

JAN 25 2006

A BILL FOR AN ACT

RELATING TO MIXED MARTIAL ARTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 440, Hawaii Revised Statutes, is
2 amended by adding a new part to be appropriately designated and
3 to read as follows:

4 **"PART . MIXED MARTIAL ARTS CONTESTS AND EXHIBITIONS**

5 **§440-A Conduct of contests and exhibitions; applicability**
6 **of provisions.** (a) All contests and exhibitions of mixed
7 martial arts shall be conducted under the supervision and
8 authority of the commission.

9 (b) Except as otherwise provided by specific statute or
10 rule, the provisions of this chapter, including section 440-11
11 shall apply to a contest or exhibition of mixed martial arts.

12 **"§440-B No rules combat, extreme or ultimate fighting,**
13 **or similar contests prohibited.** (a) No person shall hold,
14 promote, or participate as a contestant in no rules combat,
15 extreme or ultimate fighting, or similar contests. As used in
16 this section, "no rules combat, extreme or ultimate fighting, or
17 similar contest" means a match or exhibition performed in this
18 State, in which the contestants:



- 1 (1) Are permitted to use a combination of combative
2 contact techniques, including punches, kicks, chokes,
3 joint locks, and other maneuvers, with or without the
4 use of weapons, that place contestants at an
5 unreasonably high risk of bodily injury or death; and
6 (2) Have received, directly or indirectly, any money,
7 prize, reward, purse, or other compensation, or
8 promise thereof, for the expenses of training, for
9 taking part in the contest, or for winning the
10 contest.

11 The term does not include a contest involving the exclusive use
12 of boxing, wrestling, kickboxing, or martial arts.

13 (b) In addition to any other applicable judicial remedy, a
14 person who violates this section shall be subject to a fine of
15 not more than \$10,000 for each offense. Each day's violation or
16 failure to comply shall be deemed a separate offense. The fines
17 shall be levied and collected by the department.

18 (c) The department may bring an action in any court of
19 this State to enjoin a person from continuing any violation of
20 this section or doing any acts in furtherance thereof, and for
21 any other relief that the court deems appropriate.

1 (d) In any proceeding before the department involving a
2 violation of this section, there shall be a rebuttable
3 presumption that a violation has occurred and a promoter or
4 contestant shall have the burden of overcoming the presumption.

5 **§440-C Rules.** The commission may adopt further rules,
6 pursuant to chapter 91, for mixed martial arts contests that it
7 considers necessary."

8 SECTION 2. Section 440-1, Hawaii Revised Statutes, is
9 amended as follows:

10 1. By adding four new definitions to be appropriately
11 designated and to read:

12 "Mixed martial arts" means unarmed combat involving the
13 use, subject to any applicable limitations set forth in this
14 chapter and any rules adopted to implement it, of a combination
15 of techniques from different disciplines of martial arts,
16 including without limitation grappling, kicking, and striking.

17 "Mixed martial arts contest" means a contest or exhibition
18 in which a mixed martial arts contestant competes with another
19 mixed martial arts contestant for a money prize or purse or
20 other form of compensation.

21 "Mixed martial arts contestant" means a person who competes
22 for a money prize or purse or other form of compensation, in



1 unarmed combat involving the use, subject to the applicable
2 limitations of this chapter and rules adopted to implement it.

3 "Unarmed combat" includes amateur boxing contests and
4 matches or exhibitions between professional boxers or mixed
5 martial arts contestants."

6 2. By amending the definition of "club" to read:

7 "Club" means a promoter, corporation, joint venture,
8 partnership, limited liability corporation, limited liability
9 partnership, or any other type of business entity that promotes,
10 conducts, holds, or gives a [~~boxing~~] contest. The terms "club"
11 and "promoter" are synonymous, and may be used interchangeably.

12 3. By amending the definition of "commission" to read:

13 ""Commission" means the state [~~boxing~~] athletic
14 commission."

15 4. By amending the definition of "contest" to read:

16 ""Contest" means an unarmed combat match or exhibition."

17 5. By amending the definition of "manager" to read:

18 "Manager" means any person who:

- 19 (1) Undertakes or has undertaken to represent in any way
20 the interest of any professional boxer or mixed
21 martial arts contestant in procuring, arranging, or
22 conducting any professional contest in which the boxer



1 or the mixed martial arts contestant is to participate
2 as a contestant; provided that "manager" shall not
3 include an attorney licensed to practice in this State
4 while the attorney is representing the legal interest
5 of a professional boxer or mixed martial arts
6 contestant as a client; or

7 (2) Directs or controls the boxing activities of the
8 professional boxer[-] or the activities of the mixed
9 martial arts contestant.

10 SECTION 3. Section 440-2, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "**§440-2 Commission established.** There shall be a board
13 [~~which~~] that shall be known as the state [~~boxing~~] athletic
14 commission of Hawaii. The commission shall consist of [~~five~~]
15 seven members. At least one of the members shall be a member of
16 USA Boxing, Inc. and two of the members shall be knowledgeable
17 and experienced in the martial arts. One member shall be
18 designated by the governor as chairperson of the commission."

19 SECTION 4. Section 440-5, Hawaii Revised Statutes, is
20 amended to read as follows:

21 "**§440-5 Deputy commissioners.** The director may appoint
22 deputy commissioners; provided that the director has the



1 approval of the commission prior to any appointment. The
2 director may remove deputy commissioners after consultation with
3 the commission. The commission may direct the deputy
4 commissioner or deputy commissioners to be present at any
5 [~~boxing~~] contest and, in the absence of the commission or a
6 member thereof, to superintend and control the [~~boxing~~] contest,
7 in accordance with this chapter and the rules adopted by the
8 commission pursuant thereto. The deputy commissioners shall
9 make a written report to the executive officer in the manner and
10 form prescribed by the commission of the conditions prevailing
11 at every contest."

12 SECTION 5. Section 440-8.5, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "**§440-8.5 Powers and duties of the commission.** In
15 addition to any other powers and duties authorized by law, the
16 commission shall adopt rules pursuant to chapter 91 to provide
17 for the following:

- 18 (1) An appropriate method of ensuring that all financial
19 obligations are met by a promoter who conducts, holds,
20 or gives a [~~boxing~~] contest;
- 21 (2) A public record accounting for the distribution of all
22 tickets provided to the commission by a promoter and



1 anything else of value [~~which~~] that is provided to the
2 commission;

3 (3) Clinics or seminars on health and safety for
4 licensees, as deemed necessary by the commission[+] and
5 may be funded from moneys generated pursuant to
6 section 440-11(j);

7 (4) A mandatory neurological examination for any [~~boxer~~]
8 contestant who is knocked out in a [~~boxing~~] contest[+] and
9 and an eye examination as part of a [~~boxer's~~]
10 contestant's annual medical examination;

11 (5) An automatic medical suspension from [~~boxing~~] any
12 contest for a period of time to be determined by the
13 commission for any [~~boxer~~] contestant who is knocked
14 out from head blows or who has received a severe
15 beating about the head. The period of time of the
16 automatic medical suspension shall be based upon the
17 severity of the beating received by the [~~boxer+~~]
18 contestant;

19 (6) Procedures to evaluate the professional records and
20 physician's certification of each [~~boxer~~] contestant
21 participating in a [~~professional boxing~~] contest in
22 the State and to deny authorization to a [~~boxer~~]



- 1 contestant to fight when the requirements of this
2 paragraph are not met;
- 3 (7) Procedures to ensure that no [~~boxer~~] contestant is
4 permitted to [~~box~~] compete in any contest while under
5 suspension from any boxing or unarmed combat, or
6 similar commission due to:
- 7 (A) A recent knockout or series of consecutive
8 losses;
- 9 (B) An injury, any required medical procedure, or a
10 physician's denial of certification to [~~boxer~~]
11 compete;
- 12 (C) Failure of any drug test; or
- 13 (D) The use of false aliases or falsifying or
14 attempting to falsify official identification
15 cards or documents relating to [~~boxing~~] unarmed
16 combat;
- 17 (8) Procedures to review a suspension if appealed by a
18 [~~boxer~~] contestant, including an opportunity for a
19 [~~boxer~~] contestant to present contradictory evidence;
- 20 (9) Procedures to revoke a suspension if a [~~boxer~~]
21 contestant furnishes proof of sufficiently improved
22 medical or physical condition or furnishes proof that



1 the suspension was not, or is no longer, warranted by
2 the facts; and

3 (10) Establishing [~~a boxing~~] an unarmed combat registry and
4 the issuance of an identification card to [~~boxers.~~]
5 contestants."

6 SECTION 6. Section 440-10, Hawaii Revised Statutes, is
7 amended to read as follows:

8 "**§440-10 Licenses, promoters.** (a) Any individual or club
9 may apply to the commission for a license to conduct, hold, or
10 give [~~professional boxing~~] unarmed combat contests. The
11 application shall be in writing, addressed to the commission,
12 and signed by the applicant[~~r~~] or, if the applicant is a club,
13 by a duly authorized officer, partner, or member thereof, and
14 shall include the following:

15 (1) Evidence of financial integrity in accordance with
16 rules adopted by the commission pursuant to chapter
17 91; and

18 (2) Proof that the applicant has currently satisfied all
19 of the applicable requirements of the department's
20 business registration division.

21 (b) The application shall contain a recital of the facts
22 as may be specified by the commission in order for it to



1 determine whether [~~or not~~] the applicant possesses the necessary
2 physical, mental, moral, and financial qualifications to entitle
3 the applicant to a license.

4 (c) The commission shall not issue any license to conduct,
5 hold, or give [~~boxing~~] contests unless it is satisfied that the
6 applicant has complied with the conditions of this chapter,
7 possesses the necessary qualifications for a license, [~~and~~] is
8 the real party in interest, and intends to conduct, hold, or
9 give the contests or matches itself. The commission shall not
10 issue a promoter's license to an applicant if the applicant or
11 any of the applicant's officers, partners, members, or
12 associates have been convicted of any crime related to gambling
13 or a crime that is directly related to the person's performance
14 in the sport of [~~boxing.~~] unarmed combat.

15 (d) A license may be revoked at any time if the commission
16 finds after a hearing that: the licensee is not the real party
17 in interest or has not complied with this chapter or the rules
18 of the commission; or the licensee or any of the licensee's
19 officers, partners, members, or associates have been convicted
20 of any crime related to gambling or a crime that is directly
21 related to the person's performance in the sport of [~~boxing.~~]
22 unarmed combat.



1 (e) Every license shall be subject to this chapter and the
2 rules of the commission."

3 SECTION 7. Section 440-11, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "**§440-11 Requirements to hold a [boxing] contest.** (a)

6 The application for a license to promote [~~professional boxing~~]
7 unarmed combat contests shall be accompanied by a fee as
8 provided in rules adopted by the director pursuant to chapter
9 91.

10 (b) For approval to conduct, hold, or give a [~~boxing~~]
11 contest, a promoter shall provide proof of medical insurance for
12 [~~boxers~~] contestants in accordance with rules adopted by the
13 commission. All promoters shall be responsible for paying any
14 deductible amount of the medical insurance policy.

15 (c) Prior to each [~~boxing~~] contest, a promoter shall
16 provide a bond, in an amount determined by the commission, to
17 adequately cover the promoter's obligations in conducting,
18 holding, or giving a [~~boxing~~] contest. The bond shall be
19 executed by the promoter as principal and by a surety company
20 authorized to do business in the State as the surety. If the
21 promoter fails to pay any obligations covered by the bond, any
22 aggrieved person may file an action against the bond to recover



1 the amount owed, in the circuit court in the circuit in which
2 the [~~boxing~~] contest was conducted, held, or given; provided
3 that the aggregate liability of the surety to all aggrieved
4 persons shall not exceed the amount of the bond. Any action
5 against the bond shall be commenced within ninety days after the
6 [~~boxing~~] contest was conducted, held, or given.

7 (d) Prior to any [~~boxing~~] contest, all contracts with
8 managers, [~~boxers,~~] contestants, and venues, including any
9 agreement of pre-contest training funds advanced to any
10 contestant either by the promoter or manager or any party of
11 interest, shall be submitted by the promoter to the commission
12 for its review and approval.

13 (e) Prior to any [~~boxing~~] contest, the promoter shall
14 submit to the commission, for its review and approval, all ring
15 records of all [~~boxers~~] contestants scheduled to participate in
16 the contest.

17 (f) A promoter shall provide cashier's or certified checks
18 made payable to each contestant for the amount due the
19 contestant or the contestant's manager, as the case may be, in
20 accordance with the contracts approved by the commission.

21 (g) A promoter shall provide to the commission written
22 confirmation that an ambulance with paramedics and appropriate



1 security have been obtained and will be present at all times at
2 the venue of the [~~boxing~~] contest.

3 (h) Failure, refusal, or neglect of any licensed promoter
4 to comply with this section shall result in the automatic denial
5 to hold the [~~boxing~~] contest.

6 (i) Licensed promoters may engage in promotions with other
7 licensed promoters as long as each promoter holds a valid,
8 unexpired license and has received the written approval of the
9 commission prior to the promotion.

10 (j) In addition to the payment of other fees and moneys
11 due under this chapter, a licensed promoter shall pay:

12 (1) A license fee of three per cent of the first \$50,000
13 of the total gross receipts from admission fees to a
14 contest, exclusive of federal, state, and local taxes;

15 (2) A license fee of five per cent of the total gross
16 receipts over \$50,000 from admission fees to a
17 contest, exclusive of federal, state, and local taxes;

18 (3) Five per cent of the gross sales price for the sale,
19 lease, or other exploitation of broadcasting,
20 television, internet, and motion picture rights for a
21 contest, without any deductions for commission,
22 brokerage fee, distribution fees, advertising,



1 contestants' purses, or any other expenses or charges,
2 including federal, state, or local taxes; and
3 (4) Five per cent of the gross receipts from subscription
4 or admission fees, exclusive of federal, state, and
5 local taxes, charged for viewing within the State of a
6 simultaneous telecast of a contest.

7 [~~(j)~~] (k) No [~~boxing~~] contest shall be commenced without
8 the approval of the commission pursuant to this section."

9 SECTION 8. Section 440-12, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "**§440-12 Licenses, participants.** (a) Any individual may
12 apply to the commission for a license to act as a physician,
13 referee, judge, matchmaker, manager, timekeeper, second, or
14 [~~professional boxer~~] unarmed combat contestant to participate,
15 either directly or indirectly, in any [~~boxing~~] contest. The
16 application shall be in writing, addressed to the commission,
17 and signed by the applicant. The application shall contain a
18 recital of facts as may be specified by the commission in order
19 for it to determine whether [~~or not~~] the applicant possesses the
20 necessary physical, mental, and moral qualifications to entitle
21 the applicant to a license. The commission shall adopt rules
22 for licensure in accordance with chapter 91.



1 (b) In addition, the applicant for a referee, judge,
2 manager, or second license shall take and pass a written
3 examination as provided by the commission. The commission may
4 exempt an applicant for a manager or second license from taking
5 the examination, if the applicant holds a valid manager or
6 second license in another jurisdiction with comparable [~~boxing~~]
7 unarmed combat regulations.

8 (c) Any license to act as a physician, referee, judge,
9 matchmaker, manager, timekeeper, second, or [~~professional boxer~~]
10 unarmed combat contestant may be suspended or revoked, or the
11 person otherwise disciplined by the commission after a contested
12 case hearing held in accordance with chapter 91."

13 SECTION 9. Section 440-13, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "**§440-13 License fees.** (a) License fees shall be paid
16 annually to the State by every applicant to whom a license is
17 issued to participate in the conduct of [~~professional boxing~~]
18 unarmed combat in any of the capacities set forth in this
19 chapter: promoter, physician, referee, judge, matchmaker,
20 manager, timekeeper, second, and [~~professional boxer.~~]
21 contestant. The charge for a duplicate of a license and all
22 fees required by this chapter shall be as provided in rules



1 adopted by the director pursuant to chapter 91 and shall be
2 deposited with the director to the credit of the compliance
3 resolution fund established pursuant to section 26-9(o).

4 (b) The director may establish a separate schedule of
5 license fees for participation in amateur boxing contests[7] and
6 may waive payment of license fees for amateur boxing contests."

7 SECTION 10. Section 440-14, Hawaii Revised Statutes, is
8 amended by amending subsections (a) and (b) to read as follows:

9 "(a) No [~~boxing~~] contest shall be conducted, held, or
10 given unless all the parties participating, as designated
11 herein, are licensed by the commission, and it shall be unlawful
12 for any individual or club to participate in a [~~boxing~~] contest
13 in any capacity designated herein unless the person is licensed
14 to do so.

15 (b) The commission may limit the number of licenses issued
16 for any purpose as specified in this chapter and may limit the
17 number of [~~professional boxing~~] contests conducted, held, or
18 given in any city, town, or in the State."

19 SECTION 11. Section 440-15, Hawaii Revised Statutes, is
20 amended by amending subsection (a) to read as follows:

21 "(a) Every individual or club holding a license to
22 conduct, hold, or give [~~boxing~~] contests, within seventy-two



1 hours after the determination of every [~~boxing~~] contest for
2 which admission fees are charged and received, shall furnish to
3 the commission a written report, duly verified, showing the
4 number of tickets sold for the contest, the amount of the gross
5 receipts or proceeds thereof, and other matters as the
6 commission prescribes."

7 SECTION 12. Section 440-16, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "**§440-16 Failure to report receipts.** Whenever any
10 individual or club holding a license to conduct, hold, or give
11 [~~boxing~~] contests fails to make a report of any [~~boxing~~] contest
12 at the time and in the manner herein prescribed, or whenever the
13 report is unsatisfactory to the commission, the executive
14 officer, at the licensee's expense, may examine, or cause to be
15 examined, the books and records of the individual or club."

16 SECTION 13. Section 440-17, Hawaii Revised Statutes, is
17 amended to read as follows:

18 "**§440-17 Admission tickets.** All tickets of admission to
19 any [~~boxing~~] contest for which admission fees are charged and
20 received shall have printed clearly upon the face thereof the
21 purchase price of same, and no ticket shall be sold for more
22 than the price as printed thereon."



1 SECTION 14. Section 440-18, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"§440-18 Inspectors; duties.** The commission shall appoint
4 official representatives designated as inspectors, each of whom
5 shall receive from the commission a card or badge authorizing
6 the person to act as inspector whenever the commission may
7 designate the person to so act. An inspector or the executive
8 officer shall be present at all professional boxing and mixed
9 martial arts contests and see that this chapter and the rules
10 are strictly observed and, as soon as practicable thereafter,
11 shall mail or deliver to the commission the official box office
12 statement received by the inspector or executive officer."

13 SECTION 15. Section 440-19, Hawaii Revised Statutes, is
14 amended as follows:

15 1. By amending subsection (a) to read:

16 "(a) At each [~~boxing~~] contest there shall be in attendance
17 a duly licensed referee designated by the commission, who shall
18 direct and control the contest. Before starting the [~~boxing~~]
19 contest, the referee shall ascertain from each contestant the
20 name of the contestant's chief second and shall hold the chief
21 second responsible for the conduct of the assistant seconds
22 during the progress of the contest."



1 2. By amending subsection (c) to read:

2 "(c) Every referee shall warn competing [~~boxers~~]
3 contestants of the referee's power to recommend the forfeiture
4 of purse or purses, should there be any apparent cause for the
5 warning."

6 3. By amending subsection (e) to read:

7 "(e) The referee shall stop the contest when either of the
8 contestants shows a marked superiority or is apparently
9 outclassed. The referee, at the termination of each [~~boxing~~]
10 contest, shall render a decision."

11 SECTION 16. Section 440-20, Hawaii Revised Statutes, is
12 amended to read as follows:

13 "**§440-20 Judges; duties.** The [~~boxing~~] commission [~~may~~],
14 in its discretion, may appoint two judges to act with the
15 referee in rendering a decision or three judges to act with a
16 nonvoting referee in rendering a decision."

17 SECTION 17. Section 440-21, Hawaii Revised Statutes, is
18 amended to read as follows:

19 "**§440-21 Physician; duties.** Every individual or club
20 holding a license to conduct, hold, or give [~~boxing~~] contests
21 shall have in attendance at every [~~boxing~~] contest at least two
22 physicians licensed to practice medicine in the State and duly



1 licensed hereunder, who shall observe the physical condition of
 2 the contestants and advise the referee with regard thereto and,
 3 one hour before each contestant enters the ring, certify in
 4 writing as to the physical condition of the contestant to engage
 5 in the [~~boxing~~] contest. A report of the medical examination
 6 shall be filed with the commission not later than twenty-four
 7 hours after the termination of the [~~boxing~~] contest. In
 8 addition, at least one physician shall immediately examine every
 9 contestant who was knocked down or who sustained a severe
 10 beating about the head during the contest and shall file a
 11 written medical opinion within twenty-four hours of the contest
 12 to the executive officer."

13 SECTION 18. Section 440-22, Hawaii Revised Statutes, is
 14 amended to read as follows:

15 **"§440-22 Sham [~~boxing~~] contest; forfeiture of license.**

16 Any individual or club who conducts, holds, or gives or
 17 participates in any sham or fake [~~boxing~~] contest, knowing [~~the~~
 18 ~~same~~] it to be a sham or fake, shall forfeit the license issued
 19 in accordance with this chapter, and the license shall be
 20 canceled and declared void by the commission. The individual or
 21 club and any officers, partners, or members of the club shall



1 not thereafter be entitled to receive and shall not be given
2 another license."

3 SECTION 19. Section 440-23, Hawaii Revised Statutes, is
4 amended to read as follows:

5 **"§440-23 Sham [~~boxing~~] contest; penalty against**
6 **contestant.** Any contestant who knowingly participates in any
7 sham or false [~~boxing~~] contest shall be suspended by the
8 [~~boxing~~] commission for not less than twelve months from the
9 date of the offense from further participation in any [~~boxing~~]
10 contest held or given under this chapter and may be permanently
11 disqualified from further participation in any [~~boxing~~] contest
12 held or given under this chapter."

13 SECTION 20. Section 440-27, Hawaii Revised Statutes, is
14 amended to read as follows:

15 **"§440-27 Financial interest in contestant prohibited.** (a)
16 No commission member or staff, appointee, or any individual or
17 club holding a license to conduct, hold, or give [~~boxing~~]
18 contests, nor any officer, partner, or member, may receive any
19 compensation from any person who sanctions, arranges, or
20 promotes professional boxing or mixed martial arts contests; nor
21 shall they have, either directly or indirectly, any financial



1 interest in any contestant competing in any [~~boxing~~] contest
2 that they conduct, hold, or give.

3 (b) For purposes of this section, the term "compensation"
4 shall not include funds held in escrow for payment to another
5 person in connection with a professional boxing or mixed martial
6 arts contest. The prohibition set forth in this section shall
7 not apply to any contract entered into, or any reasonable
8 compensation received, by the commission to supervise a
9 professional boxing or mixed martial arts contest in this State
10 or another state."

11 SECTION 21. Section 440-28, Hawaii Revised Statutes, is
12 amended to read as follows:

13 "**§440-28 Wages of contestant; prepayment prohibited.** All
14 moneys paid to a contestant for services, as money prize,
15 reward, compensation, or otherwise, shall be considered wages.
16 No contestant shall be paid for services before a [~~boxing~~]
17 contest, provided that with the approval of the commission, a
18 promoter may advance sums of money for training purposes."

19 SECTION 22. Section 440-33, Hawaii Revised Statutes, is
20 amended to read as follows:

21 "**§440-33 Disposition of receipts.** All moneys received by
22 the [~~boxing~~] commission shall be deposited by the director of



1 commerce and consumer affairs with the director of finance to
2 the credit of the [~~general~~] compliance resolution fund of the
3 State."

4 SECTION 23. Section 440-35, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "**§440-35 Not to apply to army, air force, navy, national**
7 **guard, or police activities league.** This chapter shall not
8 apply to any [~~boxing~~] contest held as a recreational activity by
9 army, air force, navy, or national guard personnel, or the
10 police activities league, when the contest is held under the
11 supervision of a recreational officer of the army, air force,
12 navy, or national guard, or a police activities league staff
13 member."

14 SECTION 24. Section 440-36, Hawaii Revised Statutes, is
15 amended to read as follows:

16 "**§440-36 Revocation; suspension; fine.** (a) In addition
17 to any other actions authorized by law, the commission shall
18 have the power to revoke or suspend the license of any
19 individual or club licensed under any of the classifications
20 designated in this chapter, or fine the licensee, or both, for
21 any cause authorized by law, including but not limited to the
22 following:



- 1 (1) Violation of any provision of this chapter or the
2 rules adopted pursuant thereto or any other law[7] or
3 rule that applies to those persons licensed under this
4 chapter;
- 5 (2) Manifest incapacity, professional misconduct, or
6 unethical conduct;
- 7 (3) Making any false representations or promises through
8 advertising or other dissemination of information;
- 9 (4) Any fraudulent, dishonest, or deceitful act in
10 connection with the licensing of any individual or
11 club under this chapter or in connection with any
12 [~~boxing~~] contest;
- 13 (5) Making any false or misleading statement in any
14 application or document submitted or required to be
15 filed under this chapter;
- 16 (6) Revocation or suspension of a license or other
17 disciplinary action against the licensee by another
18 state [~~or~~] boxing, unarmed combat, or similar
19 commission;
- 20 (7) Failure to report any disciplinary action, including
21 medical and mandatory suspensions, or revocation or
22 suspension of a license in another jurisdiction within



1 fifteen days preceding any [~~boxing~~] match in which the
2 licensee participates; or

3 (8) Participation in any sham or false [~~boxing~~] contest.

4 (b) The manager and second may be held responsible for all
5 violations of this chapter by a [~~boxer~~] contestant whom they
6 manage, second, train, or serve as an agent for and may be
7 subject to license revocation or suspension, or a fine, or any
8 combination thereof, irrespective of whether any disciplinary
9 action is taken against the [~~boxer~~] contestant.

10 (c) Any individual or club in violation of this chapter
11 shall be fined not more than \$5,000 for each violation.

12 (d) In addition to the penalties provided in this chapter,
13 any individual or club found in violation of any of the above
14 may be prohibited from engaging in any [~~boxing~~] unarmed combat
15 activities in the State for a period in conformity with that set
16 forth in section 92-17."

17 SECTION 25. Chapter 440, Hawaii Revised Statutes, is
18 amended by changing its title to read as follows:

19 "~~BOXING CONTESTS~~ UNARMED COMBAT"

20 SECTION 26. Chapter 440D, Hawaii Revised Statutes, is
21 repealed.



1 SECTION 27. Chapter 440, Hawaii Revised Statutes, is
 2 amended by designating sections 440-1, 440-2, 440-5, 440-6, 440-
 3 7, 440-8, 440-8.5, 440-10, 440-12 through 440-23, 440-27, 440-
 4 28, and 440-30 through 440-37 as part I, entitled "General
 5 Provisions".

6 SECTION 28. The regulation of mixed martial arts contests
 7 shall not occur until rules are adopted, pursuant to chapter 91,
 8 Hawaii Revised Statutes, and section 1 of this Act, or March 1,
 9 2007, whichever first occurs.

10 SECTION 29. In codifying the new sections added by section
 11 1 of this Act, the revisor of statutes shall substitute
 12 appropriate section numbers for the letters used in designating
 13 the new sections in this Act.

14 SECTION 30. Statutory material to be repealed is bracketed
 15 and stricken. New statutory material is underscored.

16 SECTION 31. This Act shall take effect upon its approval.
 17

INTRODUCED BY: Will Espero

Chancellor
Yes
Carol Fukushima
Imaani R. Brown

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Report Title:

Professions and Occupations; Boxing Commission; Unarmed Combat

Description:

Renames the state boxing commission as the state athletic commission; requires state athletic commission to regulate boxing and mixed martial arts contests; defines unarmed combat and mixed martial arts.

