1988

Session Law 88-365

Florida Senate & House of Representatives

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GENERAL ACTS
RESOLUTIONS AND MEMORIALS
ADOPTED BY THE
TENTH LEGISLATURE OF FLORIDA
UNDER THE CONSTITUTION
AS REVISED IN 1968
During the Regular Session
April 5, 1988 through June 7, 1988
and Special Sessions
September 21 - October 8, 1987; October 12 - 14, 1987;
December 8 - 10, 1987; February 2 - 4, 1988; and
June 8, 1988

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COMMITTEE
TALLAHASSEE
1988
it is necessitated by contractual arrangements with travel service suppliers and fully disclosed.

(e) The remedies provided in this section are in addition to any other remedies available for the same conduct.

(11) CRIMINAL PENALTIES.--Any person or business which violates this section or any rule adopted pursuant to this section is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.083, or s. 775.084.

(12) CONSUMER FRAUDS TRUST FUND; PAYMENTS.--Any money recovered by the enforcing authority as a penalty under this section, or pursuant to ss. 501.201-501.213, shall be deposited as provided in s. 501.2101, except that the General Inspection Trust Fund shall be reimbursed, for those amounts paid to the enforcing authority, the amount of any costs awarded.

(13) STATE PREEMPTION.--No municipality or county or other political subdivision of this state shall have authority, after the effective date of this section, to levy or collect any registration fee or tax, as a regulatory measure, or to require the registration in any manner of any seller of travel who is registered and complies with all applicable provisions of this section, unless that authority is provided for by special or general act of the Legislature. Any ordinance, resolution, or regulation of any municipality or county or other political subdivision of this state which is in conflict with any provision of this section is preempted by this section. The provisions of this subsection do not apply to any local occupational tax levied pursuant to chapter 205.

Section 2. Section 559.927, Florida Statutes, is repealed on January 1, 1998, and shall be reviewed by the Legislature pursuant to s. 11.61, Florida Statutes.

Section 3. This act shall take effect October 1, 1988.

Approved by the Governor July 6, 1988.

Filed in Office Secretary of State July 6, 1988.

CHAPTER 88-364

House Bill No. 1064

An act relating to pugilistic exhibitions; amending ss. 548.002, 548.006, 548.007, 548.017, 548.043, 548.045, 548.046, 548.047, 548.049, 548.05, 548.053, 548.054, 548.056, 548.057, and 548.07, F.S., and creating s. 548.008, F.S.; revising the Joe Lang Kershaw Act to include pugilistic events such as kickboxing and martial arts contests and exhibitions; providing for certain protective devices; prohibiting toughman and badman competition; providing a penalty; providing for required insurance; authorizing the State Athletic Commission to require each contract regulated by the commission to include language authorizing the commission to withhold all or any part of a manager’s share of a purse or impede interested parties over disputed funds into an appropriate court action, in the event of a contractual dispute as to entitlement to any portion of the purse; authorizing the commission to establish standards for referees for matches other than boxing; providing for penalties; repealing s. 548.023, F.S., relating to fingerprinting; providing for review and repeal; providing an effective date.

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

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

548.002 Definitions.--As used in this act, the term:

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

(2) "Boxing" means to compete with the fists.

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it is necessitated by contractual arrangements with travel service
suppliers and fully disclosed.

(e) The remedies provided in this section are in addition to any
other remedies available or the same conduct.

(11) CRIMINAL PENALTIES.--Any person or business which violates
this section or an rule adopted pursuant to this section is u1lt
of a misdemeanor of the second de ree, unless as provided in s.
775.08 s. 775.083, or s. 775.084.

12 CONSUMER FRAUDS TRUST FUND; PAYMENTS.--An mone s recovered
by the en orc1ng authority as a penalty under
this section, or
pursuant to ss. 501.201-501,213, shall be deposited as provided in s.
501.2101, except that the General Inspection Trust Fund shall be
reimbursed, for those amounts paid to the enforcing authority, the
amount of any costs awarded.

(13) STATE PREEMPTION,--No municipality or county or other
political subdivision of this state shall have authority, after the
effective date of this section, to levy or collect any registration
fee or tax, as a regulatory measure, or to require the registration
in any manner of any seller of travel who is registered and complies
with all applicable provisions of this section, unless that authority
is provided for b s ecial or eneral act of the Le islature. An
ordinance, resolution, or re ulation o an munici alit or count or
other political sub ivis1on of this state which is in conflict with
any provision of this section is preempted by this section. The
provisions of this subsection do not apply to any local occupational
tax levied pursuant to chapter 265.

Section 2. Section 559.927, Florida Statutes, is repealed on
January 1, 1998, and shall be reviewed by the Legislature pursuant to
s. 11.81, Florida Statutes.

Section 3. This act shall take effect October 1, 1988.

Approved by the Governor July 6, 1988.

Filed in Office Secretary of State July 6, 1988.

CHAPTER 88-364

An act relating to adult congregate living facilities; amending s.
548.002, 548.006, 548.007, 548.017, 548.017, 548.043, 548.045, 548.046, 548.047, 548.049, 548.05, 548.053, 548.054, 548.056, 548.057, and 548.07, F.S., and creating s.
548.008, F.S.; revising the Joe Lang Kershaw Act to
include pugilistic events such as kickboxing and martial
arts contests and exhibitions; providing for certain
protective devices; prohibiting toughman and badman
competition; providing a penalty; providing for required
insurance; authorizing the State Athletic Commission to
require each contract regulated by the commission to
include language authorizing the commission to withhold
all or any part of a manager's share of a purse or
imped interested parties over disputed funds into an
appropriate court action, in the event of a contractual
dispute as to entitlement to any portion of the purse;
authorizing the commission to establish standards for
referees for matches other than boxing; providing for
penalties; repealing s. 548.023, F.S., relating to
fingerprinting; providing for review and repeal;
providing an effective date.

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

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

548.002 Definitions.--As used in this act, the term:

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

(2) "Boxing" means to compete with the fists.
"Commission" means the State Athletic Commission.

"Contest" means a boxing, kickboxing, or martial arts engagement in which the participants strive earnestly to win.

"Exhibition" means a boxing, kickboxing, or martial arts engagement in which the participants show or display their skill without necessarily striving to win.

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

"Manager" means any person who, directly or indirectly, controls or administers the boxing, kickboxing, or martial arts affairs of any participant boxer.

"Match" means any contest or exhibition.

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

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

"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.

"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.

"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.

Section 2. The catchline of section 548.006, Florida Statutes, is amended to read:

548.006 Power of commission to control pugilistic contests and exhibitions boxing.--The commission has exclusive jurisdiction over every match held within the state which involves a professional. Matches shall be held only in accordance with this chapter.

Section 3. Subsections (1) and (2) of section 548.007, Florida Statutes, are amended to read:

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 amateurs.

Section 4. Section 548.008, Florida Statutes, is created to read:

548.008 Toughman and badman competition prohibited.--

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

2 An person articating in or promoting a toughman or badman match is guilty of a misdeemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 5. Subsection (1) of section 548.017, Florida Statutes, is amended to read:

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

1 A professional participant 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.

Section 6. Subsections (2) and (3) of section 548.043, Florida Statutes, are amended to read:

548.043 Weights and classes, limitations; gloves.--

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

3 All participants in boxing matches shall wear boxing gloves weighing not less than 6 ounces each. Participants in all other types of matches shall wear such protective devices as the commission deems necessary.

Section 7. Subsection (5) of section 548.045, Florida Statutes, is amended to read:

548.045 Medical advisory council; qualifications, compensation, powers and duties.--

5 The council shall prepare, and submit to the commission, standards for the physical and mental examination of participants in matches boxing. A standard shall not become effective until approved by the commission. The council shall recommend physicians who are qualified to make the examinations of participants in matches boxing required by this chapter and shall perform any other duties as the commission may direct.
Chapter 88-365, Laws of Florida

Section 2. The catchline of section 548.006, Florida Statutes, is amended to read:

548.006 Power of commission to control pugilistic contests and exhibitions boxing.--The commission has exclusive jurisdiction over every match held within the state which involves a professional. Matches shall be held only in accordance with this chapter.

Section 3. Subsections (1) and (2) of section 548.007, Florida Statutes, are amended to read:

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 amateurs.

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Section 4. Section 548.008, Florida Statutes, is created to read:

548.008 Toughman and badman competition prohibited.--

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

(2) Any person participating in or promoting a toughman or badman match is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 5. Subsection (1) of section 548.017, Florida Statutes, is amended to read:

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

(1) A professional participant 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.

Section 6. Subsections (2) and (3) of section 548.043, Florida Statutes, are amended to read:

548.043 Weights and classes, limitations; gloves.--

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

(3) All participants in boxing matches shall wear boxing gloves weighing not less than 6 ounces each. Participants in all other types of matches shall wear such protective devices as the commission deems necessary.

Section 7. Subsection (5) of section 548.045, Florida Statutes, is amended to read:

548.045 Medical advisory council; qualifications, compensation, powers and duties.--

(5) The council shall prepare, and submit to the commission, standards for the physical and mental examination of participants in matches. A standard shall not become effective until approved by the commission. The council shall recommend to the commission physicians who are qualified to make the examinations of participants in matches required by this chapter and shall perform any other duties as the commission may direct.
H 1062 (CONTINUED)

04/19/88 HOUSE Withdrawn from International Trade & Economic Development Appropriations—HJ 187, Referred to Transportation, Appropriations later.

04/22/88 HOUSE Subreferred to Subcommittee on Transportation Facilities and Services, On subcommittee agenda—Transportation, 04/26/88, 4:30 pm, 214C

04/26/88 HOUSE Subcommittee Recommendation pending ratification by full Committee Favorable, On Committee agenda, pending subcommittee action—Transportation, 04/28/88, 8:15 am, 214C

04/28/88 HOUSE Preliminary Committee Action by Transportation Favorable with 1 amendment

05/04/88 HOUSE Comm Report, Favorable with 1 amendment(s) by Transportation—HJ 339, Now in Appropriations—HJ 339

05/16/88 HOUSE Withdrawn from Appropriations—HJ 476; Placed on Calendar

06/07/88 HOUSE Died on Calendar

H 1063 GENERAL BILL/CS by Corrections, Probation & Parole; Mackey; Hanson and others (Identical CS/S 395)

Legislative Proposals/Reward for Capture: authorizes superintendent of state correctional institution to pay reward to each person who is responsible for capture of escaped inmate; specifies maximum amount of reward, specifies that certain employees of state, county, & municipal law enforcement or correctional agencies are ineligible to receive such rewards. Effective Date: Upon becoming law

04/19/88 HOUSE Filed

04/08/88 HOUSE Introduced, referred to Corrections, Probation & Parole—HJ 100

04/15/88 HOUSE On subcommittee agenda—Corrections, Probation & Parole, 04/19/88, 3:30 pm, 314-HOB

04/19/88 HOUSE Subcommittee Recommendation pending ratification by full Committee. Favorable as a proposed Committee Substitute; On Committee agenda, pending subcommittee action—Corrections, Probation & Parole, 04/21/88, 8:00 am, 314-HOB

04/21/88 HOUSE Preliminary Committee Action by Corrections, Probation & Parole Favorable as a Committee Substitute

04/25/88 HOUSE Comm. Report: Favorable by Corrections by Cr. Replaces SB 285, 8:45 am, 214C

05/30/88 HOUSE Placed on Special Order Calendar

05/31/88 HOUSE Iden/Sim Senate Bill substituted: Laid on Table under Rule, Iden/Sim Com/Compare Bill passed, refer to CS/SB 395 (Ch. 88-169) —HJ 918

H 1064 GENERAL BILL/EN/G by Dunbar (Similar CS/S 767)

Public Expenditures/Kickbacks: revises Joe Lang Kershaw Act to include prohibiting such activities as kickboxing & martial arts contests & exhibitions; provides for certain protection devices, prohibits touchman & badman competition, provides for required insurance, authorizes commission to establish standards for referees for matches other than boxing, repeals provocation re fingerprinting, provides for review & repeal, etc. Amends Ch. 548; repeal 548.023. Effective Date: 07/06/88

04/05/88 HOUSE Filed

04/08/88 HOUSE Introduced, referred to Commerce—Appropriations—HJ 100

04/13/88 HOUSE Withdrawn from Commerce, Appropriations—HJ 167, Referred to Regulated Industries & Licenses; Appropriations—HJ 167

04/14/88 HOUSE Subreferred to Subcommittee on Alcoholic Beverages and Tobacco, On Committee agenda—Regulated Industries & Licenses, 04/18/88, 1:15 pm, 412C.—For ratification of subreferral

04/18/88 HOUSE On subcommittee agenda—Regulated Industries & Licenses, 04/20/88, 9:00 am, 9-HOB

04/20/88 HOUSE Subcommittee Recommendation pending ratification by full Committee. Favorable with 2 amendments

04/25/88 HOUSE On Committee agenda—Regulated Industries & Licenses, 04/27/88, 8:00 am, 412C

04/27/88 HOUSE Preliminary Committee Report by Regulated Industries & Licenses Favorable with 2 amendments

05/03/88 HOUSE Comm. Report: Favorable with 2 amendment(s) by Regulated Industries & Licenses—HJ 317, Now in Appropriations—HJ 317

05/24/88 HOUSE Withdrawn from Appropriations—HJ 673, Placed on Calendar

05/26/88 HOUSE Placed on Special Order Calendar

05/30/88 HOUSE Read second time, Amendments adopted, Read third time, Passed as amended, YEAS 102 NAYS 8—HJ 843

05/30/88 HOUSE In Messages

06/01/88 HOUSE Received, referred to Commerce, Appropriations—SJ 618

06/03/88 HOUSE Withdrawn from Commerce, Appropriations—Substituted for CS/SB 767; Passed; YEAS 38 NAYS 0—SJ 301

06/03/88 HOUSE Ordered enrolled

06/21/88 HOUSE Signed by Officers and presented to Governor

07/06/88 HOUSE Approved by Governor, Chapter No 98-365

(HISTORY OF HOUSE BILLS AND NOT FINAL BOUND JOURNALS)

H 1065 GENERAL BILL by Sansom

Ed-Ed Fund/Commodity Supplement: adjusts method of calculating district sparsity supplement. Amends 235.081 Effective Date: 07/01/88 or upon becoming law, whichever occurs—HJ 187

04/05/88 HOUSE Filed

04/08/88 HOUSE Introduced, referred to Education, K-12; Finance & Taxation Appropriations—HJ 101

04/19/88 HOUSE On subcommittee agenda—Education, K-12, 04/21/88, 8:00 am, 415-HOB

04/22/88 HOUSE Subreferred to Subcommittee on Administration and Finance, On Committee agenda—Education, K-12, 04/24/88, 3:30 pm, 214C—For ratification of subreferral

04/25/88 HOUSE On Committee agenda—Education, K-12, 04/27/88, 3:30 pm, 214C

04/29/88 HOUSE Comm Report, Favorable by Education, K-12—HJ 472; Now in Finance & Taxation—HJ 472

05/11/88 HOUSE On Committee agenda—Education, K-12, 05/03/88, 3:30 pm, 214C

05/12/88 HOUSE Comm Report, Favorable by Education, K-12—HJ 472; Now in Finance & Taxation—HJ 472

06/07/88 HOUSE Died in Committee on Appropriations

H 1066 GENERAL BILL/CS by Judiciary; Mackey; Diaz-Balart and others (Similar S 1249)

Grandparental Visitation Rights: authorizes grandparents to petition court for reasonable visitation rights under certain circumstances. Amends 752.01 Effective Date: 10/01/88

04/05/88 HOUSE Filed

04/08/88 HOUSE Introduced, referred to Judiciary—HJ 101

04/12/88 HOUSE Subreferred to Subcommittee on Real Property and Family Law, On Committee agenda—Judiciary, 04/14/88, 3:30 pm, 214C—For ratification of subreferral

05/02/88 HOUSE On Committee agenda—Judiciary, 05/04/88, 8:00 am, 214C—Pending withdrawal from subcommittee

05/06/88 HOUSE Preliminary Committee Action by Judiciary Favorable as a Committee Substitute

05/11/88 HOUSE Comm Report: CS by Judiciary, Placed on Calendar—HJ 450, CS read first time—HJ 449

06/07/88 HOUSE Died on Calendar

H 1067 GENERAL BILL by Mackey

Burglary & Trespass/Posted Land: modifies definition of term "posted land" to include reference to commercial business Amends 810.011 Effective Date: 10/01/88

04/05/88 HOUSE Filed

04/08/88 HOUSEIntroduced, referred to Criminal Justice—Appropriations—HJ 101

04/12/88 HOUSE Subreferred to Subcommittee on Crimes, Penalties and Prosecutions, On committee agenda—Criminal Justice, 04/14/88, 8:00 am, 314-HOB

04/14/88 HOUSE Subcommittee Recommendation pending ratification by full Committee Favorable

04/20/88 HOUSE On Committee agenda—Criminal Justice, 04/20/88, 3:30 pm, Morris Hall, Preliminary Committee Action by Criminal Justice: Favorable

04/22/88 HOUSE Comm Report, Favorable by Criminal Justice—HJ 233; Now in Appropriations—HJ 233

05/04/88 HOUSE Withdrawn from Appropriations—HJ 335; Placed on Calendar

06/07/88 HOUSE Died on Calendar

H 1068 GENERAL BILL by Stone

County Property Purchase/Reimbursement: provides additional appraisal & notice requirements for purchase of real property by county; provides for application of provisions re such purchase when general revenue funds or minority business enterprise funds are used Amends 125.356 Effective Date: 10/01/88

04/05/88 HOUSE Introduced, referred to Community Affairs, Appropriations—HJ 101

04/18/88 HOUSE Subreferred to Subcommittee on Crimes, Penalties and Prosecutions, On subcommittee agenda—Criminal Justice, 04/20/88, 8:00 am, 214C

04/21/88 HOUSE On subcommittee agenda—Criminal Justice, 04/25/88, 3:30 pm, 223C—Not considered

04/25/88 HOUSE Withdrawn from Community Affairs, Appropriations—HJ 243; Referred to Governmental Operations; Appropriations—HJ 243

06/07/88 HOUSE Died in Committee on Governmental Operations

H 1069 JOINT RESOLUTION by Crosty; D.L. Jones (Identical S 873, Compare CS/H 673, CS/CS/ENG/9381)

State Bonds/Transportation Purposes: constitutional amendment to authorize legislature to provide for issuance by state, without vote of electors, of bonds pledging full faith & credit of state, proceeds of which are to be used to finance or refinance state transportation, state correctional facilities, & public education fixed capital outlay projects Creates s 17, Art. VII, s. 20, Art. XII

04/03/88 HOUSE Filed

(CONTINUED ON NEXT PAGE)
S 765 (CONTINUED)  
07/02/88  Became Law without Governor's Signature, Chapter No 88-222

S 766 GENERAL BILL by Kisner (Similar H 1446)  
Tourism/Direct-support Organization: authorizes Commerce Dept. to designate tourism direct-support organization, provides requirements for such organization, provides for adoption of rules, requires certain provisions in rules, requires annual audits, provides exemption from public records law Creates 288.013 Effective Date Upon becoming law  
04/03/88 SENATE Filed  
04/14/88 SENATE Introduced, referred to Commerce, Governmental Operations, Appropriations —SJ 99  
04/15/88 SENATE Extension of time granted Committee Commerce  
04/18/88 SENATE On Committee agenda—Commerce, 04/20/88, 2:00 p.m., Room-A  
04/20/88 SENATE Comm Report Favorable with 1 amendment(a) by Commerce –SJ 99  
04/21/88 SENATE Now in Governmental Operations –SJ 142  
04/29/88 SENATE On Committee agenda—Governmental Operations, 05/03/88, 2:00 p.m., Room-H  
05/02/88 SENATE Extension of time granted Committee Governmental Operations  
05/03/88 SENATE Comm Report Favorable by Governmental Operations –SJ 228  
05/04/88 SENATE Now in Appropriations –SJ 228  
05/19/88 SENATE Extension of time granted Committee Appropriations  
06/07/88 SENATE Died in Committee on Appropriations

S 767 GENERAL BILL/CS by Commerce; Thurman (Similar H 1064)  
Pysical Exhibitions/Kickboxing: prescribes authority of State Athletic Commission over kickboxing and certain arts and combat sports, provides for certain protective devices, provides for required insurance, authorizes said commission to require each contract regulated by them to include language authorizing commission to withhold all or any part of manager's share of purse, prohibits "toughman" or "badman" competitions provides for review & repeal, etc. Amends Ch 548 Effective Date 07/01/88 or upon becoming law, whichever occurs later.  
04/05/88 SENATE Filed  
04/14/88 SENATE Introduced, referred to Commerce, Appropriations —SJ 99  
04/15/88 SENATE Extension of time granted Committee Commerce  
04/18/88 SENATE On Committee agenda—Commerce, 04/20/88, 2:00 p.m., Room-A  
04/20/88 SENATE Comm Report CS by Commerce –SJ 142  
04/21/88 SENATE CS read first time –SJ 142, Now in Appropriations —SJ 142  
05/04/88 SENATE Extension of time granted Committee Appropriations  
05/10/88 SENATE Withdrawn from Appropriations —SJ 261, Placed on Calendar  
06/01/88 SENATE Placed on Special Order Calendar —SJ 611 & –SJ 612  
06/22/88 SENATE Placed on Special Order Calendar —SJ 713 & –SJ 715  
06/03/88 SENATE Placed on Special Order Calendar —SJ 773 & –SJ 778; Iden./Sim House Bill substituted, Laid on Table under Rule, Iden./Sim /Compare Bill passed, refer to HB 1064 (Ch 88-365) –SJ 901

S 768 GENERAL BILL by Thurman (Similar H 651)  
Athletic Commission Trust Fund: creates State Athletic Commission Trust Fund, requires Treasurer to deposit moneys derived from fees, fines, & forfeitures under provision re pugilistic exhibitions, into fund, specifies uses of moneys, provides for transfer of moneys over specified amount to General Revenue Fund. Amends 548.077 Effective Date Upon becoming law.  
04/05/88 SENATE Filed  
04/14/88 SENATE Introduced, referred to Commerce, Finance, Taxation and Claims, Appropriations —SJ 99  
04/15/88 SENATE Extension of time granted Committee Commerce  
04/18/88 SENATE On Committee agenda—Commerce, 04/20/88, 2:00 p.m., Room-A  
04/20/88 SENATE Comm Report Favorable by Commerce –SJ 142  
04/21/88 SENATE Now in Finance, Taxation and Claims –SJ 142  
04/29/88 SENATE Extension of time granted Committee Finance, Taxation and Claims  
05/13/88 SENATE Extension of time granted Committee Finance, Taxation and Claims  
05/17/88 SENATE Withdrawn from Finance, Taxation and Claims –SJ 309, Now in Appropriations  
05/19/88 SENATE Extension of time granted Committee Appropriations  
05/26/88 SENATE On Committee agenda— Appropriations, 05/27/88, 9:00 a.m., Room-A –SJ 430  
05/27/88 SENATE Comm Report Favorable by Appropriations, placed on Calendar –SJ 464  
06/01/88 SENATE Placed on Special Order Calendar –SJ 611 & –SJ 612  
06/02/88 SENATE Placed on Special Order Calendar –SJ 713 & –SJ 715  
06/03/88 SENATE Placed on Special Order Calendar –SJ 773 & –SJ 778; Iden./Sim House Bill substituted, Laid on Table under Rule, Iden./Sim /Compare Bill passed, refer to HB 561 (Ch 88-132) –SJ 901

S 769 GENERAL BILL by Thurman (Similar H 901)  
Funeral Directors & Embalmers Board: repeals provision re location of headquarters of Funeral Directors & Embalmers Board Repeals 470.004 Effective Date Upon becoming law  
04/05/88 SENATE Filed  
04/14/88 SENATE Introduced, referred to Economic, Community and Consumer Affairs, Governmental Operations –SJ 99  
04/15/88 SENATE Extension of time granted Committee Economic, Community and Consumer Affairs  
04/18/88 SENATE On Committee agenda—Economic, Community and Consumer Affairs –SJ 166  
04/22/88 SENATE Now in Governmental Operations –SJ 166  
04/29/88 SENATE On Committee agenda—Governmental Operations, 05/03/88, 2:00 p.m., Room-H  
05/02/88 SENATE Extension of time granted Committee Governmental Operations  
05/03/88 SENATE Comm Report Favorable by Governmental Operations, placed on Calendar –SJ 228  
05/18/88 SENATE Placed on Consent Calendar –SJ 310, Iden./Sim House Bill substituted, Laid on Table under Rule, Iden./Sim /Compare Bill passed, refer to HB 901 (Ch 88-76) –SJ 346

S 770 GENERAL BILL/CS by Commerce; Langley and others (Compare CS/ENG/H 1153)  
Video Monitory/Sale or Rental: redefines description of "knowingly", prohibits certain sales or rentals of videotapes harmful to minors, prohibits certain false representations concerning such sales or rentals, provides penalties Amends 847.013 Effective Date 10/01/88  
04/05/88 SENATE Filed  
04/14/88 SENATE Introduced, referred to Commerce, Judiciary-Criminal –SJ 99  
04/15/88 SENATE Extension of time granted Committee Commerce  
04/28/88 SENATE On Committee agenda—Commerce, 05/02/88, 2:00 p.m., Room-A  
04/29/88 SENATE Extension of time granted Committee Commerce  
05/02/88 SENATE Comm Report. CS by Commerce –SJ 229  
05/04/88 SENATE CS read first time –SJ 230, Now in Judiciary-Criminal –SJ 229  
05/12/88 SENATE On Committee agenda—Judiciary-Criminal, 05/16/88, 2:00 p.m., Room-C  
05/13/88 SENATE Extension of time granted Committee Judiciary-Criminal  
05/16/88 SENATE Comm Report Favorable by Judiciary-Criminal, placed on Calendar –SJ 310  
06/01/88 SENATE Placed on Special Order Calendar –SJ 611 & –SJ 612  
06/02/88 SENATE Placed on Special Order Calendar –SJ 713 & –SJ 715  
06/03/88 SENATE Placed on Special Order Calendar –SJ 773 & –SJ 778; Amendments adopted, Iden./Sim House Bill substituted, Laid on Table under Rule, Iden./Sim /Compare Bill passed, refer to CS/HB 1153 (Ch 88-283) –SJ 877

S 771 GENERAL BILL by Gordon (Compare CS/CS/H 588, CS/ENG/H 600)  
Long-term Health Care/Master Plan: expands duties & responsibilities of Statewide Health Council, requires preparation of state master report for long-term health care, requires certain recommendations to H R.S Dept & Legislature, requires development of mechanism for public input; requires annual review & report of implementation of state master report Creates 381.4935 Effective Date 10/01/88  
04/05/88 SENATE Filed  
04/14/88 SENATE Introduced, referred to Health and Rehabilitative Services –SJ 99  
04/15/88 SENATE Extension of time granted Committee Health and Rehabilitative Services  
04/29/88 SENATE Extension of time granted Committee Health and Rehabilitative Services  
05/13/88 SENATE Extension of time granted Committee Health and Rehabilitative Services  
05/19/88 SENATE On Committee agenda—Health and Rehabilitative Services, 05/23/88, 2:00 p.m., Room-A  
05/23/88 SENATE Comm Report Favorable by Health and Rehabilitative Services, placed on Calendar –SJ 366  
05/31/88 SENATE Placed on Consent Calendar –SJ 549  
06/01/88 SENATE Placed on Consent Calendar –SJ 611  
06/07/88 SENATE Died on Calendar, Iden./Sim /Compare Bill passed, refer to CS/HB 600 (Vetoed by Governor–07/06/88)

(continued on next page)
A bill to be entitled
An act relating to pugilistic exhibitions;
amending ss. 548.002, 548.006, 548.007,
548.017, 548.043, 548.045, 548.046, 548.047,
548.049, 548.05, 548.053, 548.054, 548.056,
548.057, and 548.07, F.S., and creating s.
548.008, F.S.; revising the Joe Lang Kershaw
Act to include pugilistic events such as
kickboxing and martial arts contests and
exhibitions; providing for certain protective
devices; prohibiting toughman and badman
competition; providing a penalty; providing for
required insurance; authorizing the State
Athletic Commission to require each contract
regulated by the commission to include language
authorizing the commission to withhold all or
any part of a manager's share of a purse or
implead interested parties over disputed funds
into an appropriate court action, in the event
of a contractual dispute as to entitlement to
any portion of the purse; authorizing the
commission to establish standards for referees
for matches other than boxing; providing for
penalties; repealing s. 548.023, F.S., relating
to fingerprinting; providing an effective date.

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

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

548.002 Definitions.--As used in this act, the term:

CODING: Words struck are deletions; words underlined are additions.
(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) "Boxing" means to compete with the fists.

(3) "Commission" means the State Athletic Commission.

(4) "Contest" means a boxing, kickboxing, or martial arts engagement in which the participants strive earnestly to win.

(5) "Exhibition" means a boxing, kickboxing, or martial arts engagement in which the participants show or display their skill without necessarily striving to win.

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

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

(8) "Kickboxing" means to compete with the fists, feet, legs, or any combination thereof, and includes "punchkick" and other similar competitions.

(9) "Manager" means any person who, directly or indirectly, controls or administers the boxing, kickboxing, or martial arts affairs of any participant boxer.

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

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

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

(13) "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.

"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.

"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.

Section 2. The catchline of section 548.006, Florida
Statutes, is amended to read:

548.006 Power of commission to control pugilistic
contests and exhibitions boxing.--The commission has exclusive
jurisdiction over every match held within the state which
involves a professional. Matches shall be held only in
accordance with this chapter.

Section 3. Subsections (1) and (2) of section 548.007,
Florida Statutes, are amended to read:

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 amateurs
amateur-boxers;

(2) Any match conducted or sponsored by a university,
college, or secondary school if all the participants boxers
are students regularly enrolled in the institution;

Section 4. Section 548.008, Florida Statutes, is
created to read:

548.008 Toughman and badman competition prohibited.--

CODING: Words stricken are deletions; words underlined are additions.
(1) No touchman or badman match, as described in this section, may be held in this state. Such competition includes any contest or exhibition where participants compete by using a combination of fighting skills. Such skills may include, but are not limited to, boxing, wrestling, kicking, or martial arts skills. Notwithstanding the above, this section shall not preclude kickboxing as regulated by this chapter.

(2) Any person participating in or promoting a touchman or badman match is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 5. Subsection (1) of section 548.017, Florida Statutes, is amended to read:

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

(1) A professional participant 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.

Section 6. Subsections (2) and (3) of section 548.043, Florida Statutes, are amended to read:

548.043 Weights and classes, limitations; gloves.--

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

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

CODING: Words stricken are deletions; words underlined are additions.
Participants in all other types of matches shall wear such protective devices as the commission deems necessary.

Section 7. Subsection (5) of section 548.045, Florida Statutes, is amended to read:

548.045 Medical advisory council; qualifications, compensation, powers and duties.--

(5) The council shall prepare, and submit to the commission, standards for the physical and mental examination of participants in matches boxers. A standard shall not become effective until approved by the commission. The council shall recommend physicians who are qualified to make the examinations of participants in matches boxers required by this chapter and shall perform any other duties as the commission may direct.

Section 8. Section 548.046, Florida Statutes, is amended to read:

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

(1) The commission shall assign to each match a physician who shall observe the physical condition of the participants boxers and advise the commissioner or deputy in charge and the referee of the participants' boxers' conditions 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 participant boxer shall be examined by the attending physician within 12 hours before he enters the ring. If the physician determines that a participant 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 result of the examination shall be reported in a writing signed by the physician and filed with the commission within 72 hours after the match.

Section 9. Section 548.047, Florida Statutes, is amended to read:

548.047 Duty of licensee to disclose condition of participant boxer.—A licensee shall disclose all information in his possession concerning any mental or physical disability, injury, illness, or incapacity of a participant in a match boxer, immediately after learning thereof, to the commission, the deputy in charge, the attending physician, or the referee.

Section 10. Section 548.049, Florida Statutes, is amended to read:

548.049 Medical, surgical, and hospital insurance; life insurance.—

1) The commission shall may, by rule, require participants boxers to be covered by not less than $2,500 $5,000 of insurance for medical, surgical, and hospital care required as a result of injuries sustained while preparing-for or engaged in matches. The insured shall be the beneficiary of such policies.

2) The commission may also require participants 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.

CODING: Words stricken are deletions; words underlined are additions.
Section 11. Subsection (3) of section 548.05, Florida Statutes, is renumbered as subsection (4) and a new subsection (3) is added to said section to read:

548.05 Control of contracts.--

(3) The commission may require that each contract contain language authorizing the State Athletic Commission to withhold any or all of any manager's share of a purse in the event of a contractual dispute as to entitlement to any portion of a purse. The commission may establish rules governing the manner of resolution of such dispute. In addition, if the commission deems it appropriate, the commission is hereby authorized to impound interested parties over any disputed funds into the appropriate circuit court for resolution of the dispute prior to release of all or any part of the funds.

Section 12. Section 548.053, Florida Statutes, is amended to read:

548.053 Distribution of purses to participants boxers; statements.--

(1) Unless otherwise directed by a representative of the commission, all purses shall be distributed by the promoter no 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 participant boxer and his manager, together with the participant's boxer's share of the purse. The promoter shall file a copy of the statement, 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.

CODING: Words stricken are deletions; words underlined are additions.
(2) Unless otherwise directed by a representative of the commission, a manager shall furnish to the participant boxer he manages a statement of distribution, together with the participant's boxer's share of the purse, no later than 24 hours after the manager receives the purse and statement from the promoter. The manager shall file a copy of the statement, 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.

Section 13. Subsection (1) of section 548.054, Florida Statutes, is amended to read:

548.054 Withholding of purses; hearing; disposition of withheld purse forfeiture.--

(1) A 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 participant boxer, or to withhold the share of any manager, if it appears that:

(a) The participant boxer is not competing honestly, or is intentionally not competing to the best of his ability and skill, in a match represented to be a contest; or

(b) The participant boxer, his manager, or any of his seconds has violated this chapter.

Section 14. Subsections (1) and (2) of section 548.056, Florida Statutes, are amended to read:

548.056 Prohibited financial interests in participant boxer; penalties.--

(1) A member of the commission, an employee of the commission; a referee, judge, or promoter licensed by the commission, or an attending physician may not have any direct

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CODING: Words struck out are deletions; words underlined are additions.
or indirect financial or pecuniary interest in any participant boxer.

(2)(a) A manager, trainer, or second of any participant boxer shall not have any direct or indirect financial or pecuniary interest in the opponent in any contest in which his own participant boxer participates.

(b) A participant boxer shall not have any direct or indirect financial or pecuniary interest in his opponent in any contest.

Section 15. Section 548.057, Florida Statutes, is amended to read:

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

(1) At each boxing match involving a professional, except at 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) At each boxing contest, at the expense of the promoters, three judges shall attend and shall 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 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 boxing 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.
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HB 1064
74-23A-3-8

(5) For matches other than boxing, the commission shall establish such standards and requirements for referees as are deemed necessary.

Section 16. Section 548.07, Florida Statutes, is amended to read:

548.07 Suspension of license or permit by commissioner; hearing.--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 the sport boxing. The commission shall hold a hearing within 10 days after the date on which the license or permit is suspended.

Section 17. Section 548.023, Florida Statutes, is hereby repealed.

Section 18. This act shall take effect July 1, 1988, or upon becoming a law, whichever occurs later.

CODING: Words stricken are deletions; words underlined are additions.
HOUSE SUMMARY

Revises the Joe Lang Kershaw Act to include pugilistic events other than boxing, such as kickboxing and martial arts contests and exhibitions. Prohibits toughman or badman matches. Authorizes the State Athletic Commission to require each contract regulated by the commission to include language authorizing the commission to withhold all or any part of a manager's share of a purse or impound interested parties over disputed funds into an appropriate court action in the event of a contractual dispute. Authorizes the commission to provide for protective devices and for standards for referees for matches other than boxing.

This publication was produced at an average cost of 1.12 cents per single page in compliance with the Rules and for the information of members of the Legislature and the public.

CODING: Words stricken are deletions; words underlined are additions.
I. SUMMARY:

This bill expands the definition of pugilistic (boxing matches) exhibitions to include kickboxing and martial arts. Badman and toughman contests are prohibited.

A. PRESENT SITUATION:

The State Athletic Commission (commission) operating under the Department of Business Regulation (department) is responsible for regulating pugilistic exhibitions and contests. The sport is regulated under chapter 548, F.S., known as the Joe Lang Kershaw Act.

Presently, a pugilistic contest is a boxing engagement in which the boxers strive earnestly to win. An exhibition is a boxing engagement in which the participants show or display their skill without necessarily striving to win.

Medical insurance coverage is suggested in the statute for boxing contestants and exhibitionists, although it is not mandatory.

A physical examination is required for boxing contests or exhibitions within three hours of the event. Fingerprinting is also required of boxers as a means of identification.
Kickboxing is competition with the fists, feet, legs, any combination thereof, and includes "punchkick" and other similar competitions. Kickboxing is described as an outgrowth of karate or other similar self-defense skills. Unlike wrestling, which is more of an entertainment than skill, kickboxing is closely aligned with the actual competition associated with boxing.

The martial arts and kickboxing are not state regulated and are regulated only by various sanctioning groups such as the World Kickboxing Association and the International Society of Kickboxing Associations.

The sanctioning groups for kickboxing and the martial arts also require a physical examination prior to the event, however, the time requirement for conducting the examination prior to the event is not known.

There are approximately six kickboxing/martial arts bouts/matches held each year in Florida. The average attendance is between 200-300 spectators. Since ESPN dropped contractual coverage, there has been no recent television coverage of the sport.

B. EFFECT OF PROPOSED CHANGES:

This bill expands the definitions of pugilistic exhibitions and contests to include kickboxing and martial arts. Instead of referring to boxing as the only pugilistic activity, it now means competing with the fists.

Kickboxing participants are required to wear such protective devices as directed by the commission for contests and exhibitions.

Toughman and badman competition is prohibited and includes any competition or exhibition where participants compete by using a combination of fighting skills, other than kickboxing. Skills may include, but are not limited to, boxing, wrestling, kicking, or the martial arts. Anyone promoting or participating in this form of competition is guilty of a misdemeanor of the second degree punishable by imprisonment of no more than 60 days or fine of $500.

Participants in pugilistic matches will be required to have no less than $2,500 in medical insurance.

The commission may require contracts to contain language authorizing the State Athletic Commission to withhold any or all of the manager's share of a purse in the event of a contractual dispute.

No manager or trainer of a participant can have any financial or pecuniary interest in his opponent in a contest. And, an
opponent or participant cannot have any financial or pecuniary interest in the other opponent of the contest.

Specific guidelines are set out in section 548.057, F.S., involving the judging of boxing matches. For matches other than boxing, the commission is directed to establish standards and requirements for referees.

The entire chapter 548 is codified to incorporate kickboxing and martial arts participants into pugilistic regulation.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring or First Year Start-Up Effects:
   
   The department does not anticipate any additional budget requests to monitor kickboxing or martial arts.

2. Recurring or Annualized Continuation Effects:
   
   None.

3. Long Run Effects Other Than Normal Growth:
   
   None.

4. Appropriations Consequences:

   The department estimates that revenue will increase by about $500 annually from gate receipts tax. The state would receive .05 per person tax on approximately 300 spectators attending six bouts per year for a total of $450. There will be no noticeable increase in revenue expenditures by the department or the commission to monitor this added responsibility.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring or First Year Start-Up Effects:

   None.

2. Recurring or Annualized Continuation Effects:

   None.

3. Long Run Effects Other Than Normal Growth:

   None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:
1. **Direct Private Sector Costs:**

No change in gate receipts is anticipated as a result of state regulation of the sports.

2. **Direct Private Sector Benefits:**

Placing safeguards in the regulation of the sports and requiring medical insurance for participants will benefit the participants. With regulation, it is hoped that these sports will attract only individuals who are serious about boxing or kickboxing. This will help make the sports safer for the participants.

3. **Effects on Competition, Private Enterprise, and Employment Markets:**

None.

D. **FISCAL COMMENTS:**

None.

III. **LONG RANGE CONSEQUENCES:**

None.

IV. **COMMENTS:**

This is a department-sponsored bill. The department feels that badman and toughman fights are potentially very dangerous competitions that need to be banned. The WKA and ISKA, the previously-mentioned sanctioning groups, have chapters/organizations in Florida which support the bill.

**Legislative History 1988 Session**

A. **Enacted Bill**

HB 1064 was introduced by Representative Dunbar April 5, 1988, and referred to House Commerce and Appropriations Committees. April 13th it was withdrawn from both committees and assigned to House Regulated Industries & Licensing Committee and again to Appropriations (HJ 00167). April 20th the subcommittee on Alcoholic Beverages & Tobacco favorably referred it to full committee with two technical amendments and on May 3rd it passed out of Full Committee favorably (HJ 00317). May 24th HB 1064 was withdrawn from Appropriations (HJ 00673) and placed on the calendar. The bill passed the House May 30th with 102 yeas and 8 nays (HJ 00843). June 1st the Senate referred HB 1064 to Senate Commerce and Appropriations Committees (SJ 00618) and then removed it from both on June 3rd, and substituted it for CS/SB 767. It immediately passed the Senate 38-0 (SJ 00901).

B. **Disposition of Companion**
SB 767 was introduced April 5, 1988, by Senator Thurman and referred to Senate Commerce and Appropriations Committees (SJ 00099). April 20th Senate Commerce reported the bill favorable as a committee substitute (placing the bill more in line with HB 1064). April 21st the bill was placed in Appropriations Committee and subsequently withdrawn May 10th (SJ 00261). On June 1st CS/SB 767 was placed on special order (SJ 00612) and on June 3rd HB 1064 was substituted for CS/SB 767, which passed the Senate (SJ 00901).

V. SIGNATURES:

SUBSTANTIVE COMMITTEE:
Prepared by: Fran C. Poppell
Staff Director: Wyatt T. Martin

FINANCE & TAXATION:
Prepared by: 
Staff Director: 

APPROPRIATIONS:
Prepared by: 
Staff Director: 

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STANDARD FORM 5/88
A bill to be entitled
An act relating to pugilistic exhibitions;
amending ss. 548.002, 548.004, 548.006,
548.007, 548.017, 548.041, 548.043, 548.045,
548.046, 548.047, 548.049, 548.05, 548.053,
548.054, 548.056, 548.057, 548.061, and 548.07,
P.S.; prescribing authority of the State
Athletic Commission over kickboxing and martial
arts matches; providing definitions; providing
for certain protective devices; providing for
required insurance; authorizing the State
Athletic Commission to require each contract
regulated by the commission to include language
authorizing the commission to withhold all or
any part of a manager's share of a purse or
implead interested parties over disputed funds
into an appropriate court action, in the event
of a contractual dispute as to entitlement to
any portion of the purse; authorizing the
commission to establish standards for referees
for matches other than boxing; providing for
penalties; creating s. 548.008, P.S.;
prohibiting "toughman" or "badman" competitions
and prescribing penalties therefor; repealing
s. 548.023, P.S., relating to fingerprinting;
providing an effective date.

Be it enacted by the Legislature of the State of Florida:

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

CODING: Words struck are deletions; words underlined are additions.
4-1084-88

548.002 Definitions.—As used in this act, the term:
(1) "Amateur" means a person who has never received
nor competed for any purse or other article of value, either
for the expenses of training or for participating in a match,
other than a prize of $50 in value or less.
(2) "Boxing" means to compete with the fists.
(3) "Commission" means the State Athletic
Commission.
(4)++ "Contest" means a boxing, kickboxing, or
martial arts engagement in which the participants bellers
strive earnestly to win.
(5)++ "Exhibition" means a boxing, kickboxing, or
martial arts engagement in which the participants show or
display their skill without necessarily striving to win.
(6)++ "Foreign copromoter" means a promoter who has
no place of business within this state.
(7)++ "Judge" means a person other than a referee
who has a vote in determining the winner of any contest.
(8)++ "Kickboxing" means to compete with the fists,
feet, legs, or any combination thereof, and includes
punchkick and other similar competitions.
(9)++ "Manager" means any person who, directly or
indirectly, controls or administers the boxing, kickboxing, or
martial arts affairs of any participant boxer.
(10)++ "Match" means any contest or exhibition.
(11)++ "Matchmaker" means a person who brings
together professionals or arranges matches for professionals.
(12)++ "Physician" means an individual licensed to
practice medicine and surgery in this state.
(13)++ "Professional" means a person who has
received or competed for any purse or other article of a value

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greater than $50, either for the expenses of training or for
participating in any match.

(Promoter) "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.

(Purse) "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.

Section 2. Subsection (2) of section 548.004, Florida
Statutes, is amended to read:

548.004 Executive secretary; deputies; duties,
compensation.--

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

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

548.006 Power of commission to control pugilistic
contests and exhibitions boxing.--The commission has exclusive
jurisdiction over every match held within the state which
involves a professional. Matches shall be held only in
accordance with this chapter.

Section 4. Subsections (1) and (2) of section 548.007,
Florida Statutes, are amended to read:

548.007 Applicability of act to amateur matches and
certain other matches or events.--Sections 548.001-548.079 do
not apply to:

CODING: Words stricken are deletions; words underlined are additions.
(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 participants boxers are students regularly enrolled in the institution;

Section 5. Subsection (1) of section 548.017, Florida Statutes, is amended to read:

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

(1) A professional participant 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.

Section 6. Section 548.041, Florida Statutes, is amended to read:

548.041 Age of participants boxers.--A person under 18 years of age may not participate in any match, except that an amateur who is 16 or 17 years of age may participate in matches with other amateurs who are 16 or 17 years of age under rules adopted by the commission.

Section 7. Subsections (2) and (3) of section 548.043, Florida Statutes, are amended to read:

548.043 Weights and classes, limitations; gloves.--

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

CODING: Words stricken are deletions; words underlined are additions.
(3) All participants in boxing matches boxers shall wear boxing gloves weighing not less than 6 ounces each. Participants in all other types of matches shall wear such protective devices as the commission deems necessary.

Section 8. Subsection (5) of section 548.045, Florida Statutes, is amended to read:

548.045 Medical advisory council; qualifications, compensation, powers and duties.—

(5) The council shall prepare, and submit to the commission, standards for the physical and mental examination of participants in matches boxers. A standard shall not become effective until approved by the commission. The council shall recommend physicians who are qualified to make the examinations of participants in matches boxers required by this chapter and shall perform any other duties as the commission may direct.

Section 9. Section 548.046, Florida Statutes, is amended to read:

548.046 Physician's attendance at match; examinations; cancellation of match.—

(1) The commission shall assign to each match a physician who shall observe the physical condition of the participants boxers and advise the commissioner or deputy in charge and the referee of the participants' boxers' conditions 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 participant boxer shall be examined by the attending physician within 3 hours before he enters the ring. If the

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physician determines that a participant 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 result of the examination shall be reported in a writing signed by the physician and filed with the commission within 72 hours after the match.

Section 10. Section 548.047, Florida Statutes, is amended to read:

548.047 Duty of licensee to disclose condition of participant boxer.--A licensee shall disclose all information in his possession concerning any mental or physical disability, injury, illness, or incapacity of a participant in a match boxer, immediately after learning thereof, to the commission, the deputy in charge, the attending physician, or the referee.

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

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

(1) The commission shall may, by rule, require participants boxers to be covered by not less than $2,500 $5,000 of insurance for medical, surgical, and hospital care required as a result of injuries sustained while preparing for or engaged in matches. The insured shall be the beneficiary of such policies.

(2) The commission may also require participants 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.

CODING: Words struck are deletions; words underlined are additions.
Section 12. Subsection (3) of section 548.05, Florida Statutes, is renumbered as subsection (4) and a new subsection (3) is added to said section to read:

548.05 Control of contracts.--

(3) The commission may require that each contract contain language authorizing the State Athletic Commission to withhold any or all of any manager's share of a purse in the event of a contractual dispute as to entitlement to any portion of a purse. The commission may establish rules governing the manner of resolution of such dispute. In addition, if the commission deems it appropriate, the commission is hereby authorized to implead interested parties over any disputed funds into the appropriate circuit court for resolution of the dispute prior to release of all or any part of the funds.

Section 13. Section 548.053, Florida Statutes, is amended to read:

548.053 Distribution of purses to participants boxers; statements.--

(1) Unless otherwise directed by a representative of the commission, all purses shall be distributed by the promoter no 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 participant boxer and his manager, together with the participant's boxer's share of the purse. The promoter shall file a copy of the statement, 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.

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Unless otherwise directed by a representative of the commission, a manager shall furnish to the participant boxer he manages a statement of distribution, together with the participant's boxer's share of the purse, no later than 24 hours after the manager receives the purse and statement from the promoter. The manager shall file a copy of the statement, 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.

Section 14. Subsection (1) of section 548.054, Florida Statutes, is amended to read:

548.054 Withholding of purses; hearing; disposition of withheld purse forfeiture.--

(1) A 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 participant boxer, or to withhold the share of any manager, if it appears that:

(a) The participant boxer is not competing honestly, or is intentionally not competing to the best of his ability and skill, in a match represented to be a contest; or

(b) The participant boxer, his manager, or any of his seconds has violated this chapter.

Section 15. Subsections (1) and (2) of section 548.056, Florida Statutes, are amended to read:

548.056 Prohibited financial interests in participant boxer; penalties.--

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

(2)(a) A manager, trainer, or second of any participant boxer shall not have any direct or indirect financial or pecuniary interest in the opponent in any contest in which his own participant boxer participates.

(b) A participant boxer shall not have any direct or indirect financial or pecuniary interest in his opponent in any contest.

Section 16. Section 548.057, Florida Statutes, is amended to read:

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

(1) At each boxing match involving a professional, except at 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) At each boxing contest, at the expense of the promoters, three judges shall attend and shall 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 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 boxing 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.
(5) For matches other than boxing, the commission shall establish such standards and requirements for referees as are deemed necessary.

Section 17. Section 548.061, Florida Statutes, is amended to read:

548.061 Closed circuit television.--Each person or club that holds or shows 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, which states 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.

Section 18. Section 548.07, Florida Statutes, is amended to read:

548.07 Suspension of license or permit by commissioner; hearing.--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 the sport boxing. The commission shall hold a hearing within 10 days after the date on which the license or permit is suspended.

Section 19. Section 548.008, Florida Statutes, is created to read:

548.008 Toughman and badman competition prohibited.--

(1) A toughman or badman competition may not be held in this state. Such competition includes any contest or

CODING: Words struck are deletions; words underlined are additions.
exhibition in which participants compete by using a combination of fighting skills. Such skills may include, but are not limited to, boxing, wrestling, kicking, and martial arts skills. However, this section does not prohibit kickboxing as regulated by this chapter.

(2) A person who participates in or promotes a toughman or badman competition is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 20. Section 548.023, Florida Statutes, is hereby repealed.

Section 21. This act shall take effect July 1, 1988, or upon becoming a law, whichever occurs later.

***************
SENATE SUMMARY
Revises the Joe Lang Kershaw Act to provide for pugilistic events other than boxing, such as kickboxing and martial arts contests and exhibitions. Authorizes the State Athletic Commission to require each contract regulated by the commission to include language authorizing the commission to withhold all or any part of a manager's share of a purse or implead interested parties over disputed funds into an appropriate court action in the event of a contractual dispute. Authorizes the commission to provide for protective devices and for standards for referees for matches other than boxing. Prohibits "toughman" or "badman" competitions.

CODING: Words stricken are deletions; words underlined are additions.
A bill to be entitled
An act relating to pugilistic exhibitions;
amending ss. 548.002, 548.004, 548.006,
548.007, 548.017, 548.041, 548.043, 548.045,
548.046, 548.047, 548.049, 548.05, 548.053,
548.054, 548.056, 548.057, 548.061, and 548.07,
F.S.; prescribing authority of the State
Athletic Commission over kickboxing and martial
arts matches; providing definitions; providing
for certain protective devices; providing for
required insurance; authorizing the State
Athletic Commission to require each contract
regulated by the commission to include language
authorizing the commission to withhold all or
any part of a manager's share of a purse or
implead interested parties over disputed funds
into an appropriate court action, in the event
of a contractual dispute as to entitlement to
any portion of the purse; authorizing the
commission to establish standards for referees
for matches other than boxing; providing for
penalties; creating s. 548.008, F.S.;
prohibiting "toughman" or "badman" competitions
and prescribing penalties therefor; repealing
s. 548.023, F.S., relating to fingerprinting;
providing for review and repeal; providing an
effective date.

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

CODING: Words stricken are deletions; words underlined are additions.
Section 1. Section 548.002, Florida Statutes, is amended to read:

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

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

(2) "Boxing" means to compete with the fists.

(3) "Commission" means the State Athletic Commission.

(4) "Contest" means a boxing, kickboxing, or martial arts engagement in which the participants boxers strive earnestly to win.

(5) "Exhibition" means a boxing, kickboxing, or martial arts engagement in which the participants show or display their skill without necessarily striving to win.

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

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

(8) "Kickboxing" means to compete with the fists, feet, legs, or any combination thereof, and includes "punchkick" and other similar competitions.

(9) "Manager" means any person who, directly or indirectly, controls or administers the boxing, kickboxing, or martial arts affairs of any participant boxer.

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

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

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

"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.

"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.

Section 2. Subsection (2) of section 548.004, Florida Statutes, is amended to read:

548.004 Executive secretary; deputies; duties, compensation.--

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

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

548.006 Power of commission to control matches boxing.--The commission has exclusive jurisdiction over every match held within the state which involves a professional. Matches shall be held only in accordance with this chapter.

Section 4. Subsections (1) and (2) of section 548.007, Florida Statutes, are amended to read:

CODING: Words stricken are deletions; words underlined are additions.
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 amateurs;
2. Any match conducted or sponsored by a university, college, or secondary school if all the participants boxers are students regularly enrolled in the institution;

Section 5. Subsection (1) of section 548.017, Florida Statutes, is amended to read:

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

1. A professional participant 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.

Section 6. Section 548.041, Florida Statutes, is amended to read:

548.041 Age of participants boxers.--A person under 18 years of age may not participate in any match, except that an amateur who is 16 or 17 years of age may participate in matches with other amateurs who are 16 or 17 years of age under rules adopted by the commission.

Section 7. Subsections (2) and (3) of section 548.043, Florida Statutes, are amended to read:

548.043 Weights and classes, limitations; gloves.--

2. No boxing match shall be held in which the difference in weight of the participants boxers exceeds 10 pounds, except matches in the light-heavyweight and
(3) All participants in boxing matches shall wear boxing gloves weighing not less than 6 ounces each. Participants in all other types of matches shall wear such protective devices as the commission deems necessary.

Section 8. Subsection (5) of section 548.045, Florida Statutes, is amended to read:

548.045 Medical advisory council; qualifications, compensation, powers and duties.—

(5) The council shall prepare, and submit to the commission, standards for the physical and mental examination of participants in matches boxers. A standard shall not become effective until approved by the commission. The council shall recommend physicians who are qualified to make the examinations of participants in matches boxers required by this chapter and shall perform any other duties as the commission may direct.

Section 9. Section 548.046, Florida Statutes, is amended to read:

548.046 Physician's attendance at match; examinations; cancellation of match.—

(1) The commission shall assign to each match a physician who shall observe the physical condition of the participants boxers and advise the commissioner or deputy in charge and the referee of the participants' boxers' conditions 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.

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(2) In addition to any other required examination, each participant boxer shall be examined by the attending physician within 12 hours before he enters the ring. If the physician determines that a participant 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 result of the examination shall be reported in a writing signed by the physician and filed with the commission within 72 hours after the match.

Section 10. Section 548.047, Florida Statutes, is amended to read:

548.047 Duty of licensee to disclose condition of participant boxer.--A licensee shall disclose all information in his possession concerning any mental or physical disability, injury, illness, or incapacity of a participant in a match boxer, immediately after learning thereof, to the commission, the deputy in charge, the attending physician, or the referee.

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

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

(1) The commission shall, by rule, require participants boxers to be covered by not less than $2,500

$5,000 of insurance for medical, surgical, and hospital care required as a result of injuries sustained while preparing for or engaged in matches. The insured shall be the beneficiary of such policies.

CODING: Words struck out are deletions; words underlined are additions.
(2) The commission may also require participants 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.

Section 12. Subsection (3) of section 548.05, Florida Statutes, is renumbered as subsection (4) and a new subsection (3) is added to said section to read:

548.05 Control of contracts.--

(3) The commission may require that each contract contain language authorizing the State Athletic Commission to withhold any or all of any manager’s share of a purse in the event of a contractual dispute as to entitlement to any portion of a purse. The commission may establish rules governing the manner of resolution of such dispute. In addition, if the commission deems it appropriate, the commission is hereby authorized to implead interested parties over any disputed funds into the appropriate circuit court for resolution of the dispute prior to release of all or any part of the funds.

Section 13. Section 548.053, Florida Statutes, is amended to read:

548.053 Distribution of purses to participants boxers; statements.--

(1) Unless otherwise directed by a representative of the commission, all purses shall be distributed by the promoter no 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 participant boxer and his manager, together with the participant’s boxer’s share of the purse. The promoter shall file a copy of the statement, certified by

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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, a manager shall furnish to the participant boxer he manages a statement of distribution, together with the participant's boxer's share of the purse, no later than 24 hours after the manager receives the purse and statement from the promoter. The manager shall file a copy of the statement, 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.

Section 14. Subsection (1) of section 548.054, Florida Statutes, is amended to read:

548.054 Withholding of purses; hearing; disposition of withheld purse forfeiture.--

(1) A 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 participant boxer, or to withhold the share of any manager, if it appears that:

(a) The participant boxer is not competing honestly, or is intentionally not competing to the best of his ability and skill, in a match represented to be a contest; or

(b) The participant boxer, his manager, or any of his seconds has violated this chapter.

Section 15. Subsections (1) and (2) of section 548.056, Florida Statutes, are amended to read:

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

(2)(a) A manager, trainer, or second of any participant boxer shall not have any direct or indirect financial or pecuniary interest in the opponent in any contest in which his own participant boxer participates.

(b) A participant boxer shall not have any direct or indirect financial or pecuniary interest in his opponent in any contest.

Section 16. Section 548.057, Florida Statutes, is amended to read:

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

(1) At each boxing match involving a professional, except at 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) At each boxing contest, at the expense of the promoters, three judges shall attend and shall 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 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 boxing 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.

(5) For matches other than boxing, the commission shall establish such standards and requirements for referees as are deemed necessary.

Section 17. Section 548.061, Florida Statutes, is amended to read:

548.061 Closed circuit television.—Each person or club that holds or shows 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, which states 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.

Section 18. Section 548.07, Florida Statutes, is amended to read:

548.07 Suspension of license or permit by commissioner; hearing.—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 sports regulated under this chapter boxing. The commission shall hold a hearing within 10 days after the date on which the license or permit is suspended.

Section 19. Section 548.008, Florida Statutes, is created to read:

CODING: Words stricken are deletions; words underlined are additions.
548.008 Toughman and badman competition prohibited.—

(1) A toughman or badman competition may not be held in this state. Such competition includes any contest or exhibition in which participants compete by using a combination of fighting skills. Such skills may include, but are not limited to, boxing, wrestling, kicking, and martial arts skills. However, this section does not prohibit kickboxing as regulated by this chapter.

(2) A person who participates in or promotes a toughman or badman competition is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 20. Section 548.023, Florida Statutes, is hereby repealed.

Section 21. Section 548.008, Florida Statutes, is repealed October 1, 1994, and shall be reviewed by the Legislature prior to that date pursuant to s. 11.61, Florida Statutes.

Section 22. This act shall take effect July 1, 1988, or upon becoming a law, whichever occurs later.

STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN COMMITTEE SUBSTITUTE FOR Senate Bill 767

This committee substitute makes technical and clarifying changes.

CODING: Words struck are deletions; words underlined are additions.
I. SUMMARY:

A. Present Situation and Effect of Proposed Changes:

Chapter 548, F.S., is known as the "Joe Lang Kershaw Act" and established the State Athletic Commission within the Department of Business Regulation. The commission is to be comprised of five members who serve 4-year staggered terms and are appointed by the Governor and subject to confirmation by the Senate. The commission has exclusive jurisdiction over professional boxing in Florida. Amateur boxing matches are not covered by this act.

Chapter 548, F.S., provides the commission with the authority to establish weight classes. A minimum glove weight is set at 6 ounces and a physician is required to be in attendance at every match. All fighters must have a pre-fight medical examination.

Additionally, ch. 548, F.S., provides for licensing of promoters, fighters, managers, officials, and various other persons involved in the sport. It provides for the issuance of permits for fighting events. The commission is authorized to establish license and permit fees, with certain maximum fee levels.

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 revenue 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.

For ease of understanding, a section-by-section analysis follows:

Section 1: Section 548.002, F.S., is amended to provide definitions for the terms "boxing" and "kickboxing." Various other terms are clarified.
Section 2: Section 548.004, F.S., is amended to expand the term "boxing match" to include kickboxing, by deleting the word "boxing."

Section 3: Section 548.006, F.S., is amended to expand the term "boxing" to all "matches."

Sections 4-6: Sections 548.007, 548.017 and 548.041, F.S., are amended to expand the term "boxer" to "participant."

Section 7: Section 548.043, F.S., is amended to provide that participants in all matches, other than boxing, shall wear such protective devices as the commission deems necessary. Boxers are to wear gloves.

Section 8: Section 548.045, F.S., is amended to expand the term "boxers" to "participants in matches."

Section 9: Section 548.046, F.S., is amended to expand the term "boxers" to "participants." Also, each participant shall be examined by the attending physician within 12 hours before he enters the ring. Currently, the law provides an examination shall occur 3 hours before he enters the ring.

Section 10: Section 548.047, F.S., is amended to expand the term "boxer" to "participants."

Section 11: Section 548.049, F.S., is amended to change the minimum insurance for medical, surgical and hospital care to $2,500 for all participants. Currently, a boxer must be provided not less than $5,000 of such coverage. Also, s. 548.049, F.S., is amended to eliminate coverage if an injury is sustained while a participant is preparing for a match. Coverage still exists for injuries while a participant is engaged in a match.

Additionally, life insurance benefits will not be paid if a participant dies while preparing for a match.

Section 12: Section 548.05, F.S., as amended, provides the State Athletic Commission authority to include certain language in its contracts in the event of contractual disputes as to entitlement to any portion of a purse.

Sections 13-15: Sections 548.053, 548.054 and 548.056, F.S., are amended to expand the term "boxer" to "participant."

Section 16: Section 548.057, F.S., as amended, limits the scope of the section to "boxing matches." Additionally, the commission shall establish such standards and requirements for referees, in matches other than boxing, as are necessary.

Sections 17 and 18: Sections 548.061 and 548.07, F.S., are amended to broaden boxing matches to all matches.

Section 19: Section 548.008, F.S., is created to prohibit toughman or badman competitions in the state. Toughman or badman competitions are any contest or exhibition in which participants compete by using a combination of fighting skills. Such skills may include, but are not limited to, boxing, wrestling, kicking, and martial arts skills. However, kickboxing is not prohibited under chapter 548, F.S.

Additionally, s. 548.008, F.S., provides a person who participates in or promotes a toughman or badman competition is guilty of a misdemeanor of the second degree, punishable as provided in ss. 775.082, 775.083 or 775.084, F.S.

Section 20: Section 548.023, F.S., providing for the requirement for fingerprinting each applicant is repealed.
Section 21: This bill creates s. 548.008, F.S., which is repealed October 1, 1994, and shall be reviewed by the Legislature before that date.

Section 22: Provides an effective date.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:
None.

B. Government:
None.

III. COMMENTS:
None.

IV. AMENDMENTS:
None.