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2014 Legislature

1
2 An act relating to pugilistic exhibitions; amending s.
3 548.002, F.S.; revising and providing definitions;
4 amending s. 548.004, F.S.; revising the duties and
5 responsibilities of the executive director of the
6 Florida State Boxing Commission; deleting a provision
7 requiring the electronic recording of commission
8 proceedings; amending s. 548.006, F.S.; clarifying the
9 jurisdiction of the commission over certain amateur
10 and professional matches; amending s. 548.007, F.S.;
11 revising the applicability of chapter 548, F.S.;
12 repealing s. 548.013, F.S., relating to a requirement
13 that foreign copromoters be licensed; amending s.
14 548.014, F.S.; conforming provisions to changes made
15 by the act; repealing s. 548.015, F.S., relating to
16 the authority of the commission to require a
17 concessionaire to file a form of security with the
18 commission; amending s. 548.017, F.S.; deleting a
19 requirement for the licensure of concessionaires and
20 booking agents; amending s. 548.046, F.S.; providing
21 for immediate license suspension and other
22 disciplinary action if a participant fails or refuses
23 to provide a urine sample or tests positive for
24 specified prohibited substances; amending s. 548.052,
25 F.S.; revising requirements for providing an advance



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26 payment or loan against a purse to a participant;
27 amending s. 548.054, F.S.; revising procedure and
28 requirements for requesting a hearing following the
29 withholding of a purse; amending s. 548.06, F.S.;
30 revising the calculation of gross receipts;
31 authorizing a promoter to issue a specified amount of
32 complimentary tickets that are not included in gross
33 receipts; requiring authorization from the commission
34 to issue complimentary tickets that are not included
35 in gross receipts in an amount greater than a
36 specified amount; providing application requirements
37 and procedures; providing that certain promoters are
38 not required to report specified information;
39 requiring promoters to retain specified documents and
40 records; authorizing the commission and the Department
41 of Business and Professional Regulation to audit
42 specified records retained by a promoter; requiring
43 the commission to adopt rules; amending s. 548.066,
44 F.S.; conforming a provision to changes made by the
45 act; amending s. 548.07, F.S.; revising the procedure
46 for suspension of licensure; amending s. 548.073,
47 F.S.; requiring that commission hearings be held in
48 accordance with the Administrative Procedure Act;
49 providing an appropriation; providing an effective
50 date.



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

Section 1. Section 548.002, Florida Statutes, is amended to read:

548.002 Definitions.—As used in this chapter, the term:

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

(2) "Amateur sanctioning organization" means a ~~any~~ business entity organized for sanctioning and supervising matches involving amateurs.

(3) "Boxing" means the unarmed combat sport of fighting by striking ~~to compete~~ with ~~the~~ fists.

(4) "Commission" means the Florida State Boxing Commission.

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

(5) ~~(6)~~ "Contest" means a boxing, kickboxing, or mixed martial arts engagement in which persons participating strive earnestly to win using, ~~but not necessarily being limited to,~~



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76 strikes and blows to the head or other full-contact maneuvers.

77 (6)~~(7)~~ "Department" means the Department of Business and
78 Professional Regulation.

79 (7)~~(8)~~ "Event" means one or more matches comprising a
80 show.

81 (8)~~(9)~~ "Exhibition" means a boxing, kickboxing, or mixed
82 martial arts engagement in which persons participating show or
83 display their skill without necessarily striving to win using,
84 ~~but not necessarily being limited to,~~ strikes and blows to the
85 head or other full-contact maneuvers.

86 (9) "Face value" means the dollar value of a ticket equal
87 to the dollar amount that a customer is required to pay or, for
88 complimentary tickets, would have been required to pay to
89 purchase a ticket with equivalent seating priority in order to
90 view the event. If the ticket specifies the amount of admission
91 charges attributable to state or federal taxes, such taxes are
92 not included in the face value.

93 (10) "Full contact" means the use of strikes and blows
94 during a match which:

95 (a) Are intended to break the plane of the receiving
96 participant's or amateur's body;

97 (b) Are delivered to the head, face, neck, or body of the
98 receiving participant or amateur; and

99 (c) Cause the receiving participant or amateur to move in
100 response to the strike or blow.



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101 ~~(10) "Foreign copromoter" means a promoter who has no~~
102 ~~place of business within this state.~~

103 (11) "Judge" means a person licensed by the commission who
104 evaluates and scores a match using a designated scoring system
105 ~~who has a vote in determining the winner of any contest.~~

106 (12) "Kickboxing" means the unarmed combat sport of
107 fighting by striking ~~to compete~~ with the fists, hands, feet,
108 legs, or any combination thereof, ~~and includes "punchkick" and~~
109 ~~other similar competitions.~~ The term does not include any form
110 of ground fighting techniques.

111 (13) "Manager" means a ~~any~~ person who, directly or
112 indirectly, controls or administers the boxing, kickboxing, or
113 mixed martial arts affairs of a ~~any~~ participant.

114 (14) "Match" means a ~~any~~ contest or exhibition.

115 (15) "Matchmaker" means a person who brings together
116 professionals or arranges matches for professionals.

117 (16) "Mixed martial arts" means the unarmed combat sport
118 involving the use, ~~subject to any applicable limitations set~~
119 ~~forth in this chapter,~~ of a combination of techniques,
120 including, but not limited to, grappling, kicking, striking, and
121 using techniques from different disciplines of the martial arts,
122 including, but not limited to, boxing, kickboxing, Muay Thai,
123 jujitsu, and wrestling ~~grappling, kicking, and striking.~~

124 (17) "Participant" means a professional competing in a
125 boxing, kickboxing, or mixed martial arts match.



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126 (18) "Physician" means a person who is approved by the
127 commission, who has a license to practice medicine issued
128 pursuant to chapter 458 or chapter 459, and whose license to
129 practice medicine is unencumbered and in good standing ~~an~~
130 ~~individual licensed to practice medicine and surgery in this~~
131 ~~state.~~

132 (19) "Professional" means a person who has received or
133 competed for a ~~any~~ purse or other article of a value greater
134 than \$50, either for the expenses of training or for
135 participating in a ~~any~~ match.

136 (20) "Promoter" means a any person or entity, including an
137 ~~and includes any~~ officer, director, trustee, partner ~~employee,~~
138 or owner ~~stockholder~~ of a corporate promoter or promoter
139 partnership, who produces, arranges, or stages a any match
140 involving a professional.

141 (21) "Purse" means the financial guarantee or other
142 remuneration for which a professional is participating in a
143 match and includes the professional's share of any payment
144 received for radio broadcasting and, ~~and,~~ television, including pay-
145 per-view or closed circuit ~~and motion picture rights.~~

146 (22) "Second" or "cornerman" means a person who assists a
147 ~~the match~~ participant in preparing for a match and between
148 rounds, and who maintains the corner of a ~~the~~ participant during
149 a ~~the~~ match.

150 (23) "Secretary" means the Secretary of Business and



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151 Professional Regulation.

152 (24) "Unarmed combat" means a form of competition in which
153 a strike or blow is struck that may reasonably be expected to
154 inflict injury.

155 Section 2. Section 548.004, Florida Statutes, is amended
156 to read:

157 548.004 Executive director; duties, compensation,
158 administrative support.—

159 (1) The department shall employ an executive director with
160 the approval of the commission. The executive director shall
161 serve at the pleasure of the secretary. The executive director
162 or the executive director's designee shall perform the duties
163 specified by the commission, including conducting the functions
164 of the commission office; appointing event and commission
165 officials; approving licenses, permits, and matches; and
166 performing any ~~keep a record of all proceedings of the~~
167 ~~commission; shall preserve all books, papers, and documents~~
168 ~~pertaining to the business of the commission; shall prepare any~~
169 ~~notices and papers required; shall appoint judges, referees, and~~
170 ~~other officials as delegated by the commission and pursuant to~~
171 ~~this chapter and rules of the commission; and shall perform such~~
172 other duties as the department or commission deems necessary to
173 fulfill the duties of the position ~~directs~~. The executive
174 director may issue subpoenas and administer oaths to witnesses,
175 permitholders, record custodians, and licensees.



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176 ~~(2) The commission shall require electronic recording of~~
 177 ~~all scheduled proceedings of the commission.~~

178 (2)~~(3)~~ The department shall provide assistance in budget
 179 development and budget submission for state funding requests.
 180 The department shall submit an annual balanced legislative
 181 budget for the commission which is based upon anticipated
 182 revenue. The department shall provide technical assistance and
 183 administrative support, if requested or determined necessary
 184 ~~needed~~, to the commission and its executive director on issues
 185 relating to personnel, contracting, property management, or
 186 other issues identified as important to performing the duties of
 187 this chapter and to protecting the interests of the state.

188 Section 3. Section 548.006, Florida Statutes, is amended
 189 to read:

190 548.006 Power of commission to control professional and
 191 amateur boxing, kickboxing, and mixed martial arts matches
 192 ~~pugilistic contests and exhibitions~~; certification of
 193 competitiveness of professional mixed martial arts and
 194 kickboxing matches.—

195 (1) The commission has exclusive jurisdiction over every
 196 boxing, kickboxing, and mixed martial arts match held within the
 197 state which involves a professional.

198 (2) As to professional mixed martial arts and kickboxing,
 199 until a central repository of match records for each exists and
 200 is approved by the commission, the matchmaker shall certify as



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201 to the competitiveness of each match.

202 (3) The commission has exclusive jurisdiction over
203 approval, disapproval, suspension of approval, and revocation of
204 approval of all amateur sanctioning organizations for amateur
205 boxing, ~~and kickboxing, and mixed martial arts~~ matches held in
206 this state.

207 (4) Professional and amateur matches shall be held in
208 accordance with this chapter and the rules adopted by the
209 commission.

210 Section 4. Section 548.007, Florida Statutes, is amended
211 to read:

212 548.007 Exemptions.~~This chapter does~~ Applicability of
213 ~~provisions to amateur matches and certain other matches or~~
214 ~~events. Sections 548.001-548.079 do not apply to~~ any of the
215 following:

216 (1) A match that does not allow full contact ~~conducted or~~
217 ~~sponsored by a bona fide nonprofit school or education program~~
218 ~~whose primary purpose is instruction in the martial arts,~~
219 ~~boxing, or kickboxing,~~ if the match held in conjunction with the
220 instruction is limited to amateur participants. ~~who are students~~
221 ~~of the school or instructional program.~~

222 (2) A match conducted or sponsored by a ~~any~~ company or
223 detachment of the Florida National Guard or the United States
224 Armed Forces, if the match is limited to amateurs ~~participants~~
225 who are members of a ~~the~~ company or detachment of the Florida



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226 National Guard or the United States Armed Forces.; ~~or~~
 227 (3) A match conducted or sponsored by the Fraternal Order
 228 of Police, if the match is limited to amateurs ~~amateur~~
 229 ~~participants~~ and is held in conjunction with a charitable event.
 230 (4) A match conducted by or between public postsecondary
 231 educational institutions or public K-12 schools, as described in
 232 s. 1000.04, if the match is limited to amateurs who are members
 233 of a school-sponsored club or team.
 234 (5) A match conducted by the International Olympic
 235 Committee, the International Paralympic Committee, the Special
 236 Olympics, or the Junior Olympics, if the match is limited to
 237 amateurs who are competing in or attempting to qualify for the
 238 Olympics, Paralympics, Special Olympics, or Junior Olympics.
 239 (6) A professional or amateur martial arts activity. As
 240 used in this subsection, the term "martial arts" means one of
 241 the traditional forms of self-defense or unarmed combat
 242 involving the use of physical skill and coordination, including,
 243 but not limited to, karate, aikido, judo, and kung fu. The term
 244 does not include mixed martial arts.
 245 Section 5. Section 548.013, Florida Statutes, is repealed.
 246 Section 6. Paragraphs (a) and (d) of subsection (1) and
 247 subsection (2) of section 548.014, Florida Statutes, are amended
 248 to read:
 249 548.014 Promoters and foreign copromoters; bonds or other
 250 security.—



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251 (1) (a) Before a ~~any~~ license is issued or renewed to a
252 promoter ~~or foreign copromoter~~ and before a ~~any~~ permit is issued
253 to a promoter ~~or foreign copromoter~~, she or he must file a
254 surety bond with the commission in a ~~such~~ reasonable amount
255 determined by the commission of at least, ~~but not less than~~
256 ~~\$15,000, as the commission determines.~~

257 (d) The surety bond must be conditioned upon the faithful
258 performance by the promoter ~~or foreign copromoter~~ of her or his
259 obligations under this chapter and upon the fulfillment of her
260 or his contracts with any other licensees under this chapter.
261 However, the aggregate annual liability of the surety for all
262 obligations and fees may not exceed the amount of the bond.

263 (2) In lieu of a surety bond, the promoter ~~or foreign~~
264 ~~copromoter~~ may deposit with the commission cash or a certified
265 check, in an equivalent amount and subject to the same
266 conditions as the bond. Such security may not be returned to the
267 promoter until 1 year after the date ~~on which~~ it was deposited
268 with the commission unless a surety bond is substituted for it.
269 If no claim against the deposit is outstanding, it shall be
270 returned to the depositor 1 year after the date it was
271 deposited.

272 Section 7. Section 548.015, Florida Statutes, is repealed.

273 Section 8. Subsection (1) of section 548.017, Florida
274 Statutes, is amended to read:

275 548.017 Participants, managers, and other persons required



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276 to have licenses.-

277 (1) A participant, manager, trainer, second, timekeeper,
278 referee, judge, announcer, physician, matchmaker,
279 ~~concessionaire, or promoter must booking agent or representative~~
280 ~~of a booking agent shall~~ be licensed before directly or
281 indirectly acting in such capacity in connection with any match
282 involving a participant. A physician approved by the commission
283 must be licensed pursuant to chapter 458 or chapter 459, must
284 maintain an unencumbered license in good standing, and must
285 demonstrate satisfactory medical training or experience in
286 boxing, or a combination of both, to the executive director
287 before ~~prior to~~ working as the ringside physician.

288 Section 9. Paragraph (c) of subsection (3) of section
289 548.046, Florida Statutes, is amended, and paragraph (d) is
290 added to that subsection, to read:

291 548.046 Physician's attendance at match; examinations;
292 cancellation of match.-

293 (3)

294 (c) A participant who fails or refuses ~~Failure or refusal~~
295 to provide a urine sample immediately upon request shall be
296 considered an immediate serious danger to the health, safety, or
297 welfare of the public and his or her opponent. The license of a
298 participant who fails or refuses to provide a urine sample shall
299 immediately be suspended pursuant to s. 120.60(6), and such
300 failure or refusal is grounds for additional disciplinary action



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301 ~~result in the revocation of the participant's license. Any~~
302 ~~participant who has been adjudged the loser of a match and who~~
303 ~~subsequently refuses to or is unable to provide a urine sample~~
304 ~~shall forfeit his or her share of the purse to the commission. A~~
305 Any participant who is adjudged the winner of a match and who
306 subsequently refuses to or is unable to provide a urine sample
307 forfeits shall forfeit the win and shall not be allowed to
308 engage in any future match in the state. The decision shall be
309 changed to a no-decision result and shall be entered into the
310 official record as the result of the match. The purse shall be
311 redistributed as though the participant found to be in violation
312 of this subsection had lost the match. If redistribution of the
313 purse is not necessary or after redistribution of the purse is
314 completed, the participant found to be in violation of this
315 subsection shall forfeit his or her share of the purse to the
316 commission.

317 (d) A participant who tests positive for a prohibited
318 substance as specified by commission rule shall be considered an
319 immediate serious danger to the health, safety, or welfare of
320 the public and his or her opponent. The license of a participant
321 who tests positive for a prohibited substance shall immediately
322 be suspended pursuant to s. 120.60(6), and the positive test
323 result is grounds for additional disciplinary action.

324 Section 10. Section 548.052, Florida Statutes, is amended
325 to read:



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326 548.052 Payment of advances by promoter ~~or foreign~~
327 ~~copromoter~~ regulated.—A promoter ~~or foreign copromoter~~ may not
328 pay, lend, or give a participant an advance against her or his
329 purse before a contest, except with the prior written permission
330 of the commission, the executive director, or the executive
331 director's designee ~~a commissioner~~; and, if permitted, such
332 advance may be made only for expenses for transportation and
333 maintenance in preparation for a contest.

334 Section 11. Subsection (2) of section 548.054, Florida
335 Statutes, is amended to read:

336 548.054 Withholding of purses; hearing; disposition of
337 withheld purse forfeiture.—

338 (2) Any purse so withheld shall be delivered by the
339 promoter to the commission upon demand. Within 10 days after the
340 match, the person from whom the sum was withheld may submit a
341 petition for a hearing to the commission pursuant to s. 120.569
342 ~~apply in writing to the commission for a hearing~~. Upon receipt
343 of the petition application, the commission shall hold ~~shall fix~~
344 ~~a date for a hearing pursuant to ss. 120.569 and 120.57~~. ~~Within~~
345 ~~10 days after the hearing or after 10 days following the match,~~
346 If no petition application for a hearing is filed, the
347 commission shall meet and determine the disposition ~~to be made~~
348 of the withheld purse. If the commission finds the charges
349 sufficient, it may declare all or ~~any~~ part of the funds
350 forfeited. If the commission finds the charges insufficient ~~not~~



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351 ~~sufficient upon which to base a withholding order, it shall~~
352 immediately distribute the withheld funds to the appropriate
353 persons entitled thereto.

354 Section 12. Section 548.06, Florida Statutes, is amended
355 to read:

356 548.06 Payments to state; ~~exemptions;~~ audit of records.-

357 (1) Except as provided in subsection (5), a promoter
358 holding a match shall, within 72 hours after the match, file
359 with the commission a written report that ~~which~~ includes the
360 number of tickets sold, the amount of gross receipts, and any
361 other facts the commission may require. For the purposes of this
362 chapter, ~~total~~ gross receipts include each of the following:

363 (a) The gross price charged for the sale or lease of
364 broadcasting, television, and pay-per-view ~~motion picture~~ rights
365 of any match occurring within the state without any deductions
366 for commissions, brokerage fees, distribution fees, advertising,
367 or other expenses or charges.†

368 ~~(b) The portion of the receipts from the sale of~~
369 ~~souvenirs, programs, and other concessions received by the~~
370 ~~promoter;~~

371 (b)(e) The face value of all tickets sold and
372 complimentary tickets issued, provided, or given, not including
373 complimentary tickets issued, provided, or given in accordance
374 with subsections (2) and (3).†~~and~~

375 (c)(d) The face value of any seat or seating issued,



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376 provided, or given in exchange for advertising, sponsorships, or
377 anything of value to the promotion of an event.

378 (2) A promoter may issue complimentary tickets for up to 5
379 percent of the seats in the house designated for use in the
380 event, equally distributed among the price categories for which
381 complimentary tickets are issued, without including the face
382 value of such tickets in the calculation of gross receipts.

383 (3) (a) A promoter may, with written authorization from the
384 commission, the executive director, or the executive director's
385 designee, issue, provide, or give additional complimentary
386 tickets in an amount greater than 5 percent of the seats in the
387 house designated for use in the event without including the face
388 value of such tickets in the calculation of gross receipts.

389 (b) The commission, the executive director, or the
390 executive director's designee may provide authorization for
391 additional complimentary tickets that are issued, provided, or
392 given to:

393 1. Reserve or active duty members of the United States
394 Armed Forces or the Florida National Guard.

395 2. Veterans, as defined in s. 1.01(14), even if the
396 veteran is not eligible to receive benefits as a wartime
397 veteran.

398 3. Not-for-profit organizations exempt from federal income
399 tax under s. 501(c)(3) of the Internal Revenue Code.

400 (c) A promoter seeking authorization to issue, provide, or



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401 | give additional complimentary tickets in an amount greater than
402 | 5 percent of the seats in the house designated for use in the
403 | event in accordance with this subsection shall submit an
404 | application on a form adopted by the commission. The application
405 | must include, at a minimum, the date, time, and location of the
406 | event; the number of additional complimentary tickets for which
407 | the promoter is seeking authorization from the commission; the
408 | percentage of tickets issued for the seats in the house
409 | designated for use in the event for which the promoter is
410 | seeking authorization from the commission; and the persons or
411 | entities that will receive the additional complimentary tickets.

412 | (d) The commission, the executive director, or the
413 | executive director's designee shall approve or deny the
414 | application and shall provide the promoter a written explanation
415 | for each approval or denial. The commission, the executive
416 | director, or the executive director's designee may set
417 | limitations on an approval and may approve all or a portion of
418 | the additional complimentary tickets for which the promoter has
419 | sought authorization. The commission, the executive director, or
420 | the executive director's designee shall provide the promoter a
421 | written explanation of any limitation placed on an approval. The
422 | denial or approval with limitations of an application by the
423 | commission, the executive director, or the executive director's
424 | designee is not final agency action and may not be appealed.

425 | (e) A promoter who receives authorization to issue,



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426 provide, or give complimentary tickets in an amount greater than
427 5 percent of the seats in the house designated for use in the
428 event in accordance with this subsection shall maintain
429 documentation showing that the authorized additional
430 complimentary tickets were issued, provided, or given to
431 individuals or entities eligible for such tickets under
432 paragraph (b). These documents are subject to an audit of the
433 promoter's books and records pursuant to subsection (8).

434 (f) The commission may not include the face value of
435 complimentary tickets authorized under this subsection as part
436 of the total gross receipts from admission fees.

437 (g) The promoter may issue, provide, or give complimentary
438 tickets in an amount greater than 5 percent of the seats in the
439 house designated for use in the event without obtaining written
440 authorization in accordance with this subsection if the promoter
441 includes the face value of such tickets in the calculation of
442 gross receipts.

443 (h) The promoter remains responsible for complying with
444 reporting and taxation requirements related to gross receipts as
445 provided in this section. However, complimentary tickets issued,
446 given, or provided under subsection (2) or as authorized by the
447 commission are exempt from such reporting and taxation
448 requirements.

449 ~~(2) Where the rights to telecast a match or matches held~~
450 ~~in this state under the supervision of the Florida State Boxing~~



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451 ~~Commission are in whole owned by, sold to, acquired by, or held~~
452 ~~by any person who intends to or subsequently sells or, in some~~
453 ~~other manner, extends such rights in part to another, such~~
454 ~~person is deemed to be a promoter and must be licensed as such~~
455 ~~in this state. Such person shall, within 72 hours after the~~
456 ~~sale, transfer, or extension of such rights in whole or in part,~~
457 ~~file with the commission a written report that includes the~~
458 ~~number of tickets sold, the amount of gross receipts, and any~~
459 ~~other facts the commission may require.~~

460 ~~(3) A concessionaire shall, within 72 hours after the~~
461 ~~match, file with the commission a written report that includes~~
462 ~~the number of tickets sold, the amount of gross receipts, and~~
463 ~~any other facts the commission may require.~~

464 (4) A ~~Any~~ written report required to be filed with the
465 commission under this section must ~~shall~~ be postmarked within 72
466 hours after the conclusion of the match, and an additional 5
467 days is ~~shall be~~ allowed for mailing.

468 (5) Each ~~the~~ written report must ~~shall~~ be accompanied by a
469 tax payment in the amount of 5 percent of the total gross
470 receipts exclusive of any federal taxes, except that the tax
471 payment derived from the gross price charged for the sale or
472 lease of broadcasting, television, and pay-per-view motion
473 picture rights of an event occurring within the state may ~~shall~~
474 not exceed \$40,000 for a any single event. A promoter who remits
475 the maximum tax amount of \$40,000 for the sale or lease of



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476 broadcasting, television, or pay-per-view rights of an event
477 occurring within the state and who submits a form provided by
478 the commission indicating that he or she has paid the maximum
479 tax amount is not required to provide any further information
480 with regard to the sale or lease of broadcasting, television, or
481 pay-per-view rights. However, the promoter remains responsible
482 for complying with reporting and taxation requirements related
483 to other gross receipts as provided in this chapter.

484 (6) (a) A ~~Any~~ promoter who willfully makes a false and
485 fraudulent report under this section commits ~~is guilty of~~
486 perjury and, upon conviction, is subject to punishment as
487 provided by law. Such penalty is ~~shall be~~ in addition to any
488 other penalties imposed under ~~by~~ this chapter.

489 (b) A ~~Any~~ promoter who willfully fails, neglects, or
490 refuses to make a report or to pay the taxes as prescribed or
491 who refuses to allow the commission to examine the books,
492 papers, and records of a ~~any~~ promotion commits ~~is guilty of~~ a
493 misdemeanor of the second degree, punishable as provided in s.
494 775.082 or s. 775.083.

495 (7) A promoter shall retain a copy of the following
496 records for 1 year and provide a copy of such records to the
497 commission upon request:

498 (a) Records necessary to support each report submitted to
499 the commission, including a copy of each report filed with the
500 commission.



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501 (b) A copy of each independently prepared ticket manifest.

502 (c) Documentation required to be maintained under
503 paragraph (3)(e) verifying that additional complimentary tickets
504 authorized by the commission, the executive director, or the
505 executive director's designee were issued, provided, or given to
506 eligible individuals or entities.

507 (8) Compliance with this section is subject to
508 verification by department or commission audit. The commission
509 may, upon reasonable notice to the promoter, audit a promoter's
510 books and records relating to the promoter's operations under
511 this chapter.

512 (9) The commission shall adopt rules establishing a
513 procedure for auditing a promoter's records and resolving any
514 inconsistencies revealed by an audit and shall adopt a rule
515 imposing a late fee in the event of taxes owed.

516 Section 13. Subsection (2) of section 548.066, Florida
517 Statutes, is amended to read:

518 548.066 Ticket refunds.—

519 (2) For failure to comply with this section, the
520 commission may declare a promoter's ~~or foreign copromoter's~~ bond
521 or other security forfeited, suspend or revoke the license of a
522 promoter ~~or foreign copromoter~~, and impose any other penalty
523 provided.

524 Section 14. Section 548.07, Florida Statutes, is amended
525 to read:



ENROLLED

CS/CS/HB 773, Engrossed 1

2014 Legislature

526 548.07 Suspension of license or permit by commissioner;
527 hearing.—

528 (1) The commission, the executive director, or the
529 executive director's designee may issue an emergency suspension
530 order pursuant to s. 120.60(6) suspending the license of a
531 person or entity licensed under this chapter who poses an
532 immediate, serious danger to the health, safety, and welfare of
533 the public or the participants in a match.

534 (2) The department's Office of General Counsel shall
535 review the grounds for each emergency suspension order issued
536 and, if sufficient, shall file an administrative complaint
537 against the licensee within 21 days after the issuance of the
538 emergency suspension order.

539 (3) After service of the administrative complaint pursuant
540 to the procedure provided in s. 455.275, the disciplinary
541 process shall proceed pursuant to chapter 120 ~~Notwithstanding~~
542 ~~any provision of chapter 120, any member of the commission may,~~
543 ~~upon her or his own motion or upon the verified written~~
544 ~~complaint of any person charging a licensee or permittee with~~
545 ~~violating this chapter, suspend any license or permit until~~
546 ~~final determination by the commission if such action is~~
547 ~~necessary to protect the public welfare and the best interests~~
548 ~~of the sport. The commission shall hold a hearing within 10 days~~
549 ~~after the date on which the license or permit is suspended.~~

550 Section 15. Section 548.073, Florida Statutes, is amended



ENROLLED

CS/CS/HB 773, Engrossed 1

2014 Legislature

551 | to read:

552 | 548.073 Commission hearings.—All hearings held under this
553 | chapter shall be held in accordance with chapter 120
554 | ~~Notwithstanding the provisions of chapter 120, any member of the~~
555 | ~~commission may conduct a hearing. Before any adjudication is~~
556 | ~~rendered, a majority of the members of the commission shall~~
557 | ~~examine the record and approve the adjudication and order.~~

558 | Section 16. The sum of \$111,000 in recurring funds is
559 | appropriated from the General Revenue Fund to the Department of
560 | Business and Professional Regulation for the implementation of
561 | this act by the Florida State Boxing Commission during the 2014-
562 | 2015 fiscal year.

563 | Section 17. This act shall take effect July 1, 2014.