

By the Committee on Tourism and Representatives Starks,
Sobel, Bush, Farkas, Argenziano, R. Diaz de la Portilla and
Hafner

1 A bill to be entitled
2 An act relating to the Florida State Boxing
3 Commission; amending s. 548.002, F.S.;
4 providing a definition; amending s. 548.003,
5 F.S.; requiring one member of the Florida State
6 Boxing Commission to be a licensed physician;
7 providing additional duties and
8 responsibilities of the commission; amending s.
9 548.008, F.S.; increasing the penalty for
10 participating in or promoting a toughman or
11 badman competition; providing for certification
12 of violations; amending s. 548.017, F.S.;
13 providing requirements for ringside physicians;
14 amending s. 548.021, F.S.; providing a criminal
15 penalty for attempting to obtain a license by
16 means of fraudulent information; creating s.
17 548.024, F.S.; authorizing the commission to
18 adopt rules which provide for background
19 investigations of applicants for licensure;
20 authorizing the commission to require
21 submission of fingerprint cards; providing
22 procedure for processing fingerprint cards;
23 amending s. 548.028, F.S.; expanding provisions
24 with respect to persons whom the commission
25 shall not license; amending s. 548.041, F.S.;
26 providing requirements and restrictions with
27 respect to age, condition, and suspension of
28 boxers; providing for revocation of license
29 under specified circumstances; amending s.
30 548.043, F.S.; providing requirements and
31 procedure for the weighing of participants in a

1 boxing match; amending s. 548.046, F.S.;
2 revising provisions with respect to physicians'
3 attendance at boxing matches; requiring the
4 provision of urine samples by participants
5 under specified circumstances; providing for
6 revocation of license for failure or refusal to
7 provide a required urine sample; providing
8 conditions with respect to forfeiture and
9 redistribution of purse upon failure or refusal
10 to provide a required urine sample; specifying
11 authority of physicians at boxing matches;
12 providing procedure in the event of injury of a
13 referee; amending s. 548.049, F.S.; increasing
14 the minimum coverage amount of required
15 insurance for participants in boxing matches;
16 requiring promoters to pay any deductible for
17 such insurance policy; amending s. 548.05,
18 F.S.; providing additional requirements with
19 respect to contracts between promoters, foreign
20 copromoters, and professionals; amending s.
21 548.057, F.S.; placing specified restrictions
22 on judges of boxing matches; providing
23 requirements with respect to number and
24 location of judges; amending s. 548.074, F.S.;
25 providing that the department shall have the
26 power to administer oaths, take depositions,
27 make inspections, serve subpoenas, and compel
28 the attendance of witnesses and other evidence;
29 amending s. 548.075, F.S.; authorizing the
30 commission to adopt rules to permit the
31 issuance of citations; repealing s. 548.045,

1 F.S., relating to the creation, qualifications,
2 compensation, and powers and duties of the
3 medical advisory council; providing an
4 effective date.

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6 Be It Enacted by the Legislature of the State of Florida:

7
8 Section 1. Subsection (17) of section 548.002, Florida
9 Statutes, is renumbered as subsection (18), and a new
10 subsection (17) is added to said section to read:

11 548.002 Definitions.--As used in this act, the term:
12 (17) "Second" or "cornerman" means a person who
13 assists the fight participant between rounds and maintains the
14 corner of the participant during the match.

15 Section 2. Subsections (1) and (2) of section 548.003,
16 Florida Statutes, are amended to read:

17 548.003 Florida State Boxing Commission; powers;
18 organization; meetings; accountability of commission members;
19 compensation and travel expenses; association membership and
20 participation.--

21 (1) The Florida State Boxing Commission is created and
22 is assigned to the Department of Business and Professional
23 Regulation for administrative and fiscal accountability
24 purposes only. The Florida State Boxing Commission shall
25 consist of five members appointed by the Governor, subject to
26 confirmation by the Senate. One member must be a physician
27 licensed pursuant to chapter 458 or chapter 459, who must
28 maintain an unencumbered license in good standing, and who
29 must, at the time of her or his appointment, have practiced
30 medicine for at least 5 years. Upon the expiration of the term
31 of a commissioner, the Governor shall appoint a successor to

1 serve for a 4-year term. A commissioner whose term has expired
2 shall continue to serve on the commission until such time as a
3 replacement is appointed. If a vacancy on the commission
4 occurs prior to the expiration of the term, it shall be filled
5 for the unexpired portion of the term in the same manner as
6 the original appointment.

7 (2) The Florida State Boxing Commission, as created by
8 subsection (1), shall administer the provisions of this
9 chapter. The commission has authority to adopt rules pursuant
10 to ss. 120.536(1) and 120.54 to implement the provisions of
11 this chapter and to implement each of the duties and
12 responsibilities conferred upon the commission, including, but
13 not limited to:

14 (a) Development of an ethical code of conduct for
15 commissioners, commission staff, and commission officials;

16 (b) Facility and safety requirements relating to the
17 ring, floor plan and apron seating, emergency medical
18 equipment and services, and other equipment and services
19 necessary for the conduct of a program of matches;

20 (c) Requirements regarding a participant's apparel,
21 bandages, handwraps, gloves, mouthpiece, and appearance during
22 a match;

23 (d) Requirements relating to a manager's
24 participation, presence, and conduct during a match;

25 (e) Duties and responsibilities of all licensees under
26 this chapter;

27 (f) Procedures for hearings and resolution of
28 disputes;

29 (g) Qualifications for appointment of referees and
30 judges;

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1 (h) Qualifications for and appointment of chief
2 inspectors and inspectors, and duties and responsibilities of
3 chief inspectors and inspectors with respect to oversight and
4 coordination of activities for each program of matches
5 regulated under this chapter;

6 (i) Designation and duties of a knockdown timekeeper;
7 and

8 (j) Setting fee and reimbursement schedules for
9 referees and other officials appointed by the commission or
10 the representative of the commission.

11 Section 3. Section 548.008, Florida Statutes, is
12 amended to read:

13 548.008 Toughman and badman competition prohibited.--

14 (1) No professional or amateur toughman or badman
15 match, as described in this section, may be held in this
16 state. Such competition includes any contest or exhibition
17 where participants compete by using a combination of fighting
18 skills. Such skills may include, but are not limited to,
19 boxing, wrestling, kicking, or martial arts skills.
20 Notwithstanding the above, this section shall not preclude
21 kickboxing as regulated by this chapter.

22 (2) Any person participating in or promoting a
23 professional or amateur toughman or badman match is guilty of
24 a felony of the third degree ~~misdemeanor of the second degree,~~
25 punishable as provided in s. 775.082 or s. 775.083.

26 (3) Upon certification by the commission that a
27 violation of this section has occurred or may occur, local law
28 enforcement shall take action pursuant to this section. The
29 commission may delegate its authority to certify a violation
30 to the executive director.

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1 Section 4. Section 548.017, Florida Statutes, is
2 amended to read:

3 548.017 Boxers, managers, and other persons required
4 to have licenses.--

5 (1) A professional participant, manager, trainer,
6 second, timekeeper, referee, judge, announcer, physician,
7 matchmaker, or booking agent or representative of a booking
8 agent shall be licensed before directly or indirectly acting
9 in such capacity in connection with any match involving a
10 professional. A physician must be licensed pursuant to chapter
11 458 or chapter 459, must maintain an unencumbered license in
12 good standing, and must demonstrate satisfactory medical
13 training or experience in boxing, or a combination of both, to
14 the executive director prior to working as the ringside
15 physician.

16 (2) A violation of this section is a misdemeanor of
17 the second degree, punishable as provided in s. 775.082 or s.
18 775.083.

19 Section 5. Section 548.021, Florida Statutes, is
20 amended to read:

21 548.021 Applications for licenses and permits.--

22 (1) An application for a license or a permit must:

23 (a)~~(1)~~ Be in writing on a form supplied by the
24 commission which shall contain the applicant's social security
25 number.

26 (b)~~(2)~~ Be verified by the applicant.

27 (c)~~(3)~~ Be complete and have attached to the
28 application any photographs and other exhibits required.

29 (2)~~(4)~~ Pursuant to the federal Personal Responsibility
30 and Work Opportunity Reconciliation Act of 1996, each party is
31 required to provide his or her social security number in

1 accordance with this section. Disclosure of social security
2 numbers obtained through this requirement shall be limited to
3 the purpose of administration of the Title IV-D program for
4 child support enforcement.

5 (3) Any person who seeks to obtain a license by means
6 of false or fraudulent representations made in any application
7 or who otherwise makes false statements concerning her or his
8 medical history, boxing record, or other personal information
9 commits a misdemeanor of the second degree, punishable as
10 provided in s. 775.082 or s. 775.083.

11 Section 6. Section 548.024, Florida Statutes, is
12 created to read:

13 548.024 Background investigation of applicants for
14 licensure.--

15 (1) The commission is authorized to adopt rules
16 pursuant to ss. 120.536(1) and 120.54 which provide for
17 background investigations of applicants for licensure under
18 this chapter for the purpose of ensuring the accuracy of the
19 information provided in the application; ensuring that there
20 are no active or pending criminal or civil indictments against
21 the applicant; and ensuring satisfaction of all other
22 requirements of this chapter. The background investigation may
23 include, but is not limited to, the criminal and financial
24 history of the applicant.

25 (2) If the commission requires a background criminal
26 history investigation of any applicant, it may require the
27 applicant to submit to the department a fingerprint card for
28 this purpose. The fingerprint card shall be forwarded to the
29 Division of Criminal Justice Information Systems within the
30 Department of Law Enforcement and the Federal Bureau of
31 Investigation for purposes of processing the fingerprint card

1 to determine if the applicant has a criminal history record.
2 The information obtained by the processing of the fingerprint
3 card by the Department of Law Enforcement and the Federal
4 Bureau of Investigation shall be sent to the department for
5 the purpose of determining if the applicant is statutorily
6 qualified for licensure.

7 Section 7. Section 548.028, Florida Statutes, is
8 amended to read:

9 548.028 Refusal to issue license.--The commission
10 shall not issue a license to:

11 (1) Any person or business entity that ~~who in any~~
12 ~~jurisdiction~~ has been convicted of any act, or who has a
13 trustee, partner, officer, director, or owner that has been
14 convicted of any act, which would constitute a violation of
15 this chapter or which would constitute any of the grounds set
16 forth in this chapter for suspension or revocation of a
17 license or against whom such charges are pending before any
18 regulatory body; or

19 (2) Any person or business entity that ~~who~~ has been
20 named in any an information or indictment, or who has a
21 trustee, partner, officer, director, or owner that has been
22 named in an information or indictment, for any act which would
23 constitute a violation of this chapter or a ground for
24 suspension or revocation of a license.

25 Section 8. Section 548.041, Florida Statutes, is
26 amended to read:

27 (Substantial rewording of section. See
28 s. 548.041, F.S., for present text.)

29 548.041 Age, condition, and suspension of boxers.--
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1 (1) A person shall not be licensed as a participant,
2 and the license of any participant shall be suspended or
3 revoked, if such person:

4 (a) Is under the age of 18;

5 (b) Has participated in a match in this state which
6 was not sanctioned by the commission; or

7 (c) Does not meet certain health and medical
8 examination conditions as required by rule of the commission.

9 (2)(a) A participant losing by knockout as a result of
10 being counted out in any jurisdiction shall be automatically
11 suspended for a period of time as determined by the attending
12 physician or commission representative, or 60 calendar days
13 from the date of the knockout, whichever is longer. A
14 participant shall not engage in any match, contact exhibition,
15 or contact sparring for training purposes during the
16 suspension period. After the suspension period and prior to
17 engaging in any match, contact exhibition, or contact sparring
18 for training purposes, the participant shall be examined by a
19 physician. The participant shall advise the physician of the
20 previous knockout or technical draw and shall provide medical
21 records or his or her permission for the physician to consult
22 with the treating physician at the time of the previous
23 knockout or technical draw. The results of this examination
24 shall be filed with the commission prior to any further
25 matches being approved for the participant.

26 (b) A participant losing by technical knockout,
27 technical draw, or disqualification shall be automatically
28 suspended for a period of time to be determined by the
29 physician or commission representative, or 30 calendar days
30 from the date of the technical knockout, technical draw, or
31 disqualification, whichever is longer. A participant shall not

1 engage in any match, contact exhibition, or contact sparring
2 for training purposes during the suspension period without the
3 approval of the physician. After the suspension period and
4 prior to engaging in any match, contact exhibition, or contact
5 sparring for training purposes, the participant shall be
6 examined by a physician. The participant shall advise the
7 physician of the previous knockout or technical draw and shall
8 provide medical records or his or her permission for the
9 physician to consult with the treating physician at the time
10 of the previous knockout or technical draw. The results of
11 this examination shall be filed with the commission prior to
12 any further matches being approved for the participant. In the
13 case of a disqualification, the commission representative
14 shall determine whether a medical clearance shall be required
15 following suspension.

16 (c) Any participant who has been suspended by any
17 state as a result of a recent knockout or series of
18 consecutive losses, an injury, requirement for a medical
19 procedure, physician denial of certification, failure of a
20 drug test, the use of false aliases, or the falsifying or
21 attempting to falsify official identification cards or
22 documents shall not be permitted to participate in this state
23 until such time as the state in which the participant is
24 suspended removes his or her name from the suspension list or
25 until the requirements of such suspension have been fulfilled
26 and proof of such has been provided to this state. If a
27 participant has been suspended in another state for any reason
28 other than those stated in this paragraph, the participant may
29 be permitted to participate if the state in which the
30 participant is suspended is notified and consulted with by
31 this state prior to the granting of approval to participate or

1 the participant appeals to the Association of Boxing
2 Commissions and the association determines that the suspension
3 of such participant was without sufficient grounds, for an
4 improper purpose, or not related to the health and safety of
5 the participant.

6 (d) Any participant who fails to appear at a match or
7 fails to appear at a match at the designated time for which
8 the participant or the participant's manager has contracted
9 and does not provide a valid reason or, in the case of
10 physical disability, furnish a physician's certificate, shall
11 be suspended for a period to be determined by the commission.
12 In making this determination, the commission shall consider
13 the following factors:

- 14 1. The relative importance of the match;
15 2. The participant's past record of failure to appear
16 and failure to appear at the designated time; and
17 3. The reasons for the participant's failure to appear
18 or appear at the designated time.

19 (e) The license of any participant shall be revoked
20 and shall not be reinstated if such participant intentionally
21 strikes, strikes at, or touches in any way or threatens to
22 touch in any way, any official.

23 Section 9. Subsection (4) is added to section 548.043,
24 Florida Statutes, to read:

25 548.043 Weights and classes, limitations; gloves.--

26 (4) Participants in a match shall be weighed on the
27 same scale at a time and place to be determined by the
28 commission or a commission representative. The weigh-in shall
29 be conducted in the presence of the opponent of the
30 participant and a commission representative. If a participant
31 fails to arrive at the weigh-in at the scheduled time and

1 place, the opponent of the late-arriving participant will be
2 permitted to be weighed without the late-arriving participant
3 present. The participant who arrived at the weigh-in on time
4 shall not lose his right of observing the weighing in of his
5 opponent. The weigh-in shall occur no sooner than 4:00 p.m.
6 on the day preceding the date of the program of matches or at
7 such other time as designated by the commission.

8 Section 10. Section 548.046, Florida Statutes, is
9 amended to read:

10 548.046 Physician's attendance at match; examinations;
11 cancellation of match.--

12 (1) The commission, or the representative of the
13 commission, shall assign to each match at least one a
14 physician who shall observe the physical condition of the
15 participants and advise the commissioner or commission
16 representative ~~deputy~~ in charge and the referee of the
17 participants' conditions before, and during, and after the
18 match. The commission shall establish a schedule of fees for
19 the physician's services. The physician's fee shall be paid
20 by the promoter of the match attended by the physician.

21 (2) In addition to any other required examination,
22 each participant shall be examined by the attending physician
23 at the time of weigh-in. If the physician determines that a
24 participant is physically or mentally unfit to proceed, the
25 physician shall notify any commissioner or the commission
26 representative who shall immediately cancel the match. The
27 examination shall conform to rules adopted by the commission
28 ~~based on the advice of the medical advisory council.~~ The
29 result of the examination shall be reported in a writing
30 signed by the physician and filed with the commission prior to
31 completion of the weigh-in.

1 (3)(a) Whenever the commission representative has
2 reason to believe that a participant has ingested or used a
3 prohibited drug or foreign substance, the commission
4 representative shall request and the participant shall
5 provide, under the supervision of the attending physician,
6 commission representative, or inspector, a sample of his or
7 her urine taken not more than 1 hour after the conclusion of
8 the match. No participant shall use substances or methods
9 which could alter the integrity of the urine sample. Urine
10 samples shall be taken in accordance with the protocol as
11 agreed upon in writing between the commission and the
12 laboratory used for processing the urine samples.

13 (b) Failure or refusal to provide a urine sample
14 immediately upon request shall result in the revocation of the
15 participant's license. Any participant who has been adjudged
16 the loser of a match and who subsequently refuses to or is
17 unable to provide a urine sample shall forfeit his or her
18 share of the purse to the commission. Any participant who is
19 adjudged the winner of a match and who subsequently refuses to
20 or is unable to provide a urine sample shall forfeit the win
21 and shall not be allowed to engage in any future match in
22 Florida. A no decision result shall be entered into the
23 official record as the result of the match. The purse shall be
24 redistributed as though the participant found to be in
25 violation of this subsection had lost the match. If
26 redistribution of the purse is not necessary or after
27 redistribution of the purse is completed, the participant
28 found to be in violation of this subsection shall forfeit his
29 or her share of the purse to the commission.

30 (4) The attending physician or physicians shall
31 provide medical assistance at the facility, shall have

1 complete charge, and shall be accorded the full cooperation of
2 all commission representatives and licensees present for any
3 illness or injury sustained by any person under the
4 jurisdiction of the commission as a result of a match. If, in
5 the opinion of the attending physician, the referee has
6 received an injury which prohibits the referee from continuing
7 to officiate, the physician shall notify the commission
8 representative who shall temporarily halt the match. The
9 injured referee shall be attended to by the physician until
10 the referee is no longer in danger or has been transferred to
11 the care of another qualified person.

12 Section 11. Section 548.049, Florida Statutes, is
13 amended to read:

14 548.049 Medical, surgical, and hospital insurance;
15 life insurance.--

16 (1) The commission shall, by rule, require
17 participants to be covered by not less than ~~\$5,000~~\$2,500 of
18 insurance for medical, surgical, and hospital care required as
19 a result of injuries sustained while engaged in matches. The
20 insured shall be the beneficiary of such policies. Any
21 deductible associated with the insurance policy shall be paid
22 by the promoter and shall not be paid by or charged to the
23 participant.

24 (2) The commission may also require participants to be
25 covered by not less than \$5,000 of life insurance covering
26 deaths caused by injuries received while engaged in matches.

27 Section 12. Subsection (1) of section 548.05, Florida
28 Statutes, is amended to read:

29 548.05 Control of contracts.--

30 (1) The commission shall adopt rules governing the
31 form and content of contracts between promoters, foreign

1 copromoters, and professionals. All such contracts shall be
2 in writing and shall contain all provisions specifically
3 worded as required by rules of the commission. Contracts which
4 do not contain all provisions specifically worded as required
5 by rules of the commission shall be deemed to contain such
6 provisions.

7 Section 13. Subsections (6) through (11) are added to
8 section 548.057, Florida Statutes, to read:

9 548.057 ~~Attendance of Referee and judges; attendance~~
10 at match; scoring; seconds.--

11 (6) No judge licensed in this state shall act as a
12 judge at any match in a state, territory, commonwealth, or
13 Native American Reservation that is not regulated by a state
14 boxing commission unless the match is supervised by a state
15 boxing commission.

16 (7) No judge shall also serve as a supervisor or on
17 the ratings committee or recommend boxers to the ratings
18 committee for a sanctioning body.

19 (8) Any person whose application for a judge's license
20 has been denied shall not be permitted to reapply for a
21 judge's license for a period of 6 months. Any person whose
22 application for a judge's license has been denied on three
23 occasions shall not be permitted to reapply.

24 (9) The number of judges shall be assigned in
25 accordance with rules of the commission. The number of
26 unofficial judges at each event shall be limited to three by
27 the commission.

28 (10) The judges shall be located in seats designated
29 for them by the commission representative.

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1 (11) In the event that sufficient judges are not
2 available, a referee shall be selected to act as a judge for
3 that specific program of matches.

4 Section 14. Section 548.074, Florida Statutes, is
5 amended to read:

6 548.074 Power to administer oaths, take depositions,
7 and issue subpoenas.--For the purpose of any investigation or
8 proceeding conducted pursuant to this chapter, the department
9 shall have the power to administer oaths, take depositions,
10 make inspections when authorized by statute, issue subpoenas
11 which shall be supported by affidavit, serve subpoenas and
12 other process, and compel the attendance of witnesses and the
13 production of books, papers, documents, and other evidence.

14 The department shall exercise this power on its own initiative
15 or whenever requested by the commission. Challenges to, and
16 enforcement of, subpoenas and orders shall be handled as
17 provided in s. 120.569.~~In addition to the powers of subpoena~~
18 ~~in chapter 120, each member of the commission may issue~~
19 ~~subpoenas requiring the attendance and testimony of, or the~~
20 ~~production of books and papers by, any person whom the~~
21 ~~commission believes to have information or documents of~~
22 ~~importance to any commission investigation.~~

23 Section 15. Section 548.075, Florida Statutes, is
24 amended to read:

25 548.075 Administrative fines; citations.--

26 (1) The commission may impose a fine of not more than
27 \$5,000 for any violation of this chapter in lieu of or in
28 addition to any other punishment provided for such violation.

29 (2) The commission may adopt rules pursuant to ss.
30 120.54 and 120.536(1) to permit the issuance of citations for
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1 any violation of this chapter in lieu of or in addition to any
2 other punishment provided for such violation.
3 Section 16. Section 548.045, Florida Statutes, is
4 repealed.
5 Section 17. This act shall take effect upon becoming a
6 law.
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HOUSE SUMMARY

Revises various provisions relating to the Florida State Boxing Commission. Defines "second" or "cornerman" for purposes of the act. Requires one member of the Florida State Boxing Commission to be a licensed physician. Provides additional duties and responsibilities of the commission. Increases, from a second degree misdemeanor to a third degree felony, the penalty for participating in or promoting a toughman or badman competition. Provides for certification of violations with respect to toughman or badman competitions. Provides requirements for ringside physicians. Provides a second degree misdemeanor penalty for attempting to obtain a license by means of false or fraudulent representations or false statements. Authorizes the commission to adopt rules which provide for background investigations of applicants for licensure. Authorizes the commission to require submission of fingerprint cards and provides procedure for processing such cards. Expands provisions with respect to persons whom the commission will not license. Provides requirements and restrictions with respect to age, condition, and suspension of boxers. Provides for revocation of license of any participant who intentionally strikes, touches, or threatens to touch any official. Provides requirements and procedure for the weighing of participants in a boxing match. Revises provisions with respect to physicians' attendance at boxing matches. Requires the provision of urine samples by participants under specified circumstances. Provides for revocation of license for failure or refusal to provide a required urine sample. Provides conditions with respect to forfeiture and redistribution of purse upon failure or refusal to provide a required urine sample. Specifies authority of physicians at boxing matches. Provides procedure in the event of injury of a referee. Increases, from \$2,500 to \$5,000, the minimum coverage amount of required insurance for participants in boxing matches and requires promoters to pay any deductible for such insurance policy. Provides additional requirements with respect to contracts between promoters, foreign copromoters, and professionals. Places specified restrictions on judges of boxing matches. Provides requirements with respect to number and location of judges. Provides that the department shall have the power to administer oaths, take depositions, make inspections, serve subpoenas, and compel the attendance of witnesses and other evidence. Authorizes the commission to adopt rules to permit the issuance of citations. Eliminates the medical advisory council.