

1984

Session Law 84-246

Florida Senate & House of Representatives

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LEGISLATIVE SUPPLEMENT "B" - SESSION LAW ABSTRACT

Sess. Law # 84-246	Sec. #	LOF cite	1983 SB. 329
Prime Bill # HB 171	Comp./Sim. Bills	SB 11; HB 87	SB 514
JLMC Hist. Cites	Senate 4-5 House 3, 59-60	Comms. of Ref.	Senate Gov Ops; Commerce House Reg. Ind. Lic. (Sub Par. III)

COMMITTEE RECORDS

H/S	Committee	Year	Record Series: Folder title, etc.	Loc. Cite	✓
H	Reg. Ind.	1984	Meeting (1984) " "	19/1389	NE
"	"	"	" " (Sub Par.)	"	NE
"	"	"	Bill files HB 171	"	✓
"	"	"	" " PCB 5 "Public L. Rev."	"	✓
S	Gov Ops	"	Bill files HB 171	18/1534	✓
"	"	"	" " SB 11	18/1533	✓
"	Commerce	"	" " SB 11	18/1401	✓
		1983			
		↓	X continued on reverse		

Senate/House Journals

Page #	?	Date	Page #	?	Date
HJ. 296			SJ. 731		
HJ. 317			HJ. 1115		

Committee/Floor Tapes

H/S	c/f	Committee/subcommittee name	Date	#	Location Cite

Other Documentation

Record Series Title, folder title, etc.	Location Cite

LEGISLATIVE SUPPLEMENT "B" - SESSION LAW ABSTRACT

Year 1984	Session Law No. 84-246	LOF Cite I/pt. 2/1087	#pp 3
Prime Bill# HB 171	Sponsor H. Veterans Affairs	Comp./Sim. Bills (S/SC 11 (substituted) CS/HB 8	
JLMC Hist. Leq. Cites	Senate pp.#s 4(SB 11)	House pp.#s 59-60(HB 171); 3(HB 8)	#pp 4
Committee of Ref.	Senate Commerce, Govt. Ops, Finance & Tax House Regulated Industries & Licensing	Previous versions?	

Committee Records

H/S	Committee	Year	Record Series: Folder Title, etc.	Location Cite	#pp
H	Vet. Aff	84	HB 171 (NO FILE FILES)		
			Meeting FILES (PCBS 11/16/83)	17/1806	3
H	Reg. Ind	84	HB 171	17/1389	
			HB 8	"	
			Mtg. FILES 2/8/84 + 4/3/84 + ?	"	
S	Commerce	84	SB 11	18/1451	
S	Gov Ops	84	SB 11 BF Mission (Listed on ...)	18/1533	
S	F+T	84	SB 11	18/1370	
			Mtg. FILE 4/19/84	18/1369	

Senate/House Journals

Page	?	Date	#pp	Page	?	Date	#pp
HJ 296		5/2/84		HJ 324		5/8/84	
HJ 313		5/7/84		SJ 731		6/1/84	

Tape Recordings HJ 1115 6/1/84

H/S	Floor	Committee/subcommittee	Date	# Tapes	Location Cite
H		Vet. Affairs (PCBS)	11/16/83	No tapes	
H		Reg. Ind, submt on PARI-mutuals (HB 171)	2/8/84	1	414/553
H		" " Fullmt (Fac + IA)	4/3/84	1	44/559

Other Documentation

	Record series title, folder title, etc.	Location Cite	#pp
H	Reg. Ind, submt on PARI-mutuals (HB 8) <small>or Full - (mtg)</small>	4/3/84	414/554
S	Commerce (SB 11)	3/6/84	1 625/309
S	Gov Ops "	4/4/84	3 025/352
S	Finance & Taxation (S/SC 11)	4/19/84	2 625/291

RE PCB5 - H. Vet. AFFAIRS CMT. 1983

10/10/90

called AUDREY FULLER, Analyst FOR THE HOUSE
Emergency Preparedness, MILITARY & VETERANS AFFAIRS
CMT. (488-3420).

- Said Tapes FOR 1983 inadvertently destroyed
a few yrs. ago by H. Sgt. - At-Arms
office
- She was w/ the CMT. in 1983 and remembered
the bill. It is her recollection that the
purpose of the AMD. re: exemption of Vets
Orgs. was to not just limit Fund raising
ACTIVITIES to the "Big 3" Orgs, ie Am.
Legion, Disabled VETS., & VFW, but to remove
any possible discrimination against
smaller veterans Orgs.
- Also suggested calling Randy Touchton
who was staff Director then. He is
currently w/ the House Employee &
Mgt Relations CMT. at 488-6381.

TAPES (1)

84-246

S. Comm. Tapes on SB 11 (Pugilistic Exhortations)

① SCMR, 3/6/84, 1 tape 625/309
POOR Quality - barely audible
COUNTER 211

- "compare bill for ..."

See ...

no disc on vots. criss.

(S 23)

1933

- SB 389 (MAYERS) - MR
- FTC

- SB 394

NOTE SB 389 - not mention of
any vots. criss. except.

SB 394

② SGOP 4/4/84 625/352

Tape 1 - at end (counter 382 - end)

... (100 - 299)

no disc on vots. criss.

- took up house this

③ SFTC 4/19/84 625/291

Tape 2 (counter 134 - 479)

no disc. on vots. criss.

Are nationally chartered vets orgs. exempt?
From Prof. fights
- Forced bill to be reconsidered
+ left pending.

Chair " Aimed toward Amateur type fights that
Vet. orgs usually sponsor. "

check later mtg. files

84-246

① HRIL, Subcom on Parli-Mutuals 414/554

2/8/84

① ~~HB 8~~ ^{HB 171} COUNTER (000-

NOTE: tape apparently starts on Disc. of HB 171 (Disc. on HB 8, shown as no. 1 is missing!)

tape begins apparently with disc already underway on HB 8, disc. of Am. vet Veterans Orgs. First off Subcom chair.

... MR. Touchton are you going to handle?

... I can go ahead and move everything through

Touchton

... "The only thing ^{the} the bill does is change the ^{words of law} law to, ^{it} provide for any nationally chartered veterans organization instead of enumerating them because there are several more and this just takes ^{CARE} of that problem. Its really technical."

② HRIL, Full com., 4/3/84

414/554

① HB 8 (32-

COUNTER

② HB 171 (COUNTER 181-240)

Question over "veterans" Org. meaning "military connected." - Legis. means only military connected.

↓

Florida Legislature

History of Legislation 1984 Regular Session

REF 34-246

HB 171 (PASSED)

CS/SB 11 (SUBSTITUTED)

CS/HB 3 (SIMILAR BILL)



prepared by:

Joint Legislative Management Committee

Legislative Information Division
Capitol Building, Room 826 — 488-4371

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HISTORY OF SENATE BILLS

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05/01/84 SENATE Comm. Report Favorable with amend by Commerce -SJ 00229

05/03/84 SENATE Now in Economic, Community and Consumer Affairs -SJ 00229

05/17/84 SENATE Extension of time granted Committee Economic, Community and Consumer Affairs

05/31/84 SENATE Extension of time granted Committee Economic, Community and Consumer Affairs

06/01/84 SFNATE Died in Committee on Economic, Community and Consumer Affairs

S 0006 GENERAL BILL by Scott (Identical H 0581, Compare Eng/H 0003, S 0043) Window Tintings/Motor Vehicles, provides requirements for materials placed on motor vehicle windows Amends 316 295 Effective Date: Upon becoming law

09/27/83 SENATE Prefiled

10/17/83 SENATE Referred to Transportation

02/17/84 SENATE On Committee agenda-- Transportation, 03/07/84, 9-00 am, Rm C

03/07/84 SENATE Comm Report Favorable, placed on Calendar by Transportation

04/03/84 SENATE Introduced, referred to Transportation -SJ 00006, Comm Report Favorable, placed on Calendar by Transportation -SJ 00053, Placed on Special Order Calendar, Passed: YFAS 35 NAYS 1 -SJ 00071, Immediately certified -SJ 00073

04/04/84 HOUSE In Messages

04/05/84 HOUSE Received, referred to Criminal Justice -HJ 00124

04/11/84 HOUSE Subreferred to Subcommittee on Law Enforcement, Drugs and Miscellaneous

04/20/84 HOUSE On Committee agenda-- Subcomm., Crim. Justice, 24 HOB, 1 30pm, 04/23, On Committee agenda, pending subcommittee action-- Criminal Justice, 314 HOB, 3 30pm, 04/23

06/01/84 HOUSE Died in Committee, Iden /Sim /Compare Bill passed, refer to HB 3 (Ch 84-296)

S 0007 JOINT RESOLUTION by Scott and others (Identical H 0159, Similar H 0439, Compare S 0859, S 0966) Finance & Taxation, const amendment to prohibit rate of increase in appropriations from state general tax revenues from exceeding estimated growth rate of economy of state in any year; provides that appropriations may exceed this limitation only when authorized by law, etc Amends 1, Art VII

09/27/83 SENATE Prefiled

10/17/83 SENATE Referred to Finance, Taxation and Claims, Appropriations, Rules and Calendar

04/03/84 SFNATE Introduced referred to Finance, Taxation and Claims, Appropriations, Rules and Calendar -SJ 00006

04/13/84 SFNATE Extension of time granted Committee Finance, Taxation and Claims

04/25/84 SFNATE Extension of time granted Committee Finance, Taxation and Claims

05/04/84 SFNATE Extension of time granted Committee Finance, Taxation and Claims

05/16/84 SENATE Extension of time granted Committee Finance, Taxation and Claims

05/25/84 SFNATE Extension of time granted Committee Finance, Taxation and Claims

06/01/84 SENATE Died in Committee on Finance, Taxation and Claims

S 0008 GENERAL BILL by Carlucci Financial Responsibility, increases required coverage for property damage Amends 324 021 Effective Date: 10/01/84

09/30/83 SENATE Prefiled

10/17/83 SFNATE Referred to Commerce

01/10/84 SENATE On Committee agenda-- Commerce, 01/10/84, Temporarily postponed

03/06/84 SENATE On Committee agenda-- Commerce, 03/06/84, Temporarily

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HISTORY OF SENATE BILLS

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03/06/84 Postponed

04/03/84 SENATE Introduced, referred to Commerce -SJ 00006

04/16/84 SENATE Extension of time granted Committee Commerce

04/30/84 SENATE Extension of time granted Committee Commerce

05/11/84 SENATE Extension of time granted Committee Commerce

05/24/84 SENATE Extension of time granted Committee Commerce

06/01/84 SENATE Died in Committee on Commerce

S 0009 GENERAL BILL/CS by Education, Rehm (Identical CS/H 0174) School Resource Officer Program, authorizes school districts, in cooperation with law enforcement agencies, to submit plans to implement & conduct such program, authorizes distribution of available funds to districts with approved programs, provides for funding in appro act, etc Creates 230 2314, Effective Date: 07/01/84

10/04/83 SENATE Prefiled

10/17/83 SENATE Referred to Education, Appropriations

04/03/84 SENATE Introduced, referred to Education, Appropriations -SJ 00006; On Committee agenda-- Education, 04/05/84, 9-00 am, Rm A

04/05/84 SENATE Comm Report CS by Education -SJ 00088, CS read first time 04/10/84 -SJ 00090

04/06/84 SENATE Now in Appropriations -SJ 00088

04/27/84 SENATE Extension of time granted Committee Appropriations

05/10/84 SENATE Extension of time granted Committee Appropriations

05/23/84 SENATE Extension of time granted Committee Appropriations

06/01/84 SENATE Died in Committee on Appropriations

S 0010 GENERAL BILL by Johnston and others (Identical H 0515) Circuit Court Clerks; revises service charge for preparing, numbering, & indexing an original record of appellate proceedings. Amends 28 24 Effective Date Upon becoming law

10/07/83 SENATE Prefiled

10/17/83 SENATE Referred to Judiciary-Civil, Appropriations

11/16/83 SENATE On Committee agenda-- Judiciary-Civil, 12/07/83, 9 00 am, Rm B

12/07/83 SENATE Comm Report Favorable by Judiciary-Civil, Now in Appropriations

04/03/84 SENATE Introduced, referred to Judiciary-Civil, Appropriations -SJ 00007; Comm Report: Favorable by Judiciary-Civil, Now in Appropriations -SJ 00052

04/27/84 SENATE Extension of time granted Committee Appropriations

05/10/84 SENATE Extension of time granted Committee Appropriations

05/23/84 SENATE Extension of time granted Committee Appropriations

05/24/84 SENATE Withdrawn from Appropriations -SJ 00406, Placed on Calendar

05/30/84 SENATE Placed on Consent Calendar, Passed, YEAS 34 NAYS 0 -SJ 00543

05/30/84 HOUSE In Messages

05/31/84 HOUSE Received, referred to Appropriations -HJ 00921

06/01/84 HOUSE Died in Committee on Appropriations

S 0011 GENERAL BILL/CS by Governmental Operations, Myers and others (Similar CS/H 0008, Eng/H 0171) Pugilistic Exhibitions, creates State Athletic Commission under Business Reg Dept.; provides for members' compensation & terms of office, regulates boxing in state, grants exclusive jurisdiction over all boxing matches to commission, etc Creates 14 27, 548 041- 49, repeals 548 01- 04, Effective Date: 10/01/84

10/10/83 SENATE Prefiled

10/17/83 SENATE Referred to Commerce, Governmental Operations, Finance, Taxation and Claims

02/17/84 SENATE On Committee agenda-- Commerce, 03/06/84, 9 00 am, Rm A

03/06/84 SENATE Comm Report Favorable by Commerce, Now in Governmental Operations

04/03/84 SFNATE Introduced, referred to Commerce, Governmental Operations, Finance, Taxation and Claims -SJ 00007, Comm Report Favorable by Commerce -SJ 00052, Now in Governmental Operations -SJ 00053, On Committee

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04/03/84 agenda-- Governmental Operations, 04/04/84, 2 00 pm, Rm H
 04/04/84 SENATE Comm Report CS by Governmental Operations -SJ 00088, CS read first time 04/10/84 -SJ 00090
 04/06/84 SENATE Now in Finance, Taxation and Claims -SJ 00088
 04/17/84 SENATE On Committee agenda-- Finance, Tax. & Claims, 04/19/84, 12 noon, Rm 1C
 04/19/84 SFNATE Comm Report Favorable with amend , placed on Calendar by Finance, Taxation and Claims -SJ 00149
 04/25/84 SENATE Withdrawn from Calendar, rereferred to Appropriations -SJ 00166
 05/04/84 SENATE Extension of time granted Committee Appropriations
 05/17/84 SENATE Extension of time granted Committee Appropriations
 05/24/84 SENATE On Committee agenda-- Appropriations, 05/24/84, 1 30 pm, Not heard -SJ 00406
 05/30/84 SENATE Withdrawn from Appropriations -SJ 00571, Placed on Calendar
 06/01/84 SENATE Placed on Consent Calendar, Iden /Sim House Bill substituted -SJ 00727; Laid on table under Rule, Iden /Sim /Compare Bill passed, refer to HB 171 (Ch. 84-246) -SJ 00731

S 0012 GENERAL BILL by Myers (Similar H 0562)

Fictitious Name Statute, provides penalties for engaging in business under fictitious name without having properly registered such fictitious name with circuit court clerk. Amends 865.09. Effective Date. Upon becoming law.

10/10/83 SFNATE Prefiled
 10/17/83 SENATE Referred to Judiciary-Civil
 11/16/83 SENATE On Committee agenda-- Judiciary-Civil, 12/07/83, 9:00 am, Rm. B
 12/07/83 SENATE Comm Report: Favorable, placed on Calendar by Judiciary-Civil
 04/03/84 SFNATE Introduced, referred to Judiciary-Civil -SJ 00007; Comm Report: Favorable, placed on Calendar by Judiciary-Civil -SJ 00053
 04/10/84 SENATE Placed on Special Order Calendar, Passed, YEAS 37 NAYS 0 -SJ 00099
 04/12/84 HOUSE In Messages
 04/13/84 HOUSE Received, referred to Judiciary -HJ 00184
 05/22/84 HOUSE On Committee agenda-- Judiciary, 413 C, 1:00 pm, 05/23/84
 05/24/84 HOUSE Comm Report Favorable, placed on Calendar by Judiciary -HJ 00663
 06/01/84 HOUSE Died on Calendar

S 0013 JOINT RESOLUTION by Myers (Identical H 0307)

Ad Valorem Taxation, constitutional amendment to provide that all property classified by general law as real property be assessed at 65% of just valuation for purposes of ad valorem taxation Amends 4, Art VII

10/10/83 SENATE Prefiled
 10/17/83 SENATE Referred to Finance, Taxation and Claims, Rules and Calendar
 04/03/84 SENATE Introduced, referred to Finance, Taxation and Claims, Rules and Calendar -SJ 00007
 04/13/84 SENATE Extension of time granted Committee Finance, Taxation and Claims
 04/25/84 SENATE Extension of time granted Committee Finance, Taxation and Claims
 05/07/84 SENATE On Committee agenda-- Select subcomm., upon adjourn /full comm., Rm 1C
 05/04/84 SENATE Extension of time granted Committee Finance, Taxation and Claims
 05/10/84 SENATE On Committee agenda-- Select subcomm., 05/14/84, 11:00 am, Rm 1C
 05/16/84 SENATE Extension of time granted Committee Finance, Taxation and Claims
 05/17/84 SENATE On Committee agenda-- Select subcomm., 05/21/84, 12 00

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05/17/84 noon, Rm 1C
 05/18/84 SENATE On Committee agenda-- Finance, Tax & Claims, 05/22/84, 12 noon, Rm 1C
 05/22/84 SENATE CS combines this bill and 1,71,745&1044, Comm Report CS by Finance, Taxation and Claims -SJ 00393. CS read first time 05/24/84 -SJ 00394
 05/24/84 SENATE Now in Rules and Calendar -SJ 00393
 08/01/84 SENATE Died in Committee on Rules and Calendar

S 0014 GENERAL BILL by Myers (Identical H 0305)

Municipal Annexation Act; provides that separation of territory by certain lands shall not prevent annexation of such territory. Amends 171 031. Effective Date Upon becoming law
 10/10/83 SENATE Prefiled
 10/17/83 SENATE Referred to Economic, Community and Consumer Affairs, Judiciary-Civil
 04/03/84 SENATE Introduced, referred to Economic, Community and Consumer Affairs, Judiciary-Civil -SJ 00007
 04/13/84 SENATE Extension of time granted Committee Economic, Community and Consumer Affairs
 04/26/84 SENATE Extension of time granted Committee Economic, Community and Consumer Affairs
 05/09/84 SENATE Extension of time granted Committee Economic Community and Consumer Affairs
 05/14/84 SENATE On Committee agenda-- ECCA, 05/16/84, 2:00 pm, Rm H
 05/16/84 SENATE Comm. Report Favorable by Economic, Community and Consumer Affairs -SJ 00328
 05/18/84 SENATE Now in Judiciary-Civil -SJ 00328; On Committee agenda-- Judiciary-Civil, 05/22/84, 9:00 am, Rm B
 05/22/84 SENATE Comm Report: Favorable, placed on Calendar by Judiciary-Civil -SJ 00393
 05/29/84 SENATE Placed on Special Order Calendar; Iden /Sim House Bill substituted, Laid on table under Rule, Iden./Sim /Compare Bill passed, refer to HB 305 (Ch 84-148) -SJ 00504

S 0015 GENERAL BILL by Myera (Similar CS/H 0074, S 0195)

State Agencies; requires each state agency to employ an internal auditor, provides qualifications/powers/duties of such auditor; provides for establishment of audit review committees; provides for impeachment, suspension or termination of persons responsible for correction of certain deficiencies Effective Date 07/01/84.

10/10/83 SENATE Prefiled
 10/17/83 SENATE Referred to Governmental Operations, Rules and Calendar, Appropriations
 11/16/83 SENATE On Committee agenda-- Governmental Operations, 12/06/83, 2:00 pm, Rm H
 12/06/83 SENATE Comm Report Favorable with amend by Governmental Operations, Now in Rules and Calendar
 04/03/84 SENATE Introduced, referred to Governmental Operations, Rules and Calendar, Appropriations -SJ 00007, Comm Report Favorable with amend by Governmental Operations; Now in Rules and Calendar -SJ 00053
 04/17/84 SENATE Extension of time granted Committee Rules and Calendar
 04/25/84 SENATE Withdrawn from Rules and Calendar -SJ 00178, Now in Appropriations
 05/04/84 SENATE Extension of time granted Committee Appropriations
 05/17/84 SENATE Extension of time granted Committee Appropriations
 05/24/84 SENATE On Committee agenda-- Appropriations, 05/24/84, 1:30 pm, Not heard -SJ 00406
 05/30/84 SENATE Extension of time granted Committee Appropriations
 06/01/84 SENATE Died in Committee on Appropriations

S 0016 GENERAL BILL by Hair (Identical H 0373)

Communications Security, authorizes interception of certain wire or oral communications Amends 934.07. Effective Date 10/01/84.
 10/10/83 SENATE Prefiled
 10/17/83 SENATE Referred to Judiciary-Criminal
 01/20/84 SENATE On Committee agenda-- Judiciary-Criminal, 02/07/84, CONTINUED ON NEXT PAGE

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Compare Eng/H 0036, Fng/H 1069, S 0345)
Worthless Checks & Drafts; prohibits use of debit card where sufficient funds to cover order are not available, defines "debit card", provides penalties, redefines "credit card" Amends 832 05. 817 58
 Effective Date Upon becoming law
 08/23/83 HOUSE Prefiled
 09/21/83 HOUSE Referred to Criminal Justice
 11/15/83 HOUSE On Committee agenda - Subcomm Criminal Just . 314 HOB, 1 30pm, 12/05
 03/09/84 HOUSE On Committee agenda-- Subcomm Criminal Just 03/12/74, CANCELED
 04/03/84 HOUSE Introduced, referred to Criminal Justice -HJ 00011, On Committee agenda-- Subcomm, Criminal Justice, 314 HOB, 3 30pm, 04/04
 04/20/84 HOUSE On Committee agenda-- Criminal Justice, 314 HOB, 3 30pm, 04/23
 04/27/84 HOUSE Comm Report CS placed on Calendar by Criminal Justice HJ 00276
 05/10/84 HOUSE Placed on Special Order Calendar
 05/21/84 HOUSE CS read first and second times -HJ 00500
 05/22/84 HOUSE Read third time, CS passed, YEAS 104 NAYS 3 -HJ 00512
 05/22/84 SENATE In Messages
 05/25/84 SENATE Received, referred to Commerce, Judiciary-Criminal SJ 00434
 06/01/84 SENATE Died in Committee, Iden /Sim /Compare Bill passed, refer to HB 36 (Ch 84-297)

H 0008 GENFRAI BILL (S by Finance & Taxation, Regulated Industries & Licensing, Ready, Burned, Jones, C F and others (Similar Eng/H 0171, (S/S 0011)
(CS/CS) Pugilistic Exhibitions, creates State Athletic Commission under Business Reg Dept ; provides for members' compensation & terms of office, regulates boxing in state, grants exclusive jurisdiction over all boxing matches to commission etc Creates 14.27, 548 0401- 49, amends 548 03 Effective Date 10/01/84
 08/24/83 HOUSE Prefiled
 09/21/83 HOUSE Referred to Regulated Industries & Licensing, Finance & Taxation, Appropriations
 01/19/84 HOUSE Subreferred to Subcommittee on Pari-mutuels
 04/03/84 HOUSE Introduced, referred to Regulated Industries & Licensing, Finance & Taxation, Appropriations HJ 00011 Subreferred to Subcommittee on Pari-mutuels, On Committee agenda-- R I & L , 413 C, 1:15 pm, 04/03/84
 04/11/84 HOUSE Comm Report CS by Regulated Industries & Licensing -HJ 00181, Now in Finance & Taxation, On Committee agenda-- F & T , 21 HOB, 1 15pm, 04/12/84
 04/18/84 HOUSE Comm Report CS/CS by Finance & Taxation -HJ 00236, Now in Appropriations
 04/30/84 HOUSE On Committee agenda - Appropriations, 21 HOB, 8 00 am, 05/02/84
 05/07/84 HOUSE Comm Report Favorable with amend , placed on Calendar by Appropriations -HJ 00322
 06/01/84 HOUSE Died on Calendar, Iden /Sim /Compare Bill passed, refer to HB 171 (Ch 84-246)

H 0009 JOINT RESOLUTION by Crotty (Similar S 0225)
Legislative Apportionment, constitutional amendment to require that Florida Legislature meet in separate special session prior to regular session in 2nd year following each decennial census for purpose of reapportioning state Amends s 16, Art III
 08/24/83 HOUSE Prefiled
 09/21/83 HOUSE Referred to Judiciary, Appropriations
 04/03/84 HOUSE Introduced, referred to Judiciary, Appropriations HJ 00011
 05/11/84 HOUSE On Committee agenda-- Judiciary, 317 C, 8 00 am, 05/15/84
 05/22/84 HOUSE On Committee agenda-- Judiciary 413 C 00 pm,
 CONTINUED ON NEXT PAGE

05/22/84 05/23/84
 05/24/84 HOUSE Comm Report Favorable with amend by Judiciary -HJ 00663, Now in Appropriations
 06/01/84 HOUSE Died in Committee on Appropriations

H 0010 GENERAL BILL by Brown, T C Brantley and others (Similar S 0227, Compare H 0013)
Public Officers & Employees amends provision re voting conflicts, to provide for prior disclosure of conflicts of interest & abstention from voting in certain cases, provides exceptions; incorporates amendment in a reference thereto Amends 112 3143, reenacts 286 012 Effective Date 10/01/84
 08/26/83 HOUSE Prefiled
 08/21/83 HOUSE Referred to Ethics & Elections
 12/19/83 HOUSE On Committee agenda-- Ethics, 212 HOB, 10 00 am, 01/11/84
 01/13/84 HOUSE Comm Report Favorable with amend , placed on Calendar by Ethics & Elections
 04/03/84 HOUSE Introduced, referred to Ethics & Elections -HJ 00011; Comm Report Favorable with amend , placed on Calendar by Ethics & Elections -HJ 00112
 04/09/84 HOUSE Placed on Special Order Calendar
 04/10/84 HOUSE Read second time, Amendments adopted -HJ 00162
 04/12/84 HOUSE Read third time, Passed as amended, YEAS 110 NAYS 0 -HJ 00173
 04/13/84 SENATE In Messages
 04/18/84 SENATE Received, referred to Governmental Operations, Economic, Community and Consumer Affairs, Rules and Calendar -SJ 00138
 04/27/84 SENATE Extension of time granted Committee Governmental Operations
 05/09/84 SENATE Extension of time granted Committee Governmental Operations
 05/18/84 SENATE Extension of time granted Committee Governmental Operations
 05/30/84 SENATE Withdrawn from Governmental Operations, Economic, Community and Consumer Affairs, Rules and Calendar, Substituted for SB 227, Passed as amended; YEAS 32 NAYS 0 -SJ 00570, Motion to reconsider over under Rule -SJ 00571, Motion to reconsider abandoned -SJ 00596
 05/31/84 HOUSE In Messages, Concurred, Passed as further amended, YEAS 108 NAYS 0 -HJ 01029
 06/14/84 HOUSE Ordered engrossed, then enrolled
 06/29/84 Signed by Officers and presented to Governor Approved by Governor Chapter No 84-357

H 0011 JOINT RESOLUTION by Sanderson (Compare S 0363)
County Officers' Salaries, constitutional amendment to provide that compensation of county commissioners shall be set at figure in effect on 8/30/84, unless otherwise fixed by resolution of county commission Amends s 5, Art II
 09/06/83 HOUSE Prefiled
 09/21/83 HOUSE Referred to Community Affairs, Appropriations
 01/20/84 HOUSE On Committee agenda-- Subcom, Comm Aff, 317HOB, after full comm, 2/8/84
 02/17/84 HOUSE On Committee agenda-- Community Affairs, 314 HOB, 8 30 am, 03/07/84
 03/08/84 HOUSE Comm Report Favorable by Community Affairs, Now in Appropriations
 04/03/84 HOUSE Introduced, referred to Community Affairs, Appropriations -HJ 00011, Comm Report Favorable by Community Affairs -HJ 00113, Now in Appropriations
 04/06/84 HOUSE Withdrawn from Appropriations -HJ 00135, Placed on Calendar
 04/19/84 HOUSE Placed on Special Order Calendar
 04/26/84 HOUSE Read second time, Amendments adopted -HJ 00262
 04/30/84 HOUSE Read third time, Amendment adopted, Passed as amended, YEAS 73 NAYS 39 -HJ 00272; Motion to reconsider laid
 CONTINUED ON NEXT PAGE

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HISTORY OF HOUSE BILLS

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05/28/84 Approved by Governor Chapter No 84-46 -HJ 00915

H 0169 GENERAL BILL by Allen, Mitchell and others (Identical S 0447)
Administrative Procedure, prohibits adoption, amendment or repeal of any rule by a state agency that would require additional expenditure by a local government unless sufficient funds are appropriated therefor by Legislature Amends 120 54 Effective Date 07/01/84.

12/08/83 HOUSE Prefiled
 12/15/83 HOUSE Referred to Governmental Operations, Finance & Taxation, Appropriations

12/19/83 HOUSE Subreferred to Subcommittee on Policy and Procedure; On Committee agenda-- Gov Op , 214 C, 3 00 pm, 01/10/84

02/17/84 HOUSE On Committee agenda-- Subcomm , Gov Op , 214 C, 8:30 am, 03/07/84

03/19/84 HOUSE Comm Report Favorable with amend by Governmental Operations, Now in Finance & Taxation

04/03/84 HOUSE Introduced, referred to Governmental Operations, Finance & Taxation, Appropriations -HJ 00024; Subreferred to Subcommittee on Policy and Procedure, Comm Report Favorable with amend by Governmental Operations -HJ 00114; Now in Finance & Taxation; On Committee agenda-- For subreferral, 21 HOB, 3 30 pm, 04/03/84, Subreferred to Subcommittee on Ad Valorem Tax and Local Government

06/01/84 HOUSE Died in Committee on Finance & Taxation

H 0170 GENERAL BILL by Young and others
School Transportation, creates commission to study areas of hazardous conditions, school bus routing, provision & operation of equipment, private transportation, & funding, requires report & recommendations Effective Date 07/01/84

12/08/83 HOUSE Prefiled
 12/15/83 HOUSE Referred to Education, K - 12, Appropriations

01/20/84 HOUSE Subreferred to Subcommittee on Administration, On Committee agenda-- Subcomm , Education, K-12, 24 HOB, pm, 02/06/84

02/17/84 HOUSE On Committee agenda-- Education, K-12, 214 C, 3 pm, 03/05/84

03/07/84 HOUSE Comm Report Favorable by Education, K - 12, Now in Appropriations

04/03/84 HOUSE Introduced, referred to Education, K - 12, Appropriations -HJ 00024; Subreferred to Subcommittee on Administration; Comm Report Favorable by Education, K - 12 -HJ 00113, Now in Appropriations

06/01/84 HOUSE Died in Committee on Appropriations

H 0171 GENERAL BILL by Veterans Affairs and others (Similar CS/H 0008, CS/S 0011)
Boxing, creates "Joe Lang Kershaw Act", creates State Athletic Commission under Business Reg Dept ; regulates boxing in state; grants exclusive jurisdiction over all boxing matches to commission, provides rules/requirements for boxing, etc Creates 14 27, 548 0401- 49, repeals 548 01- 04 Effective Date: 10/01/84

12/09/83 HOUSE Prefiled
 12/15/83 HOUSE Referred to Regulated Industries & Licensing

01/19/84 HOUSE Subreferred to Subcommittee on Pari-mutuels

01/20/84 HOUSE On Committee agenda-- Subcomm , R I. & L., 413 C, 10 00 am, 02/08/84

04/03/84 HOUSE Introduced, referred to Regulated Industries & Licensing -HJ 00024; Subreferred to Subcommittee on Pari-mutuels, On Committee agenda-- R. I & L , 413 C, 1 15 pm, 04/03/84

04/13/84 HOUSE Comm Report Favorable with amend , placed on Calendar by Regulated Industries & Licensing -HJ 00207

04/19/84 HOUSE Placed on Special Order Calendar

05/03/84 HOUSE Read second time, Amendments adopted; Amendment pending -HJ 00296

05/07/84 HOUSE Pending amendment withdrawn -HJ 00313, Amendments adopted -HJ 00317

CONTINUED ON NEXT PAGE

07/10/84 16 32

HISTORY OF HOUSE BILLS

PAGE 60

05/08/84 HOUSE Read third time; Amendments adopted; Passed as amended; YEAS 105 NAYS 0 -HJ 00324; Immediately certified

05/09/84 SENATE In Messages

05/10/84 SENATE Received, referred to Governmental Operations -SJ 00249

05/23/84 SENATE Extension of time granted Committee Governmental Operations

06/01/84 SENATE Withdrawn from Governmental Operations; Substituted for CS/SB 11 -SJ 00727, Passed as amended; YEAS 32 NAYS 0 -SJ 00731

06/01/84 HOUSE In Messages, Amendments to Senate amendment adopted, Concurred in Senate amendments as amended, Passed as further amended, YEAS 110 NAYS 0 -HJ 01115

06/01/84 SENATE In Messages, Concurred, Passed as amended, YEAS 34 NAYS 0 -SJ 00921

06/01/84 Ordered engrossed, then enrolled

06/14/84 HOUSE Signed by Officers and presented to Governor

06/19/84 Approved by Governor Chapter No 84-246

H 0172 GENERAL BILL/CS by Appropriations, Veterans Affairs, Clark, Crady, Hawkins, L R , Jamerson and others (Similar S 0505, Compare S 0113)
Veterans; redefines "veteran" as used throughout statutes to include wartime veterans who served during Spanish-American War, Philippine Insurrection, or Boxer Rebellion, clarifies documents to be recorded by circuit court clerks without cost for veterans, etc Amends F S Effective Date, 10/01/84

12/09/83 HOUSE Prefiled
 12/15/83 HOUSE Referred to Appropriations

04/03/84 HOUSE Introduced, referred to Appropriations -HJ 00024, Subreferred to Subcommittee on General Government (Sub II)

04/30/84 HOUSE On Committee agenda-- Subcomm , Appropriations, 214 C, 3:30pm, 05/02

05/04/84 HOUSE On Committee agenda-- Appropriations, 21 HOB, 8 00 am, 05/08/84

05/14/84 HOUSE Comm Report CS placed on Calendar by Appropriations -HJ 00415

05/23/84 HOUSE Placed on Consent Calendar; CS read first and second times; Amendment adopted; Read third time; CS passed as amended; YEAS 108 NAYS 0 -HJ 00584

05/24/84 SENATE In Messages

05/28/84 SENATE Received, referred to Economic, Community and Consumer Affairs, Personnel, Retirement and Collective Bargaining, Appropriations -SJ 00461

05/30/84 SENATE Withdrawn from Economic, Community and Consumer Affairs, Personnel, Retirement and Collective Bargaining, Appropriations; Substituted for SB 505; Passed, YEAS 34 NAYS 0 -SJ 00549

05/30/84 Ordered enrolled

06/01/84 HOUSE Signed by Officers and presented to Governor -HJ 01292

06/07/84 Approved by Governor Chapter No 84-114

H 0173 GENERAL BILL/CS by Judiciary, Paicic and others (Identical CS/S 0255)
Child Support Enforcement; requires service of certain process by sheriff in certain actions under child support enforcement program, authorizes certain reimbursement to sheriff for such services Amends 409 2571; creates 409 2573 Effective Date: 10/01/84

12/09/83 HOUSE Prefiled
 12/15/83 HOUSE Referred to Judiciary, Finance & Taxation

12/19/83 HOUSE Subreferred to Subcommittee on Court Systems and Miscellaneous

01/19/84 HOUSE On Committee agenda-- Subcomm , Judiciary, 16 HOB, 8 00 am, 02/08/84

03/20/84 HOUSE Comm Report CS by Judiciary; Now in Finance & Taxation

04/03/84 HOUSE Introduced, referred to Judiciary, Finance & Taxation -HJ 00024, Subreferred to Subcommittee on Court Systems and Miscellaneous; Comm. Report: CS by Judiciary -HJ 00113, Now in Finance & Taxation, On Committee

CONTINUED ON NEXT PAGE

Committee on REGULATED INDUSTRIES & LICENSING

Bill No. HB 171

Date of meeting April 3, 1984

Time 1:15 P.M.

Place 413 Capitol

COPY

FINAL ACTION: FAVORABLE
 X FAVORABLE WITH 2 AMENDMENTS
 FAVORABLE WITH SUBSTITUTE
 UNFAVORABLE

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19

VOTE:

YEA	MEMBER	NAY
X	BOBBY BRANTLEY	
X	BEVERLY BURNSED	
X	FRED BURRALL	
	CARL CARPENTER (A)	
	MARILYN EVANS-JONES (A)	
	TOM GALLAGHER (A)	
	EUD GARDNER (A)	
X	ELAINE GORDON	
X	ED HEALEY	
X	WAYNE HOLLINGSWORTH	
X	FRED JONES	
	BARRY KUTUN (A)	
X	ANNE MACKENZIE	
	ELVIN MARTINEZ (A)	
X	CHRIS MEFFERT	

YEA	MEMBER	NAY
X	SAM MITCHELL	
X	GENE READY	
X	ROBERT REYNOLDS	
X	DEBBY SANDERSON	
X	JAMES WARD	
X	CARL OGDEN, CH.	

Total Yeas 15 Total Nays 0

Richard C. Rember
Chairman

COMMITTEE APPEARANCE RECORD

The following persons (other than legislators) appeared before the committee during the consideration of this bill

Name	Representing	Address

NOTE: Please indicate by an "X" any State employee appearing at the request of Committee Chairman.
(If additional persons, enter on reverse side and check here_)

CO

FLORIDA
DEFINITION
R A
Tallahassee, FL
Series 18

1389

By Committee on Veterans Affairs and Representative L R Hawkins and others

This document was promulgated at an average cost of 10 cents per single page for the information of members of the legislature.

1 A bill to be entitled
2 An act relating to pugilistic exhibitions;
3 amending s. 548.03, F.S., relating to the
4 regulation of pugilistic exhibitions, to remove
5 language relative to wagering and to clarify
6 application of the exemption from regulation;
7 providing an effective date.

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

9 Section 1 Section 548.03, Florida Statutes, is
10 amended to read

11 548.03 "Pugilistic exhibition" defined.--The term
12 "pugilistic exhibition, encounter or fight, with or without
13 gloves," as used in this chapter, means any voluntary fight or
14 personal encounter, by blows, between two or more persons, for
15 money, prize of any character, points, distinction or fame, or
16 other thing of value, ~~or upon the results of which any money~~
17 ~~or thing of value is bet or wagered~~, or for which an admission
18 fee is charged, directly or indirectly; provided, that nothing
19 contained herein or in any law or municipal regulation shall
20 be construed as applying to boxing exhibitions held by and
21 under the auspices of any nationally chartered veterans'
22 organization registered with the state ~~the American Legion,~~
23 ~~Disabled American Veterans, Veterans of Foreign Wars of the~~
24 ~~United States, Spanish American War Veterans,~~ or companies or
25 detachments of the Florida National Guard, Y. M. C. A.,
26 Jaycees, Knights of Columbus, or any college which is a member
27 of any recognized amateur athletic association and the Circulo
28 Cubana Club, a charitable organization now in existence,
29 whether an admission fee is charged or not; provided further,

1	that nothing contained herein shall be construed to prohibit	1.26
2	any municipality from exercising its police powers to regulate	1.27
3	boxing and wrestling exhibitions held under the auspices of	
4	the above-named organizations.	1.28

5	Section 2. This act shall take effect October 1, 1984.	1.29
---	--	------

HOUSE SUMMARY

9	Removes language relative to wagering from the definition
10	of "pugilistic exhibition," which exhibitions are
11	regulated by law. Clarifies application of the exemption
12	from such regulation.

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HB 171

SPONSOR(S): Committee on Veterans Affairs, Rep. L. R. Hawkins

RELATING TO: Puqlistic Exhibitions (Fights)

OTHER COMMITTEES OF REFERENCE: None

COMPANION/SIMILAR: None

March 20, 1984

I. SUMMARY

A. Present Situation

Florida law currently prohibits "puglistic exhibitions", which are defined by statute as fights for money or other consideration or fights "upon the results of which any money or thing of value is bet or wagered, or for which an admission fee is charged." (s. 548.01, 548.03 F.S.) Exceptions are made for fights sponsored by certain veterans' organizations and other specified groups.

The laws governing such fights date back to 1895 and fail to recognize the state's prohibition on gambling other than pari-mutuel wagering. The specified veterans' organizations exempt from the prohibition do not include all veterans' organizations currently active in Florida.

B. Effect on Present Situation

The bill strikes the statutory reference to wagering on fights in recognition of the current prohibition on gambling.

The bill also expands the exception to the prohibition on fights to authorize any nationally chartered veterans' organization registered in Florida to sponsor such fights.

II. PRIVATE SECTOR/STATE/LOCAL FISCAL IMPACT

The bill will have a limited private sector impact to the extent that it allows additional veterans' organizations to sponsor fights which generate revenues for such organizations.

The state fiscal impact would be insignificant. Additional revenues generated by fights would be subject to the State Sales Tax on admissions.

Page 2
Staff Report - HB 171
March 20, 1984

There would be no local fiscal impact as a result of this bill.

III. COMMENTS - None

IV. AMENDMENTS

An amendment replaces the statutory reference to wagering so that this section will not be construed to be inconsistent with the criminal penalty language in section 548.01, F.S.

Prepared by: Vicki Weber

Staff Director: Bill Ryan

AMENDMENT -- FOR DRAFTING ONLY

(MUST BE TYPED ON FORM H-29 OR H-39 BEFORE PRESENTATION)

Representative 5 / The Committee on _____

HB 171

offered the following amendment

SB _____

On page 1, lines 18 & 19, strike

lines 18 and 19

and insert: other thing of value, or upon the results of which any money
or thing of value is bet or wagered, or for which an admission

adopted

failed of adoption

AMENDMENT -- FOR DRAFTING ONLY

(MUST BE TYPED ON FORM H-29 OR H-39 BEFORE PRESENTATION)

Representative 5 / The Committee on _____

HB 171

offered the following ^{title} amendment

SB _____

(In page 1, line S 4 & 5, strike

, to remove language relative to wagering

and insert. _____

adopted

failed of adoption

COPY

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HB 171

SPONSOR(S): Committee on Veterans Affairs

RELATING TO: State Athletic Commission

OTHER COMMITTEES OF REFERENCE: None

COMPANION/SIMILAR: SB 11, CS/HB 8

June 13, 1984

I. SUMMARY

A. Present Situation

Florida law currently prohibits "pugilistic exhibitions" or fights for money or other consideration (s. 548.01 F.S.). Exceptions are made for fights sponsored by certain veterans' organizations and various other groups. (s. 548.03 F.S.). As a result, boxing promoters can stage events by obtaining the sponsorship of an exempt organization.

Currently, no state agency or statewide association regulates boxing. Some local jurisdictions have established boxing commissions, with Tampa and Miami among the most active of these.

The statutes presently mandate the attendance of a licensed physician at fights, and a pre-fight medical examination of the fighter. However, these minimum safety requirements are often ignored in those jurisdictions without local boxing commissions. Florida's lack of enforcement of minimum health and safety standards has been blamed as a cause of boxing-related injuries and deaths.

B. Effect on Present Situation

The bill establishes a three-member State Athletic Commission, appointed by the Governor, with exclusive jurisdiction over professional boxing in Florida. Amateur matches, student matches sponsored by educational institutions and official Olympic events are exempt from regulation by the Commission.

The Commission would establish classes of boxers, based on weights. A minimum glove weight is set at six ounces.

Attendance of a physician at every match is mandated. Pre-fight medical examinations of fighters are required.

Participation in professional matches is restricted to persons 18 years of age and older.

Attendance at professional fights of one referee and two judges is required. The bill prescribes the procedure for determining the winner of a fight. Sham or collusive contests are expressly prohibited and violation of the prohibition constitutes a second degree misdemeanor.

The bill provides for licensing of promoters, fighters, managers, officials, and various other persons involved in the sport. It also provides for the issuance of permits for fighting events. It authorizes the commission to establish license and permit fees, but sets the following maximum fees:

Licenses

Promoters/Matchmakers	\$500.00
All other licenses	\$100.00

Permits

Seating capacity under 2,000	\$ 50.00
Seating capacity 2,000 to 5,000	\$100.00
Seating capacity over 5,000	\$250.00

The bill provides for a 5% gross receipts tax levied upon admissions to live fights and closed circuit television viewings, sale or lease of broadcasting, television and movie rights, and concessions.

All revenues from taxes, licenses, permits, fines and forfeitures is first used for expenses of the commission and any excess is deposited in the General Revenue Fund.

The bill provides minimum standards for contracts between managers and professional boxers. It requires promoters to file surety bonds to secure performance of their statutory and contractual duties. The bill sets out a timetable for a promoter's distribution of compensation to managers and boxers, and a manager's distribution of compensation to the boxer. It requires certain receipt and expenditure reports by promoters and managers to be filed with the commission. It prohibits advance payments

by promoters to boxers, with exceptions for transportation and maintenance expenses.

The bill authorizes the commission to require boxers to maintain a minimum of \$5,000 health insurance and \$5,000 life insurance.

It establishes a five-member medical advisory board, appointed by the Governor, to prepare standards for physical and mental examinations of boxers.

The bill provides for the repeal of existing provisions of chapter 548 relative to pugilistic exhibitions. It provides for the automatic repeal of the chapter on October 1, 1994.

The bill has an effective date of October 1, 1984.

II. PRIVATE SECTOR/STATE/LOCAL FISCAL IMPACT

At the present time, there is no historical data on which accurate boxing revenue projections can be based. The Department of Business Regulation has estimated revenues based on information obtained from a major Tampa promoter.

In summary, the Department's fiscal analysis projects annual license revenues of \$53,100; permit fees of \$9,250; fines and penalties of \$2,750 and gross receipts taxes of \$72,000. The total receipts on an annualized basis would equal \$137,100.

The Department has projected commission expenses of \$139,560 (annualized) for 1984-1985; \$158,471 for 1985-1986, and \$169,971 for 1986-1987.

The bill does not specifically provide for a trust fund but states that the first proceeds of the boxing revenues shall be used to pay commission expenses. Line item 166A of the Appropriations Act provides that \$139,560 from the State Athletic Commission Operating Trust Fund shall be used for the State Athletic Commission.

III. COMMENTS

An amendment to HB 171 struck everything after the enacting clause in the original bill and added the text from SB 11.

IV. AMENDMENTS

None

Prepared by: Vicki Weber

Staff Director: Bill Ryan

Parad. 8-1
12/7/83

181-85-11-3

PCB 5

1 A bill to be entitled 1:btc
2 An act relating to pugilistic exhibitions; 1.4
3 amending s. 548.03, F.S., relating to the 1.5
4 regulation of pugilistic exhibitions, to remove
5 language relative to wagering and to clarify 1.6
6 application of the exemption from regulation;
7 providing an effective date. 1.8
9 Be It Enacted by the Legislature of the State of Florida: 1:enc
10
11 Section 1. Section 548.03, Florida Statutes, is 1.9
12 amended to read:
13 548.03 "Pugilistic exhibition" defined.--The term 1.10
14 "pugilistic exhibition, encounter or fight, with or without 1.11
15 gloves," as used in this chapter, means any voluntary fight or 1.12
16 personal encounter, by blows, between two or more persons, for 1.13
17 money, prize of any character, points, distinction or fame, or 1.14
18 other thing of value, ~~or upon the results of which any money~~ 1.15
19 ~~or thing of value is set or wagered,~~ or for which an admission 1.16
20 fee is charged, directly or indirectly; provided, that nothing
21 contained herein or in any law or municipal regulation shall 1.17
22 be construed as applying to boxing exhibitions held by and 1.18
23 under the auspices of any nationally chartered veterans' 1.19
24 organization registered with the state ~~the American Legion,~~ 1.20
25 ~~Disabled American Veterans, Veterans of Foreign Wars of the~~
26 ~~United States, Spanish American War Veterans,~~ or companies or 1.21
27 detachments of the Florida National Guard, Y. M. C. A., 1.22
28 Jaycees, Knights of Columbus, or any college which is a member 1.23
29 of any recognized amateur athletic association and the Circulo 1.24
30 Cubana Club, a charitable organization now in existence,
31 whether an admission fee is charged or not; provided further, 1.25

181-85-11-3

1	that nothing contained herein shall be construed to prohibit	1.26
2	any municipality from exercising its police powers to regulate	1.27
3	boxing and wrestling exhibitions held under the auspices of	
4	the above-named organizations.	1.28
5	Section 2. This act shall take effect October 1, 1984.	1.29
6		
7		
8		
9		

181-85-11-3

1	*****	1:hbs
2	HOUSE SUMMARY	1:hbs
3	Removes language relative to wagering from the definition	1.33
4	of "pugilistic exhibition," which exhibitions are	1.34
5	regulated by law. Clarifies application of the exemption	
6	from such regulation.	
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BILL ANALYSIS
FLORIDA HOUSE OF REPRESENTATIVES
COMMITTEE ON VETERANS AFFAIRS
November 7, 1983

BILL NO: PCB 5
SPONSOR: Committee on Veterans Affairs
SUBJECT: Pugilistic Exhibitions

I. SUMMARY

A. Present Situation

Currently, charitable organizations, veterans' organizations, and organizations listed in s. 548.03 F.S., are allowed to conduct pugilistic exhibitions for fund raising purposes.

B. Effect of Proposed Changes

Removes the language listing each veterans' organization and replaces it with "any nationally chartered veterans' organization registered with the state". Also removes the language pertaining to betting on such activities since it is prohibited by Florida law.

II. PRIVATE SECTOR/LOCAL/STATE FISCAL IMPACT

A. Private
None.

B. Local
None.

C. State
None.

III. COMMENTS

In 1927, this section of law provided the Florida National Guard, the American Legion, the YMCA, and college participants in an amateur association to conduct pugilistic exhibitions. Subsequent legislation has amended the section to include other organizations. The intent of the amendment is to clean up the statute by removing unnecessary listing of organizations when one classification, "all nationally chartered veterans' organizations registered with the state," will suffice.

IV. AMENDMENTS

None at this time.

PREPARED BY:

Michelle Stewart Bishop, Jr.

STAFF DIRECTOR:


Randy Touchton

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

1. Branning ^{AB} Martin
 2. _____
 3. _____

1. COM
 2. _____
 3. _____

SUBJECT:

Pugilistic Exhibitions

BILL NO. AND SPONSOR:

SB 11 by
Senator Myers

I. SUMMARY:

A. Present Situation:

"Pugilistic exhibition" is defined in chapter 548, F. S., to mean any "voluntary fight or personal encounter, by blows, between two or more persons, for money, prize of any character, points. or upon the results of which any money or thing of value is bet or wagered, or for which an admission fee is charged.

Chapter 548, F.S., prohibits "pugilistic exhibitions unless held under the auspices of certain veterans organizations, the YMCA, the National Guard, Jaycees, Knights of Columbus, any college which is a member of any recognized amateur athletic association, or a Cuban charitable organization known as the Circulo Cubana Club. A physician is required to attend matches and advise the referee and judges concerning the fighter's condition. In addition, the fighter is required to undergo a pre-fight physical examination within 3 hours of entering the ring.

Boxing promoters usually stage events by paying a fee to qualifying organizations to sponsor the event. In jurisdictions (usually municipalities) where boxing is permitted, a boxing commission is often established to regulate and oversee the sport. Boxing commissioners are normally appointed by the city council. Two of the most active local commissions in Florida are in Miami Beach and Tampa.

Each professional and amateur sport has its own national governing body (National Football League, United States Football League, National Basketball Association, etc.) Boxing has two governing bodies -- the World Boxing Association (WBA) and the World Boxing Council (WBC). The Amateur Athletic Union (AAU) controls amateur boxing in Florida. Boxing is not, however, recognized by the National Collegiate Athletic Association (NCAA) as a collegiate varsity sport.

B. Effect of Proposed Changes:

This bill would establish a State Athletic Commission within the Department of Business Regulation. The commission is to be comprised of three members to be appointed by the Governor and subject to confirmation by the Senate. Members would serve 4-year staggered terms. The commission would have exclusive jurisdiction over amateur and professional boxing in Florida, except student matches sponsored by educational institutions and official Olympic events, and would administer the provisions of chapter 548, F.S. Each member would receive \$25 a day for each day in attendance at official commission meetings as well as reimbursement for certain expenses. The

commission must maintain an office in Dade County and may establish branch offices. An executive secretary must be appointed by the commission with the Governor's approval to keep records and perform certain administrative duties. If necessary, the commission may appoint deputy commissioners whose compensation would be the same as that of the commissioners.

The commission would establish the classes of boxers based on weights. A minimum glove weight is set at 6 ounces.

A physician is required to be in attendance at every match. All fighters must have a pre-fight medical examination.

No one under the age of 18 may participate in a professional boxing match. Participation in amateur matches is restricted to persons 16 and 17 years of age.

Each professional fight must have one referee and two judges. The bill prescribes the procedure for determining the winner of a fight. Sham or collusive contests are expressly prohibited and violation of the prohibition constitutes a second degree misdemeanor.

The bill provides for licensing of promoters, fighters, managers, officials, and various other persons involved in the sport. It also provides for the issuance of permits for fighting events. The commission is authorized to establish license and permit fees, but sets the following maximum fees:

Licenses

Promoters/Matchmakers	\$500.00
All other licenses	\$100.00

Permits

Seating capacity under 2,000	\$ 50.00
Seating capacity 2,000 to 5,000	\$100.00
Seating capacity over 5,000	\$250.00

A 5 percent gross receipts tax is to be levied on admissions to live fights and closed circuit television viewing, sale or lease of broadcasting, television and movie rights, and concessions

All revenues from taxes, licenses, permits, fines and forfeitures are to be used for the expenses of the commission. Any excess revenues are to be deposited in the General Revenue Fund.

Minimum standards for contracts between managers and professional boxers are provided. Promoters are required to file surety bonds. A timetable for the distribution of compensation to managers and boxers is provided. Certain receipt and expenditure reports are required to be filed with the commission by promoters and managers. Advance payments by promoters to boxers are generally prohibited. There are, however, certain exceptions.

Boxers would be required to maintain certain health and life insurance policies.

A five-member advisory board, appointed by the Governor, would prepare standards for physical and mental examinations of boxers.

The current provisions of chapter 548, F.S., are repealed and the newly created provisions would be repealed on October 1, 1994, pursuant to the Sundown Act.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

Persons connected with boxing may incur expenses for the following:

1. License and permits fees;
2. Insurance premiums;
3. Surety bonds;
4. Physician fees (to be paid by the promoter);
5. 5 percent gross receipts tax;
6. Fines and penalties.

The aggregate impact upon any one person cannot be determined at this time.

B. Government:

The Department of Business Regulation projects the following expenses over the next 3 years.

	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
Salaries	\$ 78,560	\$ 93,471	\$ 93,471
CPS	10,000	12,000	15,000
Expenses	40,000	50,000	60,000
OCO	<u>11,000</u>	<u>3,000</u>	<u>1,500</u>
TOTAL	\$139,560	\$158,471	\$169,971
Number of Positions	3	4	4

As there is no historical data available on which to predict future revenues under this bill, the department has estimated such revenues based on information obtained from a major Tampa promoter.

Annual license fees	\$53,100
Permit fees	9,250
Fines and penalties	2,750
Gross receipts taxes	<u>72,000</u>
TOTAL	\$137,100

The bill provides that all commission expenses are to be paid from revenues collected. There is no provision for a start-up appropriation or the establishment of a trust fund.

III. COMMENTS:

The bill provides for three commissioners. However, the provisions of the bill which set up the staggered terms, do so on the basis of four commissioners.

IV. AMENDMENTS:

None.

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

1. <u>Branning</u>	^{J.M.} <u>Martin</u>	1. <u>COM</u>	<u>FAV.</u>
2. _____	_____	2. <u>GO</u>	_____
3. _____	_____	3. <u>FTC</u>	_____

SUBJECT:

Pugilistic Exhibitions

BILL NO. AND SPONSOR:

SB 11 by
Senator Myers

I. SUMMARY:

A. Present Situation:

"Pugilistic exhibition" is defined in chapter 548, F. S., to mean any "voluntary fight or personal encounter, by blows, between two or more persons, for money, prize of any character, points, . . . or upon the results of which any money or thing of value is bet or wagered, or for which an admission fee is charged. . . ."

Chapter 548, F.S., prohibits "pugilistic exhibitions unless held under the auspices of certain veterans organizations, the YMCA, the National Guard, Jaycees, Knights of Columbus, any college which is a member of any recognized amateur athletic association, or a Cuban charitable organization known as the Circulo Cubana Club. A physician is required to attend matches and advise the referee and judges concerning the fighter's condition. In addition, the fighter is required to undergo a pre-fight physical examination within 3 hours of entering the ring.

Boxing promoters usually stage events by paying a fee to qualifying organizations to sponsor the event. In jurisdictions (usually municipalities) where boxing is permitted, a boxing commission is often established to regulate and oversee the sport. Boxing commissioners are normally appointed by the city council. Two of the most active local commissions in Florida are in Miami Beach and Tampa.

Each professional and amateur sport has its own national governing body (National Football League, United States Football League, National Basketball Association, etc.) Boxing has two governing bodies -- the World Boxing Association (WBA) and the World Boxing Council (WBC). The Amateur Athletic Union (AAU) controls amateur boxing in Florida. Boxing is not, however, recognized by the National Collegiate Athletic Association (NCAA) as a collegiate varsity sport.

B. Effect of Proposed Changes:

This bill would establish a State Athletic Commission within the Department of Business Regulation. The commission is to be comprised of three members to be appointed by the Governor and subject to confirmation by the Senate. Members would serve 4-year staggered terms. The commission would have exclusive jurisdiction over amateur and professional boxing in Florida, except student matches sponsored by educational institutions and official Olympic events, and would administer the provisions of chapter 548, F.S. Each member would receive \$25 a day for each day in attendance at official commission meetings as well as reimbursement for certain expenses. The

commission must maintain an office in Dade County and may establish branch offices. An executive secretary must be appointed by the commission with the Governor's approval to keep records and perform certain administrative duties. If necessary, the commission may appoint deputy commissioners whose compensation would be the same as that of the commissioners.

The commission would establish the classes of boxers based on weights. A minimum glove weight is set at 6 ounces.

A physician is required to be in attendance at every match. All fighters must have a pre-fight medical examination.

No one under the age of 18 may participate in a professional boxing match. Participation in amateur matches is restricted to persons 16 and 17 years of age.

Each professional fight must have one referee and two judges. The bill prescribes the procedure for determining the winner of a fight. Sham or collusive contests are expressly prohibited and violation of the prohibition constitutes a second degree misdemeanor.

The bill provides for licensing of promoters, fighters, managers, officials, and various other persons involved in the sport. It also provides for the issuance of permits for fighting events. The commission is authorized to establish license and permit fees, but sets the following maximum fees:

Licenses

Promoters/Matchmakers	\$500.00
All other licenses	\$100.00

Permits

Seating capacity under 2,000	\$ 50.00
Seating capacity 2,000 to 5,000	\$100.00
Seating capacity over 5,000	\$250.00

A 5 percent gross receipts tax is to be levied on admissions to live fights and closed circuit television viewing, sale or lease of broadcasting, television and movie rights, and concessions.

All revenues from taxes, licenses, permits, fines and forfeitures are to be used for the expenses of the commission. Any excess revenues are to be deposited in the General Revenue Fund.

Minimum standards for contracts between managers and professional boxers are provided. Promoters are required to file surety bonds. A timetable for the distribution of compensation to managers and boxers is provided. Certain receipt and expenditure reports are required to be filed with the commission by promoters and managers. Advance payments by promoters to boxers are generally prohibited. There are, however, certain exceptions.

Boxers would be required to maintain certain health and life insurance policies.

A five-member advisory board, appointed by the Governor, would prepare standards for physical and mental examinations of boxers.

The current provisions of chapter 543, F.S., are repealed and the newly created provisions would be repealed on October 1, 1994, pursuant to the Sundown Act.

II. ECONOMIC IMPACT AND FISCAL NOTE.

A. Public:

Persons connected with boxing may incur expenses for the following:

1. License and permits fees;
2. Insurance premiums;
3. Surety bonds;
4. Physician fees (to be paid by the promoter);
5. 5 percent gross receipts tax;
6. Fines and penalties.

The aggregate impact upon any one person cannot be determined at this time.

B. Government:

The Department of Business Regulation projects the following expenses over the next 3 years.

	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
Salaries	\$ 78,560	\$ 93,471	\$ 93,471
OPS	10,000	12,000	15,000
Expenses	40,000	50,000	60,000
OCO	<u>11,000</u>	<u>3,000</u>	<u>1,500</u>
TOTAL	\$139,560	\$158,471	\$169,971
Number of Positions	2	4	4

As there is no historical data available on which to predict future revenues under this bill, the department has estimated such revenues based on information obtained from a major Tampa promoter.

Annual license fees	\$53,100
Permit fees	9,250
Fines and penalties	2,750
Gross receipts taxes	<u>72,000</u>
TOTAL	\$137,100

The bill provides that all commission expenses are to be paid from revenues collected. There is no provision for a start-up appropriation or the establishment of a trust fund.

III. COMMENTS:

The bill provides for three commissioners. However, the provisions of the bill which set up the staggered terms, do so on the basis of four commissioners.

IV. AMENDMENTS:

None.

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

- | | |
|------------------------------|-------------------------|
| 1. <u>Branning</u> <i>BB</i> | <u>Martin</u> <i>AM</i> |
| 2. _____ | _____ |
| 3. _____ | _____ |
| 4. _____ | _____ |

- | | |
|------------------------|------------------|
| 1. <u>COM</u> | <u>FAV.</u> |
| 2. <u>GO</u> | <u>Fav/CS</u> |
| 3. <u>FTC</u> | <u>Fav/Amend</u> |
| 4. <u>AP(referred)</u> | <u>Withdrawn</u> |

SUBJECT:

Pugilistic Exhibitions

BILL NO. AND SPONSOR:

HB 171 substituted for
 (SB 11 by Senator Myers which was
 Laid on Table under Rule)
 HB 171 as passed by the Legislature

I. SUMMARY:

A. Present Situation:

"Pugilistic exhibition" is defined in chapter 548, F. S., to mean any "voluntary fight or personal encounter, by blows, between two or more persons, for money, prize of any character, points, . . . or upon the results of which any money or thing of value is bet or wagered, or for which an admission fee is charged. . . ."

Chapter 548, F.S., prohibits "pugilistic exhibitions unless held under the auspices of certain veterans organizations, the YMCA, the National Guard, Jaycees, Knights of Columbus, any college which is a member of an recognized amateur athletic association, or a Cuban charitable organization known as the Circulo Cubana Club. A physician is required to attend matches and advise the referee and judges concerning the fighter's condition. In addition, the fighter is required to undergo a pre-fight physical examination within 3 hours of entering the ring.

Boxing promoters usually stage events by paying a fee to qualifying organizations to sponsor the event. In jurisdictions (usually municipalities) where boxing is permitted, a boxing commission is often established to regulate and oversee the sport. Boxing commissioners are normally appointed by the city council. Two of the most active local commissions in Florida are in Miami Beach and Tampa.

Each professional and amateur sport has its own national governing body (National Football League, United States Football League, National Basketball Association, etc.) Boxing has two governing bodies -- the World Boxing Association (WBA) and the World Boxing Council (WBC). The Amateur Athletic Union (AAU) controls amateur boxing in Florida. Boxing is not, however, recognized by the National Collegiate Athletic Association (NCAA) as a collegiate varsity sport.

B. Effect of Proposed Changes:

This bill is to be known as the "Joe Larg Kershaw Act" and establishes a State Athletic Commission within the Department of Business Regulation. The commission is to be comprised of three members to be appointed by the Governor and subject to confirmation by the Senate. Members would serve 4-year staggered terms. The commission would have exclusive jurisdiction over professional boxing in Florida. Amateur boxing matches are not covered by this act. Each member would receive \$25 a day for each day in attendance at official

commission meetings as well as reimbursement for certain expenses. The commission must maintain an office in Tallahassee and may establish branch offices. An executive secretary must be appointed by the commission with the Governor's approval to keep records and perform certain administrative duties. If necessary, the commission may appoint deputy commissioners whose compensation would be the same as that of the commissioners.

The commission would establish the classes of boxers based on weights. A minimum glove weight is set at 6 ounces.

A physician is required to be in attendance at every match. All fighters must have a pre-fight medical examination.

No one under the age of 18 may participate in a professional boxing match. Participation in amateur matches is restricted to persons 16 and 17 years of age.

Each professional fight must have one referee and two judges. The bill prescribes the procedure for determining the winner of a fight. Sham or collusive contests are expressly prohibited and violation of the prohibition constitutes a second degree misdemeanor.

The bill provides for licensing of promoters, fighters, managers, officials, and various other persons involved in the sport. It also provides for the issuance of permits for fighting events. The commission is authorized to establish license and permit fees, but sets the following maximum fees:

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Permits

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Seating capacity 2,000 to 5,000	\$100.00
Seating capacity over 5,000	\$250.00

A 5 percent gross receipts tax is to be levied on admissions to live fights and closed circuit television viewing, sale or lease of broadcasting, television and movie rights, and concessions.

All revenues from taxes, licenses, permits, fines and forfeitures are to be used for the expenses of the commission. Any excess revenues are to be deposited in the General Revenue Fund.

Minimum standards for contracts between managers and professional boxers are provided. Promoters are required to file surety bonds. A timetable for the distribution of compensation to managers and boxers is provided. Certain receipt and expenditure reports are required to be filed with the commission by promoters and managers. Advance payments by promoters to boxers are generally prohibited. There are, however, certain exceptions.

Boxers would be required to maintain certain health and life insurance policies.

A five-member advisory board, appointed by the Governor, would prepare standards for physical and mental examinations of boxers.

The current provisions of chapter 548, F.S., are repealed and the newly created provisions would be repealed on October 1, 1994, pursuant to the Sundown Act.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

Persons connected with boxing may incur expenses for the following:

1. License and permits fees;
2. Insurance premiums;
3. Surety bonds;
4. Physician fees (to be paid by the promoter);
5. 5 percent gross receipts tax;
6. Fines and penalties.

The aggregate impact upon any one person cannot be determined at this time.

B. Government:

The Department of Business Regulation projects the following expenses over the next 3 years.

	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
Salaries	\$ 78,560	\$ 93,471	\$ 93,471
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Expenses	40,000	50,000	60,000
OCO	<u>11,000</u>	<u>3,000</u>	<u>1,500</u>
TOTAL	\$139,560	\$158,471	\$169,971
Number of Positions	3	4	4

As there is no historical data available on which to predict future revenues under this bill, the department has estimated such revenues based on information obtained from a major Tampa promoter

Annual license fees	353,100
Permit fees	9,250
Fines and penalties	2,750
Gross receipts taxes	<u>72,000</u>
TOTAL	\$137,100

The bill provides that all commission expenses are to be paid from revenues collected. There is no provision for a start-up appropriation or the establishment of a trust fund.

III. COMMENTS:

None.

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

- 1. Branning *JB* *Martin*
- 2. _____
- 3. _____
- 4. _____

- 1. COM _____ Fav. _____
- 2. GO _____ Fav. CS _____
- 3. FTC _____ Fav. Amend _____
- 4. AP (referred) Withdraw _____

SUBJECT:

Pugilistic Exhibitions

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FLORIDA STATE ARCHIVES
DEPARTMENT OF STATE
R. A. GRAY BUILDING
Tallahassee, FL 32399-0750

Series 18 Cart 1401

BILL NO. AND SPONSOR:

HB 171 substituted for
 (SB 11 by Senator Myers which was
 Laid on Table under Rule)
 HB 171 as passed by the Legislature
 Approved by the Governor
 Ch. 84-246, Laws of Florida

I. SUMMARY:

A. Present Situation:

"Pugilistic exhibition" is defined in chapter 548, F. S., to mean any "voluntary fight or personal encounter, by blows, between two or more persons, for money, prize of any character, points, or upon the results of which any money or thing of value is set or wagered, or for which an admission fee is charged.

Chapter 548, F.S. prohibits "pugilistic exhibitions unless held under the auspices of certain veterans organizations, the YMCA, the National Guard, Jaycees, Knights of Columbus, any college which is a member of any recognized amateur athletic association, or a Cuban charitable organization known as the Circulo Cubano Club. A physician is required to attend matches and advise the referee and judges concerning the fighter's condition. In addition, the fighter is required to undergo a pre-fight physical examination within 2 hours of entering the ring.

Boxing promoters usually stage events by paying a fee to qualifying organizations to sponsor the event. In jurisdictions (usually municipalities) where boxing is permitted, a boxing commission is often established to regulate and oversee the sport. Boxing commissioners are normally appointed by the city council. Two of the most active local commissions in Florida are in Miami Beach and Tampa.

Each professional and amateur sport has its own national governing body (National Football League, United States Football League, National Basketball Association, etc). Boxing has two governing bodies -- the World Boxing Association (WBA) and the World Boxing Council (WBC). The Amateur Athletic Union (AAU) controls amateur boxing in Florida. Boxing is not, however, recognized by the National Collegiate Athletic Association (NCAA) as a collegiate varsity sport.

B. Effect of Proposed Changes:

This bill is to be known as the "Joe Lang Kersnow Act" and establishes a State Athletic Commission within the Department of Business Regulation. The Commission is to be comprised of three members to be appointed by the Governor and subject to confirmation by the Senate. Members would serve 4-year staggered terms. The commission would have exclusive jurisdiction over professional boxing in Florida. Amateur

boxing matches are not covered by this act. Each member would receive \$25 a day for each day in attendance at official commission meetings as well as reimbursement for certain expenses. The commission must maintain an office in Tallahassee and may establish branch offices. An executive secretary must be appointed by the commission with the Governor's approval to keep records and perform certain administrative duties. If necessary, the commission may appoint deputy commissioners whose compensation would be the same as that of the commissioners.

The commission would establish the classes of boxers based on weights. A minimum glove weight is set at 6 ounces.

A physician is required to be in attendance at every match. All fighters must have a pre-fight medical examination.

No one under the age of 18 may participate in a professional boxing match. Participation in amateur matches is restricted to persons 16 and 17 years of age.

Each professional fight must have one referee and two judges. The bill prescribes the procedure for determining the winner of a fight. Spam or collusive contests are expressly prohibited and violation of the prohibition constitutes a second degree misdemeanor.

The bill provides for licensing of promoters, fighters, managers, officials, and various other persons involved in the sport. It also provides for the issuance of permits for fighting events. The commission is authorized to establish license and permit fees, but sets the following maximum fees:

Licenses

Promoters/Matchmakers	\$500.00
All other licenses	\$100.00

Permits

Seating capacity under 2,000	\$ 50.00
Seating capacity 2,000 to 5,000	\$100.00
Seating capacity over 5,000	\$250.00

A 5 percent gross receipts tax is to be levied on admissions to live fights and closed circuit television viewing, sale or lease of broadcasting, television and movie rights, and concessions.

All revenues from taxes, licenses, permits, fines and forfeitures are to be used for the expenses of the commission. Any excess revenues are to be deposited in the General Revenue Fund.

Minimum standards for contracts between managers and professional boxers are provided. Promoters are required to file surety bonds. A timetable for the distribution of compensation to managers and boxers is provided. Certain receipt and expenditure reports are required to be filed with the commission by promoters or managers. Advance payments by promoters to boxers are generally prohibited. There are, however, certain exceptions.

Boxers would be required to maintain certain health and life insurance policies.

A five-member advisory board, appointed by the Governor, would prepare standards for physical and mental examinations of boxers.

The current provisions of chapter 548, F.S., are repealed and the newly created provisions would be repealed on October 1, 1994, pursuant to the Sundown Act.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

Persons connected with boxing may incur expenses for the following:

1. License and permits fees;
2. Insurance premiums;
3. Surety bonds;
4. Physician fees (to be paid by the promoter);
5. 5 percent gross receipts tax;
6. Fines and penalties.

The aggregate impact upon any one person cannot be determined at this time.

B Government:

The Department of Business Regulation projects the following expenses over the next 3 years

	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
Salaries	\$ 78,560	\$ 93,471	\$ 93,471
OPS	10,000	12,000	15,000
Expenses	40,000	50,000	60,000
OCO	<u>11,000</u>	<u>3,000</u>	<u>1,500</u>
TOTAL	\$139,560	\$158,471	\$169,971

Number of Positions 3 4 4

As there is no historical data available on which to predict future revenues under this bill, the department has estimated such revenues based on information obtained from a major Tampa promoter.

Annual license fees	\$53,100
Permit fees	9,250
Fines and penalties	2,750
Gross receipts taxes	<u>72,000</u>
TOTAL	\$137,100

The bill provides that all commission expenses are to be paid from revenues collected. There is no provision for a start-up appropriation or the establishment of a trust fund.

III. COMMENTS:

None.

COMMITTEE ON REGULATED INDUSTRIES & LICENSING

HB 8

SPONSOR(S): Rep. Ready, C. F. Jones, and Burnsed

RELATING TO: Pugilistic Exhibitions (Fights)

OTHER COMMITTEES OF REFERENCE: F. & T. and Appropriations

COMPANION/SIMILAR: SB 11

January 6, 1984

I. SUMMARY

A. Present Situation

Florida law currently prohibits "pugilistic exhibitions" or fights for money or other consideration (s. 548.01 F.S.). Exceptions are made for fights sponsored by certain veterans' organizations and various other groups. (s. 548.03 F.S.). As a result, boxing promoters can stage events by obtaining the sponsorship of an exempt organization.

Currently, no state agency or statewide association regulates boxing. Some local jurisdictions have established boxing commissions, with Tampa and Miami among the most active of these.

The statutes presently mandate the attendance of a licensed physician at fights, and a pre-fight medical examination of the fighter. However, these minimum safety requirements are often ignored in those jurisdictions without local boxing commissions. Florida's lack of enforcement of minimum health and safety standards has been blamed as a cause of boxing-related injuries and deaths.

B. Effect on Present Situation

The bill establishes a three-member State Athletic Commission, appointed by the Governor, with exclusive jurisdiction over amateur and professional boxing in Florida, except student matches sponsored by educational institutions and official Olympic events.

The Commission would establish classes of boxers, based on weights. A minimum glove weight is set at six ounces.

Attendance of a physician at every match is mandated. Pre-fight medical examinations of fighters are required.

Participation in professional matches is restricted to persons 18 years of age and older. The bill limits participation in amateur matches by persons 16 and 17 years of age.

Attendance at professional fights of one referee and two judges is required. The bill prescribes the procedure for determining the winner of a fight. Sham or collusive contests are expressly prohibited and violation of the prohibition constitutes a second degree misdemeanor.

The bill provides for licensing of promoters, fighters, managers, officials, and various other persons involved in the sport. It also provides for the issuance of permits for fighting events. It authorizes the commission to establish license and permit fees, but sets the following maximum fees:

Licenses

Promoters/Matchmakers	\$500.00
All other licenses	\$100.00

Permits

Seating capacity under 2,000	\$ 50.00
Seating capacity 2,000 to 5,000	\$100.00
Seating capacity over 5,000	\$250.00

The bill provides for a 5% gross receipts tax levied upon admissions to live fights and closed circuit television viewings, sale or lease of broadcasting, television and movie rights, and concessions.

All revenues from taxes, licenses, permits, fines and forfeitures is first used for expenses of the commission and any excess is deposited in the General Revenue Fund.

The bill provides minimum standards for contracts between managers and professional boxers. It requires promoters to file surety bonds to secure performance of their statutory and contractual duties. The bill sets out a timetable for a promoter's distribution of compensation to managers and boxers, and a manager's distribution of compensation to the boxer. It requires certain receipt and expenditure reports by promoters and managers to be filed with the commission. It prohibits advance payments by promoters to boxers, with exceptions for transportation and maintenance expenses.

The bill authorizes the commission to require boxers to maintain a minimum of \$5,000 health insurance and \$1,000 life insurance.

It establishes a five-member medical advisory board, appointed by the Governor, to prepare standards for physical and mental examinations of boxers.

The bill provides for the repeal of existing provisions of chapter 548 relative to pugilistic exhibitions. It provides for the automatic repeal of the chapter on October 1, 1994.

The bill has an effective date of October 1, 1984.

II. PRIVATE SECTOR/STATE/LOCAL FISCAL IMPACT

At the present time, there is no historical data on which accurate boxing revenue projections can be based. The Department of Business Regulation has estimated revenues based on information obtained from a major Tampa promoter.

The Department's detailed fiscal report is attached. In summary, it projects annual license revenues of \$53,100; permit fees of \$9,250; fines and penalties of \$2,750 and gross receipts taxes of \$72,000. The total receipts on an annualized basis would equal \$137,100.

The Department has projected commission expenses of \$139,560 (annualized) for 1984-1985; \$158,471 for 1985-1986, and \$169,971 for 1986-1987.

The bill does not specifically provide for a trust fund but states that the first proceeds of the boxing revenues shall be used to pay commission expenses.

III. COMMENTS

None

IV. AMENDMENTS

None

Prepared by: Vicki Weber

Staff Director: Bill Ryan

COMMITTEE ON REGULATED INDUSTRIES & LICENSING

CS/HB 8

SPONSOR(S): Rep. Ready, C. F. Jones, Burnsed, & Com. Reg. Ind.

RELATING TO: Pugilistic Exhibitions (Fights)

OTHER COMMITTEES OF REFERENCE: F. & T. and Appropriations

COMPANION/SIMILAR: SB 11

April 11, 1984

I. SUMMARY

A. Present Situation

Florida law currently prohibits "pugilistic exhibitions" or fights for money or other consideration (s. 548.01 F.S.). Exceptions are made for fights sponsored by certain veterans' organizations and various other groups. (s. 548.03 F.S.). As a result, boxing promoters can stage events by obtaining the sponsorship of an exempt organization.

Currently, no state agency or statewide association regulates boxing. Some local jurisdictions have established boxing commissions, with Tampa and Miami among the most active of these.

The statutes presently mandate the attendance of a licensed physician at fights, and a pre-fight medical examination of the fighter. However, these minimum safety requirements are often ignored in those jurisdictions without local boxing commissions. Florida's lack of enforcement of minimum health and safety standards has been blamed as a cause of boxing-related injuries and deaths.

B. Effect on Present Situation

The bill establishes a three-member State Athletic Commission, appointed by the Governor, with exclusive jurisdiction over professional boxing in Florida. Amateur matches, student matches sponsored by educational institutions and official Olympic events are exempt from regulation by the Commission.

The Commission would establish classes of boxers, based on weights. A minimum glove weight is set at six ounces.

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Series 19 1389

Attendance of a physician at every match is mandated. Pre-fight medical examinations of fighters are required.

Participation in professional matches is restricted to persons 18 years of age and older.

Attendance at professional fights of one referee and two judges is required. The bill prescribes the procedure for determining the winner of a fight. Sham or collusive contests are expressly prohibited and violation of the prohibition constitutes a second degree misdemeanor.

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In summary, the Department's fiscal analysis projects annual license revenues of \$53,100; permit fees of \$9,250; fines and penalties of \$2,750 and gross receipts taxes of \$72,000. The total receipts on an annualized basis would equal \$137,100.

The Department has projected commission expenses of \$139,560 (annualized) for 1984-1985; \$158,471 for 1985-1986, and \$169,971 for 1986-1987.

The bill does not specifically provide for a trust fund but states that the first proceeds of the boxing revenues shall be used to pay commission expenses.

III. COMMENTS

None

IV. AMENDMENTS

None

Prepared by: Vicki Weber

Staff Director: Bill Ryan

AMENDMENT -- FOR DRAFTING ONLY

(MUST BE TYPED ON FORM H-29 OR H-39 BEFORE PRESENTATION)

Amendments passed in full #1

Representative *Burrall* of the Committee on *#31-3 also*

passed in Sub.

HB 8

SB _____

offered the following amendment:

On page 2, lines 22 & 23, strike
lines 22 and 23

and insert: year term, one for a 2-year term, and one for a 3-year term. Upon the
expiration of the terms of

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DEPARTMENT OF STATE
R. A. ...

Tallahassee, FL 32304-0500
Series 19 Carton 1309

Mr. _____ moved the adoption of the amendment,

which was adopted.

which failed of adoption

AMENDMENT -- FOR DRAFTING ONLY

2

(MUST BE TYPED ON FORM H-29 OR H-39 BEFORE PRESENTATION)

Representative The Committee on Bussell

HB 8

SB _____

offered the following amendment:

On page 3, line 10, strike

Dade County

Horizontal lines for text entry.

and insert: the City of Lakeland

Horizontal lines for text entry.

Mr _____ moved the adoption of the amendment,

which was adopted.

which failed of adoption.

AMENDMENT -- FOR DRAFTING ONLY

3

(MUST BE TYPED ON FORM H-29 OR H-39 BEFORE PRESENTATION)

Representative The Committee on Burrall

HB 8

SE _____

offered the following amendment:

On page 10, line 7, strike

\$1,000

and insert: \$5,000

Mr _____ moved the adoption of the amendment,

which was adopted.

which failed of adoption

XXXXXXXXXXXX Reynolds

11 18-26

(all) ("permits for amateurs")

XXXXXXXXXXXX Reynolds

16 25 XXXX:
After "adult"

unless exhibition is of amateur status.

COMMITTEE INFORMATION RECORD

House of Representatives

Committee on REGULATED INDUSTRIES & LICENSING

Bill No. HB 171

Date of meeting April 3, 1984

Time 1:15 P.M.

Place 413 Capitol

File copy
Talk 19
Costs 1389

FINAL ACTION: _____ FAVORABLE
 FAVORABLE WITH 2 AMENDMENTS
 _____ FAVORABLE WITH SUBSTITUTE
 _____ UNFAVORABLE

VOTE:

YEA	MEMBER	NAY
X	BOBBY BRANTLEY	
X	BEVERLY BURNSED	
X	FRED BURRALL	
	CARL CARPENTER (A)	
	MARILYN EVANS-JONES (A)	
	TOM GALLAGHER (A)	
	BUD GARDNER (A)	
X	ELAINE GORDON	
X	ED HEALEY	
X	WAYNE HOLLINGSWORTH	
X	FRED JONES	
	BARRY KUTUN (A)	
X	ANNE MACKENZIE	
	ELVIN MARTINEZ (A)	
X	CHRIS MEFFERT	

YEA	MEMBER	NAY
X	SAM MITCHELL	
X	GENE READY	
X	ROBERT REYNOLDS	
X	DEBBY SANDERSON	
X	JAMES WARD	
X	CARL OGDEN, CH.	

Total Yeas 15

Total Nays 0

Robert C. Reynolds
Chairman

COMMITTEE APPEARANCE RECORD

The following persons (other than legislators) appeared before the committee during the consideration of this bill:

Name	Representing	Address

NOTE: Please indicate by an "X" any State employee appearing at the request of Committee Chairman.
(If additional persons, enter on reverse side and check here)

File 2 copies with Clerk

If amendment is text of other bill or bills,
insert Bill No(s)

HB. 171
SB

DO NOT USE FELT TIP PEN

Committee Amendment No. 2 of 2
(For committee use)

The Committee on **Regulated Industries & Licensing**

offered the following **Title** amendment:

Amendment On page **1**, line **4 & 5, strike**

2, to remove language relative to wagering

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SEE INSTRUCTIONS ON
BACK OF THIS FORM

Senate Action:

House Action:

House Amendment

If amendment is text of other bill or bills, insert Bill No(s)

HB 171

SB

Committee Amendment No. 1 of 2 (For committee use)

DO NOT USE FELT TIP PEN

The Committee on Regulated Industries & Licensing offered the following amendment:

Amendment On page 1 line 18 & 19, strike lines 18 and 19 and insert: other thing of value, or upon the results of which any money or thing of value is bet or wagered, or for which an admission

FOR YOUR OWN PROTECTION, DO NOT USE PRINTED BILL OR REDUCED COPY OF BILL GET FULL-SIZED COPY OF BILL DRAFT FROM DUPLICATING, 329 CAPITOL

SEE INSTRUCTIONS ON BACK OF THIS FORM

Senate Action:

House Action:

House Amendment

SUBCOMMITTEE REPORT

House of Representatives

File with Parent Committee

To Chairman, Committee on REGULATED INDUSTRIES & LICENSING :

Subcommittee on PARI-MUTUELS

Date of meeting February 8, 1984

Time 10:00 A.M.

Place 413 Capitol

Bill No. HB 8

FINAL ACTION: FAVORABLE
 X FAVORABLE WITH 3 AMENDMENTS
 UNFAVORABLE

VOTE:

YEA	MEMBER	NAY
X	FRED BURRALL	
	ELAINE GORDON (A)	
	(A) ANNE MACKENZIE	
X	CHRIS MEFFERT	
X	SAM MITCHELL	
X	JAMES WARD	

Total
Yeas 5

YEA	MEMBER	NAY
X	BEVERLY BURNSD, CHAIRMAN	

Total
Nays 0

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Beverly Burns
 Subcommittee Chairman

SUBCOMMITTEE APPEARANCE RECORD

The following persons (other than legislators) appeared before the subcommittee during consideration of this bill.

Name	Representing	Address

(If additional persons, enter on reverse side and check here)

NOTE: Please indicate by an "X" any State employee appearing at the request of Subcommittee Chairman

Received by Parent Committee:
 Date _____
 Received by _____

Committee on REGULATED INDUSTRIES & LICENSING

Bill No. HB 8

Date of meeting April 3, 1984

Time 1:15 P.M.

Place 413 Capitol

file copy

FINAL ACTION: FAVORABLE
 FAVORABLE WITH AMENDMENTS
 FAVORABLE WITH SUBSTITUTE
 UNFAVORABLE

VOTE:

YEA	MEMBER	NAY
X	BOBBY BRANTLEY	
X	BEVERLY BURNSED	
X	FRED BURRELL	
	CARL CARPENTER (A)	
	(A) MARILYN EVANS-JONES	
X	TOM GALLAGHER	
	BUD GARDNER (A)	
X	ELAINE GORDON	
X	ED HEALEY	
X	WAYNE HOLLINGSWORTH	
X	FRED JONES	
	BARRY KUTUN (A)	
X	ANNE MACKENZIE	
	ELVIN MARTINEZ (A)	
X	CHRIS MEFFERT	

YEA	MEMBER	NAY
X	SAM MITCHELL	
X	GENE READY	
X	ROBERT REYNOLDS	
X	DEBBY SANDERSON	
X	JAMES WARD	
X	CARL OGDEN, CH.	

Total Yea 16 Total Nays 0

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 1387

Carl Ogden
 Chairman

COMMITTEE APPEARANCE RECORD

The following persons (other than legislators) appeared before the committee during the consideration of this bill:

Name	Representing	Address
Colonel George W. Porter	Tampa Boxing Commission	12701 Allendale Lane Tampa, Florida

NOTE: Please indicate by an "X" any State employee appearing at the request of Committee Chairman.
 (If additional persons, enter on reverse side and check here_)

File 2 copies with Clerk

BILL ANALYSIS
FLORIDA HOUSE OF REPRESENTATIVES
COMMITTEE ON VETERANS AFFAIRS
November 7, 1983

BILL NO: H.B. 171
SPONSOR: Committee on Veterans Affairs
SUBJECT: Pugilistic Exhibitions

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I. SUMMARY

A. Present Situation

Currently, charitable organizations, veterans' organizations, and organizations listed in s. 548.03 F.S., are allowed to conduct pugilistic exhibitions for fund raising purposes.

B. Effect of Proposed Changes

Removes the language listing each veterans' organization and replaces it with "any nationally chartered veterans' organization registered with the state". Also removes the language pertaining to betting on such activities since it is prohibited by Florida law.

II. PRIVATE SECTOR/LOCAL/STATE FISCAL IMPACT

A. Private
None.

B. Local
None.

C. State
None.

III. COMMENTS

In 1927, this section of law provided the Florida National Guard, the American Legion, the YMCA, and college participants in an amateur association to conduct pugilistic exhibitions. Subsequent legislation has amended the section to include other organizations. The intent of the amendment is to clean up the statute by removing unnecessary listing of organizations when one classification, "all nationally chartered veterans' organizations registered with the state," will suffice.

IV. AMENDMENTS

None at this time.

PREPARED BY:

STAFF DIRECTOR:

Randy Touchton

1 A bill to be entitled 1:btc
2 An act relating to pugilistic exhibitions; 1.4
3 amending s. 548.03, F.S., relating to the 1.5
4 regulation of pugilistic exhibitions, to remove
5 language relative to wagering and to clarify 1.6
6 application of the exemption from regulation;
7 providing an effective date. 1.8
8
9 Be It Enacted by the Legislature of the State of Florida: 1:enc
10
11 Section 1. Section 548.03, Florida Statutes, is 1.9
12 amended to read:
13 548.03 "Pugilistic exhibition" defined.--The term 1.10
14 "pugilistic exhibition, encounter or fight, with or without 1.11
15 gloves," as used in this chapter, means any voluntary fight or 1.12
16 personal encounter, by blows, between two or more persons, for 1.13
17 money, prize of any character, points, distinction or fame, or 1.14
18 other thing of value, ~~or upon the results of which any money~~ 1.15
19 ~~or thing of value is bet or wagered,~~ or for which an admission 1.16
20 fee is charged, directly or indirectly; provided, that nothing
21 contained herein or in any law or municipal regulation shall 1.17
22 be construed as applying to boxing exhibitions held by and 1.18
23 under the auspices of any nationally chartered veterans' 1.19
24 organization registered with the state ~~the American Legion,~~ 1.20
25 ~~Disabled American Veterans, Veterans of Foreign Wars of the~~
26 ~~United States, Spanish American War Veterans,~~ or companies or 1.21
27 detachments of the Florida National Guard, Y. M. C. A., 1.22
28 Jaycees, Knights of Columbus, or any college which is a member 1.23
29 of any recognized amateur athletic association and the Circulo 1.24
30 Cubana Club, a charitable organization now in existence,
31 whether an admission fee is charged or not; provided further, 1.25

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CODING Words in ~~struck through~~ type are deletions from existing law, words underlined are additions.

1 that nothing contained herein shall be construed to prohibit 1.26
2 any municipality from exercising its police powers to regulate 1.27
3 boxing and wrestling exhibitions held under the auspices of
4 the above-named organizations. 1.28

5 Section 2. This act shall take effect October 1, 1984. 1.29
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1	*****	1:hbs
2	HOUSE SUMMARY	1:hbs
3	Removes language relative to wagering from the definition	1.33
4	of "pugilistic exhibition," which exhibitions are	1.34
5	regulated by law. Clarifies application of the exemption	
6	from such regulation.	
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DIFFERENCES BETWEEN CS/SB 11 AND HB 171
(An act relating to pugilistic exhibitions)

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Tallahassee, FL 32399-0250
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- CS/SB - Does not provide a short title.
- HB 548.0401 - Provides for bill to be known and cited as the "Joe Lang Kershaw Act."
- CS/SB 548.041- Provides that the State Athletic Commission's main office shall be in Dade County.
- HB 548.041 - Provides that the State Athletic Commission's main office shall be in Tallahassee.
- CS/SB - Does not contain 548.07 (this section was deleted, however, subsequent sections were not renumbered).
- HB 548.07 - The act would not apply to amateur matches or matches sponsored by educational institutions if all boxers are regularly enrolled in the institutions. The act would also not apply to any nationally chartered veterans' organization registered with the state, any company or detachment of the Florida National Guard, or any Olympic event.
- CS/SB 548.08 - Provides that the commission shall have exclusive jurisdiction over all matches in Florida involving a professional, but makes no reference to county or municipal boxing commissions.
- HB 548.08 - Provides that the commission shall have exclusive jurisdiction over all matches held within the state, except for those specifically exempted from ch. 548, F.S., and further provides that this act would not prevent the operation of county or municipal boxing commissions which otherwise comply with the requirements of the act.
- CS/SB 548.09 - Provides that no person under the age of 18 may participate in any match, except that amateurs 16 or 17 years of age may participate in matches with other amateurs 16 or 17 years of age, under rules adopted by the commission.
- HB 548.09 - Provides that no person under 18 years of age may participate in any professional match.

- CS/SB 548.10 - Would prevent any person participating in a match involving an amateur from using a fictitious name unless he has registered the name with the commissioner.
- HB - Does not contain 548.10.
- CS/SB 548.11 - Would require a physician's pre-fight examination to be filed with the commission within 72 hours after the match.
- HB 548.11 - Would require the same examination to be filed within 48 hours.
- CS/SB 548.16 - Would require a promoter to file with the commission a statement showing the distribution of the purse, with receipted vouchers for all expenditures and deductions, no later than 72 hours after the match. Would also require a manager to file such a statement no later than 72 hours after he receives the distribution from the promoter.
- HB 548.16 - Would impose the same requirements on promoters and managers except that the filing requirement would be within 48 hours.
- CS/SB 548.24 - Provides that the commission shall not issue licenses in certain circumstances such as where a person has been convicted of any act which would constitute a violation of ch. 548, F.S.
- HB 548.24 - Relates to promoter's permits and is identical to CS/SB 548.25 (section 548.44 of HB 171 provides for the commission's refusal to issue licenses).
- CS/SB 548.29 - Provides that the commission shall require, in duplicate, the fingerprints of each person or corporate entity representative applying for a permit or for licensure. The commission would also be authorized to have fingerprint checks conducted of any person from whom it is authorized to require fingerprints. One set of fingerprints would be filed in the Tallahassee office of the Department of Law Enforcement and the other set would be filed with the commission.
- HB 548.29 - The commission would be required to obtain the fingerprints of each applicant and would be permitted to obtain the fingerprints of anyone representing a corporate applicant.

- CS/SB 548.30 - The commission would be authorized to establish license fees for promoters and matchmakers, not to exceed \$500. ("Promoters" are presumably those with places of business within the state, since the act defines "foreign copromoter" as a promoter who has no place of business within the state.)
- The commission would be authorized to issue licenses, without charge, to referees and physicians, thereby allowing them to officiate only at matches involving amateurs.
- HB 548.30 - Includes foreign copromoters among those for whom the commission would establish a license fee not to exceed \$500. (The act defines "foreign copromoter" as a promoter who has no place of business in Florida.)
- CS/SB 548.34 - Provides for the creation of a medical advisory council.
- HB 548.34 - Provides for the creation of a medical advisory board (duties would be identical to those of the medical advisory council which would be created by CS/SB 548.34).
- CS/SB 548.40 - Promoters and foreign copromoters would be required to file bonds upon forms approved by the Department of Legal Affairs. The sufficiency of any surety would be subject to approval of the commission and the Department of Legal Affairs. Recovery would be permitted against any bond, cash, or other security in the same manner as penalties are recoverable at law.
- HB 548.40 - Promoters and foreign copromoters would be required to file bonds upon forms approved by and supplied by the commission. The sufficiency of any surety would be subject to approval of the commission. The commission would be authorized to collect on escheated bonds in the same manner as elsewhere provided by law for such collection by the Department of Business Regulation.
- CS/SB 548.43 - Provides that upon the motion of any member, the commission could suspend any license or permit to protect the public welfare and the best interests of boxing, until final determination by the commission.
- HB 548.43 - Would require two members of the commission to move for such a suspension.

- CS/SB 548.44 - Provides grounds for the suspension or revocation of licenses or permits.
- HB 548.44 - Provides grounds for the suspension, refusal to issue, or revocation of a license or permit. (These grounds are identical to those for suspension or revocation as provided by CS/SB 548.44.)
- CS/SB 548.47 - Provides that no attending physician licensed by the commission may have any financial interest in any boxer.
- HB 548.47 - Provides that no physician licensed by the commission may have any financial interest in any boxer.
- CS/SB 548.48 - Would require all fees, fines, forfeitures, and other moneys collected by the commission under ch. 548, F.S., to be paid to the State Treasurer, who would deposit them in the General Revenue Fund after paying commission expenses.
- HB 548.48 - Would require all fees, fines, forfeitures, and other moneys collected by the commission under ch. 548, F.S., to be paid into the State Athletic Commission Operating Trust Fund which would thereby be created. Moneys remaining in the trust fund at the end of the fiscal year which exceed 25 percent of the current year's operating budget would be transferred to the General Revenue Fund. The commission would not be permitted to expend annually more than is collected in that fiscal year. In fiscal year 1984-85, the commission would be permitted to draw against the Pari-mutuel Trust Fund no more than \$100,000 as a loan to the above-named trust fund. The loan would have to be repaid by June 30, 1985.

This section further provides that license fees, permit fees, and gross receipts tax levied pursuant to ch. 548, F.S., shall be in addition to all other taxes, fees, and licenses which are imposed on boxing exhibitions and promoters. The same duties and privileges imposed by ch. 212, F.S., except as provided in s. 212.12(1), F.S., upon dealers in tangible property concerning the collection and remission of tax; the making of returns; the keeping of books, records, and accounts; and compliance with the rules of the enforcing agency in the administration of that chapter shall apply to all persons who are subject to the permit fee, license fee, and gross receipts tax provisions of this chapter.

CS/SB 548.49 - Would repeal ch. 548, F.S.

HB 548.49 - Would only repeal s. 548.03, F.S., which defines pugilistic exhibition, thereby leaving existing provisions regarding criminal penalties for certain pugilistic exhibitions; criminal liability of a person acting as a second, stockholder, counselor, or advisor; and the requirement that a physician be in attendance at any pugilistic exhibition.

Special Note: Section 2 of HB 171 provides for the creation of s. 548.10, F.S. The text of the bill, however, does not include this section.

BILL ACTION REPORT

(C3-75: File with Secretary of Senate)

(S) ~~11~~ BILL NO. 11

COMMITTEE ON GOVERNMENTAL OPERATIONS

DATE April 4, 1984

Date Reported April 6, 1984

TIME 2-5 p.m.

FINAL ACTION:

PLACE Room H, Senate Office Building

Favorably with amendments

OTHER COMMITTEE REFERENCES:
(In order shown)

Favorably with Committee Substitute

FTC

Unfavorably

OTHER: Temporarily Passed

Reconsidered

Not Considered

THE VOTE WAS:

FINAL BILL VOTE as CS		SENATORS	Amendment #1 by Mann		Amendment #2 by Dunn		Amendment #3 by Dunn		Amendment #4 by Mann		Amendment #5 by Mann	
Aye	Nay		Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
X		DUNN, Edgar M., Jr.										
X		GIRARDEAU, Arnett E.										
X		HAIR, Mattox										
X		MANN, Franklin B.										
X		MARGOLIS, Gwen	WITHOUT OBJECTION		WITHOUT OBJECTION			WITHOUT OBJECTION		WITHOUT OBJECTION		
X		STUART, George, Jr.	WITHOUT OBJECTION		WITHOUT OBJECTION			WITHOUT OBJECTION		WITHOUT OBJECTION		
X		GERSTEN, Joseph M., V.Chm.	WITHOUT OBJECTION		WITHOUT OBJECTION			WITHOUT OBJECTION		WITHOUT OBJECTION		
X		HENDERSON, Warren S., Chm.	WITHOUT OBJECTION		WITHOUT OBJECTION			WITHOUT OBJECTION		WITHOUT OBJECTION		
8	0	TOTAL	X		X			X		X		X
Aye	Nay		Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay

(Attach additional page if necessary)

Please Complete: The key sponsor appeared (X)
 A Senator appeared ()
 Sponsor's aide appeared ()
 Other appearance ()

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 DEPT. OF GOVERNMENT
 PALM BEACH, FLORIDA
 Tallahassee, Florida
 4-18-84 1523

SB 11

Proposed Amendment
from Sponsor

(reported favorably)

HB _____

The Committee on GOVERNMENTAL OPERATIONS recommended the following

amendment which was moved by Senator.....and adopted:
and failed:

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Amendment # 1

On page2....., lines ..22 & 23..., strike

one for a 3-year term and one for a 4-year term

If amendment is text from another bill insert:

Bill No.	Draft No.	With Changes?	No	Yes
			<input type="checkbox"/>	<input type="checkbox"/>

and insert:

and one for a 3-year term

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 Series 16 Carton 22

w/o
Mann

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* Amendment No. __, taken up by committee: 04/04/84 Adopted __ *

* Offered by _____ Failed __ *

(Amendment No. ____ Adopted __ Failed __ Date __/__/__)

The Committee on GOVERNMENTAL OPERATIONS recommended the following amendment which was moved by Senator.....and adopted: and failed:

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Amendment # 2

On page3....., line10....., strike

Dade County

If amendment is text from another bill insert:

Bill No. _____ Draft No. _____ With Changes? Yes No

and insert:

the City of Lakeland

w/d

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TALLAHASSEE
SERIES 18 - 1522

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* Amendment No. __, taken up by committee: 04/04/84 Adopted Failed *
* Offered by _____

(Amendment No. _____ Adopted Failed Date __/__/__)

The Committee on GOVERNMENTAL OPERATIONS recommended the following amendment which was moved by Senator and adopted: and failed:

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Amendment # 3

On page6....., line12....., and
On page8....., lines ..16 & 24..., strike

48

If amendment is text from another bill insert:

Bill No.	Draft No.	With Changes?	No	Yes

and insert:

72

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SENATE

Dunn

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* Amendment No. __, taken up by committee: 04/04/84 Adopted _ *
* Offered by _____ Failed _ *

(Amendment No. ____ Adopted __ Failed __ Date __/__/__)

SENATE COMMITTEE AMENDMENT
 SB 11 **Proposed Amendment** No. _____ (reported favorably)
 HB _____ **from Sponsor**
 The Committee on GOVERNMENTAL OPERATIONS recommended the following

amendment which was moved by Senator.....and adopted:
 and failed:

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Amendment # 4

On page10....., line7....., strike

\$1,000

If amendment is text from another bill insert:

Bill No.	Draft No.	With Changes?	Yes	No
				-

and insert:

\$5,000

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 Tallahassee, FL 32304-0150
 Series 12 Carton 123

Dunn

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 * Amendment No. __, taken up by committee: 04/04/84 Adopted __ *
 * Offered by _____ Failed __ *

 (Amendment No. ____ Adopted __ Failed __ Date __/__/__)

SENATE COMMITTEE AMENDMENT

SB 11 **Proposed Amendment** ^{No} (Reported favorably)

HB _____ **from Sponsor**

The Committee on GOVERNMENTAL OPERATIONS recommended the following

amendment which was moved by Senator.....and adopted:
and failed:

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Amendment # 5

On page10....., line20....., strike

permits

If amendment is text from another bill insert:

Bill No.	Draft No.	With Changes?	Yes	No
				-

and insert:

licenses

G O P

FLORIDA
DEPT
Tallahassee
Series 18 Carton 533

W/O

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* Amendment No. __, taken up by committee: 04/04/84 Adopted _ *
 * Offered by _____ Failed _ *

(Amendment No. ____ Adopted __ Failed __ Date __/__/__)

SB 11

Proposed Amendment (reported favorably)

HB _____

from Sponsor

The Committee on GOVERNMENTAL OPERATIONS recommended the following

amendment which was moved by Senator.....and adopted:
and failed:

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Amendment # 6

On page10...., lines ..25, 27, & 28.., strike

permit

If amendment is text from another bill insert:

Bill No.	Draft No.	With Changes?	No	Yes
			-	

and insert:

license

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 Tallahassee, FL 32399-0250
 Series 18 Carton 153

W/O
Mann

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 * Amendment No. __, taken up by committee: 04/04/84 Adopted __ *
 * Offered by _____ Failed __ *

 (Amendment No. ____ Adopted __ Failed __ Date __/__/__)

SB 11

Proposed Amendment No. _____ (reported favorably)

HB _____

from Sponsor

The Committee on GOVERNMENTAL OPERATIONS recommended the following

amendment which was moved by Senator.....and adopted:
and failed:

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Amendment # 7

On page11...., line6....., strike

physician,

If amendment is text from another bill insert:

Bill No.	Draft No.	With Changes?	No	Yes
			<input type="checkbox"/>	<input type="checkbox"/>

~~and insert:~~

Y

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* Amendment No. __, taken up by committee: 04/04/84 Adopted __ *

* Offered by _____ Failed __ *

(Amendment No. __ Adopted __ Failed __ Date __/__/__)

The Committee on GOVERNMENTAL OPERATIONS recommended the following amendment which was moved by Senator _____ and adopted: _____ and failed: _____

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Amendment # 8

On page11...., line13...., strike

after 548.24

If amendment is text from another bill insert:

Bill No. _____ Draft No. _____ With Changes? Yes No

and insert:

Refusal to issue license.--The commission shall not issue a license to any person who in any jurisdiction has been convicted of any act which would constitute a violation of this chapter or any of the grounds set forth in this chapter for suspension or revocation of licenses or against whom such charges are pending before any regulatory body or who has been named in an information or indictment for any act which would constitute a violation of this chapter or a ground for suspension or revocation of a license.

548.25

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Series 18 (Editor) 1533

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mann

The Committee on GOVERNMENTAL OPERATIONS recommended the following amendment which was moved by Senator.....and adopted:
 and failed:

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Amendment # 9

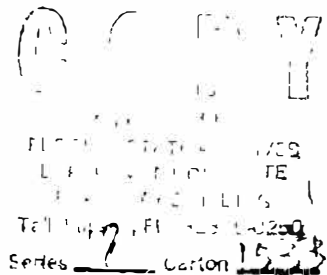
On page11....., lines ..18-26..., strike

all of said lines

If amendment is text from another bill insert:

Bill No.	Draft No.	With Changes?	Yes	No
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~~and insert:~~



*W O
Stuart*

The Committee on GOVERNMENTAL OPERATIONS recommended the following amendment which was moved by Senator.....and adopted:
and failed:

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Amendment # 10

On page12...., line15...., strike
after the period (.)

If amendment is text from another bill insert:
Bill No. _____ Draft No. _____ With Changes? Yes No

and insert:
The commission is authorized to have fingerprint checks
conducted of any person from whom it is authorized to require
fingerprints.

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DEPARTMENT OF STATE
R A GRAY BUILDING
Tallahassee, FL 32399-0250
Series 10 Carton 153

w/s
Mann

SB 11

HB _____

SENATE COMMITTEE AMENDMENT
Proposed Amendment No. _____
(Reported favorably)
from Sponsor

The Committee on GOVERNMENTAL OPERATIONS recommended the following amendment which was moved by Senator.....and adopted:

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Amendment # 11

On page14...., lines ..14, 15, 21, & 29..., and
on page15...., line1...., strike

board

If amendment is text from another bill insert:

Bill No. _____ Draft No. _____ With Changes? Yes No

and insert:

council

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DATE OF FILE
Tallahassee, FL 32309-50
Series 12 Carton 1534

Mann
w/o

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* Amendment No. __, taken up by committee: 04/04/84 Adopted __ *
* Offered by _____ Failed __ *

(Amendment No. ____ Adopted __ Failed __ Date __/__/__)

HB _____
The Committee on GOVERNMENTAL OPERATIONS recommended the following

amendment which was moved by Senator.....and adopted:
and failed:

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Amendment # 12

On page16...., line25...., strike

after "adult"

If amendment is text from another bill insert:
Bill No. _____ Draft No. _____ With Changes? Yes No

insert:
unless exhibition is of amateur status

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Mann
W/O

SB 11
HB _____

Proposed Amendment (reported favorably)
from Sponsor

The Committee on GOVERNMENTAL OPERATIONS recommended the following amendment which was moved by Senator.....and adopted: and failed:

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Amendment **# 13**

On page20...., line2...., strike

11.611

If amendment is text from another bill insert:

Bill No.	Draft No.	With Changes?	No	Yes
			<input checked="" type="checkbox"/>	

and insert:

11.61

Dunn

w/o

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84s0011/go13

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* Amendment No. __, taken up by committee: 04/04/84 Adopted __ *

* Offered by _____ Failed __ *

(Amendment No. ____ Adopted __ Failed __ Date __/__/__)

The Committee on GOVERNMENTAL OPERATIONS recommended the following

amendment which was moved by Senator _____ and adopted:
and failed:

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Title Amendment # 14

In title, on page1....., line31....., strike
board

If amendment is text from another bill insert:

Bill No. _____ Draft No. _____ With Changes? Yes No

and insert:

council

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* Amendment No. _____ taken up by committee: 04/04/84 Adopted _____ *
* Offered by Dunn Failed _____ *

(Amendment No. _____ Adopted _____ Failed _____ Date ___/___/___)

SENATE AMENDMENT

Amendment from Senate Bill

SB _____

HB _____

DO NOT USE FELT TIP PEN

TYPEWRITE IF POSSIBLE

Line numbers on amendment blank have no relation to line numbers on bills

Senator..... moved the following

.....amendment

which was adopted: which failed:

Amendment

On page. . . 5 . line 5 to 12 strike

- a
- b all of said lines
- c
- d
- e

If amendment is text from another bill insert:

Bill No. Draft No.

and insert:

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(Amendment No. _____ Adopted _____ Failed _____ Date _____)

(Scratch Sheet ONLY)

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

	<u>ANALYST</u>	<u>STAFF DIRECTOR</u>	<u>REFERENCE</u>	<u>ACTION</u>
1.	<u>Branning</u>	<u>Martin</u>	1. <u>Com.</u>	<u>Fav.</u>
2.	<u>Becia</u>	<u>Swindell</u>	2. <u>G.O.</u>	<u>Fav/CS</u>
3.			3. <u>F&T</u>	

SUBJECT:

Boxing

BILL NO. AND SPONSOR:

CS/SB 11 by Governmental Operation and Senators Myers and Gersten

I. SUMMARY:

A. Present Situation:

Chapter 548, F.S., defines and regulates pugilistic exhibitions. A "pugilistic exhibition" is defined as a "voluntary fight or personal encounter, by blows, between two or more persons for money, prize of any character, points...or upon the results of which any money or thing of value is bet or wagered, or for which an admission fee is charged...." Such exhibitions are prohibited unless held under the auspices of specified veterans or civic organizations, the YMCA, the National Guard, or any college which is a member of any recognized amateur athletic association. Each fighter is required to undergo a pre-fight physical. A physician must be in attendance at all matches and advise the referee and judges concerning the fighter's condition.

Boxing promoters normally stage events by paying a fee to qualifying organizations to sponsor the event. Those jurisdictions (usually municipalities) which permit boxing often establish a boxing commission to regulate and oversee the sport. Boxing commissioners are generally appointed by the city council. Two of the most active boxing commissions in the state are in Miami Beach and Tampa.

Each professional and amateur sport has at least one national governing body. Professional boxing has two -- the World Boxing Association and the World Boxing Council. Amateur boxing is controlled by the Amateur Athletic Association. The National Collegiate Athletic Association does not recognize boxing as a collegiate varsity sport.

B. Effect of Proposed Changes:

The current ch. 548, F.S., would be replaced with a new ch. 548, F.S. A three-member State Athletic Commission would be created under the Department of Business Regulation to regulate professional boxing.

Commissioners would be appointed by the Governor, subject to Senate confirmation and would serve staggered 4-year terms. Commissioners would receive \$25 for each day in attendance at official commission meetings and would be reimbursed for travel and per diem. If necessary, the commission could appoint deputy commissioners whose compensation would equal that of the commissioners. The commission would maintain an office in Dade County and would be authorized to establish branch offices. The commission would appoint an executive secretary and fix his salary.

Extensive statutory provisions regarding pugilistic exhibitions would be established. Among these would be a requirement that each professional fight have one referee and two judges. The bill would prescribe the procedures for determining the winner of a fight. Sham or collusive contests would be expressly prohibited. Certain financial interests in boxers would be

prohibited. The commission would establish classes of boxers, based on body weight. The minimum glove weight would be 6 oz. No person under 18 would be permitted to participate in a professional boxing match. Participation in amateur matches would be restricted to persons aged 16 or 17. No one under 16 would be permitted to attend any match unless accompanied by an adult.

Consistent with the current ch. 548, F.S., a physician's attendance would be required at every match and all fighters would be required to undergo a pre-fight medical exam. The bill would authorize the commission to require boxers to be covered by \$5,000 of medical and \$5,000 of life insurance. A five-member gubernatorially-appointed advisory council would be required to establish standards for physical and mental examinations of boxers.

The bill would require the licensure of promoters, foreign co-promoters, professional boxers, managers, seconds, trainers, matchmakers, timekeepers, referees, judges, announcers, booking agents, and representatives of booking agents. The commission would be authorized to require applicants to take oral examinations as to their qualifications and would require the fingerprints of each applicant. The commission would establish license fees of not more than \$500 for promoters and matchmakers and \$100 for all other licensees.

Permits would be required for pugilistic events. Permit fees would not exceed \$50 if the seating capacity was less than 2,000, \$100 if 2,000 to 5,000, and \$250 if the seating capacity was over 5,000.

A 5 percent gross receipts tax would be levied on admissions to live fights and closed circuit television viewing; sale or lease of broadcast, television, and movie rights; and concessions. All revenues received pursuant to this regulation would be paid by the commission to the State Treasurer who, after the commission's expenses were paid, would deposit them in the General Revenue Fund.

Minimum standards would be established for contracts between managers and professional boxers. Promoters would be required to file surety bonds "in a reasonable amount," but not less than \$3,000. Timetables for the distribution of compensation to managers and boxers and for the refund of tickets would be provided. The filing of certain receipt and expenditure reports would be required.

Grounds for the suspension or revocation of a license or permit would be established. The commission would be authorized to impose administrative fines of not more than \$5,000.

Commission members would be authorized to hold hearings and suspend licenses and permits "notwithstanding any provision of ch. 120."

Any person convicted of any specified offense would be guilty of a second degree misdemeanor.

Chapter 548, F.S., would be scheduled for legislative review and repeal October 1, 1994, pursuant to the Regulatory Sunset Act.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

Persons connected with boxing would incur expenses for license and permit fees, judges' and physicians' fees, surety bonds and filing fees, payment of the gross receipts tax, and fines and

penalties. The aggregate impact on any one individual cannot be determined.

B. Government:

The Department of Business Regulation projects the following expenses over the next 3 years.

	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
Salaries	\$ 78,560	\$ 93,471	\$ 93,471
OPS	10,000	12,000	15,000
Expenses	40,000	50,000	60,000
OCO	<u>11,000</u>	<u>3,000</u>	<u>1,500</u>
TOTAL	<u>\$139,560</u>	<u>\$158,471</u>	<u>\$169,971</u>
Number of Positions	3	4	4

Because it lacks historical data on which to predict revenues, DBR has prepared estimates based on information obtained from a major Tampa promoter.

Annual license fees	\$ 53,100
Permit fees	9,250
Fines and penalties	2,750
Gross receipts taxes	<u>72,000</u>
TOTAL	<u>\$137,100</u>

The bill provides that all commission expenses are to be paid from revenues collected. There is no provision for a start-up appropriation or the establishment of a trust fund.

III. COMMENTS:

Although the State Athletic Commission would be created under the Department of Business Regulation, the provisions relating to the gubernatorial appointment of its members and the maintenance of its office in Dade County would weaken the ability of the Secretary of Business Regulation to supervise the commission.

This bill is similar to HB 8.

IV. AMENDMENTS:

None

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

<u>ANALYST</u>	<u>STAFF DIRECTOR</u>	<u>REFERENCE</u>	<u>ACTION</u>
1. <u>Branning</u>	<u>Martin</u>	1. <u>Com.</u>	<u>Fav.</u>
2. <u>Becia</u>	<u>Swindell</u>	2. <u>G.O.</u>	<u>Fav/CS</u>
3. <u>Keating <i>ML</i></u>	<u>Beggs <i>JL</i></u>	3. <u>FT&C</u>	<u>Fav/ 1 Amend</u>

SUBJECT: Boxing

BILL NO. AND SPONSOR: CS/SB 11 by Senate Governmental Operations Comm., Senators Myers & Gersten

I. SUMMARY:

A. Present Situation:

Chapter 548, F.S., defines and regulates pugilistic exhibitions. A "pugilistic exhibition" is defined as a "voluntary fight or personal encounter, by blows, between two or more persons for money, prize of any character, points...or upon the results of which any money or thing of value is bet or wagered, or for which an admission fee is charged..." Such exhibitions are prohibited unless held under the auspices of specified veterans or civic organizations, the YMCA, the National Guard, or any college which is a member of any recognized amateur athletic association. Each fighter is required to undergo a pre-fight physical. A physician must be in attendance at all matches and advise the referee and judges concerning the fighter's condition.

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B. Effect of Proposed Changes:

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Commissioners would be appointed by the Governor, subject to Senate confirmation and would serve staggered 4-year terms. Commissioners would receive \$25 for each day in attendance at official commission meetings and would be reimbursed for travel and per diem. If necessary, the commission could appoint deputy commissioners whose compensation would equal that of the commissioners. The commission would maintain an office in Dade County and would be authorized to establish branch offices. The commission would appoint an executive secretary and fix his salary.

Extensive statutory provisions regarding pugilistic exhibitions would be established. Among these would be a requirement that each professional fight have one referee and two judges. The bill would prescribe the procedures for determining the winner of a fight. Sham or collusive contests would be expressly

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prohibited. Certain financial interests in boxers would be prohibited. The commission would establish classes of boxers, based on body weight. The minimum glove weight would be 6 oz. No person under 18 would be permitted to participate in a professional boxing match. Participation in amateur matches would be restricted to persons aged 16 or 17. No one under 16 would be permitted to attend any match unless accompanied by an adult.

Consistent with the current ch. 548, F.S., a physician's attendance would be required at every match and all fighters would be required to undergo a pre-fight medical exam. The bill would authorize the commission to require boxers to be covered by \$5,000 of medical and \$5,000 of life insurance. A five-member gubernatorially-appointed advisory council would be required to establish standards for physical and mental examinations of boxers.

The bill would require the licensure of promoters, foreign co-promoters, professional boxers, managers, seconds, trainers, matchmakers, timekeepers, referees, judges, announcers, booking agents, and representatives of booking agents. The commission would be authorized to require applicants to take oral examinations as to their qualifications and would require the fingerprints of each applicant. The commission would establish license fees of not more than \$500 for promoters and matchmakers and \$100 for all other licensees.

Permits would be required for pugilistic events. Permit fees would not exceed \$50 if the seating capacity was less than 2,000, \$100 if 2,000 to 5,000, and \$250 if the seating capacity was over 5,000.

A 5 percent gross receipts tax would be levied on admissions to live fights and closed circuit television viewing; sale or lease of broadcast, television, and movie rights; and concessions. All revenues received pursuant to this regulation would be paid by the commission to the State Treasurer who, after the commission's expenses were paid, would deposit them in the General Revenue Fund.

Minimum standards would be established for contracts between managers and professional boxers. Promoters would be required to file surety bonds "in a reasonable amount," but not less than \$3,000. Timetables for the distribution of compensation to managers and boxers and for the refund of tickets would be provided. The filing of certain receipt and expenditure reports would be required.

Grounds for the suspension or revocation of a license or permit would be established. The commission would be authorized to impose administrative fines of not more than \$5,000.

Commission members would be authorized to hold hearings and suspend licenses and permits "notwithstanding any provision of ch. 120."

Any person convicted of any specified offense would be guilty of a second degree misdemeanor.

Chapter 548, F.S., would be scheduled for legislative review and repeal October 1, 1994, pursuant to the Regulatory Sunset Act.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

Persons connected with boxing would incur expenses for license and permit fees, judges' and physicians' fees, surety bonds and

filing fees, payment of the gross receipts tax, and fines and penalties. The aggregate impact on any one individual cannot be determined.

B. Government:

The Department of Business Regulation projects the following expenses over the next 3 years.

	<u>1984-85</u>	<u>1985-86</u>	<u>1986-87</u>
Salaries	\$ 78,560	\$ 93,471	\$ 93,471
OPS	10,000	12,000	15,000
Expenses	40,000	50,000	60,000
OCO	<u>11,000</u>	<u>3,000</u>	<u>1,500</u>
TOTAL	\$139,560	\$158,471	\$169,971
Number of Positions	3	4	4

Because it lacks historical data on which to predict revenues, DBR has prepared estimates based on information obtained from a major Tampa promoter.

Annual license fees	\$ 53,100
Permit fees	9,250
Fines and penalties	2,750
Gross receipts taxes	<u>72,000</u>
TOTAL	\$137,100

The bill provides that all commission expenses are to be paid from revenues collected. There is no provision for a start-up appropriation or the establishment of a trust fund.

III. COMMENTS:

Although the State Athletic Commission would be created under the Department of Business Regulation, the provisions relating to the gubernatorial appointment of its members and the maintenance of its office in Dade County would weaken the ability of the Secretary of Business Regulation to supervise the commission.

This bill is similar to HB 8.

This bill will become effective on October 1, 1984.

IV. AMENDMENTS:

#1 by Senate FT&C:
Title Amendment, honoring Representative Joe Lang Kershaw.

SENATE COMMITTEE AMENDMENT

CS/SB 11

No. 1
(reported favorably)

18/1533

HB _____

The Committee on Fin., Ta. & Claims recommended the following amendment which was moved by Senator.....and adopted: and failed:

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Title Amendment

In title, on page 1, line 2, strike,
all of said line

If amendment is text from another bill- insert:

Bill No.	Draft No.	With Changes?	No	Yes
			-	

and insert:

An act relating to pugilistic exhibitions; in honor of Representative Joe Lang Kershaw;

CODING Words in ~~struck through~~ type are deletions from existing law, words underlined are additions. 84s0011/ftc01

 * Amendment No. 2, taken up by committee: Adopted x *
 * Offered by Senator Myers Failed _ *

 (Amendment No. _____ Adopted ___ Failed ___ Date ___/___/___)

BILL ACTION REPORT

COPY

(C3-75 File with Secretary of Senate)

(S)XXX BILL NO. 11

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COMMITTEE ON COMMERCE

DATE March 6, 1984

Date Reported March 6, 1984

TIME 9 AM - 12 noon

FINAL ACTION.

PLACE Room "A", Senate Office Building

X Favorably with 0 amendments

OTHER COMMITTEE REFERENCES
(In order shown)

Favorably with Committee Substitute

Unfavorably

Governmental Operations

OTHER: Temporarily Passed

Finance, Taxation and Claims

Reconsidered

Not Considered

THE VOTE WAS

Sen. Henderson moved the bill

FINAL BILL VOTE		SENATORS	Aye		Nay		Aye		Nay		Aye		Nay	
Aye	Nay		Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay		
		BARRON, Dempsey J.												
		FOX, Roberta												
		GERSTEN, Joseph M.												
		GIRARDEAU, Arnett E.												
		HENDERSON, Warren S.												
		JENNINGS, Tom												
		MARGOLIS, Gwen												
		MCPHERSON, Tom												
		SCOTT, James A.												
		VOGT, John W.												
		CHILDERS, W.D.												
		THOMAS, Pat (Chairman)												
X		TOTAL												
Aye	Nay		Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay		

(Attach additional page if necessary)

Please Complete

The key sponsor appeared	()
A Senator appeared	()
Sponsor's aide appeared	()
Other appearance	()

REVISED: _____

BILL NO. SB 0594

DATE: May 12, 1983

Page 1

COPY

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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DEPARTMENT OF STATE

R A GRAY BUILDING

Tallahassee, FL 32399-0250

Series 18 Carton 1281

	<u>ANALYST</u>	<u>STAFF DIRECTOR</u>
1.	<u>Eary</u> <i>ME</i>	<u>Martin</u>
2.	_____	_____
3.	_____	_____

	<u>REFERENCE</u>	<u>ACTION</u>
1.	<u>Com.</u>	_____
2.	<u>G.O.</u>	_____
3.	<u>APP.</u>	_____

SUBJECT:

Pugilistic Exhibitions

BILL NO. AND SPONSOR:

SB 0594 by
Senator Gersten

I. SUMMARY:

A. Present Situation:

"Pugilistic exhibition" is defined in chapter 548, Florida Statutes, to mean any "voluntary fight or personal encounter, by blows, between two or more persons, for money, prize of any character, points... or upon the results of which any money or thing of value is bet or wagered, or for which an admission fee is charged..."

Chapter 548, Florida Statutes, prohibits "pugilistic exhibitions" unless held under the auspices of certain veterans organizations, the YMCA, the National Guard, Jaycees, Knights of Columbus, any college which is a member of any recognized amateur athletic association, or a Cuban charitable organization known as the Circulo Cubana Club. A physician is required to attend matches and advise the referee and judges concerning the fighter's condition. In addition, the fighter is required to undergo a pre-fight physical examination within three hours of entering the ring.

Boxing promoters usually stage events by paying a fee to qualifying organizations to sponsor the event. In jurisdictions (usually municipalities) where boxing is permitted, a boxing commission is often established to regulate and oversee the sport. Boxing commissioners are normally appointed by the city council. Each professional and amateur sport has its own national governing body (National Football League, National Basketball Association, etc.). Boxing (and wrestling) have two governing bodies--the World Boxing Association (WBA) and the World Boxing Council (WBC). In Florida, there are approximately 24 amateur sports authorities governing specific sports. The Amateur Athletic Union (AAU) controls amateur boxing in Florida.

B. Effect of Proposed Changes:

This bill would create the State Boxing Commission (SBC) within the Department of Business Regulation, consisting of three members appointed by the Governor and approved by the Senate. Members would each serve 4-year staggered terms. The SBC would be charged with administering the provisions of chapter 548, Florida Statutes. Additionally, commission members would receive \$25 a day for each day in attendance at official commission meetings and would be reimbursed for other expenses as provided in section 112.061, Florida Statutes. This bill also provides that the SBC maintain an office in Dade County with branch offices in other necessary locations. An executive secretary may be employed by the SBC to keep records and perform other administrative functions. The SBC could also appoint deputies to represent it at contests and exhibitions.

This bill would also create a five member medical advisory board to assist the commission. Members would be appointed by the Governor to serve 4-year staggered terms. Members must be licensed physicians in this state and have had at least five years' experience as a physician. Board members would receive per diem and other reimbursements as provided in section 112.061, Florida Statutes.

The SBC would be given sole authority to regulate professional boxing. Among the items regulated are the following:

1. minimum age - 18 for professional boxing;
2. boxing weight of gloves (not less than 6 ounces);
3. attendance and scoring by referee and judges; and
4. sales of tickets.

The SBC would be authorized to issue, withhold, suspend, or revoke licenses for the following classes of persons: promoters, managers, representative managers, boxers, seconds, trainers, matchmakers, timekeepers, referees, judges, announcers, physicians, and booking agents. Permits are required for each professional fight program.

License fees for promoters and matchmakers must not exceed \$500; all other fees must not exceed \$100. Permit fees are based on the seating capacity of the facility where the program would be conducted. Such fees range from \$50 to \$250. A surety bond of at least \$3,000 is required of foreign copromoters. Additionally, licensed boxers may be required to obtain medical insurance coverage of not less than \$5,000 and death benefits of no less than \$1,000.

Within 72 hours of the completion of a boxing program, the promoter must furnish a written record to SBC containing, among other things, the number of tickets sold, total gross receipts, and a tax of 5 percent on those gross receipts. The 5 percent tax on gross receipts would also apply to closed circuit or subscription television broadcasts of fights viewed in this state.

The commission would have rulemaking authority, may conduct administrative hearings, and may levy fines of up to \$5,000 for violations of chapter 548 or the rules adopted thereunder. Unless otherwise specified, a violation of any of the provisions of chapter 548, Florida Statutes, is a second degree misdemeanor (up to 60 days in jail, or up to a \$500 fine, or both).

Universities, colleges, or secondary schools would be exempt from the bill, as well as official Olympic activities.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

Persons connected with boxing may incur expenses for the following:

1. license and permit fees;
2. insurance premiums
3. surety bonds
4. physician fees (paid by promoter)
5. 5 percent gross receipts tax
6. administrative fines of up to \$5,000

The aggregate impact upon any one person is not determinable at this point.

B. Government:

The Executive Office of the Governor projects the following expenses over the next three years:

	<u>1st year</u>	<u>2nd year</u>	<u>3rd year</u>
Salaries	\$37,000	\$ 55,600	\$ 59,500
OPS	9,000	17,900	19,100
Expenses	33,300	50,000	55,150
OCO	4,000	1,500	-0-
Total	\$83,300	\$125,000	\$133,750
No. of Positions	3	4	4

These figures include cost of additional personnel, operating cost outlay, and other additional expenses.

III. COMMENTS:

Technical errors -- none noted.

IV. AMENDMENTS:

REVISED: May 17, 1983

BILL NO. CS/SB 594 & 389

COPY

DATE: May 12, 1983

Page 1

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Series 18 Carton B35

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

<u>ANALYST</u>	<u>STAFF DIRECTOR</u>	<u>REFERENCE</u>	<u>ACTION</u>
1. <u>Eary</u> <i>TE</i>	<u>Martin</u> <i>SM</i>	1. <u>Com.</u>	<u>FAV/CS</u>
2. <u>K. L. ...</u>	<u>...</u>	2. <u>G.O.</u>	<u>_____</u>
3. <u>_____</u>	<u>_____</u>	3. <u>App.</u>	<u>_____</u>
4. <u>_____</u>	<u>_____</u>	4. <u>FT&C</u>	<u>_____</u>

SUBJECT:

Pugilistic Exhibitions

BILL NO. AND SPONSOR:

CS/SB 594 & 389 by Commerce Committee & Senator Gersten & Senator Myers

I. SUMMARY:

A. Present Situation:

"Pugilistic exhibition" is defined in chapter 548, Florida Statutes, to mean any "voluntary fight or personal encounter, by blows, between two or more persons, for money, prize of any character, points... or upon the results of which any money or thing of value is bet or wagered, or for which an admission fee is charged..."

Chapter 548, Florida Statutes, prohibits "pugilistic exhibitions" unless held under the auspices of certain veterans organizations, the YMCA, the National Guard, Jaycees, Knights of Columbus, any college which is a member of any recognized amateur athletic association, or a Cuban charitable organization known as the Circulo Cubana Club. A physician is required to attend matches and advise the referee and judges concerning the fighter's condition. In addition, the fighter is required to undergo a pre-fight physical examination within three hours of entering the ring.

Boxing promoters usually stage events by paying a fee to qualifying organizations to sponsor the event. In jurisdictions (usually municipalities) where boxing is permitted, a boxing commission is often established to regulate and oversee the sport. Boxing commissioners are normally appointed by the city council. Each professional and amateur sport has its own national governing body (National Football League, National Basketball Association, etc.). Boxing (and wrestling) have two governing bodies--the World Boxing Association (WBA) and the World Boxing Council (WBC). In Florida, there are approximately 24 amateur sports authorities governing specific sports. The Amateur Athletic Union (AAU) controls amateur boxing in Florida.

B. Effect of Proposed Changes:

This bill would create the State Athletic Commission (SAC) under the Department of Business Regulation, consisting of three members appointed by the Governor and confirmed by the Senate. Members would each serve 4-year staggered terms. The SAC would be charged with administering the provisions of chapter 548, Florida Statutes. Additionally, commission members would receive \$25 a day for each day in attendance at official commission meetings and would be reimbursed for other expenses as provided in section 112.061, Florida Statutes. This bill also provides that the SAC maintain an office in Dade County with branch offices in other necessary locations. An executive secretary must be employed by the SAC to keep records

and perform other administrative functions. The SAC could also appoint deputies to represent it at contests and exhibitions.

This bill would also create a five member medical advisory board to assist the commission. Members would be appointed by the Governor to serve 4-year staggered terms. Members must be licensed physicians in this state and have had at least five years' experience as a physician. Board members would receive per diem and other reimbursements as provided in section 112.061, Florida Statutes.

The SAC would be given sole authority to regulate professional and amateur boxing, as defined. Among the items regulated are the following:

1. minimum age - 18 for professional boxing; 16 and 17 year olds may participate in amateur matches with others of like age;
2. boxing weight of gloves (not less than 6 ounces);
3. attendance and scoring by referee and judges; and
4. sales of tickets.

The SAC would be authorized to issue, withhold, suspend, or revoke licenses for the following classes of persons: promoters, managers, representative managers, boxers, seconds, trainers, matchmakers, timekeepers, referees, judges, announcers, physicians, and booking agents. Permits are required for each professional and amateur fight program.

License fees for promoters and matchmakers must not exceed \$500; all other fees must not exceed \$100. Permit fees are based on the seating capacity of the facility where the program would be conducted. Such fees range from \$50 to \$250. A surety bond of at least \$3,000 is required of foreign copromoters. Additionally, licensed boxers may be required to obtain medical insurance coverage of not less than \$5,000 and death benefits of not less than \$1,000 for each policy.

Within 72 hours of the completion of a boxing program, the promoter must furnish a written record to SAC containing, among other things, the number of tickets sold, total gross receipts, and a tax of 5 percent on those gross receipts. The 5 percent tax on gross receipts would also apply to closed circuit or subscription television broadcasts of fights viewed in this state.

The commission would have rulemaking authority, may conduct administrative hearings, and may levy fines of up to \$5,000 for violations of chapter 548, or the rules adopted thereunder. Unless otherwise specified, a violation of any of the provisions of chapter 548, Florida Statutes, is a second degree misdemeanor (up to 60 days in jail, or up to a \$500 fine, or both).

Universities, colleges, or secondary schools would be exempt from the bill, as well as official Olympic activities.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

Persons connected with boxing may incur expenses for the following:

1. license and permit fees;

2. insurance premiums
3. surety bonds
4. physician fees (paid by promoter)
5. 5 percent gross receipts tax
6. administrative fines of up to \$5,000

The aggregate impact upon any one person is not determinable at this point.

B. Government:

The Executive Office of the Governor projects the following expenses over the next three years:

	<u>1st year</u>	<u>2nd year</u>	<u>3rd year</u>
Salaries	\$37,000	\$ 55,600	\$ 59,500
OPS	9,000	17,900	19,100
Expenses	33,300	50,000	55,150
OCO	4,000	1,500	-0-
Total	\$83,300	\$125,000	\$133,750
 No. of Positions	 3	 4	 4

These figures include cost of additional personnel, operating cost outlay, and other additional expenses.

III. COMMENTS:

-Technical errors -- none noted.

IV. AMENDMENTS:

None

Legislation also
office of the
regulation

REVISED: _____

BILL NO. SB 0389

COPY

DATE: May 12, 1983

Page 1

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SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

<u>ANALYST</u>	<u>STAFF DIRECTOR</u>	<u>REFERENCE</u>	<u>ACTION</u>
1. <u>Eary</u> <i>ME</i>	<u>Martin</u> <i>SM</i>	1. <u>Com.</u>	_____
2. _____	_____	2. <u>G.O.</u>	_____
3. _____	_____	3. <u>App.</u>	_____

SUBJECT:

Pugilistic Exhibitions

BILL NO. AND SPONSOR:

SB 0389 by
Senator Myers

I. SUMMARY:

A. Present Situation:

"Pugilistic exhibition" is defined in chapter 548, Florida Statutes, to mean any "voluntary fight or personal encounter, by blows, between two or more persons, for money, prize of any character, points... or upon the results of which any money or thing of value is bet or wagered, or for which an admission fee is charged..."

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B. Effect of Proposed Changes:

This bill would create the State Athletic Commission (SAC) within the Executive Office of the Governor, consisting of three members appointed by the Governor. Members would each serve 3-year staggered terms. The SAC would be charged with administering the provisions of chapter 548, Florida Statutes. Additionally, commission members would receive \$25 a day for each day in attendance at official commission meetings and would be reimbursed for other expenses as provided in section 112.061, Florida Statutes. This bill also provides that the SAC maintain an office in Dade County with branch offices in other necessary locations. An executive secretary must be employed by the SAC to keep records and perform other administrative functions. The SAC could also appoint deputies to represent it at contests and exhibitions.

This bill would also create a five member medical advisory board to assist the commission. Members would be appointed by the Governor to serve 4-year staggered terms. Members must be licensed physicians in this state and have had at least five years' experience as a physician. Board members would receive per diem and other reimbursements as provided in section 112.061, Florida Statutes.

The SAC would be given sole authority to regulate professional and amateur boxing, as defined. Among the items regulated are the following:

1. minimum age - 18 for professional boxing; 16 and 17 year olds may participate in amateur matches with others of like age;
2. boxing weight of gloves (not less than 6 ounces);
3. attendance and scoring by referee and judges; and
4. sales of tickets.

The SAC would be authorized to issue, withhold, suspend, or revoke licenses for the following classes of persons: promoters, managers, representative managers, boxers, seconds, trainers, matchmakers, timekeepers, referees, judges, announcers, physicians, and booking agents. Permits are required for each professional and amateur fight program.

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Universities, colleges, or secondary schools would be exempt from the bill, as well as official Olympic activities.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

Persons connected with boxing may incur expenses for the following:

1. license and permit fees;
2. insurance premiums
3. surety bonds
4. physician fees (paid by promoter)
5. 5 percent gross receipts tax

6. administrative fines of up to \$5,000

The aggregate impact upon any one person is not determinable at this point.

B. Government:

The Executive Office of the Governor projects the following expenses over the next three years:

	<u>1st year</u>	<u>2nd year</u>	<u>3rd year</u>
Salaries	\$37,000	\$ 55,600	\$ 59,500
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Expenses	33,300	50,000	55,150
OCO	4,000	1,500	-0-
Total	\$83,300	\$125,000	\$133,750
No. of Positions	3	4	4

These figures include cost of additional personnel, operating cost outlay, and other additional expenses.

III. COMMENTS:

Technical errors -- none noted.

IV. AMENDMENTS:

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Journal
of the
Florida
House of Representatives



Eighty-sixth
Regular Session

since Statehood in 1845

April 3 through June 1, 1984

Including a record of transmittal of Acts subsequent to sine die adjournment

Combee	Hazouri	Messersmith	Shelley
Cortina	Healey	Metcalf	Simon
Deutsch	Hodges	Mitchell	Spaet
Drage	Jamerson	Morgan	Stewart
Dunbar	Johnson, R C	Murphy	Thomas
Easley	Kelly	Peeples	Thompson
Figg	Lawson	Press	Titone
Friedman	Lehtinen	Ready	Tobiasen
Gardner	Liberti	Reaves	Tobin
Gordon	Lippman	Reddick	Upchurch
Grant	Locke	Reynolds	Wallace
Grindle	Logan	Richmond	Ward
Hargrett	Mackenzie	Rochlin	Williams
Harris	Martinez	Sanderson	Young
Hawkins, L R	Meffert	Selph	

Nays—29

Bailey	Danson	Johnson, B L	Simone
Bankhead	Dantzler	Johnson, R M	Smith
Brantley	Dudley	Lewis	Watt
Bronson	Evans-Jones	Nergard	Webster
Brown, T C.	Gallagher	Patchett	Woodruff
Clark	Hanson	Robinson	
Crady	Hawkins, M E	Ros	
Crotty	Hill	Shackelford	

Representative R M Johnson offered the following amendment

Amendment 7—On page 2, line 16, after "fine" insert for a first conviction

Rep Johnson moved the adoption of the amendment During consideration thereof, Rep Easley moved the previous question on the amendment and the bill, which was agreed to The question recurred on the adoption of Amendment 7, which failed of adoption The vote was

Yeas—27

Abrams	Danson	Hill	Robinson
Armstrong	Dantzler	Johnson, B L	Ros
Arnold	Dudley	Johnson, R M	Shackelford
Bass	Gallagher	Lawson	Tobiasen
Bronson	Grant	Locke	Watt
Burrall	Harris	Meffert	Williams
Clements	Hawkins, M E	Nergard	

Nays—61

The Chair	Easley	Liberti	Simon
Bailey	Figg	Logan	Simone
Bankhead	Friedman	Mackenzie	Smith
Brantley	Gardner	Martinez	Spaet
Brown, T C	Gordon	McEwan	Stewart
Burke	Grindle	Messersmith	Titone
Burnsed	Hanson	Metcalf	Tobin
Carpenter	Hawkins, L R.	Peeples	Upchurch
Casas	Hazouri	Press	Wallace
Combee	Healey	Ready	Ward
Cortina	Jamerson	Reddick	Wetherell
Crady	Johnson, R C	Reynolds	Woodruff
Crotty	Jones, C F	Rochlin	Young
Deutsch	Kelly	Sanderson	
Drage	Lehtinen	Selph	
Dunbar	Lewis	Shelley	

Votes after roll call

Yeas—Carlton
Nays—Patchett

Under Rule 8 19, the bill was referred to the Engrossing Clerk

Subsequently, the House returned to consideration of HB 171 and—

HB 171—A bill to be entitled An act relating to pugilistic exhibitions, amending s 548 03, F S , relating to the regulation of pugilistic exhibitions, to remove language relative to wagering and to clarify application of the exemption from regulation, providing an effective date

—was read the second time by title

The Committee on Regulated Industries & Licensing offered the following amendment

Amendment 1—On page 1, lines 18 & 19, strike lines 18 and 19 and insert other thing of value, or upon the results of which any money or thing of value is bet or wagered, or for which an admission

Rep L R Hawkins moved the adoption of the amendment, which was adopted

The Committee on Regulated Industries & Licensing offered the following title amendment.

Amendment 2—On page 1, lines 4 & 5, strike ", to remove language relative to wagering"

Rep L R Hawkins moved the adoption of the amendment, which was adopted without objection

Representative Brantley offered the following amendment

Amendment 3—On page 1, line 23 after "chartered" insert *military*

Rep Brantley moved the adoption of the amendment During consideration thereof, on motion by Rep Ready, without objection, further consideration of HB 171 was temporarily deferred, and the bill remains on the Special Order Calendar

By the Committee on Health & Rehabilitative Services and Representatives Deutsch, Lippman, Titone, and Press—

CS/HB 255—A bill to be entitled An act relating to nursing homes, amending s 400 022, F S , relating to residents' rights, prohibiting nursing homes from conditioning admission upon waiver of certain of those rights, providing that recipients of Medicaid shall be informed of a bed reservation policy, providing for disciplinary action upon violation, providing an effective date

—was read the first time by title On motion by Rep Deutsch, the rules were waived and the bill was read the second time by title

Representatives Deutsch, Lippman, and Titone offered the following amendment

Amendment 1—On page 2, line 26, strike the period and insert , *however the bed shall not be reserved if it is medically determined by the department that the resident will not need or will not be able to return to the nursing home, or if the department determines that the nursing home's occupancy rate will ensure the availability of a bed for the resident.*

Rep Deutsch moved the adoption of the amendment, which was adopted Under Rule 8 19, the bill was referred to the Engrossing Clerk

HB 747—A bill to be entitled An act relating to electrical standards, amending s 553 19, F S ; prescribing minimum electrical standards, providing an effective date

—was read the second time by title

Representative Tobiasen offered the following amendment

Amendment 1—On page 1, line 9, strike everything after the enacting clause, and insert Section 1 Section 553 19, Florida Statutes, is amended to read

553 19 Adoption of electrical standards —For the purpose of establishing minimum electrical standards in this state, the following standards are adopted:

(e) LIMITED OPERATION OF SOME PROVISIONS --

(1) All justices of the supreme court, judges of the district courts of appeal and circuit judges in office upon the effective date of this article shall retain their office to the remainder of their respective terms. All members of the judicial qualifications commission in office upon the effective date of this article shall retain their offices for the remainder of their respective terms. Each state attorney in office on the effective date of this article shall retain his office for the remainder of his term.

(2) No justice or judge holding office immediately after this article becomes effective who held judicial office on July 1, 1957, shall be subject to retirement from judicial office because of age pursuant to section 8 of this article.

(f) Until otherwise provided by law, the nonjudicial duties required of county judges shall be performed by the judge of the county court.

(g) All provisions of Article V of the Constitution of 1885, as amended, not embraced herein which are not inconsistent with this revision shall become statutes subject to modification or repeal as are other statutes.

(h) The requirements of section 14 relative to all county court judges or any judge of a municipal court who continues to hold office pursuant to subsection (d)(4) hereof being compensated by state salaries shall not apply prior to January 3, 1977, unless otherwise provided by general law.

(i) DELETION OF OBSOLETE SCHEDULE ITEMS --The legislature shall have power, by concurrent resolution, to delete from this article any subsection of this section 20 including this subsection, when all events to which the subsection to be deleted is or could become applicable have occurred. A legislative determination of fact made as a basis for application of this subsection shall be subject to judicial review.

(j) EFFECTIVE DATE Unless otherwise provided herein, this article shall become effective at 11:59 o'clock P.M., Eastern Standard Time, January 1, 1978.

--was taken up, having been read the second time on May 3. On motion by Rep. Dunbar, the concurrent resolution was adopted. The vote was

Yeas--104

The Chair	Dudley	Kelly	Richmond
Abrams	Dunbar	Kutun	Robinson
Armstrong	Easley	Lawson	Rochlin
Arnold	Evans-Jones	Lehtinen	Ros
Bankhead	Figg	Liberti	Sample
Bass	Friedman	Lippman	Sanderson
Brantley	Gallagher	Locke	Sansom
Bronson	Gardner	Logan	Selph
Brown, T. C.	Grant	Mackenzie	Shackelford
Burke	Grindle	Martinez	Shelley
Burnsed	Gustafson	McEwan	Simon
Burrall	Hanson	Meffert	Simone
Carlton	Hargrett	Messersmith	Smith
Carpenter	Harris	Metcalf	Spaet
Casas	Hawkins, L. R.	Mitchell	Stewart
Clark	Hawkins, M. E.	Morgan	Titone
Clements	Hazouri	Murphy	Tobiassen
Combee	Healey	Nergard	Tobin
Cortina	Hill	Ogden	Upchurch
Cosgrove	Hodges	Pajcic	Wallace
Crady	Hollingsworth	Peeples	Ward
Crotty	Jamerson	Press	Watt
Danson	Johnson, B. L.	Ready	Webster
Dantzler	Johnson, R. M.	Reaves	Weinstock
Davis	Jones, C. F.	Reddick	Woodruff
Deutsch	Jones, D. L.	Reynolds	Young

Nays--1
Williams

On motion by Rep. Dunbar, the concurrent resolution was immediately certified to the Senate.

HB 171--A bill to be entitled An act relating to pugilistic exhibitions, amending s. 548.03, F.S., relating to the regulation of pugilistic exhibitions, to remove language relative to wagering and to clarify application of the exemption from regulation, providing an effective date.

--was taken up, having been read the second time and amended on May 3, now pending on motion by Rep. Brantley to adopt Amendment 3. Without objection, the amendment was withdrawn.

Representative Ready offered the following amendment:

Amendment 4--On pages 1-2, strike everything after the enacting clause and insert Section 14-27, Florida Statutes, is created to read:

14-27 State Athletic Commission --The State Athletic Commission is hereby created under the Department of Business Regulation, consisting of three members appointed by the Governor, subject to confirmation by the Senate. For the initial appointments, one member shall be appointed for a 1-year term, one for a 2-year term, and one for a 3-year term. Upon the expiration of the terms of the initial commissioners, the Governor shall appoint their successors, each to serve for a 4-year term. The commission shall administer the provisions of chapter 548.

Section 2. Sections 548.0401, 548.041, 548.05, 548.06, 548.07, 548.08, 548.09, 548.10, 548.11, 548.12, 548.13, 548.14, 548.15, 548.16, 548.17, 548.18, 548.19, 548.20, 548.21, 548.22, 548.23, 548.24, 548.26, 548.27, 548.28, 548.29, 548.30, 548.31, 548.32, 548.33, 548.34, 548.35, 548.36, 548.37, 548.38, 548.39, 548.40, 548.41, 548.42, 548.43, 548.44, 548.45, 548.46, 548.47, 548.48, and 548.49, Florida Statutes, are created to read:

548.0401 Short title --Sections 548.0401 through 548.49 shall be known and may be cited as the "Joe Lang Kershaw Act."

548.041 State Athletic Commission, members, compensation, etc. --The State Athletic Commission, as created by s. 14-27, shall administer the provisions of this chapter. Each member of the commission shall be compensated at the rate of \$25 for each day he attends a commission meeting, and shall be reimbursed for other expenses as provided in s. 112.061. The commission shall maintain an office in the City of Tallahassee and any necessary branch offices. The initial chairman shall be appointed by the Governor, but thereafter at the first meeting of the commission after June 1 of each year the commission shall select a chairman from among its membership. The members of the commission may, at their first meeting after their appointment, adopt rules to implement this chapter. Two members shall constitute a quorum and the concurrence of at least two members is necessary for official commission action.

548.05 Secretary, deputies, duties, compensation --

(1) The commission shall employ an executive secretary who shall receive a salary to be fixed by the commission with the approval of the Governor. The secretary shall keep a record of all proceedings of the commission and shall preserve all books, papers, and documents pertaining to the business of the commission. He shall prepare any notices and papers required and perform such other duties as the commission directs. He may issue witness subpoenas and administer oaths.

(2) The commission may appoint any deputies as are necessary, whose compensation shall be the same as that of the commissioners. The deputies shall, on the order of the commission, represent the commission at any boxing match.

548.06 Definitions, construction --As used in this act:

(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) "Commission" means the State Athletic Commission

(3) "Contest" means a boxing engagement in which the boxers strive earnestly to win

(4) "Exhibition" means a boxing engagement in which the participants show or display their skill without necessarily striving to win

(5) "Foreign copromoter" means a promoter who has no place of business within this state

(6) "Judge" means a person, other than a referee, who has a vote in determining the winner of any contest

(7) "Manager" means any person who directly or indirectly controls or administers the boxing affairs of any boxer

(8) "Matchmaker" means a person who brings together professionals or arranges matches for professionals

(9) "Match" means any contest or exhibition

(10) "Physician" means an individual licensed to practice medicine and surgery in this state

(11) "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

(12) "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

(13) "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

548 07 Act not to apply to amateur matches — This act shall not apply to any match in which the participants are amateur boxers, nor to any match conducted or sponsored by any university, college, or secondary school if all the boxers are students regularly enrolled in the institutions, nor does it apply to any official Olympic event

548 08 Power of commission to control boxing — The commission has exclusive jurisdiction over all matches held within the state except those specifically exempted from this chapter. Matches shall be held only in accordance with this chapter. Nothing in this act shall be construed to prohibit the operation of any county or municipal boxing commissions which otherwise comply with the requirements of this act

548 09 Age of boxers — No person under 18 years of age may participate in any match

548 11 Physician to be in attendance, examinations —

(1) The commission shall assign a physician to each match who shall observe the physical condition of the boxers and advise the commissioner or deputy in charge and the referee of the boxers' condition before and during the match. The commission shall establish a schedule of fees for the physician's services. The physician's fee shall be paid by the promoter of the match attended by the physician

(2) In addition to any other required examination, each boxer shall be examined by the attending physician within 3 hours before he enters the ring. If the physician determines a boxer is physically or mentally unfit to proceed, the physician shall notify any commissioner or the deputy in charge who shall immediately cancel the match. The examination shall conform to rules adopted by the commission based on the advice of the medical advisory board. The results of the examination shall be in writing, signed by the physician and filed with the commission within 48 hours after the match

548 12 Weights and classes, limitations, gloves —

(1) The commission shall establish classes of boxers based upon weights

(2) No match shall be held in which the difference in weight of the boxers exceeds 10 pounds, except matches in the light heavy-weight and heavyweight classes and exhibitions held solely for training purposes

(3) All boxers shall wear boxing gloves weighing not less than 6 ounces each

548 13 Attendance of referee and judges, scoring, seconds —

(1) At each match involving a professional, except an exhibition held solely for training purposes, at the expense of the promoter, a referee designated by the commission shall direct and control the match

(2) Also at each contest, at the expense of the promoter, two licensed judges shall attend and shall, together with the referee, render their individual decisions, in writing, on scorecards supplied by the commission at the end of each contest which continues for the scheduled number of rounds. Each judge and the referee shall have one vote, and a majority of the votes cast shall determine the winner

(3) The commission shall prescribe the methods of scoring

(4) Before the start of any match, the referee shall obtain the name of each boxer's chief second. The chief second shall be responsible for the conduct of his assistants during the match

548 14 Duty of disclosure — Each licensee shall, immediately after learning thereof, disclose to the commission, the deputy in charge, the attending physician, or the referee, all information in his possession concerning any mental or physical disability, injury, illness, or incapacity of any boxer

548 15 Sham or collusive contest prohibited —

(1) No person shall knowingly conduct, participate in or be connected with a match which is represented to be a contest if one or both of the participants does not use his best efforts and skill or does not strive earnestly to win, or if the result thereof has been prearranged or if either participant does not use, or is prevented from using, his best efforts and skill as a result of coercion, bribery, duress, threats, reward or promise thereof, physical incapacity or disability, suggestion or agreement, or any other improper or unlawful means

(2) If a licensee has knowledge of an act prohibited by subsection (1), he shall immediately report it to the commission. The report shall be in writing or, if oral, shall be immediately reduced to writing and shall contain all of the licensee's reasons for the conclusions set forth in his report

(3) A violation of this section is a misdemeanor of the second degree, punishable as provided in s 775 082, s 775 083, or s 775 084

548 16 Distribution of purses to boxers, statements —

(1) Unless otherwise directed by a representative of the commission, all purses shall be distributed by the promoter not later than 24 hours after the match. A written statement showing the distribution of the purse, including each item of receipt and each expenditure or deduction, shall be furnished to the boxer and his manager, together with the boxer's share of the purse. The promoter shall file a copy, certified by him to be correct with receipted vouchers for all expenditures and deductions, with the commission no later than 48 hours after the match

(2) Unless otherwise directed by a representative of the commission, each manager shall furnish a statement of distribution to the boxer he manages, together with the boxer's share of the purse, not later than 24 hours after he receives the purse and statement from the promoter. The manager shall file a copy, certified by him to be correct, with receipted vouchers for all expenditures and deductions, with the commission no later than 48 hours after he receives the distribution from the promoter

548 17 Withholding of purses, hearing, disposition of withheld purse —

(1) Any member of the commission, the deputy in charge, or the referee, may order a promoter to withhold any purse or other funds payable to a boxer, or to withhold the share of any manager, if it appears that the boxer is not competing honestly in a match represented to be a contest or is intentionally not competing to the best of his ability and skill in a match represented to be a contest, or if it appears that the boxer, his manager, or any of his seconds has violated this chapter

(2) Any purse so withheld shall be delivered by the promoter to the commission upon demand. Within 10 days after the match, the person from whom the sum was withheld may apply in writing to the commission for a hearing. Upon receipt of the application, the commission shall fix a date for a hearing. Within 10 days after the hearing or after 10 days following the match, if no application for a hearing is filed, the commission shall meet and determine the disposition to be made of the withheld purse. If the commission finds the charges sufficient, it may declare all or any part of the funds forfeited. If the commission finds the charges not sufficient upon which to base a withholding order, it shall immediately distribute the withheld funds to the persons entitled thereto.

548 18 Payments regulated —

(1) No promoter or foreign copromoter may pay, lend, or give a contestant an advance against his purse before a contest, except with the prior written permission of a commissioner, and then only for expenses for transportation and maintenance in preparation for a contest.

(2) If a contestant's purse is forfeited, the commission may include any payments or advances as part of the forfeiture, and if he does not forward such amount to the commission, it may be recovered in the same manner as a debt due the state.

548 19 Insurance —The commission may, by rule, require boxers to be covered by not less than \$5,000 of insurance for medical, surgical, and hospital care resulting from injuries sustained while preparing for or engaged in matches. The insured shall be the beneficiary of such policies. The commission may also require boxers to be covered by not less than \$5,000 of life insurance covering deaths caused by injuries received while preparing for or engaged in matches.

548 20 Power of commission to issue, withhold, suspend or revoke licenses and permits —The commission has exclusive jurisdiction to issue, withhold, suspend, or revoke any license or permit provided for in this chapter.

548 21 Promoters' licenses —No promoter may, directly or indirectly, promote any match involving a professional, unless the promoter has been issued a license therefor by the commission. A violation of this section is a misdemeanor of the second degree, punishable as provided in s 775 082, s 775 083, or s 775 084.

548 22 Foreign Copromoters to procure license.—

(1) No foreign copromoter may directly or indirectly participate in the promotion of or receive any remuneration from or render any services in connection with any match involving a professional, unless the foreign copromoter has been issued a license therefor by the commission. No promoter may be associated with any foreign copromoter in promoting any match, unless the foreign copromoter has been issued a license.

(2) A foreign copromoter by accepting a license agrees to be subject to all the provisions of this chapter.

(3) A violation of this section is a misdemeanor of the second degree, punishable as provided in s 775 082, s 775 083, or s 775 084.

548 23 Other licenses required —

(1) A professional boxer, manager, second, trainer, matchmaker, timekeeper, referee, judge, announcer, physician, or booking agent or representative of a booking agent shall be licensed before directly or indirectly acting in such capacity in connection with any match involving a professional.

(2) A violation of this section is a misdemeanor of the second degree, punishable as provided in s 775 082, s 775 083, or s 775 084.

548 24 Permits required —In addition to a promoter's license, each promoter shall procure a permit for each program of matches before presenting the program. Each application for a permit shall specify the location and time of the program.

548 26 Local prohibiting ordinance —No permit may be issued for a match to be held within any political subdivision of this state which has adopted any local ordinance or resolution prohibiting such matches.

548 27 Applications for licenses and permits —Each application for a license or a permit shall

(1) Be in writing on a form supplied by the commission.

(2) Be verified by the applicant.

(3) Be complete and have attached any photographs and other exhibits required.

548 28 Oral examinations —The commission may require any applicant or any officer, director, employee, or stockholder of a corporate applicant, to appear before the commission for an oral examination, under oath, as to his qualifications before taking action on his application.

548 29 Fingerprints —The commission shall require the fingerprints of each applicant and may require the fingerprints of any officer, director, employee, or stockholder of a corporate applicant to be filed.

548 30 License fees —

(1) The commission shall set license fees as follows:

(a) Promoter, foreign copromoter, matchmaker—not to exceed \$500.

(b) All other licenses—not to exceed \$100.

(2) Each license shall expire on December 31 next following the date on which it was issued.

548 31 Permit fees —The commission shall set permit fees based on seating capacity of the premises where the program is to be presented as follows:

(1) If the seating capacity is less than 2,000, the fee shall not exceed \$50.

(2) If the seating capacity is 2,000 or more but does not exceed 5,000, the fee shall not exceed \$100.

(3) If the seating capacity exceeds 5,000, the fee shall not exceed \$250.

548.32 Payments to state, exemptions —

(1) A promoter holding a match shall, within 72 hours after the match, file with the commission a written report including the number of tickets sold, the amount of gross receipts, and any other facts the commission may require. For the purposes of this chapter, total gross receipts includes

(a) The gross price charged for the sale or lease, of broadcasting, television, and motion picture rights without any deductions for commissions, brokerage fees, distribution fees, advertising, or other expenses or charges,

(b) The portion of the receipts from the sale of souvenirs, programs, and other concessions received by the promoter,

(c) The face value of all tickets sold and complimentary tickets issued.

(2) The written report shall be accompanied by a tax payment in the amount of 5 percent of the total gross receipts.

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

(b) Any promoter who willfully fails, neglects, or refuses to make a report, or to pay the taxes as prescribed, or who refuses to allow the commission to examine the books, papers, and records of any promotion is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

548.33 Closed circuit television.—Each person or club holding or showing any boxing or sparring matches on a closed circuit telecast viewed within this state, whether originating within this state or another state, shall file a written report, under oath, stating the exact number of tickets sold for the showing, the amount of gross receipts, and any other information the commission requires, and shall, within 72 hours after the telecast, pay a tax of 5 percent of its total gross receipts.

548.34 Medical advisory board, qualifications, compensation, powers and duties.—

(1) A medical advisory board is created, consisting of five members appointed by the Governor. Two of the initial members shall be appointed for terms of 1 year, one for a term of 2 years, one for a term of 3 years, and one for a term of 4 years. The Governor shall designate one of the members of the board as its chairman. The term of each member thereafter appointed, except to fill a vacancy, is 4 years.

(2) Each member shall be licensed to practice medicine in this state and shall, at the time of his appointment, have practiced medicine at least 5 years.

(3) Each member shall be paid per diem for each day that he performs his duties under this chapter, and shall be reimbursed for his expenses as provided in s. 112.061.

(4) The board shall prepare and submit, to the commission, standards for the physical and mental examination of boxers. No standard shall become effective until approved by the commission. The board shall recommend physicians qualified to make the examinations of boxers required by this chapter and shall perform any other duties as the commission may direct.

548.35 Control of contracts.—

(1) The commission shall adopt rules governing the form and content of contracts between promoters, foreign copromoters and professionals. All such contracts shall be in writing.

(2) Each contract between a manager and a professional shall contain provisions governing its duration, division of the professional's purses, and any minimum sum guaranteed annually to the professional by the manager. Each contract shall provide that the contract is automatically terminated if the license of either party is revoked by the commission or if the manager fails to renew his license within 30 days after its expiration date. If the license of either party is suspended, the contract shall not be binding upon the other party during the period of suspension.

(3) Each contract subject to this section shall contain the following clause: "This agreement is subject to the provisions of chapter 548, Florida Statutes, and to the rules of the State Athletic Commission and to any future amendments of either."

548.36 Misdemeanor to destroy tickets.—It is a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, for any promoter or person associated with or employed by any promoter to destroy any ticket to a match, or ticket stub, whether sold or unsold, within 6 months after the date of the match, except upon prior written authorization of the commission.

548.37 Ticket refunds.—

(1) Upon postponement, substitution of either participant, or cancellation of the main event or the entire program of matches,

the promoter shall refund the full purchase price of each ticket to any person presenting a ticket for a refund within 30 days after the scheduled date of the event. Within 10 days after the expiration of the 30-day period, the promoter shall first obtain a permit and then shall pay all unclaimed ticket receipts to the commission. The commission shall hold the funds for 1 year and make refunds during such time to any person presenting a ticket for a refund. Thereafter, the commission shall pay all remaining moneys from the ticket sale to the State Treasurer for deposit into the General Revenue Fund.

(2) The commission may declare a promoter's or foreign copromoter's bond or other security forfeited, suspend or revoke his license, and impose any other penalty provided, for failure to comply with this section.

548.38 Admissions not to exceed seating capacity.—It is a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, for any promoter to sell or cause to be sold more tickets of admission for any match than can be accommodated by the seating capacity of the premises where the match is to be held.

548.39 Age of spectators.—No person under 16 years of age may attend any match unless accompanied by an adult, unless the exhibition is of an amateur status.

548.40 Promoters and foreign copromoters required to file bonds.—

(1)(a) Before any license is issued or renewed to a promoter or foreign copromoter and before any permit is issued to a foreign copromoter, he shall file a surety bond with the commission in a reasonable amount, but not less than \$3,000, as the commission determines.

(b) All bonds shall be upon forms approved by and supplied by the commission.

(c) The sufficiency of any surety is subject to approval of the commission.

(d) A surety bond shall be conditioned upon the faithful performance by the promoter or foreign copromoter of his obligations under this chapter and the fulfillment of his contracts with any other licensees under this chapter. However, the aggregate annual liability of the surety for all obligations and fees shall not exceed the amount of the bond.

(2) In lieu of a surety bond, the promoter or foreign copromoter may deposit with the commission cash, a certified check, or direct obligations of the United States or this state acceptable to the commission, in an equivalent amount and subject to the same conditions as the bond. No security may be returned to the promoter until 1 year after the date on which it was deposited with the commission unless a surety bond is substituted for it. If no claim against the deposit is outstanding, it shall be returned to the depositor 1 year from the date it was deposited.

(3) A filing fee of \$10 shall accompany each bond, cash, or security deposited under this section.

(4) The commission is authorized to collect on escheated bonds in the same manner as elsewhere provided by law for such collection by the Department of Business Regulation.

548.41 Commission hearings.—Notwithstanding the provisions of chapter 120, any member of the commission may conduct a hearing. Before any adjudication is rendered, a majority of the members of the commission shall examine the record and approve the adjudication and order.

548.42 Subpoenas.—In addition to the powers of subpoena in chapter 120, each member of the commission may issue subpoenas requiring the attendance and testimony of or the production of books and papers by any person whom the commission believes to have information or documents of importance to any commission investigation.

548 43 Suspension of licenses or permits —Notwithstanding any provision of chapter 120, any two members of the commission may, upon their own motion, or upon the verified written complaint of any person charging a licensee or permittee with violating this chapter, suspend any license or permit until final determination by the commission, if such action is necessary to protect the public welfare and the best interests of boxing. The commission shall hold a hearing within 10 days after the date on which the license or permit is suspended.

548 44 Suspension or revocation of licenses —The commission may suspend, refuse to issue, or revoke a license or permit if the commission finds that the licensee or permittee

- (1) Is guilty of violating this chapter or the rules of the commission
- (2) Has committed fraud or deceit in securing any license or permit
- (3) Has been convicted, or pleaded guilty, or entered a plea of nolo contendere, or has been found guilty of a crime involving moral turpitude in any jurisdiction within 10 years preceding the suspension or revocation
- (4) Is guilty of unprofessional or unethical conduct
- (5) Has made a misstatement of a material fact, fraudulently concealed a material fact, or induced or aided another person in misstating or concealing any material fact in any application or other proceeding under this chapter
- (6) Has failed to account for or pay over moneys belonging to others which have come into his possession in connection with a match
- (7) Has failed to furnish to the proper party a copy of any contract or statement required by this chapter or has breached such a contract
- (8) Has paid or agreed to pay any money or article of value to any licensee or permittee for soliciting or for business secured or for rendering any service or the doing of any of the acts forbidden by this chapter and the rules adopted hereunder
- (9) Has loaned his license or permit to another person or has borrowed or used the license or permit of another
- (10) Has employed a person who does not hold a license or permit as required by law
- (11) Has failed to maintain in force the bond required by this chapter or has failed to deposit with the commission the required cash, check, or securities
- (12) Has been disciplined by the State Athletic Commission or similar agency or body of any jurisdiction
- (13) Has failed to pay a fine imposed under this chapter

548 45 Misdemeanors —Unless otherwise specified, any person convicted of any offense set forth in this chapter is guilty of a misdemeanor of the second degree, punishable as provided in s 775 082, s 775 083, or s 775 084

548 46 Fines —The commission may impose a fine of not more than \$5,000 for any violation of this chapter in lieu of or in addition to any other punishment provided for such violation

548 47 Financial interest in boxer prohibited —

- (1) No member of the commission or employee thereof, nor any physician, referee, judge, or promoter licensed by the commission may have any direct or indirect financial or pecuniary interest in any boxer
- (2) No manager, trainer, or second of any boxer shall have any direct or indirect financial or pecuniary interest in the opponent in any contest in which his own boxer participates. Nor shall any boxer have any direct or indirect financial or pecuniary interest in

his opponent in any contest. A violation of this section is a misdemeanor of the second degree, punishable as provided in s 775 082 or s 775 083

548 48 Fees, fines, and forfeitures —

(1) All fees, fines, forfeitures, and other moneys collected under the provisions of this chapter shall be paid by the commission into the State Athletic Commission Operating Trust Fund, which fund is hereby created. Moneys remaining in the trust fund at the end of any fiscal year which exceed 25 percent of the current year's operating budget shall be transferred to the General Revenue Fund. The commission shall expend annually no more than is collected in that fiscal year. In fiscal year 1984 1985 the commission may draw against the Pari-mutuel Trust Fund no more than \$100,000 as a loan to the above-named trust fund. This debt must be retired in full by June 30, 1985.

(2) The license fees, permit fees, and gross receipts tax levied pursuant to this chapter shall be in addition to all other taxes, fees, and licenses which are imposed on boxing exhibitions or promoters.

(3) The same duties and privileges, except as provided in s 212 12 (1), imposed by chapter 212 upon dealers in tangible property concerning the collection and remission of tax, the making of returns, the keeping of books, records, and accounts, and compliance with the rules of the enforcing agency in the administration of that chapter shall apply to and be binding upon all persons who are subject to the permit fee, license fee, and gross receipts tax provisions of this chapter.

548 49 Rules —The commission may adopt rules to implement this chapter.

Section 3 Section 548 03, Florida Statutes, is amended to read

548 03 "Pugilistic exhibition" defined —The term "pugilistic exhibition, encounter or fight with or without gloves," as used in this chapter, means any voluntary fight or personal encounter, by blows, between two or more persons, for money, prize of any character, points, distinction or fame, or other thing of value, or upon the results of which any money or thing of value is bet or wagered, or for which an admission fee is charged, directly or indirectly, provided, that nothing contained herein or in any law or municipal regulation shall be construed as applying to pugilistic boxing exhibitions held by and under the auspices of any nationally chartered veterans' organization registered with the state the American Legion, Disabled American Veterans, Veterans of Foreign Wars of the United States, Spanish American War Veterans, or companies or detachments of the Florida National Guard, Y M C A, Jaycees, Knights of Columbus, or any college which is a member of any recognized amateur athletic association and the Circulo Cubana Club, a charitable organization now in existence, whether an admission fee is charged or not, provided further, that nothing contained herein shall be construed to prohibit any municipality from exercising its police powers to regulate pugilistic boxing and wrestling exhibitions held under the auspices of the above-named organizations. The term "pugilistic exhibition" shall not include those boxing matches subject to regulation by the State Athletic Commission.

Section 4 Section 14 27 and chapter 548, Florida Statutes, are repealed on October 1, 1994, and shall be reviewed pursuant to section 11 611, Florida Statutes

Section 5 This act shall take effect October 1, 1984

Rep Ready moved the adoption of the amendment, which was adopted

Representatives Reynolds and Ready offered the following amendment

Amendment 5—On page 6, line 5, after the word "any" insert professional

Rep Reynolds moved the adoption of the amendment, which was adopted

Representative Ready offered the following title amendment

Amendment 6—On page 1, lines 1-7, strike the entire title, and insert "A bill to be entitled An act relating to pugilistic exhibitions, creating s 14 27, F S, creating the State Athletic Commission under the Department of Business Regulation, providing for appointment of members, creating ss 548 0401-548 49, F S, providing for compensation and terms of office of members of the commission, providing for the adoption of rules, providing for an executive secretary and defining his duties, providing definitions, regulating boxing in the state, exempting amateur matches, schools and Olympic events, granting exclusive jurisdiction over all boxing matches to the commission, providing rules and requirements for boxing, establishing a minimum age for boxers, requiring a physician, referees, and judges to be in attendance, establishing weight and class limitations, methods of scoring, and other safety regulations, providing for certain disclosure, prohibiting collusive or sham contests, regulating purses and their disbursement, providing for hearings, requiring insurance, requiring certain persons to be licensed, requiring permits for boxing matches, establishing procedures for licensing, establishing license and permit fees requiring the disclosure of receipts from boxing contests, establishing a percent gross receipts tax; providing penalties, establishing a medical advisory board, regulating the contracts and tickets of admission relating to boxing matches, requiring certain persons to post bond or other security prior to licensing, authorizing the commission to hold hearings, to issue subpoenas, to suspend or revoke licenses, and to impose fines, providing criminal penalties, prohibiting certain conflicts of interest, providing for the deposit of permit fees, license fees, and gross receipts tax proceeds, imposing penalties, amending s 548 03, F S, relating to the definition of the term "pugilistic exhibition", providing for future repeal and review, providing an effective date

Rep Ready moved the adoption of the amendment, which was adopted without objection Under Rule 8 19, the bill was referred to the Engrossing Clerk

HB 857—A bill to be entitled An act relating to dependent and delinquent children, repealing chapters 414 and 416, F S, relating to county aid to poor mothers with dependent children and to county detention homes and schools for delinquent children, providing an effective date

—was read the second time by title and, under Rule 8 19, referred to the Engrossing Clerk

CS for SB 353—A bill to be entitled An act relating to insurance, amending s 625 461, F S, prohibiting acquisition by certain persons of controlling stock in certain companies, providing for disapproval of acquisitions made in violation of the section under certain circumstances, providing for the suspension or revocation of certificates of authority of domestic insurance companies when control of such insurer was acquired through unlawful stock acquisition, providing for notice and hearing and the issuance of orders, providing severability, providing an effective date

—was read the second time by title and, under Rule 8 19, referred to the Engrossing Clerk

REP HODGES IN THE CHAIR

By the Committee on Health & Rehabilitative Services and Representative Figg—

CS/HB 29—A bill to be entitled An act relating to anatomical transfers, amending s 732 912, F S, expanding the list of persons who may make an anatomical gift to include any person authorized or under legal obligation to dispose of the decedent's body, providing for notice to certain persons, creating s 381 603, F S, prohibiting the sale, purchase, transfer, or advertising of human organs or tissue for valuable consideration, prohibiting for-profit corporations and their employees from transferring or arranging the transfer of an embryo for valuable consideration, amending s 732 910, F S, providing for legislative intent, providing an effective date.

—was read the first time by title On motion by Rep Figg, the rules were waived and the bill was read the second time by title

Representative Friedman offered the following amendment

Amendment 1—On page 2, line 9, strike all of line 9 and insert *if they are reasonably available, have been contacted and made aware of the proposed gift.*

Rep Friedman moved the adoption of the amendment

Representative Danson offered the following substitute amendment

Substitute Amendment 1—On page 2, lines 3-5, strike all of said lines and insert *time of his death.*

Rep Danson moved the adoption of the substitute amendment, which failed of adoption The vote was

Yeas—43

Armstrong	Danson	Hill	Sample
Bass	Dudley	Hollingsworth	Selph
Brantley	Easley	Johnson, B L	Shackelford
Bronson	Gallagher	Johnson, R M	Shelley
Brown, C	Gardner	Jones, D L	Simone
Carlton	Grindle	Lippman	Thomas
Carpenter	Hanson	Martinez	Tobiasen
Casas	Hargrett	Messersmith	Ward
Clements	Harris	Nergard	Watt
Cortina	Hawkins, L R	Robinson	Woodruff
Crotty	Hawkins, M E	Ros	

Nays—51

The Chair	Figg	Mackenzie	Sansom
Ahrams	Friedman	Martin	Simon
Arnold	Gordon	McEwan	Smith
Bailey	Grant	Metcalf	Spaet
Bell	Hazzouri	Mitchell	Stewart
Brown, T C	Healey	Ogden	Thompson
Burnsed	Jamerson	Pajcic	Titone
Clark	Jones, C F	Peeples	Tobin
Cradly	Kelly	Press	Wallace
Dantzler	Lawson	Reaves	Weinstock
Davis	Liberti	Reddick	Wetherell
Dunbar	Locke	Reynolds	Young
Evans-Jones	Logan	Rochlin	

The question recurred on the adoption of Amendment 1, which was adopted

Representative Hollingsworth offered the following amendment.

Amendment 2—On page 2, line 21, after the word "liver," insert *cornea.*

Rep Hollingsworth moved the adoption of the amendment

Rep Gordon raised a point of order under Rule 11 12 that a substantially similar bill by Rep Hollingsworth had been reported unfavorably by committee and the amendment was out of order In speaking to the point, Rep Hollingsworth stated that his bill related to stealing corneas and his amendment related to selling corneas, merely adding the word "cornea" to a list of other organs that could not be sold for profit The Chair ruled the amendment in order

The question recurred on the adoption of Amendment 2, which failed of adoption The vote was

Yeas—50

The Chair	Bankhead	Burrall	Cortina
Armstrong	Brantley	Carlton	Cosgrove
Arnold	Bronson	Casas	Cradly
Bailey	Burnsed	Clements	Danson

The Honorable H Lee Moffitt, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS HB 319, HBs 450, 456, 494, 502, 513, 516, 551, 595, 662, 678, 680, 736, 737, 738, 942, 990, 992, 993, 1021, 1022, 1023, 1024, 1025, 1031, 661, 413, 905

Joe Brown, Secretary

The above bills were ordered enrolled.

The Honorable H Lee Moffitt, Speaker

I am directed to inform the House of Representatives that the Senate has concurred in House amendments and passed SB 635, as amended

Joe Brown, Secretary

Bills and Joint Resolutions on Third Reading

Consideration of HB 360 was temporarily deferred

HB 171—A bill to be entitled An act relating to pugilistic exhibitions, creating s 14 27, F S, creating the State Athletic Commission under the Department of Business Regulation providing for appointment of members, creating ss 548 0401-548 49, F S, providing for compensation and terms of office of members of the commission, providing for the adoption of rules, providing for an executive secretary and defining his duties, providing definitions, regulating boxing in the state, exempting amateur matches, schools and Olympic events, granting exclusive jurisdiction over all boxing matches to the commission, providing rules and requirements for boxing, establishing a minimum age for boxers, requiring a physician, referees and judges to be in attendance, establishing weight and class limitations, methods of scoring, and other safety regulations, providing for certain disclosure, prohibiting collusive or sham contests, regulating purses and their disbursement, providing for hearings, requiring insurance, requiring certain persons to be licensed, requiring permits for boxing matches, establishing procedures for licensing; establishing license and permit fees, requiring the disclosure of receipts from boxing contests, establishing a percent gross receipts tax, providing penalties, establishing a medical advisory board, regulating the contracts and tickets of admission relating to boxing matches, requiring certain persons to post bond or other security prior to licensing, authorizing the commission to hold hearings, to issue subpoenas, to suspend or revoke licenses, and to impose fines, providing criminal penalties, prohibiting certain conflicts of interest, providing for the deposit of permit fees, license fees, and gross receipts tax proceeds, imposing penalties, amending s 548 03, F S, relating to the definition of the term "pugilistic exhibition", providing for future repeal and review, providing an effective date

—was read the third time by title

Representative Ready offered the following amendment

Amendment 7—On page 5, line 18, after the comma insert any nationally chartered veterans' organization registered with the state, any company or detachment of the Florida National Guard,

Rep Ready moved the adoption of the amendment, which was adopted without objection

Representative Ready offered the following amendment

Amendment 8—On page 21, lines 5 through 30 and on page 22, lines 1 through 2, strike all of said lines and insert Section 3 Section 548 03 Florida Statute is hereby repealed

Rep Ready moved the adoption of the amendment, which was adopted without objection

Representative Ready offered the following title amendment

Amendment 9—On page 2, line 10, strike the word "amending" and insert repealing

Rep Ready moved the adoption of the amendment, which was adopted without objection

The question recurred on the passage of HB 171 The vote was

Yeas—105

The Chair	Drage	Kelly	Sample
Abrams	Dudley	Lawson	Sanderson
Armstrong	Dunbar	Lewis	Sansom
Arnold	Easley	Liberia	Seiph
Barley	Evans-Jones	Lippman	Shankelford
Bankhead	Figg	Locke	Shelley
Bass	Friedman	Logan	Silver
Brantley	Gardner	Mackenzie	Simon
Bronson	Gordon	Martin	Simone
Brown, C	Grant	Martinez	Smith
Brown, T C	Grindle	McEwan	Spaet
Burke	Hanson	Messersmith	Stewart
Burnsed	Hargrett	Metcalf	Thomas
Burrall	Harris	Mills	Thompson
Carlton	Hawkins, L R	Mitchell	Titone
Casas	Hawkins, M E	Murphy	Tobiasen
Clark	Hazouri	Nergard	Tobin
Clements	Healey	Patchett	Upchurch
Combee	Hill	Peoples	Wallace
Cortina	Hodges	Press	Ward
Cosgrove	Hollingsworth	Radv	Watt
Crady	Jamerson	Reaves	Webster
Crotty	Johnson, B L	Ruddick	Williams
Danson	Johnson, R C	Roynolds	Woodruff
Dantzler	Johnson, R M	Robinson	
Davis	Jones, C F	Rochlin	
Deutsch	Jones, D L	Ros	

Nays—None

Vote- after roll call

Yeas—Carpenter, Morgan, Gallagher, Kutun, Young
Yeas to Nays—M E Hawkins

So the bill passed, as amended On motion by Rep Ready, without objection, the rules were waived and the bill was immediately certified to the Senate after engrossment

HB 857—A bill to be entitled An act relating to dependent and delinquent children, repealing chapters 414 and 416, F S, relating to county aid to poor mothers with dependent children and to county detention homes and schools for delinquent children, providing an effective date

—was read the third time by title On passage the vote was

Yeas—104

The Chair	Carpenter	Dudley	Hazouri
Armstrong	Casas	Dunbar	Healey
Arnold	Clark	Easley	Hill
Barley	Clements	Evans-Jones	Hodges
Bankhead	Combee	Figg	Jamerson
Bass	Cortina	Gardner	Johnson, B L
Brantley	Cosgrove	Gordon	Johnson, R C
Bronson	Crady	Grant	Johnson R M
Brown, C	Crotty	Grindle	Jones C F
Brown, T C	Danson	Hanson	Jones, D L
Burke	Dantzler	Hargrett	Kelly
Burnsed	Davis	Harris	Kutun
Burrall	Deutsch	Hawkins, L R	Lawson
Carlton	Drage	Hawkins, M E	Lewis

McGowan	Reynolds	Spaet	Webster
Murphy	Robinson	Stewart	Weinstock
Neyland	Rochlin	Thomas	Wetherill
Paric	Ros	Titone	Williams
Peples	Sample	Tobiasen	Woodruff
Perkins	Sansom	Tobin	Young
Realty	Silver	Upchurch	
Reaves	Simon	Wallace	
Reddick	Smith	Ward	

Nays—11

Brantley	Danson	Grindle	Shackelford
Clayton	Dudley	Johnson, R. M.	Simone
Clements	Grant	Selph	

Votes after roll call

Aye to Nays—Webster

The bill passed, as amended by the Senate amendments. The bill was immediately certified to the Senate and the bill was ordered enrolled after engrossment.

The Honorable H. Lee Moffitt, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 171, with amendments, and requests the concurrence of the House.

Joe Brown, Secretary

The Committee on Veterans Affairs and Representative L. R. Hawkins and others—

HB 1714-A bill to be entitled An act relating to pugilistic exhibitions. Creating s. 14-27, F.S., creating the State Athletic Commission under the Department of Business Regulation, providing for appointment of members, creating ss. 548-0401-548-49, F.S., providing for compensation and terms of office of members of the commission, providing for the adoption of rules, providing for an executive secretary and defining his duties, providing definitions, exempting boxing in the state, exempting amateur matches, schools and Olympic events, granting exclusive jurisdiction over all boxing matches to the commission, providing rules and requirements for boxing, establishing a minimum age for boxers, requiring a physician, referees, and judges to be in attendance, establishing weight and class limitations, methods of scoring and other safety regulations, providing for certain disclosure, prohibiting collusive or sham contests, regulating purse and their disbursement, providing for ratings, requiring insurance, requiring certain persons to be licensed, requiring permits for boxing matches, establishing procedures for licensing, establishing license and permit fees, requiring the disclosure of receipts from boxing contests, establishing a percent loss receipt tax, providing penalties, establishing a medical advisory board, regulating the contracts and tickets of admission relating to boxing matches, requiring certain persons to post bond or other security prior to licensing, authorizing the commission to hold hearings, to issue subpoenas, to suspend or revoke licenses, and to impose fines, providing criminal penalties, prohibiting certain conflicts of interest, providing for the deposit of permit fees, license fees, and gross receipts tax proceeds, imposing penalties, repealing s. 548-03, F.S., relating to the definition of the term "pugilistic exhibition", providing for future repeal and review, providing an effective date.

Senate Amendment 1—On page 2 line 17, strike everything after the enacting clause and insert Section 1 Section 14-27, Florida Statutes, is created to read

14-27 State Athletic Commission.—The State Athletic Commission is hereby created under the Department of Business Regulation, consisting of three members appointed by the Governor, subject to confirmation by the Senate. For the initial appointments, one member shall be appointed for a 1-year term, one for a 2-year term, and one for a 3-year term. Upon the expiration of the terms of

the initial commissioners, the Governor shall appoint their successors, each to serve for a 4-year term. The commissioner shall administer the provisions of Chapter 548.

Section 2. Sections 548-041, 548-05, 548-06, 548-07, 548-08, 548-09, 548-10, 548-11, 548-12, 548-13, 548-14, 548-15, 548-16, 548-17, 548-18, 548-19, 548-20, 548-21, 548-22, 548-23, 548-24, 548-25, 548-26, 548-27, 548-28, 548-29, 548-30, 548-31, 548-32, 548-33, 548-34, 548-35, 548-36, 548-37, 548-38, 548-39, 548-40, 548-41, 548-42, 548-43, 548-44, 548-45, 548-46, 548-47, 548-48, and 548-49, Florida Statutes, are created to read

548-011 State Athletic Commission, members, compensation, etc.—The State Athletic Commission, as created by s. 14-27, shall administer the provisions of this chapter. Each member of the commission shall be compensated at the rate of \$1500 each day he attends a commission meeting, and shall be reimbursed for other expenses as provided in s. 11-001. The commission shall maintain an office in Tallahassee and any necessary branch offices. The initial chairman shall be appointed by the Governor, but thereafter at the first meeting of the commission after June 1 of each year the commission shall select a chairman from among its membership. The members of the commission may, at their first meeting after their appointment, adopt rules to implement this chapter. Two members shall constitute a quorum and the concurrence of at least two members is necessary for official commission action.

548-05 Secretary, deputies, duties, compensation—

(1) The commission shall employ an executive secretary who shall receive a salary to be fixed by the commission with the approval of the Governor. The secretary shall keep a record of all proceedings of the commission and shall preserve all books, papers, and documents pertaining to the business of the commission. He shall prepare any notices and papers required and perform such other duties as the commission directs. He may issue witness subpoenas and administer oaths.

(2) The commission may appoint any deputies as are necessary, whose compensation shall be the same as that of the commissioners. The deputies shall, on the order of the commission, represent the commission at any boxing match.

548-06 Definitions, construction—As used in this act

(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) "Commission" means the State Athletic Commission.

(3) "Contest" means a boxing engagement in which the boxers strive earnestly to win.

(4) "Exhibition" means a boxing engagement in which the participants show or display their skill without necessarily striving to win.

(5) "Foreign copromoter" means a promoter who has no place of business within this state.

(6) "Judge" means a person, other than a referee, who has a vote in determining the winner of any contest.

(7) "Manager" means any person who, directly or indirectly, controls or administers the boxing affairs of any boxer.

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

(9) "Match" means any contest or exhibition.

(10) "Physician" means an individual licensed to practice medicine and surgery in this state.

(11) "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.

(12) "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

(13) "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

548 07 Act not to apply to amateur matches — This act shall not apply to any match in which the participants are amateur boxers in any match conducted or sponsored by any university, college, or secondary school, if all the boxers are students regularly enrolled in the institutions, any nationally chartered veterans' organization registered with the state, any company or detachment of the Florida National Guard, nor does it apply to any official Olympic event

548 08 Power of commission to control boxing — The commission has exclusive jurisdiction over all matches involving a professional held within the state. Matches shall be held only in accordance with this chapter

548 09 Age of boxers — No person under 16 years of age may participate in any match, except that any amateur 16 or 17 years of age may participate in matches with other amateurs 16 or 17 years of age, under rules the commission adopts

548 10 Fictitious names — No person may participate under a fictitious or assumed name, in any match involving an amateur unless he has registered the name with the commission

548.11 Physician to be in attendance, examinations —

(1) The commission shall assign a physician to each match, who shall observe the physical condition of the boxers and advise the commissioner or deputy in charge and the referee of the boxer's condition before and during the match. The commission shall establish a schedule of fees for the physician's services. The physician's fee shall be paid by the promoter of the match attended by the physician

(2) In addition to any other required examination, each boxer shall be examined by the attending physician within 3 hours before he enters the ring. If the physician determines a boxer is physically or mentally unfit to proceed, the physician shall notify any commissioner or the deputy in charge who shall immediately cancel the match. The examination shall conform to rules adopted by the commission based on the advice of the medical advisory council. The results of the examination shall be in writing, signed by the physician and filed with the commission within 72 hours after the match

548 12 Weights and classes, limitations, gloves —

(1) The commission shall establish classes of boxers based upon weights

(2) No match shall be held in which the difference in weight of the boxers exceeds 10 pounds, except matches in the light heavy-weight and heavyweight classes and exhibitions held solely for training purposes

(3) All boxers shall wear boxing gloves weighing not less than 6 ounces each

548 13 Attendance of referee and judges, scoring, seconds —

(1) At each match involving a professional, except an exhibition held solely for training purposes, at the expense of the promoter, a referee designated by the commission shall direct and control the match

(2) Also at each contest, at the expense of the promoter, two licensed judges shall attend and shall, together with the referee, render their individual decisions, in writing, on scores and supplied by the commission at the end of each contest which continues for the scheduled number of rounds. Each judge and the referee shall have one vote, and a majority of the votes cast shall determine the winner

(3) The commission shall prescribe the methods of scoring

(4) Before the start of any match, the referee shall obtain the name of each boxer's chief second. The chief second shall be responsible for the conduct of his assistants during the match

548 14 Duty of disclosure — Each licensee shall, immediately after learning thereof, disclose to the commission, the deputy in charge, the attending physician, or the referee, all information in his possession concerning any mental or physical disability, injury, illness, or incapacity of any boxer

548 15 Sham or collusive contest prohibited

(1) No person shall knowingly conduct, participate in or be connected with a match which is represented to be a contest if one or both of the participants does not use his best efforts and skill or does not strive earnestly to win, or if the result thereof has been prearranged or if either participant does not use, or is prevented from using, his best efforts and skill as a result of coercion, bribery, duress, threats, reward or promise thereof, physical incapacity or disability, suggestion or agreement, or any other improper or unlawful means

(2) If a licensee had knowledge of an act prohibited by subsection (1), he shall immediately report it to the commission. The report shall be in writing or, if oral, shall be immediately reduced to writing and shall contain all of licensee's reasons for the conclusions set forth in his report

(3) A violation of this section is a misdemeanor of the second degree, punishable as provided in s. 775 082, s. 775 083, or s. 775 084

548 16 Distribution of purses to boxers, statements —

Unless otherwise directed by a representative of the commission, all purses shall be distributed by the promoter not later than 24 hours after the match. A written statement showing the distribution of the purse, including each item of receipt and each expenditure or deduction, shall be furnished to the boxer and his manager, together with the boxer's share of the purse. The promoter shall file a copy, certified by him to be correct with receipted vouchers for all expenditures and deductions, with the commission no later than 72 hours after the match

(2) Unless otherwise directed by a representative of the commission, each manager shall furnish a statement of distribution to the boxer he manages, together with the boxer's share of the purse not later than 24 hours after he receives the purse and statement from the promoter. The manager shall file a copy, certified by him to be correct, with receipted vouchers for all expenditures and deductions, with the commission no later than 72 hours after he receives the distribution from the promoter

548 17 Withholding of purses, hearing, disposition of withheld purse —

(1) Any member of the commission, the deputy in charge, or the referee, may order a promoter to withhold a purse or other funds payable to a boxer, or to withhold the share of any manager if it appears that the boxer is not competing honestly in a match represented to be a contest or is intentionally not competing to the best of his ability and skill in a match represented to be a contest, or if it appears that the boxer, his manager, or any of his seconds has violated this chapter

(2) Any purse so withheld shall be delivered by the promoter to the commission upon demand. Within 10 days after the match the person from whom the sum was withheld may apply in writing to the commission for a hearing. Upon receipt of the application, the commission shall fix a date for a hearing. Within 10 days after the hearing or after 10 days following the match, if no application for a hearing is filed, the commission shall meet and determine the disposition to be made of the withheld purse. If the commission finds the charges sufficient, it may declare all or any part of the funds forfeited. If the commission finds the charges not sufficient upon which to base a withholding order, it shall immediately distribute the withheld funds to the persons entitled thereto

14. Payments regulated.

548 19 Promoter or foreign promoter may pay, lend, or give a contestant an advance against his purse before a contest, except by prior written permission of a commissioner, and then only for expenses for transportation and maintenance in preparation for a contest.

(2) If a contestant's purse is forfeited, the commissioner may include any payments or advances at part of the forfeiture, and if he does he shall forward such amount to the commissioner, who may be recovered in the same manner as a debt due the state.

548 20 Insurance.—The commissioner may, by rule, require boxers to be covered by not less than \$5,000 of insurance, including medical and hospital care resulting from injuries sustained while preparing for or engaged in matches. The amount shall be the minimum of such policy. The commissioner may also require boxers to be covered by not less than \$5,000 of life insurance covering such injuries used by a prize received while preparing for or engaged in matches.

548 20 Power of commissioner to issue, withhold, suspend or revoke licenses and permits.—The commissioner has exclusive jurisdiction to issue, withhold, suspend, or revoke any license or permit provided for in this chapter.

548 21 Promoters' licenses.—No promoter may directly or indirectly promote any match involving a professional unless the promoter has been issued a license therefor by the commissioner. A violation of this section is a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

22. Foreign promoter to obtain license.—

(1) No foreign promoter may directly or indirectly participate in the promotion of, or receive any remuneration from or render any service in connection with any match involving a professional, unless a foreign promoter has been issued a license therefor by the commissioner. No promoter may be associated with any foreign promoter in promoting any match unless the foreign promoter has been issued a license.

(2) A foreign promoter by accepting a license agrees to be subject to all the provisions of this chapter.

(3) A violation of this section is a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

548 23 Other licenses required.—

(1) A professional boxer, manager, second trainer, matchmaker, timekeeper, referee, judge, announcer, physician, or booker, or any representative of a boxing gym shall be licensed before directly or indirectly acting in such capacity in connection with a match involving a professional.

(2) A violation of this section is a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

548 24 Refusal to issue license.—

The commissioner shall not issue a license to any person who in any jurisdiction has been convicted of any act which would constitute a violation of this chapter or any of the provisions set forth in this chapter for suspension or revocation of licenses or against whom such charges are pending before any regulatory body or who has been named in an information or indictment for any act which would constitute a violation of this chapter or a ground for suspension or revocation of a license.

548 25 Permit required.—

In addition to a promoter's license, each promoter shall procure a permit for each program of matches before presenting a program. Each application for a permit shall specify the location and time of the program.

548 26 Local prohibiting ordinance.—

No permit may be issued for a match to be held within any political subdivision of this state which has adopted any local ordinance or resolution prohibiting such matches.

548 27 Applications for license and permits.—Each application for a license or a permit shall:

- (1) Be submitted on a form supplied by the commissioner;
- (2) Be certified by the applicant;
- (3) Be complete and have attached any photographs and other exhibits required;

548 28 Oral examinations.—The commissioner may require any applicant, any officer, director, employee, or stockholder of a corporate applicant, to appear before the commissioner for an oral examination, under oath as to his qualifications before taking action on his application.

548 29 Fingerprinting.—The commissioner shall require in duplicate, during the appointment of an applicant and may require the fingerprints of any officer, director, employee, or stockholder of a corporate applicant to be taken by the commissioner or authorized to have fingerprints collected of any person from whom it is authorized to receive fingerprints. One set of fingerprints shall be filed in the Tallahassee office of the Department of Law Enforcement and the other set shall be filed in the office of the commissioner.

548 30 License fees.—

- (1) The commissioner shall set license fees as follows:
 - (a) Promoter, matchmaker—not to exceed \$500;
 - (b) All other licenses— not to exceed \$100.

(2) The commissioner may issue licenses, without charge, to referees and physicians authorizing them to officiate only at matches in this state.

(3) Each license shall expire on December 31 next following the date on which it was issued.

548 31 Permit fee.—The commissioner shall set permit fees based on seating capacity of the premises where the program is to be presented as follows:

- (1) If the seating capacity is less than 2,000, the fee shall not exceed \$50;
- (2) If the seating capacity is 2,000 or more but does not exceed 5,000, the fee shall not exceed \$100;
- (3) If the seating capacity exceeds 5,000, the fee shall not exceed \$250.

548 32 Payments to state, exceptions.—

(1) A promoter holding a match shall within 72 hours after the match, file with the commissioner a written report including the number of tickets sold, the amount of gross receipts, and any other facts the commissioner may require. For the purposes of this chapter, total gross receipts includes:

(a) The gross price charged for the sale or lease, of broadcasting television and motion picture rights without any deductions for commission, brokerage fees, distribution fees, advertising or other charges or credits;

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

(c) The face value of all tickets sold and complimentary tickets issued.

(2) The written report shall be accompanied by a tax payment in the amount of 5 percent of the total gross receipts exclusive of any federal tax.

(3) Any promoter who willfully makes a false and fraudulent report under this section is guilty of perjury, and, upon conviction, is liable to punishment as provided by law. Such penalty shall be in addition to any other penalties imposed by this chapter.

(2) Any promoter who willfully fails, neglects, or refuses to file a report, or to pay the taxes as provided, or who refuses to allow the commission to examine the books, papers, and records of any promoter is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

548 33 Closed circuit television.—Each person or club holding or showing any boxing or sporting matches on a closed circuit television within this state, whether originating within this state or another state, shall file a written report, under oath, stating the exact number of tickets sold for the showing, the amount of gross receipts, and any other information the commission requires, and shall, within 72 hours after the telecast, pay a tax of 5 percent of its total gross receipts from the sale of tickets.

548 34 Medical advisory council—qualifications, compensation, powers and duties.—

(1) A medical advisory council is created, consisting of five members appointed by the Governor. One of the initial members shall be appointed for terms of 1 year, one for a term of 2 years, one for a term of 3 years, and one for a term of 4 years. The Governor shall designate one of the members of the council as its chairman. The term of each member thereafter appointed, except to fill a vacancy, is 4 years.

(2) Each member shall be licensed to practice medicine in this state and shall, at the time of his appointment, have practiced medicine at least 5 years.

(3) Each member shall be paid per diem for each day that he performs his duties under this chapter, and shall be reimbursed for his expenses as provided in s. 112.061.

(4) The council shall prepare and submit to the commission, standards for the physical and mental examination of boxers. No standard shall become effective until approved by the commission. The council shall recommend physicians qualified to make the examinations of boxers required by this chapter and shall perform any other duties as the commission may direct.

548 35 Control of contracts.—

(1) The commission shall adopt rules governing the form and content of contracts between promoters, foreign copromoters and professionals. All such contracts shall be in writing.

(2) Each contract between a manager and a professional shall contain provisions governing its creation, division of the professional's purses, and any minimum sum guaranteed annually to the professional by the manager. Each contract shall provide that the contract is automatically terminated if the license of either party is revoked by the commission or if the manager fails to renew his license within 30 days after its expiration date. If the license of either party is suspended, the contract shall not be binding upon the other party during the period of suspension.

(3) Each contract subject to this section shall contain the following clause: "This agreement is subject to the provisions of chapter 548, Florida Statutes, and to the rules of the State Athletic Commission and to any future amendments of either."

548 36 Misdemeanor to destroy tickets.—It is a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, for any promoter or person associated with or employed by any promoter to destroy any ticket to a match, or ticket stub, whether sold or unsold, within 6 months after the date of the match, except upon prior written authorization of the commission.

548 37 Ticket refunds.—

(1) Upon postponement, substitution of either participant, or cancellation of the main event or the entire program of matches, the promoter shall refund the full purchase price of each ticket to any person presenting a ticket for a refund within 30 days after the scheduled date of the event. Within 10 days after the expiration of the 30-day period, the promoter shall pay all unclaimed ticket

receipts to the commission. The commission shall hold the funds for 1 year and may disburse funds during such time to any person presenting a ticket for a refund. Thereafter, the commission shall pay all remaining monies from the ticket sale to the State Treasurer for deposit into the General Revenue Fund.

(2) The commission may declare a promoter's or foreign copromoter's bond or other security forfeited, suspend or revoke his license, and impose any other penalty provided, for failure to comply with this section.

548 38 Admissions not to exceed seating capacity.—It is a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, for any promoter to sell or cause to be sold more tickets of admission to any match than can be accommodated by the seating capacity of the premises where the match is to be held.

548 39 Age of spectators.—No person under 16 years of age may attend any match unless accompanied by an adult or unless the exhibition is of amateur status.

548 40 Promoters and foreign copromoters required to file bonds.—

(1)(a) Before any license is issued or renewed to a foreign copromoter and before any permit is issued to a foreign copromoter, he shall file a surety bond with the commission in a reasonable amount, but not less than \$3,000, as the commission determines.

(b) All bonds shall be upon forms approved by the Department of Legal Affairs and supplied by the commission.

(c) The sufficiency of any surety is subject to approval of the commission and the Department of Legal Affairs.

(d) A surety bond shall be conditioned upon the faithful performance by the promoter or foreign copromoter of his obligations under this chapter and the fulfillment of his contracts with any other licensee under this chapter. However, the aggregate annual liability of the surety for all obligations and fees shall not exceed the amount of the bond.

(2) In lieu of a surety bond, the promoter or foreign copromoter may deposit with the commission cash, a certified check, or direct obligations of the United States or this state acceptable to the commission, in an equivalent amount and subject to the same conditions as the bond. No security may be returned to the promoter until 1 year after the date on which it was deposited with the commission unless a surety bond is substituted for it. If no claim against the deposit is outstanding, it shall be returned to the depositor 1 year from the date it was deposited.

(3) A filing fee of \$10 shall accompany each bond, cash, or security deposited under this section.

(4) Recovery may be made against any bond, cash, or other security in the same manner as penalties are recoverable at law.

548 41 Commission hearings.—Notwithstanding the provisions of chapter 120, any member of the commission may conduct a hearing. Before any adjudication is rendered, a majority of the members of the commission shall examine the record and approve the adjudication and order.

548 42 Subpoenas.—In addition to the powers of subpoena in chapter 120, each member of the commission may issue subpoenas requiring the attendance and testimony of or the production of books and papers by any person whom the commission believes to have information or documents of importance to any commission investigation.

548 43 Suspension of licenses or permits.—Notwithstanding any provision of chapter 120, any member of the commission may, upon his own motion, suspend or revoke the license or permit of any person who is argued to be in violation of this chapter, or suspend or revoke a permit until final determination by the commission, if he believes it is necessary to protect the public welfare and the best interests of the state. The commission shall hold a hear-

ing within 10 days after the date on which the license or permit is suspended.

548 41. Suspension or revocation of license.—The commission may suspend or revoke a license or permit if the commissioner finds that the licensee or permittee:

- (1) Is guilty of violating this chapter or the rules of the commission;
- (2) Has committed fraud or deceit in securing any license or permit;
- (3) Has been convicted, or pleaded guilty, or entered a plea of no contest, or has been found guilty, of a crime involving moral turpitude in any jurisdiction within 10 years preceding the expiration of the license;
- (4) Is guilty of unprofessional or unethical conduct;
- (5) Has made a false statement of a material fact, fraudulently concealed a material fact, or induced or aided another person in obtaining or procuring any material fact in an application or other proceeding under this chapter;
- (6) Has failed to account for or pay over to others which he has received into his possession and possession with a catch;
- (7) Has failed to turn over to the proper party a copy of any contract or statement of terms under this chapter or has breached a contract;
- (8) Has paid or agreed to pay any money or article of value to any licensee or permittee in conducting or the business of the licensee or permittee or the doing of any of the acts prohibited by this chapter and the rules adopted hereunder;
- (9) Has been bonded by license or permit to another person or has borrowed money from the licensee or permittee of another;
- (10) Has employed a person who does not hold a license or permit as required by law;
- (11) Has failed to maintain a fund for the bond required by this chapter or has failed to deposit with the commission the required cash, check, or securities;
- (12) Has been disciplined by the State Athletic Commission or a similar regulatory body of any jurisdiction;
- (13) Has failed to pay a fine imposed under this chapter.

548 5. Felony offenses.—Unless otherwise specified, any person who is convicted of an offense set forth in this chapter is guilty of a misdemeanor of the second degree, punishable as provided in s. 775 082, s. 775 083 or s. 775 084.

548 46. Fines.—The commission may impose a fine of not more than \$5,000 for any violation of this chapter in hearing or in addition to any other punishment provided for each violation.

548 47. Financial interest of boxer prohibited.—

- (1) No member of the commission or employee thereof, nor any referee, judge, or promoter licensed by the commission nor any attending physician may have any direct or indirect financial or pecuniary interest in any boxer.
- (2) No manager, trainer, or second of any boxer shall have any direct or indirect financial or pecuniary interest in the opponent in any contest in which his own boxer participates. No boxer shall have any direct or indirect financial or pecuniary interest in his opponent in any contest. A violation of this section is a misdemeanor of the second degree, punishable as provided in s. 775 082 or s. 775 083.

548 48. Fees, fines, and forfeiture.—All fees, fines, forfeitures, and other moneys collected under the provisions of this chapter shall be paid to the commission to the State Treasurer who shall disburse the same. The expenses of the commission are paid, shall be deposited in the General Revenue Fund.

548 49. Rules.—The commission may adopt rules to implement this chapter.

Section 3. Sections 548 01, 548 02, 548 03, and 548 04, Florida Statutes are hereby repealed.

Section 4. Sections 14 27 and chapter 548, Florida Statutes are repealed on October 1, 1984 and shall be revived pursuant to section 11 61, Florida Statutes.

Section 5. This act shall take effect October 1, 1984.

Senate Amendment 2.—In title, on page 1, line 1, strike everything before the enacting clause and insert: A bill to be entitled An act relating to professional limitations in boxing, to presentative Joe Lang Keenan, hearing p. 14 27, Florida Statutes created by the State Athletic Commission under the Department of Business Regulation, providing for appointment of members, creation of s. 548 01-548 49, Florida Statutes, providing for compensation and terms of office of members of the commission, providing for the adoption of rules providing for an executive secretary and defining his duties, providing definitions regulating boxing in this state, creating exclusive jurisdiction over boxing matches to the commission, providing rules and requirements for boxing, establishing a ranking system for boxers, requiring a physician, referees, and judges to be in attendance, establishing weight and class limitations, methods of scoring and other safety regulations, providing for certain closings, prohibiting collisions or sham contests, regulating purse and other disbursement, providing for hearings, requiring medical exams, requiring certain persons to be licensed, requiring permit for boxing matches, establishing procedures for licensing, establishing license and permit fees, requiring the disclosure of receipts from boxing contests, establishing a percent gross receipts tax, providing penalties, establishing a medical advisory council, regulating the contracts and tickets of admission relating to boxing matches, requiring certain persons to post bond or other security prior to licensing and requiring the commission to hold hearings, to be subpoenaed, to suspend or revoke licenses, and to impose fines, providing criminal penalties, prohibiting certain conflicts of interest, repealing ss. 548 01-548 04, Florida Statutes relating to professional limitations, providing for future repeal and revival, providing an effective date.

Representative Kutun and Ready offered the following amendment to Senate Amendment

House Amendment 1 to Senate Amendment 1.—On page 1, line 31 after the colon insert 548 0401. Short title.—Section 548 0401 titled 548 49 shall be known and may be cited as the Joe Lang Keenan Act.

Rep. Kutun moved the adoption of the amendment to the amendment, which was adopted without objection.

Representatives Kutun and Ready offered the following amendment to Senate Amendment

House Amendment 2 to Senate Amendment 1.—On page 1, line 24, after the word "Sections", insert 548 0401.

Rep. Kutun moved the adoption of the amendment to the amendment, which was adopted without objection.

On motions by Rep. Ready, the House concurred in the Senate amendments, as amended. The question recurred on the passage of HR 171. The vote was

Yeas—110

The Chair	Bohl	Colton	Cosgrove
Abraham	Buntley	Carpenter	Crady
Armstrong	Burson	Casas	Cratty
Arnold	Burton, C	Clark	Danson
Arvey	Burton, T	Clements	Dentler
Bankhead	Edwards	Combe	Dumas
Bass	Buried	Cortina	Dutsch

Age	Hodges	Morgan
Ally	Jones	Murphy
Anderson	Johnson, B. L.	Neard
Armstrong	Johnson, J. C.	Officer
Barber	Johnson, H. M.	Parsons
Beard	Johnson, C. F.	Parrott
Bedford	Jones, D. L.	Peppers
Bell	Kelly	Phelan
Belcher	Kurtz	Ready
Belmont	Layton	Reaves
Benson	Lehtinen	Reddick
Bentley	Lewis	Reynolds
Bishop	Liberti	Robinson
Bishop	Lupman	Roblin
Bishop	Loftis	Roys
Bishop	Loomis	Sampson
Bishop	McDonnell	Sanderson
Bishop	McEwan	Sansom
Bishop	McEwan	Selph
Bishop	Messersmith	Shackelford
Bishop	Metcalf	Silver

... however, it is the intent of the Legislature that the pay-
 ment of such interest shall be paid, pro rata, only
 long as Robert Leroy Davis, Jr. survives

Section 4. The Comptroller is hereby directed to draw his war-
 rants in favor of Robert Leroy Davis, Sr., Reba Kay Davis and
 Robert Leroy Davis, Jr. in proportion to the amounts awarded them
 in the final judgment entered in their favor by the United States
 District Court for the Northern District of Florida on March 31,
 1933 and September 30, 1933, Case Number MCA 82-0207, said
 amount to be \$100,000, or the balance in the State Treasury
 available therefor, on or before July 15, 1934.

Section 5. This act shall take effect immediately upon becoming
 law.

Senate Amendment 5.—On page 2, line 31, add: No attorney
 fee in excess of 10% shall be paid from the monies received by the
 State on this act.

In motion by Rep. Upchurch, the House concurred in the Senate
 amendments. The question occurred on the passage of HB 395. The
 vote was

Yeas—None
 Votes after roll call
 Yeas—Majority
 Yeas to—Carlton

So the bill passed, as further amended. The action, together with
 the bill and amendments thereto, was immediately certified to the
 Senate.

The Honorable H. Lee Moffitt, Speaker

I am directed to inform the House of Representatives that the
 Senate has passed HB 395, with amendments, and requests the
 concurrence of the House.

Joe Brown, Secretary

By Representatives Hollingsworth and Thompson—

HB 395. A bill to be entitled: An act for the relief of Robert
 Leroy Davis, Jr., Robert Leroy Davis, Sr. and Reba Kay Davis,
 providing an appropriation to compensate them for personal inju-
 ries and damages sustained as a result of the negligence of the City
 of Port St. Joe, providing an effective date.

Senate Amendment 2.—On page 3, lines 14-31, and page 4,
 lines 1-10, strike all of said lines and insert: Section 2. The City of
 Port St. Joe, Florida is authorized and directed to appropriate the
 sum of \$900,000 payable in six equal annual payments, commencing
 July 15, 1934, with the right of prepayment, to Robert
 Leroy Davis, Sr., Reba Kay Davis and Robert Leroy Davis, Jr. in
 proportion to the amounts awarded them in the final judgment
 entered in their favor by the United States District Court for the
 Northern District of Florida on March 31, 1933, and September 30,
 1933, Case Number MCA 82-0207.

Section 3. As a special payment for the State of Florida's
 responsibility in connection with the injuries suffered by Robert Leroy
 Davis, Sr., Reba Kay Davis and Robert Leroy Davis, Jr. as a result
 of the accident of February 4, 1931, and in consideration of the
 total payment of \$1,000,000 at the rate of \$100,000 each year to
 these parties in proportion to the amounts awarded them in the
 final judgments entered in their favor by the United States District
 Court for the Northern District of Florida on March 31, 1933,
 and September 30, 1933, Case Number MCA 82-0207, the sum is
 hereby appropriated out of the funds of the State, and shall be
 apportioned to the persons, as set out above, no later than July 15, 1934.

Yeas—97

The Chair	Evans-Jones	Lehtinen	Rocklin
Armstrong	Figg	Lewis	Ros
Beard	Fleming	Liberti	Sampson
Belcher	Gallagher	Looman	Sansom
Belmont	Gardner	Luce	Selph
Benson	Gordon	Lynn	Silver
Bentley	Gran	McKenzie	Simon
Bishop	Grady	McNair	Spaet
Bishop	Gustafson	McNair	Stewart
Bishop	Haggett	McNair	Thomas
Bishop	Harris	McNair	Titone
Bishop	Hawkins, L. R.	Mills	Tobiasen
Bishop	Hazouri	Mitchell	Tobin
Bishop	Hatev	Morgan	Upchurch
Bishop	Hill	Murphy	Wallace
Bishop	Hodges	Neard	Ward
Bishop	Hollingsworth	Parsons	Watt
Bishop	Jackson	Peppers	Weinstock
Bishop	Jones, B. L.	Phelan	Wetherell
Bishop	Johnson, R. C.	Ready	Williams
Bishop	Johnson, R. M.	Reaves	Wooduff
Bishop	Jones, D. L.	Reddick	Young
Bishop	Kelly	Reynolds	
Bishop	Kurtz	Robinson	
Bishop	Lawson		

Yeas—10

Bentley	Crotty	Messersmith	Webster
Bishop	Danson	Simone	
Bishop	Dudley	Smith	

So the bill passed, as amended by the Senate amendments. The
 action was immediately certified to the Senate and the bill was
 ordered enrolled after engrossment.

The Honorable H. Lee Moffitt, Speaker

I am directed to inform the House of Representatives that the
 Senate has passed CS CS HB 702, with amendment, and requests
 the concurrence of the House.

Joe Brown, Secretary

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Journal
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S E N A T E
State of Florida

SIXTEENTH REGULAR SESSION

UNDER THE CONSTITUTION AS REVISED IN 1968

APRIL 3 THROUGH JUNE 1, 1984



Senator Stuart presiding

CS for SB 1018—A bill to be entitled An act relating to process and service of process, amending s 48 031, F S , providing for service of process in criminal cases on law enforcement officers or certain public employees, providing an effective date

—was read the second time by title On motion by Senator Gersten, by two-thirds vote CS for SB 1018 was read the third time by title, passed and certified to the House The vote on passage was

Yeas—33

Beard	Girardeau	Kirkpatrick	Rehm
Carlucci	Grant	Langley	Scott
Childers, W D	Grizzle	Malchon	Stuart
Crawford	Hair	Mann	Thomas
Deratany	Henderson	Margolis	Vogt
Dunn	Hill	McPherson	Weinstein
Fox	Jenne	Myers	
Frank	Jennings	Neal	
Gersten	Johnston	Plummer	

Nays—None

On motion by Senator Jenne, by two-thirds vote CS for HB 658 was placed on the consent calendar

Consideration of SB 444 was deferred

On motions by Senator Grant, the rules were waived and by two-thirds vote HB 802 was withdrawn from the Committees on Economic, Community and Consumer Affairs, Governmental Operations, Finance, Taxation and Claims, and Appropriations

On motion by Senator Grant—

HB 802—A bill to be entitled An act relating to assessment of special classes of property; creating s 193 505, F S , providing that the owner of historically significant property may convey development rights to such property to the county governing body or covenant with such body that the property not be used for purposes inconsistent with historic preservation, providing procedures and requirements, providing for assessment of such property; providing for payment of deferred tax liability upon release from or expiration of the covenant, providing duties of property appraiser and tax collector; amending s 193 501, F.S. relating to assessment of outdoor recreational or park land, removing reference to historical sites, revising interest rate on deferred tax liability, requiring tax collector to report deferred tax liability collected under such section, repealing s 193 507, F.S. relating to assessment of lands within areas of critical state concern, providing an effective date

—a companion measure, was substituted for SB 727 and read the second time by title On motion by Senator Grant, by two-thirds vote HB 802 was read the third time by title, passed and certified to the House The vote on passage was.

Yeas—32

Beard	Girardeau	Kirkpatrick	Plummer
Carlucci	Grant	Langley	Rehm
Childers, W D	Grizzle	Mann	Scott
Crawford	Hair	Margolis	Stuart
Dunn	Henderson	McPherson	Thomas
Fox	Hill	Meek	Thurman
Frank	Jenne	Myers	Vogt
Gersten	Jennings	Neal	Weinstein

Nays—None

Vote after roll call

Yea—Malchon

SB 727 was laid on the table.

On motion by Senator Myers, the rules were waived and by two-thirds vote HB 171 was withdrawn from the Committee on Governmental Operations

On motion by Senator Myers—

HB 171—A bill to be entitled An act relating to pugilistic exhibitions, creating s 14 27, F.S., creating the State Athletic Commission under the Department of Business Regulation; providing for appointment of members, creating ss 548 0401-548 49, F S , providing for compensation and terms of office of members of the commission, providing for the adoption of rules, providing for an executive secretary and defining his duties, providing definitions, regulating boxing in the state, exempting amateur schools and Olympic events, granting exclusive jurisdiction over boxing matches to the commission, providing rules and requirements for boxing, establishing a minimum age for boxers, requiring physician, referees, and judges to be in attendance, establishing weight and class limitations, methods of scoring, and other safety regulations, providing for certain disclosure, prohibiting collusive or sham contests, regulating purses and their disbursement; providing for hearings, requiring insurance, requiring certain persons to be licensed, requiring permits for boxing matches; establishing procedures for licensing, establishing license and permit fees, requiring the disclosure of receipts from boxing contests, establishing a percent gross receipts tax, providing penalties, establishing a medical advisory board; regulating the contracts and tickets of admission relating to boxing matches, requiring certain persons to post bond or other security prior to licensing, authorizing the commission to hold hearings, to issue subpoenas, to suspend or revoke licenses, and to impose fines, providing criminal penalties, prohibiting certain conflicts of interest, providing for the deposit of permit fees, license fees, and gross receipts tax proceeds, imposing penalties, repealing s 548 03, F S , relating to the definition of the term "pugilistic exhibition", providing for future repeal and review, providing an effective date

—a companion measure, was substituted for CS for SB 11 and read the second time by title

Senator Myers moved the following amendments which were adopted.

Amendment 1—On page 2, line 17, strike everything after the enacting clause and insert

Section 1 Section 14.27, Florida Statutes, is created to read:

14 27 State Athletic Commission.—The State Athletic Commission is hereby created under the Department of Business Regulation, consisting of three members appointed by the Governor, subject to confirmation by the Senate For the initial appointments, one member shall be appointed for a 1-year term, one for a 2-year term, and one for a 3-year term. Upon the expiration of the terms of the initial commissioners, the Governor shall appoint their successors, each to serve for a 4-year term The commission shall administer the provisions of chapter 548

Section 2 Sections 548 041, 548 05, 548 06, 548 07, 548 08, 548 09, 548 10, 548 11, 548.12, 548.13, 548 14, 548 15, 548 16, 548.17, 548 18, 548 19, 548 20, 548 21, 548 22, 548.23, 548 24, 548.25, 548.26, 548 27, 548 28, 548 29, 548 30, 548 31, 548 32, 548 33, 548 34, 548 35, 548.36, 548 37, 548 38, 548 39, 548 40, 548 41, 548 42, 548.43, 548 44, 548.45, 548 46, 548 47, 548 48, and 548 49, Florida Statutes, are created to read

548 041 State Athletic Commission, members, compensation, etc.—The State Athletic Commission, as created by s 14 27, shall administer the provisions of this chapter Each member of the commission shall be compensated at the rate of \$25 for each day he attends a commission meeting, and shall be reimbursed for other expenses as provided in s. 112 061 The commission shall maintain an office in Tallahassee and any necessary branch offices The initial chairman shall be appointed by the Governor, but thereafter at the first meeting of the commission after June 1 of each year the commission shall select a chairman from among its membership. The members of the commission may, at their first meeting after their appointment, adopt rules to implement this chapter Two members shall constitute a quorum and the concurrence of at least two members is necessary for official commission action

548 05 Secretary; deputies, duties, compensation —

(1) The commission shall employ an executive secretary who shall receive a salary to be fixed by the commission with the approval of the Governor The secretary shall keep a record of all proceedings of the commission and shall preserve all books, papers, and documents pertaining to the business of the commission He shall prepare any notices and papers required and perform such other duties as the commission directs He may issue witness subpoenas and administer oaths

(2) The commission may appoint any deputies as are necessary, whose compensation shall be the same as that of the commissioners The deputies shall, on the order of the commission, represent the commission at any boxing match

548 06 Definitions, construction—As used in this act

(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) "Commission" means the State Athletic Commission

(3) "Contest" means a boxing engagement in which the boxers strive earnestly to win

(4) "Exhibition" means a boxing engagement in which the participants show or display their skill without necessarily striving to win

(5) "Foreign copromoter" means a promoter who has no place of business within this state

(6) "Judge" means a person, other than a referee, who has a vote in determining the winner of any contest

(7) "Manager" means any person who, directly or indirectly, controls or administers the boxing affairs of any boxer

(8) "Matchmaker" means a person who brings together professionals or arranges matches for professionals

(9) "Match" means any contest or exhibition

(10) "Physician" means an individual licensed to practice medicine and surgery in this state

(11) "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

(12) "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

(13) "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

548 07 Act not to apply to amateur matches—This act shall not apply to any match in which the participants are amateur boxers, nor to any match conducted or sponsored by any university, college, or secondary school, if all the boxers are students regularly enrolled in the institutions, any nationally chartered veterans' organization registered with the state, any company or detachment of the Florida National Guard, nor does it apply to any official Olympic event

548 08 Power of commission to control boxing—The commission has exclusive jurisdiction over all matches involving a professional held within the state. Matches shall be held only in accordance with this chapter

548 09 Age of boxers—No person under 18 years of age may participate in any match, except that any amateur 16 or 17 years of age may participate in matches with other amateurs 16 or 17 years of age, under rules the commission adopts.

548.10 Fictitious names—No person may participate under a fictitious or assumed name, in any match involving an amateur unless he has registered the name with the commission

548.11 Physician to be in attendance, examinations—

(1) The commission shall assign a physician to each match, who shall observe the physical condition of the boxers and advise the commissioner or deputy in charge and the referee of the boxers' condition before and during the match. The commission shall establish a schedule of fees for the physician's services. The physician's fee shall be paid by the promoter of the match attended by the physician.

(2) In addition to any other required examination, each boxer shall be examined by the attending physician within 3 hours before he enters the ring. If the physician determines a boxer is physically or mentally unfit to proceed, the physician shall notify any commissioner or the deputy in charge who shall immediately cancel the match. The examination shall conform to rules adopted by the commission based on the advice of the medical advisory council. The results of the examination shall be in writing, signed by the physician and filed with the commission within 72 hours after the match.

548 12 Weights and classes, limitations, gloves—

(1) The commission shall establish classes of boxers based upon weights

(2) No match shall be held in which the difference in weight of the boxers exceeds 10 pounds, except matches in the light heavyweight and heavyweight classes and exhibitions held solely for training purposes

(3) All boxers shall wear boxing gloves weighing not less than 6 ounces each

548 13 Attendance of referee and judges, scoring; seconds—

(1) At each match involving a professional, except an exhibition held solely for training purposes, at the expense of the promoter, a referee designated by the commission shall direct and control the match

(2) Also at each contest, at the expense of the promoter, two licensed judges shall attend and shall, together with the referee, render their individual decisions, in writing, on scorecards supplied by the commission at the end of each contest which continues for the scheduled number of rounds. Each judge and the referee shall have one vote, and a majority of the votes cast shall determine the winner

(3) The commission shall prescribe the methods of scoring

(4) Before the start of any match, the referee shall obtain the name of each boxer's chief second. The chief second shall be responsible for the conduct of his assistants during the match

548 14 Duty of disclosure—Each licensee shall, immediately after learning thereof, disclose to the commission, the deputy in charge, the attending physician, or the referee, all information in his possession concerning any mental or physical disability, injury, illness, or incapacity of any boxer

548 15 Sham or collusive contest prohibited.—

(1) No person shall knowingly conduct, participate in or be connected with a match which is represented to be a contest if one or both of the participants does not use his best efforts and skill or does not strive earnestly to win, or if the result thereof has been prearranged or if either participant does not use, or is prevented from using, his best efforts and skill as a result of coercion, bribery, duress, threats, reward or promise thereof, physical incapacity or disability, suggestion or agreement, or any other improper or unlawful means

(2) If a licensee had knowledge of an act prohibited by subsection (1), he shall immediately report it to the commission. The report shall be in writing or, if oral, shall be immediately reduced to writing and shall contain all of licensee's reasons for the conclusions set forth in his report

(3) A violation of this section is a misdemeanor of the second degree, punishable as provided in s 775 082, s 775 083, or s 775 084

548 16 Distribution of purses to boxers, statements.—

(1) Unless otherwise directed by a representative of the commission, all purses shall be distributed by the promoter not later than 24 hours after the match. A written statement showing the distribution of the purse, including each item of receipt and each expenditure or deduction, shall be furnished to the boxer and his manager, together with the boxer's share of the purse. The promoter shall file a copy, certified by him to be correct with receipted vouchers for all expenditures and deductions, with the commission no later than 72 hours after the match

(2) Unless otherwise directed by a representative of the commission, each manager shall furnish a statement of distribution to the boxer he manages, together with the boxer's share of the purse, not later than 24 hours after he receives the purse and statement from the promoter. The manager shall file a copy, certified by him to be correct, with receipted vouchers for all expenditures and deductions, with the commission no later than 72 hours after he receives the distribution from the promoter.

548 17 Withholding of purses, hearing, disposition of withheld purse—

(1) Any member of the commission, the deputy in charge, or the referee, may order a promoter to withhold any purse or other funds payable to a boxer, or to withhold the share of any manager, if it appears that the boxer is not competing honestly in a match represented to be a contest or is intentionally not competing to the best of his ability and skill in a match represented to be a contest, or if it appears that the boxer, his manager, or any of his seconds has violated this chapter

(2) Any purse so withheld shall be delivered by the promoter to the commission upon demand. Within 10 days after the match, the person from whom the sum was withheld may apply in writing to the commission for a hearing. Upon receipt of the application, the commission shall fix a date for a hearing. Within 10 days after the hearing or after 10 days following the match, if no application for a hearing is filed, the commission shall meet and determine the disposition to be made of the withheld purse. If the commission finds the charges sufficient, it may declare all or any part of the funds forfeited. If the commission finds the charges not sufficient upon which to base a withholding order, it shall immediately distribute the withheld funds to the persons entitled thereto.

548.18 Payments regulated —

(1) No promoter or foreign copromoter may pay, lend, or give a contestant an advance against his purse before a contest, except with the prior written permission of a commissioner, and then only for expenses for transportation and maintenance in preparation for a contest.

(2) If a contestant's purse is forfeited, the commission may include any payments or advances as part of the forfeiture, and if he does not forward such amount to the commission, it may be recovered in the same manner as a debt due the state.

548.19 Insurance — The commission may, by rule, require boxers to be covered by not less than \$5,000 of insurance for medical, surgical, and hospital care resulting from injuries sustained while preparing for or engaged in matches. The insured shall be the beneficiary of such policies. The commission may also require boxers to be covered by not less than \$5,000 of life insurance covering deaths caused by injuries received while preparing for or engaged in matches.

548.20 Power of commission to issue, withhold, suspend or revoke licenses and permits. — The commission has exclusive jurisdiction to issue, withhold, suspend, or revoke any license or permit provided for in this chapter.

548.21 Promoters' licenses — No promoter may, directly or indirectly, promote any match involving a professional, unless the promoter has been issued a license therefor by the commission. A violation of this section is a misdemeanor of the second degree, punishable as provided in s 775.082, s 775.083, or s 775.084.

548.22 Foreign copromoters to procure licenses —

(1) No foreign copromoter may directly or indirectly participate in the promotion of or receive any remuneration from or render any services in connection with any match involving a professional, unless the foreign copromoter has been issued a license therefor by the commission. No promoter may be associated with any foreign copromoter in promoting any match, unless the foreign copromoter has been issued a license.

(2) A foreign copromoter by accepting a license agrees to be subject to all the provisions of this chapter.

(3) A violation of this section is a misdemeanor of the second degree, punishable as provided in s 775.082, s 775.083, or s 775.084.

548.23 Other licenses required —

(1) A professional boxer, manager, second, trainer, matchmaker, timekeeper, referee, judge, announcer, physician, or booking agent or representative of a booking agent shall be licensed before directly or indirectly acting in such capacity in connection with any match involving a professional.

(2) A violation of this section is a misdemeanor of the second degree, punishable as provided in s 775.082, s 775.083, or s 775.084.

548.24 Refusal to issue license — The commission shall not issue a license to any person who in any jurisdiction has been convicted of any act which would constitute a violation of this chapter or any of the grounds set forth in this chapter for suspension or revocation of licenses or against whom such charges are pending before any regulatory body or who has been named in an information or indictment for any act which would constitute a violation of this chapter or a ground for suspension or revocation of a license.

548.25 Permits required — In addition to a promoter's license, each promoter shall procure a permit for each program of matches before presenting the program. Each application for a permit shall specify the location and time of the program.

548.26 Local prohibiting ordinance — No permit may be issued for a match to be held within any political subdivision of this state which has adopted any local ordinance or resolution prohibiting such matches.

548.27 Applications for licenses and permits — Each application for a license or a permit shall

(1) Be in writing on a form supplied by the commission.

(2) Be verified by the applicant.

(3) Be complete and have attached any photographs and other exhibits required.

548.28 Oral examinations — The commission may require any applicant or any officer, director, employee, or stockholder of a corporate applicant, to appear before the commission for an oral examination, under oath, as to his qualifications before taking action on his application.

548.29 Fingerprints — The commission shall require in duplicate, the fingerprints of each applicant and may require the fingerprints of any officer, director, employee, or stockholder of a corporate applicant to be filed. The commission is authorized to have fingerprint checks conducted of any person from whom it is authorized to require fingerprints. One set of fingerprints shall be filed in the Tallahassee office of the Department of Law Enforcement and the other set shall be filed in the office of the commission.

548.30 License fees —

(1) The commission shall set license fees as follows

(a) Promoter, matchmaker — not to exceed \$500

(b) All other licenses — not to exceed \$100

(2) The commission may issue licenses, without charge, to referees and physicians authorizing them to officiate only at matches involving amateurs.

(3) Each license shall expire on December 31 next following the date on which it was issued.

548.31 Permit fees — The commission shall set permit fees based on seating capacity of the premises where the program is to be presented as follows

(1) If the seating capacity is less than 2,000, the fee shall not exceed \$50

(2) If the seating capacity is 2,000 or more but does not exceed 5,000, the fee shall not exceed \$100

(3) If the seating capacity exceeds 5,000, the fee shall not exceed \$250

548.32 Payments to state, exemptions —

(1) A promoter holding a match shall, within 72 hours after the match, file with the commission a written report including the number of tickets sold, the amount of gross receipts, and any other facts the commission may require. For the purposes of this chapter, total gross receipts includes

(a) The gross price charged for the sale or lease, of broadcasting, television, and motion picture rights without any deductions for commissions, brokerage fees, distribution fees, advertising, or other expenses or charges;

(b) The portion of the receipts from the sale of souvenirs, programs, and other concessions received by the promoter,

(c) The face value of all tickets sold and complimentary tickets issued.

(2) The written report shall be accompanied by a tax payment in the amount of 5 percent of the total gross receipts exclusive of any federal taxes.

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

(b) Any promoter who willfully fails, neglects, or refuses to make a report, or to pay the taxes as prescribed, or who refuses to allow the commission to examine the books, papers, and records of any promotion is guilty of a misdemeanor of the second degree, punishable as provided in s. 775 082, s. 775 083, or s. 775 084.

548 33 Closed circuit television—Each person or club holding or showing any boxing or sparring matches on a closed circuit telecast viewed within this state, whether originating within this state or another state, shall file a written report, under oath, stating the exact number of tickets sold for the showing, the amount of gross receipts, and any other information the commission requires, and shall, within 72 hours after the telecast, pay a tax of 5 percent of its total gross receipts from the sale of tickets.

548 34 Medical advisory council, qualifications, compensation, powers and duties.—

(1) A medical advisory council is created, consisting of five members appointed by the Governor. Two of the initial members shall be appointed for terms of 1 year, one for a term of 2 years, one for a term of 3 years, and one for a term of 4 years. The Governor shall designate one of the members of the council as its chairman. The term of each member thereafter appointed, except to fill a vacancy, is 4 years.

(2) Each member shall be licensed to practice medicine in this state and shall, at the time of his appointment, have practiced medicine at least 5 years.

(3) Each member shall be paid per diem for each day that he performs his duties under this chapter, and shall be reimbursed for his expenses as provided in s. 112 061.

(4) The council shall prepare and submit, to the commission, standards for the physical and mental examination of boxers. No standard shall become effective until approved by the commission. The council shall recommend physicians qualified to make the examinations of boxers required by this chapter and shall perform any other duties as the commission may direct.

548 35 Control of contracts —

(1) The commission shall adopt rules governing the form and content of contracts between promoters, foreign copromoters and professionals. All such contracts shall be in writing.

(2) Each contract between a manager and a professional shall contain provisions governing its duration, division of the professional's purses, and any minimum sum guaranteed annually to the professional by the manager. Each contract shall provide that the contract is automatically terminated if the license of either party is revoked by the commission or if the manager fails to renew his license within 30 days after its expiration date. If the license of either party is suspended, the contract shall not be binding upon the other party during the period of suspension.

(3) Each contract subject to this section shall contain the following clause: "This agreement is subject to the provisions of chapter 548, Florida Statutes, and to the rules of the State Athletic Commission and to any future amendments of either."

548 36 Misdemeanor to destroy tickets —It is a misdemeanor of the second degree, punishable as provided in s. 775 082, s. 775 083, or s. 775 084, for any promoter or person associated with or employed by any promoter to destroy any ticket to a match, or ticket stub, whether sold or unsold, within 6 months after the date of the match, except upon prior written authorization of the commission.

548 37 Ticket refunds —

(1) Upon postponement, substitution of either participant, or cancellation of the main event or the entire program of matches, the promoter shall refund the full purchase price of each ticket to any person presenting a ticket for a refund within 30 days after the scheduled date of the event. Within 10 days after the expiration of the 30-day period, the promoter shall pay all unclaimed ticket receipts to the commission. The commission shall hold the funds for 1 year and make refunds during such time to any person presenting a ticket for a refund. Thereafter, the commission shall pay all remaining moneys from the ticket sale to the State Treasurer for deposit into the General Revenue Fund.

(2) The commission may declare a promoter's or foreign copromoter's bond or other security forfeited, suspend or revoke his license, and impose any other penalty provided, for failure to comply with this section.

548 38 Admissions not to exceed seating capacity —It is a misdemeanor of the second degree, punishable as provided in s. 775 082, s. 775 083, or s. 775 084, for any promoter to sell or cause to be sold more tickets of admission for any match than can be accommodated by the seating capacity of the premises where the match is to be held.

548 39 Age of spectators —No person under 16 years of age may attend any match unless accompanied by an adult or unless the exhibition is of amateur status.

548 40 Promoters and foreign copromoters required to file bonds —

(1)(a) Before any license is issued or renewed to a foreign copromoter and before any permit is issued to a foreign copromoter, he shall file a surety bond with the commission in a reasonable amount, but not less than \$3,000, as the commission determines.

(b) All bonds shall be upon forms approved by the Department of Legal Affairs and supplied by the commission.

(c) The sufficiency of any surety is subject to approval of the commission and the Department of Legal Affairs.

(d) A surety bond shall be conditioned upon the faithful performance by the promoter or foreign copromoter of his obligations under this chapter and the fulfillment of his contracts with any other licensees under this chapter. However, the aggregate annual liability of the surety for all obligations and fees shall not exceed the amount of the bond.

(2) In lieu of a surety bond, the promoter or foreign copromoter may deposit with the commission cash, a certified check, or direct obligations of the United States or this state acceptable to the commission, in an equivalent amount and subject to the same conditions as the bond. No security shall be returned to the promoter until 1 year after the date on which it is deposited with the commission unless a surety bond is substituted for it. If no claim against the deposit is outstanding, it shall be returned to the depositor 1 year from the date it was deposited.

(3) A filing fee of \$10 shall accompany each bond, cash, or security deposited under this section.

(4) Recovery may be made against any bond, cash, or other security in the same manner as penalties are recoverable at law.

548 41 Commission hearings —Notwithstanding the provisions of chapter 120, any member of the commission may conduct a hearing. Before any adjudication is rendered, a majority of the members of the commission shall examine the record and approve the adjudication and order.

548 42 Subpoenas —In addition to the powers of subpoena in chapter 120, each member of the commission may issue subpoenas requiring the attendance and testimony of or the production of books and papers by any person whom the commission believes to have information or documents of importance to any commission investigation.

548 43 Suspension of licenses or permits —Notwithstanding any provision of chapter 120, any member of the commission may, upon his own motion, or upon the verified written complaint of any person charging a licensee or permittee with violating this chapter, suspend any license or permit until final determination by the commission, if such action is necessary to protect the public welfare and the best interests of boxing. The commission shall hold a hearing within 10 days after the date on which the license or permit is suspended.

548 44 Suspension or revocation of licenses —The commission may suspend or revoke a license or permit if the commission finds that the licensee or permittee

(1) Is guilty of violating this chapter or the rules of the commission

(2) Has committed fraud or deceit in securing any license or permit

(3) Has been convicted, or pleaded guilty, or entered a plea of nolo contendere, or has been found guilty of a crime involving moral turpitude in any jurisdiction within 10 years preceding the suspension or revocation

(4) Is guilty of unprofessional or unethical conduct

(5) Has made a misstatement of a material fact, fraudulently concealed a material fact, or induced or aided another person in misstating or concealing any material fact in any application or other proceeding under this chapter

(6) Has failed to account for or pay over moneys belonging to others which have come into his possession in connection with a match

(7) Has failed to furnish to the proper party a copy of any contract or statement required by this chapter or has breached such a contract

(8) Has paid or agreed to pay any money or article of value to any licensee or permittee for soliciting or for business secured or for rendering any service or the doing of any of the acts forbidden by this chapter and the rules adopted hereunder.

(9) Has loaned his license or permit to another person or has borrowed or used the license or permit of another

(10) Has employed a person who does not hold a license or permit as required by law

(11) Has failed to maintain in force the bond required by this chapter or has failed to deposit with the commission the required cash, check, or securities.

(12) Has been disciplined by the State Athletic Commission or similar agency or body of any jurisdiction

(13) Has failed to pay a fine imposed under this chapter

548.45 Misdemeanors.—Unless otherwise specified, any person convicted of any offense set forth in this chapter is guilty of a misdemeanor of the second degree, punishable as provided in s. 775 082, s. 775 083, or s. 775 084

548.46 Fines.—The commission may impose a fine of not more than \$5,000 for any violation of this chapter in lieu of or in addition to any other punishment provided for such violation

548.47 Financial interest in boxer prohibited.—

(1) No member of the commission or employee thereof, nor any referee, judge, or promoter licensed by the commission nor any attending physician may have any direct or indirect financial or pecuniary interest in any boxer.

(2) No manager, trainer, or second of any boxer shall have any direct or indirect financial or pecuniary interest in the opponent in any contest in which his own boxer participates. Nor shall any boxer have any direct or indirect financial or pecuniary interest in his opponent in any contest. A violation of this section is a misdemeanor of the second degree, punishable as provided in s. 775 082 or s. 775 083.

548.48 Fees, fines, and forfeitures —All fees, fines, forfeitures, and other moneys collected under the provisions of this chapter shall be paid by the commission to the State Treasurer who, after expenses of the commission are paid, shall deposit them in the General Revenue Fund.

548.49 Rules.—The commission may adopt rules to implement this chapter.

Section 3. Sections 548.01, 548.02, 548.03, and 548.04, Florida Statutes, are hereby repealed.

Section 4. Section 1427 and chapter 548, Florida Statutes, are repealed on October 1, 1994, and shall be reviewed pursuant to section 11 61, Florida Statutes.

Section 5. This act shall take effect October 1, 1984

Amendment 2—In title, on page 1, line 1, strike everything before the enacting clause and insert. A bill to be entitled An act relating to pugilistic exhibitions in honor of Representative Joe Lang Kershaw; creating s. 14 27, Florida Statutes, creating the State Athletic Commission under the Department of Business Regulation, providing for appointment of members, creating ss. 548 041-548 49, Florida Statutes; providing for compensation and terms of office of members of the commission, providing for the adoption of rules, providing for an executive secretary and defining his duties, providing definitions, regulating boxing in the state, granting exclusive jurisdiction over boxing matches to the commission; providing rules and requirements for boxing, establishing a minimum age for boxers, requiring a physician, referees, and judges to be in attendance, establishing weight and class limitations, methods of scoring, and other safety regulations; providing for certain disclosure, prohibiting collusive or sham contests, regulating purses and their disbursement, providing for hearings, requiring insurance, requiring certain persons to be licensed, requiring permits for boxing matches, establishing procedures for licens-

ing, establishing license and permit fees, requiring the disclosure of receipts from boxing contests; establishing a percent gross receipts tax, providing penalties, establishing a medical advisory council, regulating the contracts and tickets of admission relating to boxing matches, requiring certain persons to post bond or other security prior to licensing, authorizing the commission to hold hearings, to issue subpoenas, to suspend or revoke licenses, and to impose fines, providing criminal penalties, prohibiting certain conflicts of interest, repealing ss. 548 01-548 04, Florida Statutes, relating to pugilistic exhibitions, providing for future repeal and review, providing an effective date

On motion by Senator Myers, by two-thirds vote HB 171 as amended was read the third time by title, passed and certified to the House. The vote on passage was

Yeas—32

Beard	Gersten	Kirkpatrick	Neal
Carlucci	Girardeau	Langley	Rehm
Childers, D	Grant	Malchon	Scott
Childers, W D	Grizzle	Mann	Stuart
Crawford	Hair	Margolis	Thomas
Deratany	Henderson	McPherson	Thurman
Dunn	Jenne	Meek	Vogt
Fox	Jennings	Myers	Weinstein

Nays—None

Vote after roll call:

Yea—Hill

CS for SB 11 was laid on the table.

On motion by Senator Hair, the rules were waived and the Senate reverted to—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has refused to recede from House amendments 1 and 2 to CS for SB's 923, 836, 1081 and 884, and has acceded to the request of the Senate for a Conference Committee. The Speaker has appointed Representatives Pajcic, Bell and Easley, alternates Carpenter, Kutun and Gustafson as the Conferees on the part of the House

Allen Morris, Clerk

CONFEREES ON CS FOR SB's 923, 836, 1081 and 884

The President appointed Senators Gordon, Hair, Castor, alternate Senator Kirkpatrick, as conferees on CS for SB's 923, 836, 1081 and 884.

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1260 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Finance and Taxation—

HB 1260—A bill to be entitled An act relating to industrial development financing, amending s. 159 26, F.S., changing legislative intent; amending s. 159 27, F.S., redefining "project" to include educational facilities, providing a definition, amending s. 159 30, F.S., authorizing governmental agencies to operate or lease industrial development-financed educational facilities; providing an effective date

—was read the first time by title

CONSENT CALENDAR, continued

On motions by Senator Hair, by two-thirds vote HB 1260, a companion measure, was substituted for CS for SB 564 and by two-thirds vote read the second time by title. On motion by Senator Hair, by two-thirds vote HB 1260 was read the third time by title, passed and certified to the House. The vote on passage was:

GENERAL ACTS
RESOLUTIONS AND MEMORIALS
ADOPTED BY THE
EIGHTH LEGISLATURE OF FLORIDA
UNDER THE CONSTITUTION
AS REVISED IN 1968

During the Second Regular Session
April 3, 1984 through June 1, 1984



RE. Chapter St-246, sec. 2
creation of FS 542.007
note - totally put at 542.07,
but placed at 542.007 by statutory
revision (see attached 11-1-84 FS)

Volume I, Part Two

Published by Authority of Law

Under Direction of the

JOINT LEGISLATIVE MANAGEMENT
COMMITTEE

TALLAHASSEE

1984

CHAPTER 84-246

House Bill No. 171

An act relating to pugilistic exhibitions in honor of Representative Joe Lang Kershaw; creating s. 14.27, Florida Statutes; creating the State Athletic Commission under the Department of Business Regulation; providing for appointment of members; creating ss. 548.041-548.49, Florida Statutes; providing for compensation and terms of office of members of the commission; providing for the adoption of rules; providing for an executive secretary and defining his duties; providing definitions; regulating boxing in the state; granting exclusive jurisdiction over boxing matches to the commission; providing rules and requirements for boxing; establishing a minimum age for boxers; requiring a physician, referees, and judges to be in attendance; establishing weight and class limitations, methods of scoring, and other safety regulations; providing for certain disclosure; prohibiting collusive or sham contests; regulating purses and their disbursement; providing for hearings; requiring insurance; requiring certain persons to be licensed; requiring permits for boxing matches; establishing procedures for licensing; establishing license and permit fees; requiring the disclosure of receipts from boxing contests; establishing a percent gross receipts tax; providing penalties; establishing a medical advisory council; regulating the contracts and tickets of admission relating to boxing matches; requiring certain persons to post bond or other security prior to licensing; authorizing the commission to hold hearings, to issue subpoenas, to suspend or revoke licenses, and to impose fines; providing criminal penalties; prohibiting certain conflicts of interest; repealing ss. 548.01-548.04, Florida Statutes, relating to pugilistic exhibitions; providing for future repeal and review; providing an effective date.

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

Section 1. Section 14.27, Florida Statutes, is created to read:

14.27 State Athletic Commission.--The State Athletic Commission is hereby created under the Department of Business Regulation, consisting of three members appointed by the Governor, subject to confirmation by the Senate. For the initial appointments, one member shall be appointed for a 1-year term, one for a 2-year term, and one for a 3-year term. Upon the expiration of the terms of the initial commissioners, the Governor shall appoint their successors, each to serve for a 4-year term. The commission shall administer the provisions of chapter 548.

Section 2. Sections 548.0401, 548.041, 548.05, 548.06, 548.07, 548.08, 548.09, 548.10, 548.11, 548.12, 548.13, 548.14, 548.15, 548.16, 548.17, 548.18, 548.19, 548.20, 548.21, 548.22, 548.23, 548.24, 548.25, 548.26, 548.27, 548.28, 548.29, 548.30, 548.31, 548.32, 548.33, 548.34, 548.35, 548.36, 548.37, 548.38, 548.39, 548.40, 548.41, 548.42, 548.43, 548.44, 548.45, 548.46, 548.47, 548.48, and 548.49, Florida Statutes, are created to read:

548.0401 Short title.--Sections 548.0401 through 548.49 shall be known and may be cited as the "Joe Lang Kershaw Act."

548.041 State Athletic Commission; members, compensation, etc.--The State Athletic Commission, as created by s. 14.27, shall administer the provisions of this chapter. Each member of the commission shall be compensated at the rate of \$25 for each day he attends a commission meeting, and shall be reimbursed for other expenses as provided in s. 112.061. The commission shall maintain an office in Tallahassee and any necessary branch offices. The initial chairman shall be appointed by the Governor, but thereafter at the first meeting of the commission after June 1 of each year the commission shall select a chairman from among its membership. The members of the commission may, at their first meeting after their appointment, adopt rules to implement this chapter. Two members shall constitute a quorum and the concurrence of at least two members is necessary for official commission action.

548.05 Secretary; deputies; duties, compensation.--

(1) The commission shall employ an executive secretary who shall receive a salary to be fixed by the commission with the approval of the Governor. The secretary shall keep a record of all proceedings of the commission and shall preserve all books, papers, and documents pertaining to the business of the commission. He shall prepare any notices and papers required and perform such other duties as the commission directs. He may issue witness subpoenas and administer oaths.

(2) The commission may appoint any deputies as are necessary, whose compensation shall be the same as that of the commissioners. The deputies shall, on the order of the commission, represent the commission at any boxing match.

548.06 Definitions; construction.--As used in this act:

(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) "Commission" means the State Athletic Commission.

(3) "Contest" means a boxing engagement in which the boxers strive earnestly to win.

(4) "Exhibition" means a boxing engagement in which the participants show or display their skill without necessarily striving to win.

(5) "Foreign copromoter" means a promoter who has no place of business within this state.

(6) "Judge" means a person, other than a referee, who has a vote in determining the winner of any contest.

(7) "Manager" means any person who, directly or indirectly, controls or administers the boxing affairs of any boxer.

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

(9) "Match" means any contest or exhibition.

(10) "Physician" means an individual licensed to practice medicine and surgery in this state.

(11) "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.

(12) "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.

(13) "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.

548.07 Act not to apply to amateur matches.--This act shall not apply to any match in which the participants are amateur boxers, nor to any match conducted or sponsored by any university, college, or secondary school, if all the boxers are students regularly enrolled in the institutions, any nationally chartered veterans' organization registered with the state, any company or detachment of the Florida National Guard, nor does it apply to any official Olympic event.

548.08 Power of commission to control boxing.--The commission has exclusive jurisdiction over all matches involving a professional held within the state. Matches shall be held only in accordance with this chapter.

548.09 Age of boxers.--No person under 18 years of age may participate in any match; except that any amateur 16 or 17 years of age may participate in matches with other amateurs 16 or 17 years of age, under rules the commission adopts.

548.10 Fictitious names.--No person may participate under a fictitious or assumed name, in any match involving an amateur unless he has registered the name with the commission.

548.11 Physician to be in attendance, examinations.--

(1) The commission shall assign a physician to each match, who shall observe the physical condition of the boxers and advise the commissioner or deputy in charge and the referee of the boxers' condition before and during the match. The commission shall establish a schedule of fees for the physician's services. The physician's fee shall be paid by the promoter of the match attended by the physician.

(2) In addition to any other required examination, each boxer shall be examined by the attending physician within 3 hours before he enters the ring. If the physician determines a boxer is physically or mentally unfit to proceed, the physician shall notify any commissioner or the deputy in charge who shall immediately cancel the match. The examination shall conform to rules adopted by the commission based on the advice of the medical advisory council. The results of the examination shall be in writing, signed by the physician and filed with the commission within 72 hours after the match.

548.007 Applicability of act to amateur matches and certain other matches or events.

—Sections 548.001-548.079 do not apply to:

- (1) Any match in which the participants are amateur boxers;
- (2) Any match conducted or sponsored by a university, college, or secondary school if all the boxers are students regularly enrolled in the institution;
- (3) Any match conducted or sponsored by a nationally chartered veterans' organization registered with the state;
- (4) Any match conducted or sponsored by any company or detachment of the Florida National Guard; or
- (5) Any official Olympic event.

History—as 2, 4, ch. 84-246.

Note—Expires October 1, 1994, pursuant to s. 4, ch. 84-246, and is scheduled for review pursuant to s. 11 61 in advance of that date

548.01 Prizefighting, pugilistic exhibitions; penalty.—[Repealed by s. 3, ch. 84-246.]**548.011 Power of commission to issue, withhold, suspend, or revoke licenses and permits.**
—The commission has exclusive jurisdiction to issue, withhold, suspend, or revoke any license or permit provided for in this chapter.

History—as 2, 4, ch. 84-246

Note—Expires October 1, 1994, pursuant to s. 4, ch. 84-246, and is scheduled for review pursuant to s. 11 61 in advance of that date

548.012 Promoter's license.—

(1) A promoter may not, directly or indirectly, promote any match involving a professional, unless the promoter has been issued a license therefor by the commission.

(2) A violation of this section is a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

History—as 2, 4, ch. 84-246

Note—Expires October 1, 1994, pursuant to s. 4, ch. 84-246, and is scheduled for review pursuant to s. 11 61 in advance of that date

548.013 Foreign copromoter license requirement.—

(1) No foreign copromoter may, directly or indirectly, participate in the promotion of, receive any remuneration from, or render any services in connection with any match involving a professional, unless the foreign copromoter has been issued a license therefor by the commission. No promoter may be associated with any foreign copromoter in promoting any match, unless the foreign copromoter has been issued a license.

(2) A foreign copromoter by accepting a license agrees to be subject to all the provisions of this chapter.

(3) A violation of this section is a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

History—as 2, 4, ch. 84-246

Note—Expires October 1, 1994, pursuant to s. 4, ch. 84-246, and is scheduled for review pursuant to s. 11 61 in advance of that date

548.014 Promoters and foreign copromoters; bonds or other security.—

(1)(a) Before any license is issued or renewed to a foreign copromoter and before any permit is issued to a foreign copromoter, he must file a surety bond with

the commission in such reasonable amount, but not less than \$3,000, as the commission determines.

(b) All bonds shall be upon forms approved by the Department of Legal Affairs and supplied by the commission

(c) The sufficiency of any surety is subject to approval of the commission and the Department of Legal Affairs

(d) The surety bond shall be conditioned upon the faithful performance by the promoter or foreign copromoter of his obligations under this chapter and upon the fulfillment of his contracts with any other licensees under this chapter. However, the aggregate annual liability of the surety for all obligations and fees shall not exceed the amount of the bond.

(2) In lieu of a surety bond, the promoter or foreign copromoter may deposit with the commission cash, a certified check, or direct obligations of the United States or this state which are acceptable to the commission in an equivalent amount and subject to the same conditions as the bond. No such security may be returned to the promoter until 1 year after the date on which it was deposited with the commission unless a surety bond is substituted for it. If no claim against the deposit is outstanding, it shall be returned to the depositor 1 year from the date it was deposited.

(3) A filing fee of \$10 shall accompany each bond, cash, or security deposited under this section.

(4) Recovery may be made against any bond, cash, or other security in the same manner as penalties are recoverable at law.

History—as 2, 4, ch. 84-246

Note—Expires October 1, 1994, pursuant to s. 4, ch. 84-246, and is scheduled for review pursuant to s. 11 61 in advance of that date

548.017 Boxers, managers, and other persons required to have licenses.—

(1) A professional boxer, manager, trainer, second, timekeeper, referee, judge, announcer, physician, matchmaker, or booking agent or representative of a booking agent shall be licensed before directly or indirectly acting in such capacity in connection with any match involving a professional.

(2) A violation of this section is a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084

History—as 2, 4, ch. 84-246

Note—Expires October 1, 1994, pursuant to s. 4, ch. 84-246, and is scheduled for review pursuant to s. 11 61 in advance of that date

548.02 Acting as second, stakeholder, counselor, or adviser; penalty.—[Repealed by s. 3, ch. 84-246.]**548.021 Applications for licenses and permits.**—An application for a license or a permit must:

(1) Be in writing on a form supplied by the commission.

(2) Be verified by the applicant.

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

History—as 2, 4, ch. 84-246

Note—Expires October 1, 1994, pursuant to s. 4, ch. 84-246, and is scheduled for review pursuant to s. 11 61 in advance of that date

548.022 Oral examinations.—The commission may require any applicant or any officer, director, employee, or stockholder of a corporate applicant,