

Committee Substitute for Senate Bill No. 538

An act relating to pugilistic contests and exhibitions; providing a short title; amending s. 548.002, F.S.; defining the term “amateur sanctioning organization”; revising certain definitions to apply them to both amateur and professional participants; amending s. 548.003, F.S.; providing the Florida State Boxing Commission the responsibility for, and the authority to adopt rules relating to, the approval of amateur sanctioning organizations for amateur boxing and kickboxing matches held in the state; authorizing the commission to adopt by rule, or incorporate by reference into rule, the health and safety standards of certain specified boxing and kickboxing organizations; requiring the commission to review its rules at least every 2 years; authorizing the commission to adopt emergency rules; amending s. 548.006, F.S.; limiting required certification of competitiveness of mixed martial arts and kickboxing matches to professional matches; expanding power of the commission to control pugilistic contests and exhibitions to include exclusive jurisdiction over the approval of amateur sanctioning organizations for amateur boxing and kickboxing matches; specifying requirements for the holding of professional and amateur matches; creating s. 548.0065, F.S.; prohibiting certain amateur matches except under certain circumstances; prohibiting approval of amateur sanctioning organizations not meeting and enforcing certain health and safety standards and not meeting certain other background, training, and experience requirements; providing for periodic checks for compliance with enforcement and supervision requirements; providing procedures for suspending the approval of an amateur sanctioning organization that fails to comply with the health and safety standards required by ch. 548, F.S.; providing that a member of the commission or a representative of the commission may immediately suspend a match that appears to violate health and safety standards; authorizing a law enforcement officer to assist in enforcing a suspension order; requiring biennial or sooner, if necessary, sanctioning review; providing for continuation, suspension, or revocation of sanctioning approval pursuant to such review; amending s. 548.008, F.S.; prohibiting the holding of certain amateur matches not sanctioned and supervised by an amateur sanctioning organization approved by the commission; prohibiting the holding of amateur mixed martial arts matches; prohibiting the holding of professional matches not meeting the requirements of ch. 548, F.S., and rules adopted by the commission; providing penalties for participating in or holding, promoting, or sponsoring a prohibited match; deleting provisions relating to professional or amateur toughman or badman competitions; amending s. 548.007, F.S.; providing for the applicability of ch. 548, F.S., to amateur matches and certain other matches or events; amending s. 548.056, F.S.; deleting a promoter from a list of persons who are prohibited from having a financial interest in a participant; providing an effective date.

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

Section 1. This act may be cited as the “Stacy Young Act.”

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

548.002 Definitions.—As used in this chapter aet, 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 in value or less.

(2) “Amateur sanctioning organization” means any business entity organized for sanctioning and supervising matches involving amateurs.

(3)(2) “Boxing” means to compete with the fists.

(4)(3) “Commission” means the Florida State Boxing Commission.

(5)(4) “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.

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

(7)(6) “Department” means the Department of Business and Professional Regulation.

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

(9)(8) “Foreign copromoter” means a promoter who has no place of business within this state.

(10)(9) “Judge” means a person who has a vote in determining the winner of any contest.

(11)(10) “Kickboxing” means to compete with the fists, feet, legs, or any combination thereof, and includes “punchkick” and other similar competitions.

(12)(11) “Manager” means any person who, directly or indirectly, controls or administers the boxing, kickboxing, or mixed martial arts affairs of any participant.

(13)(12) “Match” means any contest or exhibition.

(14)(13) “Matchmaker” means a person who brings together professionals or arranges matches for professionals.

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

(16)(15) “Participant” means a professional competing in a boxing, kickboxing, or mixed martial arts match.

(17)(16) “Physician” means an individual licensed to practice medicine and surgery in this state.

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

(19)(18) “Promoter” means any person, and includes any officer, director, employee, or stockholder of a corporate promoter, who produces, arranges, or stages any match involving a professional.

(20)(19) “Purse” means the financial guarantee or other remuneration for which a professional is participating in a match and includes the professional’s share of any payment received for radio broadcasting, television, and motion picture rights.

(21)(20) “Second” or “cornerman” means a person who assists the match participant between rounds and maintains the corner of the participant during the match.

(22)(21) “Secretary” means the Secretary of Business and Professional Regulation.

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

548.003 Florida State Boxing Commission.—

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

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

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

(c) Requirements regarding a participant’s apparel, bandages, handwraps, gloves, mouthpiece, and appearance during a match.;

(d) Requirements relating to a manager’s participation, presence, and conduct during a match.;

- (e) Duties and responsibilities of all licensees under this chapter.;
- (f) Procedures for hearings and resolution of disputes.;
- (g) Qualifications for appointment of referees and judges.;
- (h) Qualifications for and appointment of chief inspectors and inspectors and duties and responsibilities of chief inspectors and inspectors with respect to oversight and coordination of activities for each program of matches regulated under this chapter.;
- (i) Designation and duties of a knockdown timekeeper.;
- (j) Setting fee and reimbursement schedules for referees and other officials appointed by the commission or the representative of the commission.
- (k) Establishment of criteria for approval, disapproval, suspension of approval, and revocation of approval of amateur sanctioning organizations for amateur boxing and kickboxing matches held in this state, including, but not limited to, the health and safety standards the organizations use before, during, and after the matches to ensure the health, safety, and well-being of the amateurs participating in the matches, including the qualifications and numbers of health care personnel required to be present, the qualifications required for referees, and other requirements relating to the health, safety, and well-being of the amateurs participating in the matches. The commission may adopt by rule, or incorporate by reference into rule, the health and safety standards of USA Boxing as the minimum health and safety standards for an amateur boxing sanctioning organization, and the health and safety standards of the International Sport Kickboxing Association as the minimum health and safety standards for an amateur kickboxing sanctioning organization. The commission shall review its rules for necessary revision at least every 2 years and may adopt by rule, or incorporate by reference into rule, the then-existing current health and safety standards of USA Boxing and the International Sport Kickboxing Association. The commission may adopt emergency rules to administer this paragraph.

Section 4. Section 548.006, Florida Statutes, is amended to read:

548.006 Power of commission to control professional and amateur pugilistic contests and exhibitions; certification of competitiveness of professional mixed martial arts and kickboxing matches.—

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

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

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

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

Section 5. Section 548.0065, Florida Statutes, is created to read:

548.0065 Amateur matches; sanctioning and supervision; health and safety standards; compliance checks; continuation, suspension, and revocation of sanctioning approval.—

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

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

(3) Periodic compliance checks may be performed by a representative of the commission designated by the executive director in order to ensure enforcement of approved health and safety standards and supervision of matches by the approved amateur sanctioning organization.

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

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

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

548.008 ~~Toughman and badman competition~~ Prohibited competitions.—

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

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

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

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

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

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

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

(Substantial rewording of section. See s. 548.007, F.S., for present text.)

548.007 Applicability of act to amateur matches and certain other matches or events.—With the exception of s. 548.008, ss. 548.001-548.079 do not apply to:

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

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

Section 8. Subsection (1) of section 548.056, Florida Statutes, is amended to read:

548.056 Prohibited financial interests in participant; penalties.—

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

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

Approved by the Governor May 20, 2004.

Filed in Office Secretary of State May 20, 2004.