

CHAMBER ACTION

1 The Committee on Commerce recommends the following:

2
3 **Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to pugilistic contests and exhibitions;
7 providing a popular name; amending s. 548.002, F.S.;
8 defining the term "amateur sanctioning organization";
9 revising certain definitions to apply them to both amateur
10 and professional participants; amending s. 548.003, F.S.;
11 providing the Florida State Boxing Commission the
12 responsibility for, and the authority to adopt rules
13 relating to, the approval of amateur sanctioning
14 organizations for amateur boxing and kickboxing matches
15 held in the state; authorizing the commission to adopt by
16 rule, or incorporate by reference into rule, the health
17 and safety standards of certain specified boxing and
18 kickboxing organizations; requiring the commission to
19 review its rules at least every 2 years; authorizing the
20 commission to adopt emergency rules; amending s. 548.056,
21 F.S.; deleting a promoter from a list of persons who are
22 prohibited from having a financial interest in a
23 participant; amending s. 548.006, F.S.; limiting required

24 certification of competitiveness of mixed martial arts and
25 kickboxing matches to professional matches; expanding
26 power of the commission to control pugilistic contests and
27 exhibitions to include exclusive jurisdiction over the
28 approval of amateur sanctioning organizations for amateur
29 boxing and kickboxing matches; specifying requirements for
30 the holding of professional and amateur matches; creating
31 s. 548.0065, F.S.; prohibiting certain amateur matches
32 except under certain circumstances; prohibiting approval
33 of amateur sanctioning organizations not meeting and
34 enforcing certain health and safety standards and not
35 meeting certain other background, training, and experience
36 requirements; providing for periodic checks for compliance
37 with enforcement and supervision requirements; providing
38 procedures for suspending the approval of an amateur
39 sanctioning organization that fails to comply with the
40 health and safety standards required by ch. 548, F.S.;
41 providing that a member of the commission or a
42 representative of the commission may immediately suspend
43 an amateur match that appears to violate health and safety
44 standards; authorizing a law enforcement officer to assist
45 in enforcing a suspension order; requiring biennial or
46 sooner, if necessary, sanctioning review; providing for
47 continuation, suspension, or revocation of sanctioning
48 approval pursuant to such review; amending s. 548.007,
49 F.S.; providing for the applicability of ch. 548, F.S., to
50 amateur matches and certain other matches or events;
51 amending s. 548.008, F.S.; prohibiting the holding of

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52 | certain amateur matches not sanctioned and supervised by
 53 | an amateur sanctioning organization approved by the
 54 | commission; prohibiting the holding of amateur mixed
 55 | martial arts matches; prohibiting the holding of
 56 | professional matches not meeting the requirements of ch.
 57 | 548, F.S., and rules adopted by the commission; providing
 58 | penalties for participating in or holding, promoting, or
 59 | sponsoring a prohibited match; deleting provisions
 60 | relating to professional or amateur toughman or badman
 61 | competitions; providing an effective date.

62 |
 63 | Be It Enacted by the Legislature of the State of Florida:

64 |
 65 | Section 1. This act shall be known by the popular name the
 66 | "Stacy Young Act."

67 | Section 2. Section 548.002, Florida Statutes, is amended
 68 | to read:

69 | 548.002 Definitions.--As used in this chapter ~~act~~, the
 70 | term:

71 | (1) "Amateur" means a person who has never received nor
 72 | competed for any purse or other article of value, either for the
 73 | expenses of training or for participating in a match, other than
 74 | a prize of \$50 in value or less.

75 | (2) "Amateur sanctioning organization" means any business
 76 | entity organized for sanctioning and supervising matches
 77 | involving amateurs.

78 | ~~(3)(2)~~ "Boxing" means to compete with the fists.

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79 | ~~(4)(3)~~ "Commission" means the Florida State Boxing
80 | Commission.

81 | ~~(5)(4)~~ "Concessionaire" means any person or business
82 | entity not licensed as a promoter which receives revenues or
83 | other compensation from the sale of tickets or from the sale of
84 | souvenirs, programs, broadcast rights, or any other concessions
85 | in conjunction with the promotion of a match.

86 | ~~(6)(5)~~ "Contest" means a boxing, kickboxing, or mixed
87 | martial arts engagement in which persons participating the
88 | ~~participants~~ strive earnestly to win using, but not necessarily
89 | being limited to, strikes and blows to the head.

90 | ~~(7)(6)~~ "Department" means the Department of Business and
91 | Professional Regulation.

92 | ~~(8)(7)~~ "Exhibition" means a boxing, kickboxing, or mixed
93 | martial arts engagement in which persons participating the
94 | ~~participants~~ show or display their skill without necessarily
95 | striving to win using, but not necessarily being limited to,
96 | strikes and blows to the head.

97 | ~~(9)(8)~~ "Foreign copromoter" means a promoter who has no
98 | place of business within this state.

99 | ~~(10)(9)~~ "Judge" means a person who has a vote in
100 | determining the winner of any contest.

101 | ~~(11)(10)~~ "Kickboxing" means to compete with the fists,
102 | feet, legs, or any combination thereof, and includes "punchkick"
103 | and other similar competitions.

104 | ~~(12)(11)~~ "Manager" means any person who, directly or
105 | indirectly, controls or administers the boxing, kickboxing, or
106 | mixed martial arts affairs of any participant.

107 (13)~~(12)~~ "Match" means any contest or exhibition.

108 (14)~~(13)~~ "Matchmaker" means a person who brings together
109 professionals or arranges matches for professionals.

110 (15)~~(14)~~ "Mixed martial arts" means unarmed combat
111 involving the use, subject to any applicable limitations set
112 forth in this chapter, of a combination of techniques from
113 different disciplines of the martial arts, including, but not
114 limited to, grappling, kicking, and striking.

115 (16)~~(15)~~ "Participant" means a professional competing in a
116 boxing, kickboxing, or mixed martial arts match.

117 (17)~~(16)~~ "Physician" means an individual licensed to
118 practice medicine and surgery in this state.

119 (18)~~(17)~~ "Professional" means a person who has received or
120 competed for any purse or other article of a value greater than
121 \$50, either for the expenses of training or for participating in
122 any match.

123 (19)~~(18)~~ "Promoter" means any person, and includes any
124 officer, director, employee, or stockholder of a corporate
125 promoter, who produces, arranges, or stages any match involving
126 a professional.

127 (20)~~(19)~~ "Purse" means the financial guarantee or other
128 remuneration for which a professional is participating in a
129 match and includes the professional's share of any payment
130 received for radio broadcasting, television, and motion picture
131 rights.

132 (21)~~(20)~~ "Second" or "cornerman" means a person who
133 assists the match participant between rounds and maintains the
134 corner of the participant during the match.

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135 ~~(22)~~~~(21)~~ "Secretary" means the Secretary of Business and
136 Professional Regulation.

137 Section 3. Subsection (2) of section 548.003, Florida
138 Statutes, is amended to read:

139 548.003 Florida State Boxing Commission.--

140 (2) The Florida State Boxing Commission, as created by
141 subsection (1), shall administer the provisions of this chapter.
142 The commission has authority to adopt rules pursuant to ss.
143 120.536(1) and 120.54 to implement the provisions of this
144 chapter and to implement each of the duties and responsibilities
145 conferred upon the commission, including, but not limited to:

146 (a) Development of an ethical code of conduct for
147 commissioners, commission staff, and commission officials.+

148 (b) Facility and safety requirements relating to the ring,
149 floor plan and apron seating, emergency medical equipment and
150 services, and other equipment and services necessary for the
151 conduct of a program of matches.+

152 (c) Requirements regarding a participant's apparel,
153 bandages, handwraps, gloves, mouthpiece, and appearance during a
154 match.+

155 (d) Requirements relating to a manager's participation,
156 presence, and conduct during a match.+

157 (e) Duties and responsibilities of all licensees under
158 this chapter.+

159 (f) Procedures for hearings and resolution of disputes.+

160 (g) Qualifications for appointment of referees and
161 judges.+

162 (h) Qualifications for and appointment of chief inspectors
 163 and inspectors and duties and responsibilities of chief
 164 inspectors and inspectors with respect to oversight and
 165 coordination of activities for each program of matches regulated
 166 under this chapter. ~~+~~

167 (i) Designation and duties of a knockdown timekeeper. ~~+~~ ~~and~~

168 (j) Setting fee and reimbursement schedules for referees
 169 and other officials appointed by the commission or the
 170 representative of the commission.

171 (k) Establishment of criteria for approval, disapproval,
 172 suspension of approval, and revocation of approval of amateur
 173 sanctioning organizations for amateur boxing and kickboxing
 174 matches held in this state, including, but not limited to, the
 175 health and safety standards the organizations use before,
 176 during, and after the matches to ensure the health, safety, and
 177 well-being of the amateurs participating in the matches,
 178 including the qualifications and numbers of health care
 179 personnel required to be present, the qualifications required
 180 for referees, and other requirements relating to the health,
 181 safety, and well-being of the amateurs participating in the
 182 matches. The commission may adopt by rule, or incorporate by
 183 reference into rule, the health and safety standards of USA
 184 Boxing as the minimum health and safety standards for an amateur
 185 boxing sanctioning organization and the health and safety
 186 standards of the International Sport Kickboxing Association as
 187 the minimum health and safety standards for an amateur
 188 kickboxing sanctioning organization. The commission shall review
 189 its rules for necessary revision at least every 2 years and may

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190 adopt by rule, or incorporate by reference into rule, the then-
 191 existing current health and safety standards of USA Boxing and
 192 the International Sport Kickboxing Association. The commission
 193 may adopt emergency rules to administer this paragraph.

194 Section 4. Subsection (1) of section 548.056, Florida
 195 Statutes, is amended to read:

196 548.056 Prohibited financial interests in participant;
 197 penalties.--

198 (1) A member of the commission; an employee of the
 199 commission; a referee or, judge, ~~or promoter~~ licensed by the
 200 commission; or an attending physician may not have any direct or
 201 indirect financial or pecuniary interest in any participant.

202 Section 5. Section 548.006, Florida Statutes, is amended
 203 to read:

204 548.006 Power of commission to control professional and
 205 amateur pugilistic contests and exhibitions; certification of
 206 competitiveness of professional mixed martial arts and
 207 kickboxing matches.--

208 (1) The commission has exclusive jurisdiction over every
 209 match held within the state which involves a professional.

210 (2) As to professional mixed martial arts and kickboxing,
 211 until a central repository of match records for each exists and
 212 is approved by the commission, the matchmaker shall certify as
 213 to the competitiveness of each match.

214 (3) The commission has exclusive jurisdiction over
 215 approval, disapproval, suspension of approval, and revocation of
 216 approval of all amateur sanctioning organizations for amateur
 217 boxing and kickboxing matches held in this state.

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218 ~~(4)(3)~~ Professional and amateur matches shall be held in
 219 accordance with this chapter and the rules adopted by the
 220 commission.

221 Section 6. Section 548.0065, Florida Statutes, is created
 222 to read:

223 548.0065 Amateur matches; sanctioning and supervision;
 224 health and safety standards; compliance checks; continuation,
 225 suspension, and revocation of sanctioning approval.--

226 (1) No match involving amateurs which utilizes, but is not
 227 necessarily limited to, strikes or blows to the head may be held
 228 in this state unless it is sanctioned and supervised by an
 229 amateur sanctioning organization approved by the commission. An
 230 approved amateur sanctioning organization may only sanction and
 231 supervise the contests or exhibitions in the particular sport or
 232 sports for which it has expertise and for which it is approved
 233 by the commission.

234 (2) The commission may not approve any amateur sanctioning
 235 organization unless it has adopted and agreed to enforce a
 236 defined set of standards that applies to all matches which will
 237 adequately protect the health and safety of the amateurs
 238 participating in the matches and the public and can adequately
 239 demonstrate to the satisfaction of the commission that the
 240 principals of the organization have sufficient background,
 241 training, and experience in sanctioning and supervising matches
 242 for which the organization is approved.

243 (3) Periodic compliance checks may be performed by a
 244 representative of the commission designated by the executive
 245 director in order to ensure enforcement of approved health and

246 safety standards and supervision of matches by the approved
 247 amateur sanctioning organization.

248 (4) Any member of the commission or the executive director
 249 of the commission may suspend the approval of an amateur
 250 sanctioning organization for failure to supervise amateur
 251 matches or to enforce the approved health and safety standards
 252 required under this chapter, provided that the suspension
 253 complies with the procedures for summary suspensions in s.
 254 120.60(6). At any amateur boxing or kickboxing contest, any
 255 member of the commission or a representative of the commission
 256 may immediately suspend one or more matches in an event whenever
 257 it appears that the match or matches violate the health and
 258 safety standards established by rule as required by this
 259 chapter. A law enforcement officer may assist any member of the
 260 commission or a representative of the commission to enforce an
 261 order to stop a contest if called upon to do so by a member of
 262 the commission or a representative of the commission.

263 (5) The commission shall review its approval of the
 264 amateur sanctioning organization at least biennially, or sooner
 265 if determined necessary based upon the periodic compliance
 266 checks or complaints to the commission, to determine
 267 continuation of approval. The commission may continue approval
 268 or may suspend or revoke approval based upon compliance of the
 269 organization with the approved sanctioning standards and its
 270 ability to supervise matches in the state.

271 Section 7. Section 548.007, Florida Statutes, is amended
 272 to read:

273 (Substantial rewording of section. See

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274 s. 548.007, F.S., for present text.)
 275 548.007 Applicability of act to amateur matches and
 276 certain other matches or events.--With the exception of s.
 277 548.008, ss. 548.001-548.079 do not apply to:

278 (1) A match conducted or sponsored by a bona fide
 279 nonprofit school or education program whose primary purpose is
 280 instruction in the martial arts, boxing, or kickboxing, if the
 281 match held in conjunction with the instruction is limited to
 282 amateur participants who are students of the school or
 283 instructional program; or

284 (2) A match conducted or sponsored by any company or
 285 detachment of the Florida National Guard, if the match is
 286 limited to participants who are members of the company or
 287 detachment of the Florida National Guard.

288 Section 8. Section 548.008, Florida Statutes, is amended
 289 to read:

290 548.008 ~~Toughman and badman competition~~ Prohibited
 291 competitions.--

292 (1) No match involving amateurs which utilizes, but is not
 293 necessarily limited to, strikes or blows to the head may be held
 294 in this state unless it is sanctioned and supervised by an
 295 amateur sanctioning organization approved by the commission as
 296 required by this chapter.

297 (2) No amateur mixed martial arts match may be held in
 298 this state.

299 (3) No professional match may be held in this state unless
 300 it meets the requirements for holding the match as provided in
 301 this chapter and the rules adopted by the commission.

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302 ~~(1) No professional or amateur toughman or badman match,~~
303 ~~as described in this section, may be held in this state. Such~~
304 ~~competition includes any contest or exhibition where~~
305 ~~participants compete by using a combination of skills. Such~~
306 ~~skills may include, but are not limited to, boxing, wrestling,~~
307 ~~kicking, or martial arts skills. Notwithstanding the above, this~~
308 ~~section shall not preclude kickboxing or mixed martial arts as~~
309 ~~regulated by this chapter.~~

310 (4)(a)(2) Any person participating in a match prohibited
311 under this section, knowing the match to be prohibited, commits
312 ~~or promoting a professional or amateur toughman or badman match~~
313 ~~is guilty of a misdemeanor of the second degree, punishable as~~
314 ~~provided in s. 775.082 or s. 775.083.~~

315 (b) Any person holding, promoting, or sponsoring a match
316 prohibited under this section commits a felony of the third
317 degree, punishable as provided in s. 775.082, s. 775.083, or s.
318 775.084.

319 Section 9. This act shall take effect upon becoming a law.