17 its designee.

18           Section 3. Section 548.008, Florida Statutes, is  
19 amended to read:

20           548.008 Toughman and badman competition prohibited.--

21           (1) No professional or amateur toughman or badman  
22 match, as determined by the executive director ~~described in~~  
23 ~~this section~~, may be held in this state. Such competition  
24 includes any contest or exhibition where participants compete  
25 by using a combination of fighting skills. Such skills may  
26 include, but are not limited to, boxing, wrestling, kicking,  
27 or martial arts skills. Notwithstanding the above, this  
28 section shall not preclude kickboxing as regulated by this  
29 chapter.

30           (2) Any person participating in or promoting a  
31 professional or amateur toughman or badman match is guilty of

1 a felony ~~misdemeanor~~ of the third ~~second~~ degree, punishable as  
2 provided in s. 775.082 or s. 775.083.

3 Section 4. Section 548.024, Florida Statutes, is  
4 created to read:

5 548.024 Background investigation for licensure  
6 applicants.--

7 (1) The commission may adopt rules that provide for  
8 background investigations of applicants for licensure in order  
9 to determine whether they are of good moral character,  
10 including, without limitation, investigations into the  
11 criminal and financial history of the applicants.

12 (2) The commission may require an applicant to submit  
13 to the department a fingerprint card, to be forwarded to the  
14 Division of Criminal Justice Information Systems of the  
15 Department of Law Enforcement and to the Federal Bureau of  
16 Investigation, to determine whether the applicant has a  
17 criminal history record. The information obtained by the  
18 processing of the fingerprint card shall be sent to the  
19 department to determine whether the applicant is qualified for  
20 licensure.

21 Section 5. Section 548.041, Florida Statutes, is  
22 amended to read:

23 548.041 Age, condition, and suspension of boxers.--

24 (1) A person under 18 years of age may not participate  
25 in any match.

26 (2) A person may not be licensed as a participant, and  
27 the license of any participant must be suspended or revoked if  
28 such person is:

29 (a) Under the age of 18;

30 (b) Found to have participated in a match in this  
31 state which was not sanctioned by the commission; or

1           (c) Does not meet health and medical examination  
2 conditions required by the commission.

3           (3)(a) The license of a participant who loses a match  
4 by knockout as a result of being counted out in any  
5 jurisdiction shall be automatically suspended for a period of  
6 time as determined by the attending physician or commission  
7 representative, or at least 60 calendar days from the date of  
8 the knockout, whichever is longer. A participant may not  
9 engage in any match, contact exhibition, or contact sparring  
10 for training purposes during the suspension period. After the  
11 suspension period and before engaging in any match, contact  
12 exhibition, or contact sparring, the participant must be  
13 examined by a physician. The participant shall advise the  
14 physician of the previous knockout or technical draw and shall  
15 provide medical records or permission for the physician to  
16 consult with the physician who treated the participant at the  
17 time of the knockout. The results of this examination must be  
18 filed with the commission before any further matches may be  
19 approved for the participant.

20           (b) The license of a participant who loses a match by  
21 technical knockout, or technical draw, or disqualification  
22 shall be automatically suspended for a period of time to be  
23 determined by the physician or commission representative, but  
24 not less than 30 days from the date of the match. A  
25 participant may not engage in any match, contact exhibition,  
26 or contact sparring for training purposes during the  
27 suspension period without the approval of the physician. After  
28 the suspension period and before engaging in any match,  
29 contact exhibition, or contact sparring the participant must  
30 be examined by a physician. The participant shall advise the  
31 physician of the previous knockout or technical draw and shall

1 provide medical records or permission for the physician to  
2 consult with the physician who treated the participant at the  
3 time of the knockout or technical draw. The results of the  
4 examination must be filed with the commission before any  
5 further matches may be approved for the participant. The  
6 commission representative shall determine whether a medical  
7 clearance is required following a suspension because of a  
8 disqualification.

9 (c) A participant whose license has been suspended by  
10 any state because of a recent knockout or series of  
11 consecutive losses, injury, requirement for a medical  
12 procedure, physician denial of certification, failure of a  
13 drug test, use of false aliases, or falsifying or attempting  
14 to falsify official identification cards or documents may not  
15 participate in this state until the state in which the  
16 participant's license was suspended lifts the suspension or  
17 until the requirements of the suspension have been fulfilled  
18 and proof thereof has been provided to the commission. If the  
19 license of a participant has been suspended in another state  
20 for any other reason, the participant may participate if the  
21 state in which the participant's license was suspended is  
22 consulted by this state prior to granting approval to  
23 participate or if the participant appeals to the Association  
24 of Boxing Commissions and it determines that the suspension  
25 was without sufficient grounds, was for an improper purpose,  
26 or was not related to the health or safety of the participant.

27 (d) The license of any participant who fails to appear  
28 at a match or fails to appear timely at a match for which the  
29 participant or the participant's manager has been contracted  
30 and does not provide a valid reason or, in the case of  
31 physical disability, has not furnished a physician's

1 certificate shall be suspended for a period to be determined  
2 by the commission. In making this determination, the  
3 commission shall consider:

4 1. The relative importance of the match;

5 2. The participant's record of punctuality and  
6 tardiness; and

7 3. The reasons for the participant's failure to appear  
8 or appear timely.

9 (e) The license of a participant shall be revoked and  
10 may not be reinstated, if the participant intentionally  
11 strikes, strikes at, or intentionally touches or threatens to  
12 touch, an official.

13 Section 6. Subsection (4) is added to section 548.043,  
14 Florida Statutes, to read:

15 548.043 Weights and classes, limitations; gloves.--

16 (4) Participants in matches must be weighed on the  
17 same scale at a time and place determined by the commission or  
18 its representative, in the presence of the opponent and a  
19 commission representative. If a participant does not arrive at  
20 the weigh-in at the scheduled time, the participant's opponent  
21 may be weighed without the participant present, and the  
22 opponent retains the right of observing the weighing in of the  
23 tardy participant. The weigh-in may not occur earlier than 4  
24 p.m. on the day preceding the date of the program of matches  
25 or at such other time designated by the commission.

26 Section 7. Section 548.046, Florida Statutes, is  
27 amended to read:

28 548.046 Physician's attendance at match; examinations;  
29 cancellation of match.--

30 (1) The commission or its designee shall assign to  
31 each match at least one ~~a~~ physician who shall observe the

1 physical condition of the participants and advise the  
2 commissioner or commission representative ~~deputy~~ in charge and  
3 the referee of the participants' conditions before, and  
4 during, and after the match. The commission shall establish a  
5 schedule of fees for the physician's services. The  
6 physician's fee shall be paid by the promoter of the match  
7 attended by the physician.

8 (2) In addition to any other required examination,  
9 each participant shall be examined by the attending physician  
10 at the time of weigh-in. If the physician determines that a  
11 participant is physically or mentally unfit to proceed, the  
12 physician shall notify any commissioner or the commission  
13 representative who shall immediately cancel the match. The  
14 examination shall conform to rules adopted by the commission  
15 based on the advice of the medical advisory council. The  
16 result of the examination shall be reported in a writing  
17 signed by the physician and filed with the commission prior to  
18 completion of the weigh-in.

19 (3)(a) When the commission representative believes  
20 that a participant has ingested or used a prohibited drug or  
21 foreign substance, the commission representative shall request  
22 and the participant shall provide, under supervision of the  
23 attending physician, commission representative, or inspector,  
24 a urine sample taken not more than 1 hour after the conclusion  
25 of the match. A participant may not use substances or methods  
26 that would alter the integrity of the urine sample. Urine  
27 samples must be taken in accordance with the protocol agreed  
28 upon in writing between the commission and the laboratory used  
29 for processing the urine samples.

30 (b) The refusal to provide a urine sample immediately  
31 upon request shall result in the revocation of the



1 participant's license. A participant who has been adjudged the  
2 loser of a match and who subsequently refuses or is unable to  
3 provide a urine sample shall forfeit his share of the purse to  
4 the commission. Any participant who is adjudged the winner of  
5 a match and who subsequently refuses or is unable to provide a  
6 urine sample shall forfeit the win and not be allowed to  
7 engage in any future match, and a no-decision result shall be  
8 entered into the official record as the result of the match.  
9 The purse shall be redistributed as though the participant had  
10 lost the match. If redistribution of the purse is unnecessary  
11 or after redistribution has been accomplished, the participant  
12 who is in violation of this subsection shall forfeit his or  
13 her share of the purse to the commission.

14 (4) The attending physician shall provide medical  
15 assistance at the facility, and shall have complete charge and  
16 be given the full cooperation of all commission  
17 representatives and licensees regarding any illness or injury  
18 sustained by any person under the jurisdiction of the  
19 commission as a result of a match. If the physician determines  
20 that the referee has received an injury that prohibits the  
21 referee from continuing to officiate, the physician must  
22 notify the commission representative, who shall temporarily  
23 halt the match. The physician shall attend to the injured  
24 referee until the referee is no longer in danger or has been  
25 transferred to the care of another qualified person.

26 Section 8. Subsection (1) of section 548.049, Florida  
27 Statutes, is amended to read:

28 548.049 Medical, surgical, and hospital insurance;  
29 life insurance.--

30 (1) The commission shall, by rule, require  
31 participants to be covered by not less than \$5,000~~\$2,500~~ of

1 insurance for medical, surgical, and hospital care required as  
2 a result of injuries sustained while engaged in matches. The  
3 insured shall be the beneficiary of such policies. Any  
4 deductible associated with the insurance policy shall be paid  
5 by the promoter and may not be charged to the participant.

6 Section 9. Subsection (1) of section 548.05, Florida  
7 Statutes, is amended to read:

8 548.05 Control of contracts.--

9 (1) The commission shall adopt rules governing the  
10 form and content of contracts between promoters, foreign  
11 copromoters, and professionals. All such contracts must ~~shall~~  
12 be in writing and must contain all provisions required by  
13 commission rule. Contracts that do not contain such provisions  
14 will be deemed to contain them.

15 Section 10. Subsections (6), (7), (8), (9), and (10)  
16 are added to section 548.057, Florida Statutes, to read:

17 548.057 Attendance of referee and judges at match;  
18 scoring; seconds.--

19 (6) A judge licensed in this state may not act as a  
20 judge at any match in a state, territory, commonwealth, or  
21 Native American Reservation that does not have a state boxing  
22 commission unless the match is supervised by a state boxing  
23 commission.

24 (7) A judge may not also serve as a supervisor, serve  
25 on the ratings committee, or recommend boxers to the ratings  
26 committee for a sanctioning body.

27 (8) A person whose application for a judge license has  
28 been denied may not reapply for a judge license within 6  
29 months. Any person whose application has been denied three  
30 times may not reapply.

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1           (9) An event may not have more than three unofficial  
2 judges.

3           (10) The number of judges shall be assigned pursuant  
4 to commission rules. If a sufficient number of judges are  
5 unavailable, a referee shall be selected to act as a judge for  
6 that specific program of matches. Judges shall be located in  
7 seats designated for them by the commission representative.

8           Section 11. Section 548.074, Florida Statutes, is  
9 amended to read:

10           548.074 Power to administer oaths, take depositions,  
11 and issue subpoenas.--The department may administer oaths,  
12 take depositions, conduct inspections when authorized by  
13 statute, issue subpoenas pursuant to affidavit, serve  
14 subpoenas and other process, and compel the attendance of  
15 witnesses and the production of evidence, on its own  
16 initiative or when requested by the commission. Challenges to  
17 and the enforcement of subpoenas and orders shall be governed  
18 by s. 120.569.~~In addition to the powers of subpoena in~~  
19 ~~chapter 120, each member of the commission may issue subpoenas~~  
20 ~~requiring the attendance and testimony of, or the production~~  
21 ~~of books and papers by, any person whom the commission~~  
22 ~~believes to have information or documents of importance to any~~  
23 ~~commission investigation.~~

24           Section 12. Subsection 548.079, Florida Statutes, is  
25 amended to read:

26           548.079 Penalties ~~Misdemeanors~~.--

27           (1) Unless otherwise specified, any person convicted  
28 of any offense set forth in this chapter is guilty of a  
29 misdemeanor of the second degree, punishable as provided in s.  
30 775.082 or s. 775.083.

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1           (2) Any person who seeks to obtain a license by means  
2 of false or fraudulent representations or who otherwise makes  
3 false statements concerning his or her medical history, boxing  
4 record, or other personal information is guilty of a  
5 misdemeanor of the second degree, punishable as provided in s.  
6 775.082 or s. 775.083.

7           Section 13. This act shall take effect July 1, 2000.

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10                                   SENATE SUMMARY

11       Revises provisions relating to boxing. Requires seconds  
12 to be licensed. Provides additional duties for the  
13 Florida State Boxing Commission. Increases penalties for  
14 participating in toughman and badman matches. Requires  
15 certain background investigations for licensure  
16 applicants. Establishes licensure requirements. Requires  
17 automatic suspensions for certain losers of matches.  
18 Provides for other suspensions and reinstatement.  
19 Provides additional weigh-in guidelines. Revises  
20 requirements related to fight physicians. Provides for  
21 the testing of participants. Increases an insurance  
22 requirement and provides standards for contracts.  
23 Prohibits judges from engaging in certain activities and  
24 adds judging guidelines. Provides additional powers to  
25 the commission related to oaths, depositions,  
26 inspections, subpoenas, and process. Provides a penalty  
27 for obtaining a license by false or fraudulent means.  
28 (See bill for details.)  
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