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

13           Accordingly, the purpose of this Act is to establish a new  
14 regulatory framework for combat sports contests in Hawaii by:

15           (1) Renaming the existing boxing commission of Hawaii as  
16           the combat sports commission of Hawaii;



- 1 (2) Expanding the commission's jurisdiction to include  
2 combat sports; and
- 3 (3) Repealing existing law that governs mixed martial arts  
4 contests in Hawaii.

5 SECTION 2. Chapter 440, Hawaii Revised Statutes, is  
6 amended by adding four new sections to be appropriately  
7 designated and to read as follows:

8 "§440- Executive officer. The director shall assign an  
9 executive officer to the commission to carry out the  
10 commission's activities, duties, and other obligations under  
11 this chapter.

12 §440- Timekeeper; duties. (a) At each combat sports  
13 contest there shall be in attendance at least one timekeeper  
14 licensed pursuant to this chapter and designated to act as the  
15 official timekeeper of the contest.

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



1        §440- Drug test; withholding of wages; penalty. (a) On  
2 the advice of one or both of the physicians in attendance at  
3 every combat sports contest, a post-contest drug test may be  
4 administered to any contestant, at the sole expense of the  
5 promoter, to determine whether the contestant has consumed any  
6 illegal drugs 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        §440- Injunctive relief. The commission, in addition to  
18 any other remedies available, may bring an action in any court  
19 of the State to enjoin a person from continuing any violation of  
20 this chapter or doing any acts in furtherance thereof, and for  
21 any other relief that the court deems appropriate."



1 SECTION 3. Chapter 440, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "CHAPTER 440

4 [~~BOXING~~] COMBAT SPORTS CONTESTS

5 §440-1 Definitions. As used in this chapter:

6 "Amateur boxing contest" is one in which no contestant has  
7 boxed with or against a professional boxer or another amateur  
8 boxer for a money prize or purse, except as provided in this  
9 chapter.

10 "Boxing" means a contest in which the act of attack and  
11 defense is practiced with gloved fists by two contestants.

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

17 "Combat sports" means unarmed combat involving the use,  
18 subject to any applicable limits set forth in this chapter and  
19 any rules adopted to implement these limits, of a combination of  
20 techniques from different disciplines of boxing or martial arts,  
21 including punching, grappling, kicking, and striking.



1       "Combat sports contest" means a contest in which a combat  
2 sports contestant competes with or against another combat sports  
3 contestant, using combat sports, for money, prize, purse, or  
4 other forms of compensation.

5       "Combat sports contestant" or "contestant" means a person  
6 who is trained in combat sports and competes in a combat sports  
7 contest.

8       "Commission" means the [~~state boxing commission.~~] combat  
9 sports commission of Hawaii established in section 440-2.

10       "Contest" means match or exhibition.

11       "Department" means the department of commerce and consumer  
12 affairs.

13       "Director" means the director of commerce and consumer  
14 affairs.

15       "Executive officer" means the executive officer assigned to  
16 the commission.

17       "Manager" means any person who:

- 18       (1) Undertakes or has undertaken to represent in any way  
19       the [~~interest~~] interests of any [~~professional boxer~~]  
20       combat sports contestant in procuring, arranging, or  
21       conducting any [~~professional~~] contest in which the



1           ~~[boxer]~~ combat sports contestant is to participate as  
2           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 as a client,]~~ or

6           (2) Directs or controls the ~~[boxing]~~ combat sports  
7           activities of the ~~[professional boxer.]~~ combat sports  
8           contestant.

9           "Manager" does not include an attorney licensed to practice  
10          in the State while the attorney is representing the legal  
11          interests of a combat sports contestant as a client.

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

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

20          (2) Have received, directly or indirectly, any money,  
21          prize, reward, purse, or other compensation, or



1           promise thereof, for the expenses of training, taking  
2           part in the contest, or winning the contest.

3           "No rules combat or similar contest" does not include a  
4           contest involving the exclusive use of boxing, wrestling,  
5           kickboxing, martial arts, or combat sports.

6           Professional boxer" is one who: competes for a money prize  
7 or purse or other form of compensation; or teaches, pursues, or  
8 assists in the practice of boxing as a means of obtaining a  
9 livelihood or pecuniary gain.

10          "Professional boxing contest" or "boxing contest" is one in  
11 which a contestant boxes with or against another boxer for a  
12 money prize or purse or other form of compensation.

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

17          §440-2 ~~[Commission]~~ Combat sports commission of Hawaii;  
18 established. There shall be ~~[a board which shall be known as~~  
19 ~~the state boxing]~~ established the combat sports commission of  
20 Hawaii. The commission shall consist of ~~[five]~~ eight members~~[-~~  
21 ~~At]~~; provided that at least one of the members shall be a member



1 of USA Boxing, Inc., at least one of the members shall have  
2 experience as a combat sports contestant, and at least three of  
3 the members shall have experience in combat sports contests as a  
4 contestant or in the promotion or administration of combat  
5 sports contests. One member shall be designated by the governor  
6 as chairperson of the commission.

7       **§§440-3 and 440-4 REPEALED.**

8       **§440-5 Deputy commissioners.** The director may appoint  
9 deputy commissioners; provided that the director [~~has~~] shall  
10 have the approval of the commission prior to any appointment.  
11 The director may remove deputy commissioners after consultation  
12 with the commission. The commission may direct [~~the deputy~~  
13 ~~commissioner or~~] one or more deputy commissioners to be present  
14 at any [~~boxing~~] combat sports contest and, in the absence of the  
15 commission or a member thereof, to [~~superintend~~] supervise and  
16 control the [~~boxing~~] combat sports contest, in accordance with  
17 this chapter and the rules adopted by the commission pursuant  
18 [~~thereto.~~] to this chapter. The deputy commissioners shall make  
19 a written report to the executive officer in the manner and form  
20 prescribed by the commission [~~of~~] detailing the conditions  
21 prevailing at every contest.



1           **§440-6** ~~[Rules.]~~ Rulemaking authority. The commission may  
2 adopt, amend, and repeal rules that it considers necessary or  
3 expedient for the conduct of its business and the regulation of  
4 the matters in this chapter committed to its charge. The rules  
5 when adopted pursuant to chapter 91 shall have the force and  
6 effect of law.

7           **§440-7** **Other employees.** Subject to chapter 76, the  
8 department ~~[of commerce and consumer affairs]~~ may employ clerks,  
9 inspectors, and other employees as it deems necessary~~[-]~~ for the  
10 purposes of this chapter.

11           **§440-8** **Authority to subpoena witnesses~~[-to]~~ and**  
12 **administer oaths and penalties.** The chairperson of the  
13 commission or the executive officer may issue subpoenas for the  
14 attendance of witnesses before the commission, with the same  
15 effect as if the subpoenas were issued in an action in the  
16 circuit court, and may administer oaths in all matters connected  
17 with the administration of the affairs of the commission.  
18 Disobedience of a subpoena and false swearing before the  
19 executive officer or the commission shall be attended by the  
20 same consequences and be subject to the same penalties as if



1 disobedience or false swearing occurred in an action in the  
2 circuit court.

3       **§440-8.5 Powers and duties of the commission.** In addition  
4 to any other powers and duties authorized by law, the commission  
5 shall adopt rules pursuant to chapter 91 to provide for the  
6 following:

- 7       (1) An appropriate method of ensuring that all financial  
8 obligations are met by a promoter who conducts, holds,  
9 or gives a [~~boxing~~] combat sports contest;
- 10       (2) A public record accounting for the distribution of all  
11 tickets provided to the commission by a promoter and  
12 anything else of value [~~which~~] that is provided to the  
13 commission;
- 14       (3) Clinics or seminars on health and safety for  
15 licensees [~~as~~] deemed necessary by the commission;
- 16       (4) A mandatory neurological examination for any [~~boxer~~]  
17 combat sports contestant who is knocked out in a  
18 [~~boxing~~] combat sports contest, and an eye examination  
19 as part of a [~~boxer's~~] combat sports contestant's  
20 annual medical examination;



- 1           (5) An automatic medical suspension from [~~boxing~~] combat  
2           sports contests for a period of time to be determined  
3           by the commission for any [~~boxer~~] combat sports  
4           contestant who is knocked out from head blows or who  
5           has received a severe beating about the head. The  
6           period of time of the automatic medical suspension  
7           shall be based upon the severity of the beating  
8           received by the [~~boxer~~] combat sports contestant;
- 9           (6) Procedures to evaluate the professional records and  
10          physician's certification of each [~~boxer~~] combat  
11          sports contestant participating in a professional  
12          [~~boxing~~] combat sports contest in the State and to  
13          deny authorization to a [~~boxer~~] combat sports  
14          contestant to fight when the requirements of this  
15          paragraph are not met;
- 16          (7) Procedures to ensure that no [~~boxer~~] combat sports  
17          contestant is permitted to [~~box~~] compete while under  
18          suspension from any [~~boxing commission~~] government  
19          entity that regulates combat sports due to:
- 20                (A) A recent knockout or series of consecutive  
21                losses;



- 1 (B) An injury, any required medical procedure, or a  
2 physician's denial of certification to [~~boxer~~]  
3 compete;
- 4 (C) Failure of any drug test; or
- 5 (D) The use of false aliases or falsifying or  
6 attempting to falsify official identification  
7 cards or documents relating to [~~boxing~~] combat  
8 sports contests;
- 9 (8) Procedures to review a suspension if appealed by a  
10 [~~boxer~~] combat sports contestant, including an  
11 opportunity for a [~~boxer~~] combat sports contestant to  
12 present contradictory evidence;
- 13 (9) Procedures to revoke a suspension if a [~~boxer~~] combat  
14 sports contestant furnishes proof of sufficiently  
15 improved medical or physical condition or furnishes  
16 proof that the suspension was not, or is no longer,  
17 warranted by the facts; and
- 18 (10) Establishing a [~~boxing~~] combat sports registry and the  
19 issuance of an identification card to [~~boxers~~] combat  
20 sports contestants.



1           §440-9 Jurisdiction of commission. (a) The commission is  
2 vested with the sole jurisdiction, direction, management, and  
3 control over all professional and amateur [~~boxing,~~] combat  
4 sports contests to be conducted, held, or given within the  
5 State. No professional or amateur [~~boxing contest,~~] combat  
6 sports contest shall be conducted, held, or given within the  
7 State except in accordance with this chapter and the rules  
8 adopted by the commission pursuant [~~thereto,~~] to this chapter.

9           (b) No professional [~~boxing~~] combat sports contest shall  
10 take place unless the commission has approved [~~all~~] the proposed  
11 [~~bouts. In addition,~~] combat sports contest; provided that the  
12 commission shall not allow any [~~professional boxing~~] combat  
13 sports contest unless:

14           (1) The contestants for boxing contests use gloves not  
15 less than six ounces in weight;

16           (2) The boxing contest consists of not more than twelve  
17 rounds of a duration of not more than three minutes  
18 each with an interval of one minute between each round  
19 and the succeeding round;

20           (3) Each contestant is at least eighteen years of age and  
21 is not disqualified from competing in a similar combat



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



1 provided further that if the commission determines  
2 that the combat sports contest is prohibited pursuant  
3 to this chapter, then the commission shall refund the  
4 \$500 review and enforcement fee to the promoter;

5 [~~5~~] (7) The promoter has complied with sections 440-10  
6 and 440-11; and

7 [~~6~~] (8) All participants have complied with the  
8 requirements provided in this chapter and rules  
9 adopted in accordance with chapter 91~~[-]~~, including  
10 any rules or requirements that protect the safety of  
11 the 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, in accordance with chapter 91, to enforce the  
16 prohibition. In addition to any applicable judicial remedy, a  
17 person who violates this subsection shall be subject to the  
18 penalties, fines, and other provisions applicable to violators  
19 of this chapter.

20 ~~§440-10 Licenses~~~~[-]~~; promoters. (a) [~~Any individual or~~  
21 ~~club~~] A promoter may apply to the commission for a license [~~to~~]



1 that shall be required to conduct, hold, or give professional  
2 [~~boxing~~] combat sports contests. The application shall be in  
3 writing, addressed to the commission, and signed by the  
4 applicant [~~, or if the applicant is a club, by a duly authorized~~  
5 ~~officer, partner, or member thereof,~~] and shall include the  
6 following:

7 (1) Evidence of financial integrity in accordance with  
8 rules adopted by the commission pursuant to chapter  
9 91; and

10 (2) Proof that the applicant [~~has~~] currently [~~satisfied~~]  
11 satisfies all of the applicable requirements of the  
12 department's business registration division.

13 (b) The application shall contain a recital of the facts  
14 as may be specified by the commission [~~in order~~] for it to  
15 determine whether [~~or not~~] the applicant possesses the necessary  
16 physical, mental, moral, and financial qualifications to entitle  
17 the applicant to a license.

18 (c) The application for a license to promote combat sports  
19 contests shall be accompanied by a fee as provided in rules  
20 adopted by the director in accordance with chapter 91.



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

- 13       (1) Has complied with the conditions of this chapter;  
14       (2) Possesses the necessary qualifications for a license;  
15       (3) Is the real party in interest; and  
16       (4) Intends to conduct, hold, or give the combat sports  
17       contest itself;

18       provided that the commission shall not issue a promoter's  
19       license to an applicant if the applicant or any of the  
20       applicant's officers, partners, members, or associates have been  
21       convicted of any crime related to gambling or a crime that is



1 directly related to the person's performance in the sport of  
2 combat sports.

3 ~~[(d)]~~ (e) A license may be revoked at any time if the  
4 commission finds after a hearing that: ~~[the licensee is not the~~  
5 ~~real party in interest or has not complied with this chapter or~~  
6 ~~the rules of the commission; or the licensee or any of the~~  
7 ~~licensee's officers, partners, members, or associates have been~~  
8 ~~convicted of any crime related to gambling or a crime that is~~  
9 ~~directly related to the person's performance in the sport of~~  
10 ~~boxing.]~~

11 (1) The licensee is not the real party in interest or has  
12 not complied with this chapter or the rules of the  
13 commission; or

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

19 ~~[(e)]~~ (f) Every license shall be subject to this chapter  
20 and the rules of the commission.



1           §440-11 Requirements to hold a [~~boxing~~] combat sports  
2 contest. [~~(a)~~] The application for a license to promote  
3 professional boxing contests shall be accompanied by a fee as  
4 provided in rules adopted by the director pursuant to chapter  
5 91.]

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

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



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

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

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

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

20 [~~(g)]~~ (f) A promoter shall provide to the commission  
21 written confirmation that an ambulance with paramedics and



1 appropriate security service have been obtained and will be  
2 present at all times at the venue of the [~~boxing~~] combat sports  
3 contest, and provide evidence that security personnel and  
4 resources will be present in sufficient number and force to  
5 exercise crowd control and protect spectators at the contest.

6 (g) A promoter shall provide to the commission evidence  
7 that the combat sports contest will be conducted in compliance  
8 with applicable fire codes.

9 (h) The promoter shall maintain sanitary conditions at the  
10 site of the combat sports contest.

11 [~~(h)~~] (i) Failure, refusal, or neglect of any licensed  
12 promoter to comply with this section shall result in the  
13 automatic denial to conduct, hold, or give the [~~boxing~~] combat  
14 sports contest.

15 [~~(i)~~] (j) Licensed promoters may engage in promotions with  
16 other licensed promoters as long as each promoter holds a valid,  
17 unexpired license and has received the written approval of the  
18 commission [~~prior to~~] before the promotion.

19 (k) In addition to the payment of other fees and moneys  
20 due under this chapter, for combat sports contests a licensed  
21 promoter shall pay:



- 1       (1) A license fee of \_\_\_\_\_ per cent of the first \$50,000  
2       of the total gross receipts from admission fees to a  
3       combat sports contest, exclusive of federal, state,  
4       and local taxes;
- 5       (2) A license fee of \_\_\_\_\_ per cent of the total gross  
6       receipts over \$50,000 from admission fees to a combat  
7       sports contest, exclusive of federal, state, and local  
8       taxes;
- 9       (3) \_\_\_\_\_ per cent of the gross sales price for the sale,  
10       lease, or other exploitation of broadcasting,  
11       television, Internet, and motion picture rights for a  
12       combat sports contest, without any deductions for  
13       commission, brokerage fee, distribution fees,  
14       advertising, contestants' purses, or any other  
15       expenses or charges, including federal, state, or  
16       local taxes; and
- 17       (4) \_\_\_\_\_ per cent of the gross receipts from subscription  
18       or admission fees, exclusive of federal, state, and  
19       local taxes, charged for viewing within the State of a  
20       simultaneous telecast of a combat sports contest;



1 provided that payments under this subsection shall be deposited  
2 into a separate account in the compliance resolution fund and  
3 shall be used to cover the costs of the commission and  
4 regulating this chapter.

5 (1) Within seven days following a combat sports contest,  
6 the promoter shall provide the commission with an unedited video  
7 record of the combat sports contest in a format prescribed by  
8 the commission.

9 ~~[(j)]~~ (m) No ~~[boxing]~~ combat sports contest shall be  
10 commenced without the approval of the commission pursuant to  
11 this section.

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



1 moral qualifications to entitle the applicant to a license. The  
2 commission shall adopt rules for licensure in accordance with  
3 chapter 91.

4 (b) In addition~~[, the]~~ to the requirements in subsection  
5 (a), an applicant for a referee, judge, manager, or second  
6 license shall take and pass a written examination as provided by  
7 the commission. The commission may exempt ~~[an applicant for]~~ a  
8 manager or second license applicant from ~~[taking the]~~  
9 examination~~[, if]~~ requirements; provided that the applicant  
10 holds a valid manager or second license in another jurisdiction  
11 with comparable ~~[boxing]~~ combat sports regulations.

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

17 **§440-13 License fees.** (a) License fees shall be paid  
18 annually to the State by every applicant to whom a license is  
19 issued to participate in the conduct of professional ~~[boxing]~~  
20 combat sports in any of the capacities set forth in this  
21 chapter: promoter, physician, referee, judge, matchmaker,



1 manager, timekeeper, second, and [~~professional boxer.~~] combat  
2 sports contestant. The charge for a duplicate of a license and  
3 all fees required by this chapter shall be as provided in rules  
4 adopted by the director pursuant to chapter 91 and shall be  
5 deposited with the director to the credit of the compliance  
6 resolution fund established pursuant to section 26-9(o).

7 (b) The director may establish a schedule of license fees  
8 for participation in amateur boxing contests, and may waive  
9 payment of license fees for amateur boxing contests.

10 **§440-14 Licenses, limitations, renewals.** (a) No [~~boxing~~]  
11 combat sports contest shall be conducted, held, or given unless  
12 all the parties participating, as designated herein, are  
13 licensed by the commission, and it shall be unlawful for any  
14 individual or [~~club~~] promoter to participate in a [~~boxing~~]  
15 combat sports contest in any capacity designated herein unless  
16 the person is licensed to do so.

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



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

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

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

15 **§440-15 Receipts and reports thereon.** (a) Every  
16 [~~individual or club~~] promoter holding a license to conduct,  
17 hold, or give [~~boxing~~] combat sports contests, within seventy-  
18 two hours after the determination of every [~~boxing~~] combat  
19 sports contest for which admission fees [~~are~~] were charged and  
20 received, shall furnish to the commission a written report, duly  
21 verified, showing the number of tickets sold for the contest,



1 the amount of the gross receipts or proceeds thereof, and other  
2 matters as 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 **§440-16 Failure to report receipts.** Whenever any  
7 [~~individual or club~~] promoter holding a license to conduct,  
8 hold, or give [~~boxing~~] combat sports contests fails to make a  
9 report of any [~~boxing~~] combat sports contest at the time and in  
10 the manner [~~herein~~] prescribed[~~7~~] by this chapter, or whenever  
11 the report is unsatisfactory to the commission, the executive  
12 officer, at the [~~licensee's~~] promoter's expense, may examine, or  
13 cause to be examined, the books and records of the [~~individual~~  
14 ~~or club.~~] promoter.

15 **§440-17 Admission tickets.** All tickets of admission to  
16 any [~~boxing~~] combat sports contest for which admission fees are  
17 charged and received shall have printed clearly upon the face  
18 [~~thereof~~] of the ticket the purchase price of [~~same,~~] the  
19 ticket, and no ticket shall be sold for more than the [~~price as~~  
20 ~~printed thereon.~~] printed price.



1           **§440-18 Inspectors; duties.** The commission [~~shall~~] may  
2 appoint official representatives designated as inspectors, each  
3 of whom shall receive from the commission a card or badge  
4 authorizing the person to act as inspector whenever the  
5 commission may designate the person to so act. An inspector  
6 [~~or~~], the executive officer, or a deputy commissioner shall be  
7 present at all professional [~~boxing~~] combat sports contests and  
8 see that this chapter and the rules are strictly observed and,  
9 as soon as practicable thereafter, shall mail or deliver to the  
10 commission the official box office statement received by the  
11 inspector [~~or~~], executive officer[-], or deputy commissioner.

12           **§440-19 Referees; duties.** (a) At each [~~boxing~~] combat  
13 sports contest there shall be in attendance a duly licensed  
14 referee designated by the commission, who shall direct and  
15 control the contest. Before starting the [~~boxing~~] combat sports  
16 contest, the referee shall ascertain from each contestant the  
17 name of the contestant's chief second and shall hold the chief  
18 second responsible for the conduct of the assistant seconds  
19 during the progress of the contest.

20           (b) The referee may recommend and the commission [~~may~~] in  
21 its discretion may declare the forfeiture of any prize, reward,



1 purse, [~~or remuneration,~~] other compensation, or any part  
2 thereof, to which [~~the contestants or~~] one or both of the  
3 contestants may be entitled, or any part of the gate receipts  
4 for which the contestants are competing, if in the commission's  
5 judgment [~~the contestants or~~] one or both of the contestants are  
6 not honestly competing.

7 (c) [~~Every~~] Each referee shall warn [~~competing boxers~~]  
8 contestants of the referee's power to recommend the forfeiture  
9 of [~~purse or purses,~~] any prize, reward, purse, or other  
10 compensation should there be any apparent cause for the warning.

11 (d) In any case where the referee decides that the  
12 contestants are not honestly competing and that under the law  
13 the contestants' [~~purses or the purse~~] prize, reward, purse, or  
14 other compensation of either contestant should be forfeited, the  
15 [~~beat~~] contest shall be stopped before the end of the last  
16 round, and no decision shall be given. A contestant earns  
17 nothing and shall not be paid for a contest in which there is  
18 stalling, faking, dishonesty, or collusion. The commission,  
19 independently of the referee or the referee's decision, may  
20 determine the merits of any contest and take whatever action it  
21 considers proper. In any case the executive officer or any



1 commissioner may order the [~~purse~~] prize, reward, purse, or  
2 other compensation of the offender held up for investigation and  
3 action.

4 (e) The referee shall stop the contest when, in the  
5 referee's judgement, either of the contestants shows a marked  
6 superiority or is apparently outclassed. The referee, at the  
7 termination of each [~~boxing~~] contest, shall render a  
8 decision~~[-]~~; provided that the commission may in its discretion  
9 appoint two judges to act with the referee in rendering a  
10 decision or three judges to act with a nonvoting referee in  
11 rendering a decision.

12 [~~§440-20 Judges; duties. The boxing commission may in its~~  
13 ~~discretion appoint two judges to act with the referee in~~  
14 ~~rendering a decision or three judges to act with a nonvoting~~  
15 ~~referee in rendering a decision.]~~

16 §440-21 Physician; duties. Every [~~individual or club~~]  
17 promoter holding a license to conduct, hold, or give [~~boxing~~]  
18 combat sports contests shall have in attendance at every  
19 [~~boxing~~] combat sports contest at least two physicians licensed  
20 to practice medicine in the State [~~and duly licensed hereunder,~~]  
21 under chapter 453, and licensed pursuant to this chapter, who



1 shall observe the physical condition of the contestants and  
2 advise the referee with regard thereto and, one hour before each  
3 contestant enters the ring, certify in writing as to the  
4 physical condition of the contestant to engage in the [~~boxing~~]  
5 combat sports contest. A report of the medical examination  
6 shall be filed with the commission [~~not~~] no later than [~~twenty-~~  
7 ~~four~~] forty-eight hours after the termination of the [~~boxing~~]  
8 combat sports contest. In addition, at least one physician  
9 shall immediately examine every contestant who was knocked down  
10 or who sustained a severe beating about the head during the  
11 combat sports contest and shall file a written medical opinion  
12 within [~~twenty-four~~] forty-eight hours of the combat sports  
13 contest to the executive officer.

14 §440-22 Sham [~~boxing~~] or false combat sports contest;  
15 forfeiture of license. Any [~~individual or club~~] promoter who  
16 conducts, holds, or gives or participates in any sham [~~or~~], fake  
17 [~~boxing~~], or false combat sports contest, knowing the same to be  
18 a sham [~~or~~], fake, or false, shall forfeit the license issued in  
19 accordance with this chapter, and the license shall be canceled  
20 and declared void by the commission. The [~~individual or club~~]  
21 promoter and any officers, partners, or members of the [~~club~~]



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

3       **§440-23 Sham [~~boxing~~] or false combat sports contest;**  
4 **penalty against contestant.** Any contestant who knowingly  
5 participates in any sham or false [~~boxing~~] combat sports contest  
6 shall be suspended by the [~~boxing~~] commission for not less than  
7 twelve months from the date of the offense from further  
8 participation in any [~~boxing~~] contest held or given under this  
9 chapter and may be permanently disqualified from further  
10 participation in any [~~boxing~~] contest held or given under this  
11 chapter.

12       **§440-24 Number of rounds.** The commission, with respect to  
13 any boxing contest or [~~with respect to any~~] class of  
14 contestants, may limit the number of rounds of a boxing contest  
15 within the maximum of twelve rounds for boxing contests.

16       **§440-25 REPEALED.**

17       **§440-26 REPEALED.**

18       **§440-27 Financial interest in combat sports contestant**  
19 **prohibited.** (a) No commission member or staff, appointee, or  
20 [~~any individual or club~~] promoter holding a license to conduct,  
21 hold, or give [~~boxing~~] combat sports contests, nor any officer,



1 partner, or member[7] of the promoter, may receive any  
2 compensation from any person who sanctions, arranges, or  
3 promotes professional [~~boxing~~] combat sports contests; nor shall  
4 they have, either directly or indirectly, any financial interest  
5 in any contestant competing in any [~~boxing~~] combat sports  
6 contest that they conduct, hold, or give.

7 (b) For purposes of this section, the term "compensation"  
8 shall not include funds held in escrow for payment to another  
9 person in connection with a professional [~~boxing~~] combat sports  
10 contest. The prohibition set forth in this section shall not  
11 apply to any contract entered into, or any reasonable  
12 compensation received, by the commission to supervise a  
13 professional [~~boxing~~] combat sports contest in this State or  
14 another state.

15 **§440-28 Wages of contestant; prepayment prohibited.** All  
16 moneys paid to a contestant for services, as money prize,  
17 reward, compensation, or otherwise, shall be considered wages.  
18 No contestant shall be paid for services before a [~~boxing~~]  
19 combat sports contest[7]; provided that with the approval of the  
20 commission, a promoter may advance sums of money for training  
21 purposes.



1           **§440-29 Limit of weight difference between contestants.**

2 No [~~boxing~~] combat sports contest shall be allowed in which the  
3 difference in weight between the respective contestants exceeds  
4 the limits which the [~~boxing~~] commission prescribes in its  
5 rules.

6           **§440-30 Control and supervision of amateur boxing contest.**

7 Amateur boxing contests may be placed by the [~~boxing~~  
8 ~~commissiонер~~] commission under the control and supervision of  
9 any recognized national amateur athletic association whose  
10 standing has first been approved by the commission, subject,  
11 however, to the rules as may be prescribed by the commission.

12           **§440-31 Persons barred as amateur contestants.** No person  
13 shall appear as a contestant in amateur boxing contests who  
14 [~~prior thereto~~] before the contests has received any  
15 compensation or monetary reward in any form for displaying,  
16 exercising, or giving any example of the person's boxing skill  
17 or for rendering services to any athletic organization or to any  
18 person or persons as a boxing trainer, coach, instructor, or  
19 otherwise, or who has been employed in any manner professionally  
20 by reason of the person's boxing skill or knowledge.



1           **§440-32 Amateur boxing contestants entitled to medals and**  
2 **trophies only.** A medal or trophy may be awarded to each  
3 contestant in an amateur boxing contest not to exceed in value  
4 the sum of \$35 each. The medal or trophy shall have engraved  
5 thereon the name of the winner and the date of the event.

6           No other or additional prize, reward, or remuneration shall  
7 be given or awarded to any contestant in an amateur boxing  
8 contest unless authorized in writing by the [~~boxing~~] commission.

9           Every contestant in an amateur boxing contest or sparring  
10 match shall be registered with the commission or its amateur  
11 representative and subject to an annual physical examination.  
12 Each amateur boxing contestant shall be examined by a physician  
13 immediately before the contest.

14           **§440-33 Disposition of receipts.** All moneys received by  
15 the [~~boxing~~] commission shall be deposited by the director [~~of~~  
16 ~~commerce and consumer affairs~~] with the director of finance to  
17 the credit of the general fund of the State.

18           **§440-34 Violations; penalty.** Any [~~individual or club~~]  
19 person in violation of this chapter or the rules of the  
20 commission shall be fined not more than \$5,000 for each  
21 violation or imprisoned not more than one year, or both. Each



1 day's violation or failure to comply shall be deemed a separate  
2 offense.

3       [+] §440-34.5 [+] **Summary disciplinary action.** The  
4 commission may fine, withhold purse money or fees, and issue  
5 immediate temporary suspensions of not more than sixty days  
6 against a licensee for violations of this chapter or commission  
7 rules. The commission shall notify the licensee in writing of  
8 any temporary suspension, fine, or withholding of purse money  
9 within five days of the commission's action. The licensee shall  
10 have a right to a hearing in accordance with chapter 91;  
11 provided that the licensee notifies the commission in writing of  
12 the request for a hearing within thirty days after the  
13 commission notifies the licensee in writing, by mail or by  
14 personal service, of the commission's order.

15       §440-35 [~~Not to apply to Army, Air Force, Navy, National~~  
16 ~~Guard,~~] Inapplicability to active duty armed forces, armed  
17 forces reserves, national guard, or Police Activities League.

18 This chapter shall not apply to any [~~boxing~~] combat sports  
19 contest held as a recreational activity by [~~Army, Air Force,~~  
20 ~~Navy, or National Guard personnel,~~] personnel of the active duty  
21 armed forces, armed forces reserves, national guard, or the



1 Police Activities League, when the contest is held under the  
2 supervision of a recreational officer of the [~~Army, Air Force,~~  
3 ~~Navy, or National Guard,~~] active duty armed forces, armed forces  
4 reserves, national guard, or a Police Activities League staff  
5 member.

6 §440-36 **Revocation; suspension; fine.** (a) In addition to  
7 any other actions authorized by law, the commission shall have  
8 the power to revoke or suspend the license of any [~~individual or~~  
9 ~~club~~] person licensed under any of the classifications  
10 designated in this chapter, or fine the licensee, or both, for  
11 any cause authorized by law, including but not limited to the  
12 following:

13 (1) Violation of any provision of this chapter or the  
14 rules adopted pursuant [~~thereto~~] to this chapter or  
15 any other law, or rule that applies to those persons  
16 licensed under this chapter;

17 (2) Manifest incapacity, professional misconduct, or  
18 unethical conduct;

19 (3) Making any false representations or promises through  
20 advertising or other dissemination of information;



- 1           (4) Any fraudulent, dishonest, or deceitful act in  
2           connection with the licensing of any [~~individual or~~  
3           ~~club~~] promoter under this chapter or in connection  
4           with any [~~boxing~~] combat sports contest;
- 5           (5) Making any false or misleading statement in any  
6           application or document submitted or required to be  
7           filed under this chapter;
- 8           (6) Revocation or suspension of a license or other  
9           disciplinary action against the licensee by another  
10          state or [~~boxing commission,~~] government entity that  
11          regulates combat sports;
- 12          (7) Failure to report any disciplinary action, including  
13          medical and mandatory suspensions, or revocation or  
14          suspension of a license in another jurisdiction within  
15          fifteen days [~~preceding~~] before any [~~boxing match~~]  
16          combat sports contest in which the licensee  
17          participates; or
- 18          (8) Participation in any sham or false [~~boxing~~] combat  
19          sports contest.
- 20          (b) The manager and second may be held responsible for all  
21          violations of this chapter by a [~~boxer~~] combat sports contestant



1 whom they manage, second, train, or serve as an agent [~~for~~] and  
2 may be subject to license revocation or suspension, or a fine,  
3 or any combination thereof, irrespective of whether any  
4 disciplinary action is taken against the [~~boxer~~] combat sports  
5 contestant.

6 [~~(e) Any individual or club in violation of this chapter~~  
7 ~~shall be fined not more than \$5,000 for each violation.~~]

8 [~~(d)~~] (c) In addition to the penalties provided in this  
9 chapter, any [~~individual or club found~~] person in violation of  
10 [~~any of the above~~] this chapter may be prohibited from engaging  
11 in any [~~boxing~~] combat sports activities in the State for a  
12 period in conformity with that set forth in section 92-17.

13 [~~§440-37~~] **Cumulative penalties.** Unless otherwise  
14 expressly provided, the remedies or penalties provided by this  
15 chapter are cumulative to each other and to the remedies or  
16 penalties available under all other laws of this State."

17 SECTION 4. Section 26-9, Hawaii Revised Statutes, is  
18 amended by amending subsection (c) to read as follows:

19 "(c) The board of acupuncture, board of public  
20 accountancy, board of barbering and cosmetology, [~~boxing~~  
21 ~~commission~~], combat sports commission of Hawaii, Hawaii board of



1 chiropractic, contractors license board, board of dentistry,  
2 board of electricians and plumbers, elevator mechanics licensing  
3 board, board of professional engineers, architects, surveyors,  
4 and landscape architects, board of massage therapy, Hawaii  
5 medical board, motor vehicle industry licensing board, motor  
6 vehicle repair industry board, board of naturopathic medicine,  
7 board of nursing, Hawaii board of optometry, pest control board,  
8 board of pharmacy, board of physical therapy, board of  
9 psychology, board of private detectives and guards, real estate  
10 commission, Hawaii board of veterinary medicine, board of speech  
11 pathology and audiology, and any board, commission, program, or  
12 entity created pursuant to or specified by statute in  
13 furtherance of the purpose of this section including but not  
14 limited to section 26H-4, or chapters 484, 514B, and 514E shall  
15 be placed within the department of commerce and consumer affairs  
16 for administrative purposes.

17       The public utilities commission shall be placed, for  
18 administrative purposes only, within the department of commerce  
19 and consumer affairs. Notwithstanding section 26-9(e), (f),  
20 (g), (h), (j), (k), (l), (m), (n), (p), (q), (r), and (s), and  
21 except as permitted by sections 269-2 and 269-3, the department



1 of commerce and consumer affairs shall not direct or exert  
2 authority over the day-to-day operations or functions of the  
3 commission."

4 SECTION 5. Section 92-28, Hawaii Revised Statutes, is  
5 amended to read as follows:

6 "§92-28 State service fees; increase or decrease of. Any  
7 law to the contrary notwithstanding, the fees or other nontax  
8 revenues assessed or charged by any board, commission, or other  
9 governmental agency may be increased or decreased by the body in  
10 an amount not to exceed fifty per cent of the statutorily  
11 assessed fee or nontax revenue, to maintain a reasonable  
12 relation between the revenues derived from such fee or nontax  
13 revenue and the cost or value of services rendered,  
14 comparability among fees imposed by the State, or any other  
15 purpose which it may deem necessary and reasonable; provided  
16 that:

- 17 (1) The authority to increase or decrease fees or nontax  
18 revenues shall be subject to the approval of the  
19 governor and extend only to the following: chapters  
20 36, 92, 94, 142, 144, 145, 147, 150, 171, 188, 189,  
21 231, 269, 271, 321, 338, 373, 412, 414, 414D, 415A,



1 417E, 419, 421, 421C, 421H, 421I, 425, 425E, 428, 431,  
2 436E, 436H, 437, 437B, 440, [~~440E7~~] 441, 442, 443B,  
3 444, 447, 448, 448E, 448F, 448H, 451A, 451J, 452, 453,  
4 453D, 455, 456, 457, 457A, 457B, 457G, 458, 459, 460J,  
5 461, 461J, 462A, 463, 463E, 464, 465, 465D, 466, 466D,  
6 466K, 467, 467E, 468E, 468L, 468M, 469, 471, 472, 482,  
7 482E, 484, 485A, 501, 502, 505, 514B, 514E, 572, 574,  
8 and 846 (part II) and any board, commission, program,  
9 or entity created pursuant to title 25 and assigned to  
10 the department of commerce and consumer affairs or  
11 placed within the department for administrative  
12 purposes;

13 (2) The authority to increase or decrease fees or nontax  
14 revenues under the chapters listed in paragraph (1)  
15 that are established by the department of commerce and  
16 consumer affairs shall apply to fees or nontax  
17 revenues established by statute or rule;

18 (3) The authority to increase or decrease fees or nontax  
19 revenues established by the University of Hawaii under  
20 chapter 304A shall be subject to the approval of the  
21 board of regents; provided that the board's approval



1 of any increase or decrease in tuition for regular  
2 credit courses shall be preceded by an open public  
3 meeting held during or before the semester preceding  
4 the semester to which the tuition applies;

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

7 (5) The authority to increase or decrease fees or nontax  
8 revenues pursuant to this section shall be exempt from  
9 the public notice and public hearing requirements of  
10 chapter 91; and

11 (6) Fees for copies of proposed and final rules and public  
12 notices of proposed rulemaking actions under chapter  
13 91 shall not exceed 10 cents a page, as required by  
14 section 91-2.5."

15 SECTION 6. Chapter 440E, Hawaii Revised Statutes, is  
16 repealed.

17 SECTION 7. In accordance with section 9 of article VII of  
18 the Hawaii State Constitution and sections 37-91 and 37-93,  
19 Hawaii Revised Statutes, the legislature has determined that the  
20 appropriations contained in Act 164, Regular Session of 2023,  
21 and this Act will cause the state general fund expenditure



1 ceiling for fiscal year 2024-2025 to be exceeded by  
2 \$                    or                    per cent. This current declaration takes  
3 into account general fund appropriations authorized for fiscal  
4 year 2024-2025 in Act 164, Regular Session of 2023, and this Act  
5 only. The reasons for exceeding the general fund expenditure  
6 ceiling are that:

7           (1) The appropriation made in this Act is necessary to  
8                   serve the public interest; and

9           (2) The appropriation made in this Act meets the needs  
10                   addressed by this Act.

11           SECTION 8. There is appropriated out of the general  
12 revenues of the State of Hawaii the sum of \$                    or so  
13 much thereof as may be necessary for fiscal year 2024-2025 to  
14 fund           full-time equivalent (            FTE) positions within the  
15 department of commerce and consumer affairs for the combat  
16 sports commission of Hawaii.

17           The sum appropriated shall be expended by the department of  
18 commerce and consumer affairs for the purposes of this Act.

19           SECTION 9. Statutory material to be repealed is bracketed  
20 and stricken. New statutory material is underscored.

21           SECTION 10. This Act shall take effect on July 1, 2040.



**Report Title:**

Combat Sports Commission of Hawaii; Mixed Martial Arts; Combat Sports; Contests; Framework; Expenditure Ceiling; Appropriation

**Description:**

Establishes a new regulatory framework for combat sports contests in Hawaii by renaming the existing Boxing Commission of Hawaii as the Combat Sports Commission of Hawaii, expanding the Commission's jurisdiction to include all combat sports, and repealing existing law governing mixed martial arts contests in Hawaii. Takes effect 7/1/2040. (SD1)

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

