

Notice of Proposed Rule

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
State Boxing Commission

RULE NO: RULE TITLE

[61K1-1.003](#): Licenses, Permits; Requirement, Procedure and Period, Fee[61K1-1.0031](#): Application Approval, Application Denial, and Disciplinary Action for Amateur Sanctioning Organizations in Boxing and Kickboxing[61K1-1.004](#): Weight Classes; Weigh-In; Pre-Match Physical of Participant and Referee

PURPOSE AND EFFECT: The proposed amendments to Rule 61K1-1.003, F.A.C., are intended to increase license fees to various participants and to delete the requirement for permit fees for boxing and kickboxing based upon seating capacity. The proposed amendments to Rule 61K1-1.0031, F.A.C., are intended to include health and safety standards for mixed martial arts, and to clarify training and certification for referees for the martial arts. The proposed amendment to Rule 61K1-1.004, F.A.C., is intended to require participants to provide the Commission with HIV test results.

SUMMARY: The proposed amendments to Rule 61K1-1.003, F.A.C., increases license fees to various participants and also deletes the requirement for permit fees for boxing and kickboxing based upon seating capacity. The proposed amendments to Rule 61K1-1.0031, F.A.C., include health and safety standards for mixed martial arts by incorporating ISKA standards, and clarify training and certification for referees for the martial arts. The proposed amendment to Rule 61K1-1.004, F.A.C., requires a participant to provide the Commission with HIV test results. The negative test results shall be accepted for a period of one year, after which the participant shall be re-tested.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Commission prepared three Statements of Estimated Regulatory Costs for the above rules. The costs associated with compliance of Rule 61K1-1.003, F.A.C., will be incurred by announcers, booking agents, judges, managers, participants, referees, seconds, timekeepers, trainers and concessionaires when making application for a license. The current costs are estimated to be \$45,055 and the projected costs associated with the increased fees are estimated to be \$74,780. The costs associated with Rule 61K1-1.0031, F.A.C., are likely to be incurred by amateur sanctioning organizations, referees, judges, participants, doctors, promoters, event chief officials, coordinators and timekeepers. Based upon similar ISKA events held in other states, the Commission estimates costs for all these entities to be approximately \$8,585. There will be a positive impact on small business as these events are held in the State of Florida. The costs associated with compliance of Rule 61K1-1.004, F.A.C., will be incurred by participants who compete in professional pugilistic competitions. The rapid HIV test is \$10.00. The estimated number of participants in one year is 1500, making the total estimated cost of compliance with this rule \$15,000. There will be minimal positive impact on small businesses who administer the rapid HIV test.

Copies of the statements of estimated regulatory cost are is available by contacting: Thomas Molloy, Executive Director, at the address listed below.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: [548.003 FS](#).

LAW IMPLEMENTED: [548.003](#), [548.006](#), [548.0065](#), [548.008](#), [548.011](#), [548.012](#), [548.013](#), [548.014](#), [548.017](#), [548.021](#), [548.025](#), [548.026](#), [548.028](#), [548.032](#), [548.035](#), [548.043](#), [548.046](#), [548.057](#), [548.066](#), [548.071](#), [548.075 FS](#).

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Thomas Molloy, Executive Director, Florida State Boxing Commission, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

- 61K1-1.003 Licenses, Permits; Requirement, Procedure and Period, Fee.
(1) License; Requirement, Procedure and Period, Fee.

(a) through (b) No change.

(c) License Fees. The following non-refundable fee shall accompany each application for a license:

1. Announcer	\$50.00 \$25.00
2. Booking Agent	\$75.00 \$50.00
3. Judge	\$100.00 \$25.00
4. Manager	\$100.00 \$50.00
5. Matchmaker	\$100.00
6. Participant	\$25.00 \$15.00
7. Promoter/Foreign Copromoter Copromoter	\$250.00
8. Referee	\$100.00 \$25.00
9. Representative of a Booking Agent	\$25.00
10. Second	\$20.00 \$15.00
11. Timekeeper	\$50.00 \$25.00
12. Trainer	\$20.00 \$15.00
13. Concessionaire	\$100.00

(2) Permit; Requirement, Procedure and Period, Fee.

(a) No change.

(b) Permit Applications – Live Events Held in This State.

1. No change.

2. Upon receipt of the application for permit for a live event held in this state, the executive director shall review the application and, if the application is in compliance with the requirements of Chapter 548, F.S., and the rules set forth herein, the executive director shall give tentative approval to the promoter for the proposed date of the program. The approval shall be considered to be a tentative approval. If the executive director determines that the application for permit is not in compliance with Chapter 548, F.S., or the rules as set forth herein, the executive director shall immediately advise the promoter that the application for permit has been disapproved and shall state the reasons that the application is not in compliance. The executive director ~~may shall~~ deny an application for permit if another program of matches has previously been scheduled for the same date, and the executive director has determined that adequate staff would not be available to properly supervise both program of matches or if the executive director determines adequate staff would not be available to properly supervise a single program of matches even if another program of matches is not scheduled for the same day.

3. through 7. No change.

(b) No change.

~~(c) A permit fee shall be submitted with the application for permit for a live event held in this state and, if boxing or kickboxing, shall be based on the seating capacity of the premises to be utilized to present the program of matches under the following fee structure:~~

~~1. Seating capacity is less than 2,000 – Fee = \$50.00~~

~~2. Seating capacity is 2,000 or more but no greater than 5,000 – Fee = \$100.00~~

~~3. Seating capacity exceeds 5,000 – Fee = \$250.00~~

~~For mixed martial arts matches, a permit fee of \$5,000 per event shall be submitted with the application for permit for a live event held in this state.~~

~~Rulemaking Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.012, 548.013, 548.014, 548.017, 548.021, 548.025, 548.026, 548.028, 548.032, 548.035, 548.046, 548.057, 548.066 FS. History–New 2-7-85, Amended 11-24-85, Formerly 7F-1.03, Amended 4-6-89, 8-28-89, 5-13-90, Formerly 7F-1.003, Amended 9-10-95, 4-3-00, 6-21-04, _____.~~

61K1-1.0031 Application Approval, Application Denial, and Disciplinary Action for Amateur Sanctioning Organizations in Boxing and Kickboxing.

(1) Criteria for Approval. An amateur sanctioning organization seeking approval from the Florida State Boxing Commission to sanction and supervise matches involving amateur boxers or kickboxers shall meet the following criteria:

(a) through (b) No change.

(c) For amateur mixed martial arts, a statement of agreement to adopt and enforce the health and safety Standards of the International Sport Kickboxing Association (ISKA) as provided in the ISKA Amateur Rules Overview, incorporated herein by reference, effective July 2008,

~~(d)(e)~~ A statement of agreement to adopt and enforce a requirement that in matches sanctioned and supervised by the amateur sanctioning organization all participating amateurs must undergo a pre-match physical examination by a physician approved by the amateur sanctioning organization according to the criteria provided under

subparagraph (1)(g)(f)2., below.

(e)(d) A statement of agreement that the organization will not hold, promote, or sponsor a match prohibited under Chapter 548, F.S., including, but not limited to, an amateur mixed martial arts match in Florida.

(f)(e) A statement of agreement to secure, at a minimum, ambulance service with a minimum of two qualified attendants (either paramedics or emergency medical technicians) by notifying the service of the date and time of the amateur event for “on-call” ambulance service availability, acknowledged by the service, or assignment of ambulance service to the premises of the matches, whereupon the following requirements shall be enforced:

1. through 4. No change.

(g)(f) A statement of agreement to abide by the following requirements:

1. through 7. No change.

8. For amateur mixed martial arts, any referee assigned to perform official duties during a match shall be trained and certified to perform such duties by the International Sport Kickboxing Association (ISKA) or any other training and certificate process for referees approved by the commission or its executive director.

(2) through (4) No change.

Rulemaking Specific Authority 548.003(2) FS. Law Implemented 548.003, 548.006, 548.0065, 548.008 FS., CS for SB 538. History– New 7-3-05, Amended _____.

61K1-1.004 Weight Classes; Weigh-In; Pre-Match Physical of Participant and Referee.

(1) through (2) No change.

(3) Pre-Match Physical of Participant and Referee.

(a) through (c) No change.

(d) Each participant shall be required to submit to any medical examination or test ordered by the executive director or the commission. Any medical examination or test submitted to the executive director or the commission must be an original or certified copy of the results which were performed by an M.D., D.O., or laboratory no earlier than 30 days before the date on which the results are provided to the commission or its executive director.

1. No change.

2. Each participant shall provide the commission with rapid HIV test results indicating no infection with the human immunodeficiency virus/AIDS. Negative results will be acceptable for a period of up to 1 year. After 1 year, the participant will need to be re-tested and provide the commission with current lab results.

3.2 Lab results filed with other commissions or jurisdictions in the United States may be verified in writing by them to the executive director in lieu of requiring a subsequent blood test for this purpose.

(e) through (f) No change.

Rulemaking Specific Authority 548.003 FS. Law Implemented 548.006, 548.043, 548.046, 548.071, 548.075 FS. History–New 2-7-85, Amended 11-24-85, Formerly 7F-1.04, Amended 4-6-89, 8-28-89, 1-1-90, 5-13-90, 1-9-91, Formerly 7F-1.004, Amended 9-10-95, 4-3-00, 6-21-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida State Boxing Commission

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida State Boxing Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 13, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 4, 2009