

By Senator Sebesta

20-1506-00

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 requiring the commission to have a physician
7 member; adding requirements governing
8 facilities, safety, participants,
9 representatives; other personnel and their
10 responsibilities, and the weighing of
11 participants; prescribing licensure
12 requirements and providing for suspension or
13 revocation of licenses under specified
14 circumstances; conforming provisions; providing
15 for drug testing; increasing insurance
16 requirements; amending s. 548.008, F.S.;
17 revising provisions prohibiting toughman or
18 badman competition and increasing penalties
19 with respect to violations of such prohibition;
20 creating s. 548.024, F.S.; authorizing
21 background investigations of applicants for
22 licensure; amending s. 548.05, F.S.; adding
23 requirements regarding contracts; amending s.
24 548.057, F.S.; adding requirements regarding
25 judges; amending s. 548.074, F.S.; revising
26 provisions relating to investigative powers;
27 amending s. 548.079, F.S.; providing a penalty
28 for the submission of false information;
29 repealing s. 548.045, F.S., which creates a
30 medical advisory council; providing an
31 effective date.

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

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3 Section 1. Present subsection (17) of section 548.002,
4 Florida Statutes, is redesignated as subsection (18) and a new
5 subsection (17) is added to that section to read:

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

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

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

17 (1) The Florida State Boxing Commission is created and
18 is assigned to the Department of Business and Professional
19 Regulation for administrative and fiscal accountability
20 purposes only. The Florida State Boxing Commission shall
21 consist of five members appointed by the Governor, subject to
22 confirmation by the Senate. One member must be a physician
23 licensed under chapter 458 or chapter 459 who holds an
24 unencumbered license in good standing and has practiced
25 medicine for at least 5 years. Upon the expiration of the term
26 of a commissioner, the Governor shall appoint a successor to
27 serve for a 4-year term. A commissioner whose term has expired
28 shall continue to serve on the commission until such time as a
29 replacement is appointed. If a vacancy on the commission
30 occurs prior to the expiration of the term, it shall be filled

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1 for the unexpired portion of the term in the same manner as
2 the original appointment.

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

10 (a) Developing ~~development of~~ an ethical code of
11 conduct for commissioners, commission staff, and commission
12 officials;

13 (b) Establishing facility and safety requirements
14 relating to the ring, floor plan, apron seating, emergency
15 medical equipment and services, and other equipment and
16 services necessary for conducting a program of matches;

17 (c) Establishing requirements regarding a
18 participant's apparel, bandages, handwraps, gloves,
19 mouthpiece, and appearance during a match;

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

22 (e) Establishing duties and responsibilities of
23 licenses under this chapter;

24 (f) Providing for the appointment of and establishing
25 criteria for inspectors and chief inspectors, and their duties
26 with respect to overseeing and coordinating activities for
27 each program of matches regulated under this chapter;

28 (g) Providing for the designation of and establishing
29 the duties of a knockdown timekeeper;

30 (h) Establishing procedures for hearings and
31 resolution of disputes;

1 (i) Establishing qualifications for the appointment of
2 referees and judges; and

3 (j) Setting fee and reimbursement schedules for
4 referees and other officials appointed by the commission or
5 its designee.

6 Section 3. Section 548.008, Florida Statutes, is
7 amended to read:

8 548.008 Toughman and badman competition prohibited.--

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

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

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

24 548.024 Background investigation for licensure
25 applicants--

26 (1) The commission may adopt rules that provide for
27 background investigations of applicants for licensure in order
28 to determine whether they are of good moral character,
29 including, without limitation, investigations into the
30 criminal and financial history of the applicants.

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1 (2) The commission may require an applicant to submit
2 to the department a fingerprint card, to be forwarded to the
3 Division of Criminal Justice Information Systems of the
4 Department of Law Enforcement and to the Federal Bureau of
5 Investigation, to determine whether the applicant has a
6 criminal history record. The information obtained by the
7 processing of the fingerprint card shall be sent to the
8 department to determine whether the applicant is qualified for
9 licensure.

10 Section 5. Section 548.041, Florida Statutes, is
11 amended to read:

12 548.041 Age, condition, and suspension of boxers.--

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

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

18 (a) Under the age of 18;

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

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

23 (3)(a) The license of a participant who loses a match
24 by knockout as a result of being counted out in any
25 jurisdiction shall be automatically suspended for a period of
26 time as determined by the attending physician or commission
27 representative, or at least 60 calendar days from the date of
28 the knockout, whichever is longer. A participant may not
29 engage in any match, contact exhibition, or contact sparring
30 for training purposes during the suspension period. After the
31 suspension period and before engaging in any match, contact

1 exhibition, or contact sparring, the participant must be
2 examined by a physician. The participant shall advise the
3 physician of the previous knockout or technical draw and shall
4 provide medical records or permission for the physician to
5 consult with the physician who treated the participant at the
6 time of the knockout. The results of this examination must be
7 filed with the commission before any further matches may be
8 approved for the participant.

9 **(b)** The license of a participant who loses a match by
10 technical knockout, or technical draw, or disqualification
11 shall be automatically suspended for a period of time to be
12 determined by the physician or commission representative, but
13 not less than 30 days from the date of the match. A
14 participant may not engage in any match, contact exhibition,
15 or contact sparring for training purposes during the
16 suspension period without the approval of the physician. After
17 the suspension period and before engaging in any match,
18 contact exhibition, or contact sparring the participant must
19 be examined by a physician. The participant shall advise the
20 physician of the previous knockout or technical draw and shall
21 provide medical records or permission for the physician to
22 consult with the physician who treated the participant at the
23 time of the knockout or technical draw. The results of the
24 examination must be filed with the commission before any
25 further matches may be approved for the participant. The
26 commission representative shall determine whether a medical
27 clearance is required following a suspension because of a
28 disqualification.

29 **(c)** A participant whose license has been suspended by
30 any state because of a recent knockout or series of
31 consecutive losses, injury, requirement for a medical

1 procedure, physician denial of certification, failure of a
2 drug test, use of false aliases, or falsifying or attempting
3 to falsify official identification cards or documents may not
4 participate in this state until the state in which the
5 participant's license was suspended lifts the suspension or
6 until the requirements of the suspension have been fulfilled
7 and proof thereof has been provided to the commission. If the
8 license of a participant has been suspended in another state
9 for any other reason, the participant may participate if the
10 state in which the participant's license was suspended is
11 consulted by this state prior to granting approval to
12 participate or if the participant appeals to the Association
13 of Boxing Commissions and it determines that the suspension
14 was without sufficient grounds, was for an improper purpose,
15 or was not related to the health or safety of the participant.

16 (d) The license of any participant who fails to appear
17 at a match or fails to appear timely at a match for which the
18 participant or the participant's manager has been contracted
19 and does not provide a valid reason or, in the case of
20 physical disability, has not furnished a physician's
21 certificate shall be suspended for a period to be determined
22 by the commission. In making this determination, the
23 commission shall consider:

- 24 1. The relative importance of the match;
25 2. The participant's record of punctuality and
26 tardiness; and
27 3. The reasons for the participant's failure to appear
28 or appear timely.

29 (e) The license of a participant shall be revoked and
30 may not be reinstated, if the participant intentionally
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1 strikes, strikes at, or intentionally touches or threatens to
2 touch, an official.

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

5 548.043 Weights and classes, limitations; gloves.--

6 (4) Participants in matches must be weighed on the
7 same scale at a time and place determined by the commission or
8 its representative, in the presence of the opponent and a
9 commission representative. If a participant does not arrive at
10 the weigh-in at the scheduled time, the participant's opponent
11 may be weighed without the participant present, and the
12 opponent retains the right of observing the weighing in of the
13 tardy participant. The weigh-in may not occur earlier than 4
14 p.m. on the day preceding the date of the program of matches
15 or at such other time designated by the commission.

16 Section 7. Section 548.046, Florida Statutes, is
17 amended to read:

18 548.046 Physician's attendance at match; examinations;
19 cancellation of match.--

20 (1) The commission or its designee shall assign to
21 each match at least one a physician who shall observe the
22 physical condition of the participants and advise the
23 commissioner or commission representative ~~deputy~~ in charge and
24 the referee of the participants' conditions before, and
25 during, and after the match. The commission shall establish a
26 schedule of fees for the physician's services. The
27 physician's fee shall be paid by the promoter of the match
28 attended by the physician.

29 (2) In addition to any other required examination,
30 each participant shall be examined by the attending physician
31 at the time of weigh-in. If the physician determines that a

1 participant is physically or mentally unfit to proceed, the
2 physician shall notify any commissioner or the commission
3 representative who shall immediately cancel the match. The
4 examination shall conform to rules adopted by the commission
5 ~~based on the advice of the medical advisory council.~~ The
6 result of the examination shall be reported in a writing
7 signed by the physician and filed with the commission prior to
8 completion of the weigh-in.

9 (3)(a) When the commission representative believes
10 that a participant has ingested or used a prohibited drug or
11 foreign substance, the commission representative shall request
12 and the participant shall provide, under supervision of the
13 attending physician, commission representative, or inspector,
14 a urine sample taken not more than 1 hour after the conclusion
15 of the match. A participant may not use substances or methods
16 that would alter the integrity of the urine sample. Urine
17 samples must be taken in accordance with the protocol agreed
18 upon in writing between the commission and the laboratory used
19 for processing the urine samples.

20 (b) The refusal to provide a urine sample immediately
21 upon request shall result in the revocation of the
22 participant's license. A participant who has been adjudged the
23 loser of a match and who subsequently refuses or is unable to
24 provide a urine sample shall forfeit his share of the purse to
25 the commission. Any participant who is adjudged the winner of
26 a match and who subsequently refuses or is unable to provide a
27 urine sample shall forfeit the win and not be allowed to
28 engage in any future match, and a no-decision result shall be
29 entered into the official record as the result of the match.
30 The purse shall be redistributed as though the participant had
31 lost the match. If redistribution of the purse is unnecessary

1 or after redistribution has been accomplished, the participant
2 who is in violation of this subsection shall forfeit his or
3 her share of the purse to the commission.

4 (4) The attending physician shall provide medical
5 assistance at the facility, and shall have complete charge and
6 be given the full cooperation of all commission
7 representatives and licensees regarding any illness or injury
8 sustained by any person under the jurisdiction of the
9 commission as a result of a match. If the physician determines
10 that the referee has received an injury that prohibits the
11 referee from continuing to officiate, the physician must
12 notify the commission representative, who shall temporarily
13 halt the match. The physician shall attend to the injured
14 referee until the referee is no longer in danger or has been
15 transferred to the care of another qualified person.

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

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

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

27 Section 9. 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 must ~~shall~~
2 be in writing and must contain all provisions required by
3 commission rule. Contracts that do not contain such provisions
4 will be deemed to contain them.

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

7 548.057 Attendance of referee and judges at match;
8 scoring; seconds.--

9 (6) A judge licensed in this state may not act as a
10 judge at any match in a state, territory, commonwealth, or
11 Native American Reservation that does not have a state boxing
12 commission unless the match is supervised by a state boxing
13 commission.

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

17 (8) A person whose application for a judge license has
18 been denied may not reapply for a judge license within 6
19 months. Any person whose application has been denied three
20 times may not reapply.

21 (9) An event may not have more than three unofficial
22 judges.

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

28 Section 11. Section 548.074, Florida Statutes, is
29 amended to read:

30 548.074 Power to administer oaths, take depositions,
31 and issue subpoenas.--The department may administer oaths,

1 take depositions, conduct inspections when authorized by
2 statute, issue subpoenas pursuant to affidavit, serve
3 subpoenas and other process, and compel the attendance of
4 witnesses and the production of evidence, on its own
5 initiative or when requested by the commission. Challenges to
6 and the enforcement of subpoenas and orders shall be governed
7 by s. 120.569.~~In addition to the powers of subpoena in~~
8 ~~chapter 120, each member of the commission may issue subpoenas~~
9 ~~requiring the attendance and testimony of, or the production~~
10 ~~of books and papers by, any person whom the commission~~
11 ~~believes to have information or documents of importance to any~~
12 ~~commission investigation.~~

13 Section 12. Subsection 548.079, Florida Statutes, is
14 amended to read:

15 548.079 Penalties ~~Misdemeanors~~.--

16 (1) Unless otherwise specified, any person convicted
17 of any offense set forth in this chapter is guilty of a
18 misdemeanor of the second degree, punishable as provided in s.
19 775.082 or s. 775.083.

20 (2) Any person who seeks to obtain a license by means
21 of false or fraudulent representations or who otherwise makes
22 false statements concerning his or her medical history, boxing
23 record, or other personal information is guilty of a
24 misdemeanor of the second degree, punishable as provided in s.
25 775.082 or s. 775.083.

26 Section 13. Section 548.045, Florida Statutes, is
27 repealed.

28 Section 14. This act shall take effect July 1, 2000.
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SENATE SUMMARY

Revises provisions relating to boxing. Requires seconds to be licensed. Provides additional duties for the Florida State Boxing Commission. Requires that one member of the commission be a physician. Increases penalties for participating in toughman and badman matches. Requires certain background investigations for licensure applicants. Establishes licensure requirements. Requires automatic suspensions for certain losers of matches. Provides for other suspensions and reinstatement. Provides additional weigh-in guidelines. Revises requirements related to fight physicians. Provides for the testing of participants. Increases an insurance requirement and provides standards for contracts. Prohibits judges from engaging in certain activities and adds judging guidelines. Provides additional powers to the commission related to oaths, depositions, inspections, subpoenas, and process. Provides a penalty for obtaining a license by false or fraudulent means. Repeals a provision that establishes a medical advisory committee. (See bill for details.)