

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.

5
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 sanctioned by a Native
7 American commission properly constituted under federal law; or

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

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

27 (b) A participant losing by technical knockout,
28 technical draw, or disqualification shall be automatically
29 suspended for a period of time to be determined by the
30 physician or commission representative, or 30 calendar days
31 from the date of the technical knockout, technical draw, or

1 disqualification, whichever is longer. A participant shall not
 2 engage in any match, contact exhibition, or contact sparring
 3 for training purposes during the suspension period without the
 4 approval of the physician. After the suspension period and
 5 prior to engaging in any match, contact exhibition, or contact
 6 sparring for training purposes, the participant shall be
 7 examined by a physician. The participant shall advise the
 8 physician of the previous knockout or technical draw and shall
 9 provide medical records or his or her permission for the
 10 physician to consult with the treating physician at the time
 11 of the previous knockout or technical draw. The results of
 12 this examination shall be filed with the commission prior to
 13 any further matches being approved for the participant. In the
 14 case of a disqualification, the commission representative
 15 shall determine whether a medical clearance shall be required
 16 following suspension.

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

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

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

14 (e) The license of any participant shall be revoked
15 and shall not be reinstated if such participant intentionally
16 strikes, strikes at, or touches in any way or threatens to
17 touch in any way, any official.

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

20 548.043 Weights and classes, limitations; gloves.--

21 (4) Participants in a match shall be weighed on the
22 same scale at a time and place to be determined by the
23 commission or a commission representative. The weigh-in shall
24 be conducted in the presence of the opponent of the
25 participant and a commission representative. If a participant
26 fails to arrive at the weigh-in at the scheduled time and
27 place, the opponent of the late-arriving participant will be
28 permitted to be weighed without the late-arriving participant
29 present. The participant who arrived at the weigh-in on time
30 shall not lose his right of observing the weighing in of his
31 opponent. The weigh-in shall occur no sooner than 4:00 p.m.

1 on the day preceding the date of the program of matches or at
2 such other time as designated by the commission or commission
3 representative.

4 Section 10. Section 548.046, Florida Statutes, is
5 amended to read:

6 548.046 Physician's attendance at match; examinations;
7 cancellation of match.--

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

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

28 (3)(a) Whenever the commission representative has
29 reason to believe that a participant has ingested or used a
30 prohibited drug or foreign substance, the commission
31 representative shall request and the participant shall

1 provide, under the supervision of the attending physician,
 2 commission representative, or inspector, a sample of his or
 3 her urine taken not more than 1 hour after the conclusion of
 4 the match. No participant shall use substances or methods
 5 which could alter the integrity of the urine sample. Urine
 6 samples shall be taken in accordance with the protocol as
 7 agreed upon in writing between the commission and the
 8 laboratory used for processing the urine samples.

9 (b) The commission may require urine samples, as
 10 provided in paragraph (a), to be done randomly. In the event
 11 one participant in a match is tested randomly, then the other
 12 participant in the match shall be tested also.

13 (c) 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, to the commission

1 representative, and medical advice to the referee during the
2 match, and shall be accorded the cooperation of all commission
3 representatives and licensees present for the purpose of
4 performing his or her medical duties. If, in the opinion of
5 the attending physician, the referee has received an injury
6 which prohibits the referee from continuing to officiate, the
7 physician shall notify the commission representative who shall
8 temporarily halt the match. The injured referee shall be
9 attended to by the physician until the referee is no longer in
10 danger or has been transferred to the care of another
11 qualified person. The commission representative shall then
12 direct the match to continue under the supervision of the
13 referee or under the supervision of another referee, if the
14 referee is unable to continue.

15 Section 11. Section 548.049, Florida Statutes, is
16 amended to read:

17 548.049 Medical, surgical, and hospital insurance;
18 life insurance.--

19 (1) The commission shall, by rule, require
20 participants to be covered by not less than \$50,000~~\$2,500~~ of
21 insurance for medical, surgical, and hospital care required as
22 a result of injuries sustained while engaged in matches. The
23 insured shall be the beneficiary of such policies. Any
24 deductible associated with the insurance policy shall be paid
25 by the promoter and shall not be paid by or charged to the
26 participant.

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

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

3 548.05 Control of contracts.--

4 (1) The commission shall adopt rules governing the
5 form and content of contracts executed in this state between
6 managers between promoters, foreign copromoters, and
7 professionals. All such contracts shall be in writing and
8 shall contain all provisions specifically worded as required
9 by rules of the commission. Contracts which do not contain all
10 provisions specifically worded as required by rules of the
11 commission shall be deemed to contain such provisions. A copy
12 of all such contracts shall be filed with the commission
13 within 7 calendar days of execution.

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

16 548.057 ~~Attendance of Referee and judges;~~ attendance
17 at match; scoring; seconds.--

18 (6) No judge licensed in this state shall act as a
19 judge at any match in a state, territory, commonwealth, or
20 Native American Reservation that is not regulated by a state
21 boxing commission unless the match is supervised by a state
22 boxing commission or a Native American commission properly
23 constituted under federal law.

24 (7) No judge shall also serve as a supervisor or on
25 the ratings committee or recommend boxers to the ratings
26 committee for a sanctioning body.

27 (8) Any person whose application for a judge's license
28 has been denied shall not be permitted to reapply for a
29 judge's license for a period of 6 months. Any person whose
30 application for a judge's license has been denied on three
31 occasions shall not be permitted to reapply.

1 (9) The number of judges shall be assigned in
2 accordance with rules of the commission. The number of
3 unofficial judges at each event shall be limited to three by
4 the commission.

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

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

10 Section 14. Section 548.074, Florida Statutes, is
11 amended to read:

12 548.074 Power to administer oaths, take depositions,
13 and issue subpoenas.--For the purpose of any investigation or
14 proceeding conducted pursuant to this chapter, the department
15 shall have the power to administer oaths, take depositions,
16 make inspections when authorized by statute, issue subpoenas
17 which shall be supported by affidavit, serve subpoenas and
18 other process, and compel the attendance of witnesses and the
19 production of books, papers, documents, and other evidence.
20 The department shall exercise this power on its own initiative
21 or whenever requested by the commission. Challenges to, and
22 enforcement of, subpoenas and orders shall be handled as
23 provided in s. 120.569.~~In addition to the powers of subpoena~~
24 ~~in chapter 120, each member of the commission may issue~~
25 ~~subpoenas requiring the attendance and testimony of, or the~~
26 ~~production of books and papers by, any person whom the~~
27 ~~commission believes to have information or documents of~~
28 ~~importance to any commission investigation.~~

29 Section 15. Section 548.075, Florida Statutes, is
30 amended to read:

31 548.075 Administrative fines; citations.--

1 (1) The commission may impose a fine of not more than
2 \$5,000 for any violation of this chapter in lieu of or in
3 addition to any other punishment provided for such violation.

4 (2) The commission may adopt rules pursuant to ss.
5 120.54 and 120.536(1) to permit the issuance of citations for
6 any violation of this chapter in lieu of or in addition to any
7 other punishment provided for such violation.

8 Section 16. Section 548.045, Florida Statutes, is
9 repealed.

10 Section 17. This act shall take effect upon becoming a
11 law.