

JAN 20 2023

A BILL FOR AN ACT

RELATING TO COMBAT SPORTS.

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

1 SECTION 1. The legislature finds that Hawaii has embraced
2 full-contact combat sports that allows the use of both striking
3 and grappling techniques; involves both standing and on-the-
4 ground; and blends boxing, wrestling, Brazilian jiu-jitsu, Muay
5 Thai, kickboxing, karate, judo, and other styles. Combat sports
6 events have drawn capacity crowds to the Blaisdell Center Arena.
7 The prestigious Ultimate Fighting Championship organization has
8 never staged a show in Hawaii, but the idea has been floated
9 many times. The legislature finds that to continue growing the
10 combat sports industry in the State and to attract events staged
11 by the Ultimate Fighting Championship, a combat sports
12 commission must be established.

13 Accordingly, the purpose of this Act is to:

- 14 (1) Establish a combat sports commission to provide for
15 the regulation of combat sports;
16 (2) Prohibit no rules combat or similar contests; and



1 (3) Appropriate funds to establish the combat sports
2 commission.

3 SECTION 2. The Hawaii Revised Statutes is amended by
4 adding a new chapter to be appropriately designated and to read
5 as follows:

6 "CHAPTER

7 COMBAT SPORTS CONTESTS

8 § -1 Definitions. As used in this chapter, unless the
9 context otherwise requires:

10 "Combat sports" means unarmed combat involving the use,
11 subject to any applicable limits set forth in this chapter and
12 any rules adopted to implement these limits, of a combination of
13 techniques from different disciplines of martial arts, including
14 grappling, kicking, and striking.

15 "Combat sports contest" or "contest" means a contest or
16 exhibition in which a combat sports contestant competes with
17 another combat sports contestant, using combat sports, for
18 money, prize, purse, or other forms of compensation.

19 "Combat sports contestant" or "contestant" means a person
20 who is trained in combat sports and competes in a combat sports
21 contest.



1 "Commission" means the combat sports commission of Hawaii
2 established in section -2.

3 "Department" means the department of commerce and consumer
4 affairs.

5 "Director" means the director of commerce and consumer
6 affairs.

7 "Executive officer" means the executive officer assigned to
8 the commission.

9 "Manager" means any person who:

10 (1) Undertakes or has undertaken to represent in any way
11 the interests of any combat sports contestant in
12 procuring, arranging, or conducting any contest in
13 which the combat sports contestant is to participate;
14 provided that "manager" shall not include an attorney
15 licensed to practice in the State while the attorney
16 is representing the legal interests of a combat sports
17 contestant as a client; or

18 (2) Directs or controls the combat sports activities of
19 the combat sports contestant.

20 "No rules combat or similar contest" means a contest or
21 exhibition performed in the State in which the contestants:



1 (1) Are permitted to use, with few or no rules or
2 restrictions, a combination of combative contact
3 techniques, including punches, kicks, chokes, joint
4 locks, and other maneuvers, with or without the use of
5 weapons, that place contestants at an unreasonably
6 high risk of bodily injury or death; and

7 (2) Have received, directly or indirectly, any money,
8 prize, reward, purse, or other compensation, or
9 promise thereof, for the expenses of training, taking
10 part in the contest, or winning the contest;

11 provided that the term does not include a contest involving the
12 exclusive use of boxing, wrestling, kickboxing, martial arts, or
13 combat sports.

14 "Promoter" means an individual, corporation, joint venture,
15 partnership, limited liability corporation, limited liability
16 partnership, or any other type of business entity that promotes,
17 conducts, holds, or gives a combat sports contest.

18 § -2 **Commission established.** There shall be appointed a
19 commission that shall be known as the combat sports commission
20 of Hawaii. The commission shall consist of five members
21 appointed by the governor pursuant to section 26-34; provided



1 that at least one member shall have experience as a combat
2 sports contestant. The governor shall designate one member as
3 chairperson of the commission.

4 § -3 **Executive officer.** The director shall assign an
5 executive officer to the commission to carry out the
6 commission's activities, duties, and other obligations under
7 this chapter.

8 § -4 **Deputy commissioners.** The director may appoint
9 deputy commissioners; provided that the director has the
10 approval of the commission prior to any appointment. The
11 director may remove deputy commissioners after consultation with
12 the commission. The commission may direct one or more deputy
13 commissioners to be present at any combat sports contest and, in
14 the absence of the commission or a member thereof, to supervise
15 and control the combat sports contest, in accordance with this
16 chapter and the rules adopted by the commission pursuant
17 thereto. The deputy commissioners shall submit a written report
18 to the executive officer in the manner and form prescribed by
19 the commission detailing the conditions prevailing at every
20 contest.



1 § -5 Other employees. Subject to chapter 76, the
2 department may employ clerks, inspectors, and other employees as
3 it deems necessary for the purposes of this chapter.

4 § -6 Authority to subpoena witnesses and administer
5 oaths and penalties. The chairperson of the commission or the
6 executive officer may issue subpoenas for the attendance of
7 witnesses before the commission, with the same effect as if the
8 subpoenas were issued in an action in the circuit court, and may
9 administer oaths in all matters connected with the
10 administration of the affairs of the commission. Disobedience
11 of a subpoena and false swearing before the executive officer or
12 the commission shall be attended by the same consequences and be
13 subject to the same penalties as if disobedience or false
14 swearing occurred in an action in the circuit court.

15 § -7 Powers and duties of the commission. The
16 commission shall adopt rules pursuant to chapter 91 necessary or
17 expedient for the conduct of its business and the regulation of
18 the matters in this chapter committed to its charge, including:

19 (1) An appropriate method of ensuring that all financial
20 obligations are met by a promoter who conducts, holds,
21 or gives a combat sports contest;



- 1 (2) A public record accounting for the distribution of all
2 tickets provided to the commission by a promoter and
3 anything else of value that is provided to the
4 commission;
- 5 (3) Clinics or seminars on health and safety for licensees
6 deemed necessary by the commission;
- 7 (4) A mandatory neurological examination for any combat
8 sports contestant who is knocked out in a combat
9 sports contest, and an eye examination as part of a
10 combat sports contestant's annual medical examination;
- 11 (5) An automatic medical suspension from combat sports
12 contests for a period of time to be determined by the
13 commission for any combat sports contestant who is
14 knocked out from head blows or who has received a
15 severe beating about the head. The period of time of
16 the automatic medical suspension shall be based upon
17 the severity of the beating received by the combat
18 sports contestant;
- 19 (6) Procedures to evaluate the professional records and
20 physician's certification of each combat sports
21 contestant participating in a combat sports contest in



1 the State and to deny authorization to a combat sports
2 contestant to fight when the requirements of this
3 paragraph are not met;

4 (7) Procedures to ensure that no combat sports contestant
5 is permitted to compete while under suspension from
6 any government entity which regulates combat sports
7 due to:

8 (A) A recent knockout or series of consecutive
9 losses;

10 (B) An injury, any required medical procedure, or a
11 physician's denial of certification to 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 combat sports
16 contests;

17 (8) Procedures to review a suspension if appealed by a
18 combat sports contestant, including an opportunity for
19 the contestant to present contradictory evidence;

20 (9) Procedures to revoke a suspension if a combat sports
21 contestant furnishes proof of sufficiently improved



1 medical or physical condition or furnishes proof that
2 the suspension was not, or is no longer, warranted by
3 the facts; and

4 (10) Establishing a combat sports registry and the issuance
5 of an identification card to combat sports
6 contestants.

7 § -8 Jurisdiction of commission. (a) The commission is
8 vested with the sole jurisdiction, direction, management, and
9 control over all combat sports contests to be conducted, held,
10 or given within the State. No combat sports contest shall be
11 conducted, held, or given within the State except in accordance
12 with this chapter and the rules adopted by the commission
13 pursuant thereto.

14 (b) No combat sports contest shall take place unless the
15 commission has approved the proposed contest. In addition, the
16 commission shall not allow any combat sports contest unless:

17 (1) The contest consists of not more than five rounds of a
18 duration of not more than five minutes each with an
19 interval of at least one minute between each round and
20 the succeeding round;



- 1 (2) Each contestant is at least eighteen years of age and
2 is not disqualified from competing in a similar combat
3 sports contest in another jurisdiction at the time of
4 the contest;
- 5 (3) One hour prior to the contest, each combat sports
6 contestant is examined by at least one physician
7 licensed under chapter 453 who shall certify in
8 writing to the referee of the contest that the
9 contestant is physically fit to engage therein;
- 10 (4) The contest is under the control of a licensed referee
11 in the ring who has at least one year's experience in
12 refereeing a match or exhibition involving combat
13 sports and who has passed a physical examination by a
14 physician licensed under chapter 453, including an eye
15 examination, within two years prior to the contest;
- 16 (5) At least thirty days prior to a combat sports contest,
17 a promoter of the contest provides to the commission
18 information and documents, as prescribed by the
19 commission, together with a review and enforcement fee
20 of \$500, to establish that the combat sports contest
21 is not prohibited under this chapter; provided that if



1 the commission determines that the contest is
2 prohibited by this chapter, then the commission shall
3 refund the \$500 review and enforcement fee to the
4 promoter;

5 (6) The promoter has complied with sections -9
6 and -10; and

7 (7) All participants have complied with the requirements
8 provided in this chapter and rules adopted in
9 accordance with chapter 91, including any rules or
10 requirements that protect the safety of the
11 contestants to the extent feasible.

12 (c) No person shall hold, promote, or participate in no
13 rules combat or similar contests. The commission shall enforce
14 the prohibition on no rules combat or similar contests, and may
15 adopt rules, pursuant to chapter 91, to enforce the prohibition.
16 In addition to any applicable judicial remedy, a person who
17 violates this subsection shall be subject to the penalties,
18 fines, and other provisions applicable to violators of this
19 chapter.

20 § -9 **Licenses; promoters.** (a) A promoter may apply to
21 the commission for a license that shall be required to conduct,



1 hold, or give combat sports contests. The application shall be
2 in writing, addressed to the commission, and signed by the
3 applicant, and shall include the following:

4 (1) Evidence of financial integrity in accordance with
5 rules adopted by the commission pursuant to chapter
6 91; and

7 (2) Proof that the applicant has currently satisfied all
8 of the applicable requirements of the department's
9 business registration division.

10 (b) The application shall contain a recital of the facts
11 as may be specified by the commission for it to determine
12 whether the applicant possesses the necessary physical, mental,
13 moral, and financial qualifications to entitle the applicant to
14 a license.

15 (c) The commission shall not issue any license to conduct,
16 hold, or give combat sports contests unless it is satisfied that
17 the applicant has complied with the conditions of this chapter,
18 possesses the necessary qualifications for a license, and is the
19 real party in interest, and intends to conduct, hold, or give
20 the combat sports contest itself. The commission shall not
21 issue a promoter's license to an applicant if the applicant or



1 any of the applicant's officers, partners, members, or
2 associates have been convicted of any crime related to gambling
3 or a crime that is directly related to the person's performance
4 in the sport of combat sports.

5 (d) A license may be revoked at any time if the commission
6 finds after a hearing that:

7 (1) The licensee is not the real party in interest or has
8 not complied with this chapter or the rules of the
9 commission; or

10 (2) The licensee or any of the licensee's officers,
11 partners, members, or associates have been convicted
12 of any crime related to gambling or a crime that is
13 directly related to the person's performance in the
14 sport of combat sports.

15 (e) Every license shall be subject to this chapter and the
16 rules of the commission.

17 § -10 Requirements to hold a combat sports contest. (a)
18 The application for a license to promote combat sports contests
19 shall be accompanied by a fee as provided in rules adopted by
20 the director pursuant to chapter 91.



1 (b) For approval to conduct, hold, or give a combat sports
2 contest, a promoter shall provide proof of medical insurance for
3 combat sports contestants in accordance with rules adopted by
4 the commission. All promoters shall be responsible for paying
5 any deductible amount of the medical insurance policy.

6 (c) Prior to each combat sports contest, a promoter shall
7 provide a bond, in an amount determined by the commission, to
8 adequately cover the promoter's obligations in conducting,
9 holding, or giving a combat sports contest. The bond shall be
10 executed by the promoter as principal and by a surety company
11 authorized to do business in the State as the surety. If the
12 promoter fails to pay any obligations covered by the bond, any
13 aggrieved person may file an action against the bond to recover
14 the amount owed, in the circuit court in the circuit in which
15 the combat sports contest was conducted, held, or given;
16 provided that the aggregate liability of the surety to all
17 aggrieved persons shall not exceed the amount of the bond. Any
18 action against the bond shall be commenced within ninety days
19 after the combat sports contest was conducted, held, or given.

20 (d) Prior to any combat sports contest, all contracts with
21 managers, combat sports contestants, and venues, including any



1 agreement of pre-contest training funds advanced to any
2 contestant either by the promoter or manager or any party of
3 interest, shall be submitted by the promoter to the commission
4 for its review and approval.

5 (e) Prior to any combat sports contest, the promoter shall
6 submit to the commission, for its review and approval, all ring
7 records of all combat sports contestants scheduled to
8 participate in the contest.

9 (f) A promoter shall provide cashier's or certified checks
10 made payable to each combat sports contestant for the amount due
11 the contestant or the contestant's manager, as the case may be,
12 in accordance with the contracts approved by the commission.

13 (g) A promoter shall provide to the commission written
14 confirmation that appropriate security service has been obtained
15 and will be present at all times at the venue of the combat
16 sports contest and provide evidence that security personnel and
17 resources will be present in sufficient number and force to
18 exercise crowd control and to protect spectators at the combat
19 sports event.



1 (h) A promoter shall provide to the commission evidence
2 that the combat sports event will be conducted in compliance
3 with applicable fire codes.

4 (i) The promoter shall maintain sanitary conditions at the
5 site of the combat sports event.

6 (j) Failure, refusal, or neglect of any licensed promoter
7 to comply with this section shall result in the automatic denial
8 to hold the combat sports contest.

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

13 (l) In addition to the payment of other fees and moneys
14 due under this chapter, a licensed promoter shall pay:

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

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



1 (3) Two per cent of the gross sales price for the sale,
2 lease, or other exploitation of broadcasting,
3 television, Internet, and motion picture rights for a
4 contest, without any deductions for commission,
5 brokerage fee, distribution fees, advertising,
6 contestants' purses, or any other expenses or charges,
7 including federal, state, or local taxes; and

8 (4) Two per cent of the gross receipts from subscription
9 or admission fees, exclusive of federal, state, and
10 local taxes, charged for viewing within the State of a
11 simultaneous telecast of a contest;

12 provided that payments under this subsection shall be deposited
13 into a separate account in the compliance resolution fund and
14 shall be used to cover the costs of the commission and
15 regulating this chapter.

16 (m) Within seven days following a combat sports contest,
17 the promoter shall provide the commission with an unedited video
18 record of the contest in a format prescribed by the commission.

19 (n) No combat sports contest shall be commenced without
20 the approval of the commission pursuant to this section.



1 § -11 Licenses, participants. (a) Any person may apply
2 to the commission for a license to act as a physician, referee,
3 judge, matchmaker, manager, timekeeper, second, or combat sports
4 contestant to participate, either directly or indirectly, in any
5 combat sports contest. The application shall be in writing,
6 addressed to the commission, and signed by the applicant. The
7 application shall contain a recital of facts as may be specified
8 by the commission for it to determine whether the applicant
9 possesses the necessary licensure and physical, mental, and
10 moral qualifications to entitle the applicant to a license. The
11 commission shall adopt rules for licensure in accordance with
12 chapter 91.

13 (b) In addition, the applicant for a referee, judge,
14 manager, or second license shall take and pass a written
15 examination as provided by the commission. The commission may
16 exempt a manager or second license applicant from examination
17 requirements; provided that the applicant holds a valid manager
18 or second license in another jurisdiction with comparable combat
19 sports regulations.

20 (c) Any license to act as a physician, referee, judge,
21 matchmaker, manager, timekeeper, second, or combat sports



1 contestant may be suspended or revoked, or the person otherwise
2 disciplined by the commission after a contested case hearing
3 held in accordance with chapter 91.

4 § -12 **License fees.** License fees shall be paid annually
5 to the State by every applicant to whom a license is issued to
6 participate in the conduct of combat sports in any of the
7 capacities set forth in this chapter: promoter, physician,
8 referee, judge, matchmaker, manager, timekeeper, second, and
9 combat sports contestant. The charge for a duplicate of a
10 license and all fees required by this chapter shall be as
11 provided in rules adopted by the director pursuant to chapter 91
12 and shall be deposited with the director to the credit of the
13 compliance resolution fund.

14 § -13 **Licenses, limitations, renewals.** (a) No combat
15 sports contest shall be conducted, held, or given unless all the
16 parties participating, as designated herein, are licensed by the
17 commission, and it shall be unlawful for any individual or
18 promoter to participate in a contest in any capacity designated
19 herein unless the person is licensed to do so.

20 (b) The commission may limit the number of licenses issued
21 for any purpose as specified in this chapter and may limit the



1 number of combat sports contests conducted, held, or given in
2 any county of the State.

3 (c) All licenses shall be for a period of not more than
4 one year and all licenses shall expire on December 31 of the
5 year in which the licenses are issued.

6 (d) The commission, at its discretion and upon
7 application, may renew the licenses for the following year.
8 Failure to timely apply for renewal of any license shall result
9 in the automatic forfeiture of the license. Any applicant whose
10 license has been forfeited shall file an application for a new
11 license and meet all current requirements, including successful
12 passage of the examination, as the case may be, for the license.

13 (e) Every individual or promoter licensed under this
14 chapter shall be subject to the rules adopted by the commission.

15 **§ -14 Receipts and reports thereon.** (a) Every promoter
16 holding a license to conduct, hold, or give combat sports
17 contests, within seventy-two hours after the determination of
18 every contest for which admission fees are charged and received,
19 shall furnish to the commission a written report, duly verified,
20 showing the number of tickets sold for the contest, the amount



1 of the gross receipts or proceeds thereof, and other matters as
2 the commission prescribes.

3 (b) For purposes of this section, "gross receipts" include
4 income received from the sale of print, Internet, broadcasting,
5 television, and motion picture rights.

6 § -15 **Failure to report receipts.** Whenever any promoter
7 holding a license to conduct, hold, or give combat sports
8 contests fails to make a report of any contest at the time and
9 in the manner herein prescribed in this chapter, or whenever the
10 report is unsatisfactory to the commission, the executive
11 officer, at the licensee's expense, may examine, or cause to be
12 examined, the books and records of the promoter.

13 § -16 **Admission tickets.** All tickets of admission to
14 any combat sports contest for which admission fees are charged
15 and received shall have printed clearly upon the face thereof
16 the purchase price of same, and no ticket shall be sold for more
17 than the price as printed thereon.

18 § -17 **Inspectors; duties.** The commission may appoint
19 official representatives designated as inspectors, each of whom
20 shall receive from the commission a card or badge authorizing
21 the person to act as inspector whenever the commission may



1 designate the person to so act. An inspector, the executive
2 officer, or a deputy commissioner shall be present at all combat
3 sports contests and see that this chapter and the rules are
4 strictly observed.

5 § -18 **Judges; duties.** The commission, in its
6 discretion, may appoint two judges to act with the referee in
7 rendering a decision, or three judges to act with a nonvoting
8 referee in rendering a decision.

9 § -19 **Physician; duties.** Every promoter holding a
10 license to conduct, hold, or give combat sports contests shall
11 have in attendance at every contest at least two physicians who
12 are licensed to practice medicine in the State under chapter
13 453, and licensed pursuant to this chapter, who shall observe
14 the physical condition of the combat sports contestants and
15 advise the referee with regard thereto and, one hour before each
16 contestant enters the ring, certify in writing as to the
17 physical condition of the contestant to engage in the contest.
18 A report of the medical examination shall be filed with the
19 commission not later than forty-eight hours after the
20 termination of the contest. In addition, at least one physician
21 shall immediately examine every contestant who was knocked down



1 or who sustained a severe beating about the head during the
2 contest and shall file a written medical opinion within forty-
3 eight hours of the contest to the executive officer.

4 § -20 **Referees; duties.** (a) At each combat sports
5 contest there shall be in attendance a duly licensed referee
6 designated by the commission, who shall direct and control the
7 contest. The referee shall render a decision for each contest,
8 except as otherwise provided under section -18.

9 (b) The referee may recommend and the commission in its
10 discretion may declare the forfeiture of any prize, purse, or
11 remuneration, or any part thereof, to which one or both of the
12 combat sports contestants may be entitled, or any part of the
13 gate receipts for which the contestants are competing, if in the
14 commission's judgment one or both of the contestants are not
15 honestly competing.

16 (c) Each referee shall warn contestants of the referee's
17 power to recommend the forfeiture of purse or purses, should
18 there be any apparent cause for the warning.

19 (d) In any case where the referee decides that the
20 contestants are not honestly competing and that under the law
21 the contestants' purses or the purse of either contestant should



1 be forfeited, the contest shall be stopped before the end of the
2 last round, and no decision shall be given. A contestant earns
3 nothing and shall not be paid for a contest in which there is
4 stalling, faking, dishonesty, or collusion. The commission,
5 independently of the referee or the referee's decision, may
6 determine the merits of any contest and take whatever action it
7 considers proper. In any case, the executive officer or any
8 commissioner may order the purse of the offender held up for
9 investigation and action.

10 (e) The referee shall stop the contest when, in the
11 referee's judgement, either of the contestants shows a marked
12 superiority or is apparently outclassed.

13 § -21 **Timekeeper; duties.** (a) At each combat sports
14 contest there shall be in attendance at least one timekeeper
15 licensed pursuant to this chapter and designated to act as the
16 official timekeeper of the contest.

17 (b) The timekeeper shall keep track of the time elapsing
18 during each round of a contest and the time intervals between
19 round and between contests. The timekeeper shall keep the
20 referee aware during each contest of the time constraints of
21 each contest.



1 **§ -22 Drug test; withholding of wages; penalty.** (a) On
2 the advice of one or both of the physicians in attendance at
3 every contest, a post-contest drug test may be administered to
4 any contestant, at the sole expense of the promoter, to
5 determine whether the contestant has consumed any illegal drugs
6 or drugs banned by the commission.

7 (b) Any wages due to a contestant shall be withheld by the
8 commission until the commission, in consultation with the two
9 attending physicians, is satisfied that the contestant did not
10 have the presence of any illegal or banned drugs in the
11 contestant's person.

12 (c) Any contestant who fails a drug test shall have the
13 contestant's license suspended by the commission for not less
14 than twelve months from the date of the offense and, in the
15 discretion of the commission, may have the contestant's license
16 permanently revoked.

17 **§ -23 Sham combat sports contest; forfeiture of license.**
18 Any promoter who conducts, holds, gives, or participates in any
19 sham or fake combat sports contest, knowing the same to be a
20 sham or fake, shall forfeit the license issued in accordance
21 with this chapter, and the license shall be canceled and



1 declared void by the commission. The promoter and any officers,
2 partners, or members of the promoter shall not thereafter be
3 entitled to receive and shall not be given another license.

4 **§ -24 Sham combat sports contest; penalty against**
5 **contestant.** Any combat sports contestant who knowingly
6 participates in any sham or false combat sports contest shall be
7 suspended by the commission for not less than twelve months from
8 the date of the offense from further participation in any
9 contest held or given under this chapter and may be permanently
10 disqualified from further participation in any contest held or
11 given under this chapter.

12 **§ -25 Financial interest in combat sports contestant**
13 **prohibited.** (a) No commission member or staff, or appointee,
14 may receive any compensation from any person who sanctions,
15 arranges, or promotes combat sports contests; nor shall they
16 have, either directly or indirectly, any financial interest in
17 any contestant competing in any combat sports contest.

18 (b) For the purposes of this section, "compensation" shall
19 not include funds held in escrow for payment to another person
20 in connection with a combat sports contest. The prohibition set
21 forth in this section shall not apply to any contract entered



1 into, or any reasonable compensation received, by the commission
2 to supervise a combat sports contest in this State or another
3 state.

4 § -26 **Wages of contestant; prepayment prohibited.** All
5 moneys paid to a combat sports contestant for services, as money
6 prize, reward, compensation, or otherwise, shall be considered
7 wages. No contestant shall be paid for services before a combat
8 sports contest; provided that with the approval of the
9 commission, a promoter may advance sums of money for training
10 purposes.

11 § -27 **Disposition of receipts.** Except as otherwise
12 provided for in this chapter, all fees and other moneys received
13 by the commission shall be deposited into the compliance
14 resolution fund.

15 § -28 **Summary disciplinary action.** The commission may
16 fine, withhold purse money or fees, and issue immediate
17 temporary suspensions of not more than sixty days against a
18 licensee for violations of this chapter or commission rules.
19 The commission shall notify the licensee in writing of any
20 temporary suspension, fine, or withholding of purse money within
21 five days of the commission's action. The licensee shall have a



1 right to a hearing in accordance with chapter 91; provided that
2 the licensee notifies the commission in writing of the request
3 for a hearing within thirty days after the commission notifies
4 the licensee in writing, by mail or personal service, of the
5 commission's order.

6 § -29 Chapter does not to apply to active duty armed
7 forces, armed forces reserves, national guard, or Police
8 Activities League. This chapter shall not apply to any combat
9 sports contest held as a recreational activity by personnel of
10 the active duty armed forces, armed forces reserves, or national
11 guard, or the Police Activities League, when the contest is held
12 under the supervision of a recreational officer of the active
13 duty armed forces, armed forces reserves, national guard, or
14 Police Activities League staff member.

15 § -30 Revocation; suspension. (a) In addition to any
16 other actions authorized by law, the commission shall have the
17 power to revoke or suspend the license of any person licensed
18 under any of the classifications designated in this chapter, or
19 fine the licensee, or both, for any cause authorized by law,
20 including but not limited to the following:



- 1 (1) Violation of any provision of this chapter or the
2 rules adopted pursuant thereto or any other law, or
3 any rule that applies to those persons licensed under
4 this 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 promoter under
11 this chapter or in connection with any combat sports
12 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 combat sports commission, or similar commission;
- 19 (7) Failure to report any disciplinary action, including
20 medical and mandatory suspensions, or revocation or
21 suspension of a license in another jurisdiction within



1 fifteen days preceding any combat sports contest in
2 which the licensee participates; or

3 (8) Participation in any sham or false combat sports
4 contest.

5 (b) A manager may be held responsible for all violations
6 of this chapter by a combat sports contestant whom the manager
7 manages and may be subject to license revocation or suspension,
8 or a fine, or any combination thereof, irrespective of whether
9 any disciplinary action is taken against the combat sports
10 contestant.

11 § -31 **Penalties.** (a) Any person in violation of this
12 chapter or the rules of the commission shall be fined not more
13 than \$5,000 for each violation. Each day's violation or failure
14 to comply shall be deemed a separate offense.

15 (b) In addition to the penalties provided in this chapter,
16 any person in violation of this chapter may be prohibited from
17 engaging in any combat sports activities in the State for a
18 period in conformity with that set forth in section 92-17.

19 § -32 **Cumulative penalties.** Unless otherwise expressly
20 provided, the remedies or penalties provided by this chapter are



1 cumulative to each other and to the remedies or penalties
2 available under all other laws of this State.

3 **§ -33 Injunctive relief.** The commission, in addition to
4 any other remedies available, may bring an action in any court
5 of this State to enjoin a person from continuing any violation
6 of this chapter or doing any acts in furtherance thereof, and
7 for any other relief that the court deems appropriate."

8 SECTION 3. Section 92-28, Hawaii Revised Statutes, is
9 amended to read as follows:

10 **"§92-28 State service fees; increase or decrease of.** Any
11 law to the contrary notwithstanding, the fees or other nontax
12 revenues assessed or charged by any board, commission, or other
13 governmental agency may be increased or decreased by the body in
14 an amount not to exceed fifty per cent of the statutorily
15 assessed fee or nontax revenue, to maintain a reasonable
16 relation between the revenues derived from [~~such~~] the fee or
17 nontax revenue and the cost or value of services rendered,
18 comparability among fees imposed by the State, or any other
19 purpose which it may deem necessary and reasonable; provided
20 that:



- 1 (1) The authority to increase or decrease fees or nontax
2 revenues shall be subject to the approval of the
3 governor and extend only to the following: chapters
4 36, 92, 94, 142, 144, 145, 147, 150, 171, 188, 189,
5 231, 269, 271, 321, 338, 373, 412, 414, 414D, 415A,
6 417E, 419, 421, 421C, 421H, 421I, 425, 425E, 428, 431,
7 436E, 436H, 437, 437B, 438, 439, 440, [~~440E,~~] _____,
8 441, 442, 443B, 444, 447, 448, 448E, 448F, 448H, 451A,
9 451J, 452, 453, 453D, 455, 456, 457, 457A, 457B, 457G,
10 458, 459, 460J, 461, 461J, 462A, 463, 463E, 464, 465,
11 465D, 466, 466D, 466K, 467, 467E, 468E, 468L, 468M,
12 469, 471, 472, 482, 482E, 484, 485A, 501, 502, 505,
13 514B, 514E, 572, 574, and 846 (part II) and any board,
14 commission, program, or entity created pursuant to
15 title 25 and assigned to the department of commerce
16 and consumer affairs or placed within the department
17 for administrative purposes;
- 18 (2) The authority to increase or decrease fees or nontax
19 revenues under the chapters listed in paragraph (1)
20 that are established by the department of commerce and



1 consumer affairs shall apply to fees or nontax
2 revenues established by statute or rule;

3 (3) The authority to increase or decrease fees or nontax
4 revenues established by the University of Hawaii under
5 chapter 304A shall be subject to the approval of the
6 board of regents; provided that the board's approval
7 of any increase or decrease in tuition for regular
8 credit courses shall be preceded by an open public
9 meeting held during or prior to the semester preceding
10 the semester to which the tuition applies;

11 (4) This section shall not apply to judicial fees as may
12 be set by any chapter cited in this section;

13 (5) The authority to increase or decrease fees or nontax
14 revenues pursuant to this section shall be exempt from
15 the public notice and public hearing requirements of
16 chapter 91; and

17 (6) Fees for copies of proposed and final rules and public
18 notices of proposed rulemaking actions under chapter
19 91 shall not exceed 10 cents a page, as required by
20 section 91-2.5."



1 SECTION 4. Chapter 440E, Hawaii Revised Statutes, is
2 repealed.

3 SECTION 5. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$ or so
5 much thereof as may be necessary for fiscal year 2023-2024 and
6 the same sum or so much thereof as may be necessary for fiscal
7 year 2024-2025 to fund _____ full-time equivalent (.0 FTE)
8 positions within the department of commerce and consumer affairs
9 for the combat sports commission.

10 The sums appropriated shall be expended by the department
11 of commerce and consumer affairs for the purposes of this Act.

12 SECTION 6. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 7. This Act shall take effect on July 1, 2023;
15 provided that sections 3 and 4 of this Act shall take effect
16 upon the adoption of rules by the state combat sports commission
17 pursuant to section -7 of section 2 of this Act.

18

INTRODUCED BY: *Samia L. Inoué*



S.B. NO. 1027

Report Title:

Combat Sports Contests; Combat Sports Commission; Prohibition on No Rules Combat; Appropriation

Description:

Establishes a state Combat Sports Commission. Provides for regulation of combat sports. Prohibits no rules combat or similar contests. Appropriates funds for an unspecified number of full-time equivalent positions within the Department of Commerce and Consumer Affairs for the Combat Sports Commission.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

