

By Senator Sebesta

20-778-01

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 providing 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 may
25 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 managers and

20 professionals; amending s. 548.057, F.S.;

21 placing specified restrictions on judges of

22 boxing matches; providing requirements with

23 respect to number and location of judges;

24 amending s. 548.074, F.S.; providing that the

25 department shall have the power to administer

26 oaths, take depositions, make inspections,

27 serve subpoenas, and compel the attendance of

28 witnesses and other evidence; amending s.

29 548.075, F.S.; authorizing the commission to

30 adopt rules to permit the issuance of

31 citations; repealing s. 548.045, F.S., relating

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

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

10 548.002 Definitions.--As used in this act, the term:
11 (17) "Second" or "cornerman" means a person who
12 assists the fight participant between rounds and maintains the
13 corner of the participant during the match.

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

16 548.003 Florida State Boxing Commission; organization;
17 meetings; accountability of commission members; compensation
18 and travel expenses; association membership and
19 participation.--

20 (1) The Florida State Boxing Commission is created and
21 is assigned to the Department of Business and Professional
22 Regulation for administrative and fiscal accountability
23 purposes only. The Florida State Boxing Commission shall
24 consist of five members appointed by the Governor, subject to
25 confirmation by the Senate. One member must be a physician
26 licensed pursuant to chapter 458 or chapter 459, who must
27 maintain an unencumbered license in good standing, and who
28 must, at the time of her or his appointment, have practiced
29 medicine for at least 5 years. Upon the expiration of the term
30 of a commissioner, the Governor shall appoint a successor to
31 serve for a 4-year term. A commissioner whose term has expired

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

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

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

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

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

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

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

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

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

30 (h) Qualifications for and appointment of chief
31 inspectors and inspectors and duties and responsibilities of

1 chief inspectors and inspectors with respect to oversight and
2 coordination of activities for each program of matches
3 regulated under this chapter;

4 (i) Designation and duties of a knockdown timekeeper;
5 and

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

9 Section 3. Section 548.008, Florida Statutes, is
10 amended to read:

11 548.008 Toughman and badman competition prohibited.--

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

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

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

29 Section 4. Section 548.017, Florida Statutes, is
30 amended to read:

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1 548.017 Boxers, managers, and other persons required
2 to have licenses.--

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

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

17 Section 5. Section 548.021, Florida Statutes, is
18 amended to read:

19 548.021 Applications for licenses and permits.--

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

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

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

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

27 (2)~~(4)~~ Pursuant to the federal Personal Responsibility
28 and Work Opportunity Reconciliation Act of 1996, each party is
29 required to provide his or her social security number in
30 accordance with this section. Disclosure of social security
31 numbers obtained through this requirement shall be limited to

1 the purpose of administration of the Title IV-D program for
2 child support enforcement.

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

9 Section 6. Section 548.024, Florida Statutes, is
10 created to read:

11 548.024 Background investigation of applicants for
12 licensure.--

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

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

1 card by the Department of Law Enforcement and the Federal
2 Bureau of Investigation shall be sent to the department for
3 the purpose of determining if the applicant is statutorily
4 qualified for licensure.

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

7 548.028 Refusal to issue license.--The commission
8 shall not issue a license to:

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

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

23 Section 8. Section 548.041, Florida Statutes, is
24 amended to read:

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

27 548.041 Age, condition, and suspension of boxers.--

28 (1) A person shall not be licensed as a participant,
29 and the license of any participant shall be suspended or
30 revoked, if such person:

31 (a) Is under the age of 18;

1 (b) Has participated in a match in this state which
2 was not sanctioned by the commission or by a Native American
3 commission properly constituted under federal law; or

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

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

23 (b) A participant losing by technical knockout,
24 technical draw, or disqualification shall be automatically
25 suspended for a period of time to be determined by the
26 physician or commission representative, or 30 calendar days
27 after the date of the technical knockout, technical draw, or
28 disqualification, whichever is longer. A participant shall not
29 engage in any match, contact exhibition, or contact sparring
30 for training purposes during the suspension period without the
31 approval of the physician. After the suspension period and

1 before engaging in any match, contact exhibition, or contact
2 sparring for training purposes, the participant shall be
3 examined by a physician. The participant shall advise the
4 physician of the previous knockout or technical draw and shall
5 provide medical records or his or her permission for the
6 physician to consult with the physician who was the treating
7 physician at the time of the previous knockout or technical
8 draw. The results of this examination shall be filed with the
9 commission before any further matches are approved for the
10 participant. In the case of a disqualification, the commission
11 representative shall determine whether a medical clearance
12 shall be required following suspension.

13 (c) Any participant who has been suspended by any
14 state as a result of a recent knockout or series of
15 consecutive losses, an injury, requirement for a medical
16 procedure, physician denial of certification, failure of a
17 drug test, the use of aliases, or the falsifying or attempting
18 to falsify official identification cards or documents shall
19 not be permitted to participate in this state until such time
20 as the state in which the participant is suspended removes his
21 or her name from the suspension list or until the requirements
22 of such suspension have been fulfilled and proof of such has
23 been provided to this state. If a participant has been
24 suspended in another state for any reason other than those
25 stated in this paragraph, the participant may be permitted to
26 participate if the state in which the participant is suspended
27 is notified and consulted with by this state before the
28 granting of approval to participate or the participant appeals
29 to the Association of Boxing Commissions and the association
30 determines that the suspension of such participant was without

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1 sufficient grounds, for an improper purpose, or not related to
2 the health and safety of the participant.

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

10 (e) The license of any participant shall be revoked
11 and shall not be reinstated if such participant intentionally
12 strikes, strikes at, touches in any way, or threatens to touch
13 in any way, any official.

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

16 548.043 Weights and classes, limitations; gloves.--

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

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1 Section 10. Section 548.046, Florida Statutes, is
2 amended to read:

3 548.046 Physician's attendance at match; examinations;
4 cancellation of match.--

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

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

25 (3)(a) In a match that is a sanctioned championship
26 title fight, or whenever the commission representative has
27 reason to believe that a participant has ingested or used a
28 prohibited drug or foreign substance, the commission
29 representative shall request and the participant shall
30 provide, under the supervision of the attending physician,
31 commission representative, or inspector, a sample or samples

1 of his or her urine taken not less than 1 hour before the
2 commencement of the match or more than 1 hour after the
3 conclusion of the match. No participant shall use substances
4 or methods which could alter the integrity of the urine
5 sample. Urine samples shall be taken in accordance with the
6 protocol as agreed upon in writing between the commission and
7 the laboratory used for processing the urine samples.

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

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

29 (4) The attending physician or physicians shall
30 provide medical assistance at the facility to the commission
31 representative and medical advice to the referee during the

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

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

16 548.049 Medical, surgical, and hospital insurance;
17 life insurance.--

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

26 (2) The commission may also require participants to be
27 covered by not less than \$20,000~~\$5,000~~ of life insurance
28 covering deaths caused by injuries received while engaged in
29 matches.

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

1 548.05 Control of contracts.--

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

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

14 548.057 Attendance of referee and judges at match;
15 scoring; seconds.--

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

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

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

30 (9) The number of judges shall be assigned in
31 accordance with rules of the commission. The number of

1 unofficial judges at each event shall be limited to three by
2 the commission.

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

5 (11) If sufficient judges are not available, a referee
6 shall be selected to act as a judge for that specific program
7 of matches.

8 Section 14. Section 548.074, Florida Statutes, is
9 amended to read:

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

27 Section 15. Section 548.075, Florida Statutes, is
28 amended to read:

29 548.075 Administrative fines; citations.--
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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.

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14 SENATE SUMMARY

15 Revises provisions relating to boxing. Provides
16 additional duties for the Florida State Boxing
17 Commission. Requires that one member of the commission be
18 a physician. Increases penalties for participating in
19 toughman and badman matches. Requires certain background
20 investigations for licensure applicants. Establishes
21 licensure requirements. Requires automatic suspensions
22 for certain losers of matches. Provides for other
23 suspensions and reinstatement. Provides additional
24 weigh-in guidelines. Revises requirements related to
25 fight physicians. Provides for the testing of
26 participants. Increases insurance requirements and
27 provides standards for contracts. Prohibits judges from
28 engaging in certain activities and adds judging
29 guidelines. Provides additional powers to the commission
30 related to oaths, depositions, inspections, subpoenas,
31 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.)