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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  
4 on-the-ground; and blend boxing, wrestling, Brazilian jiu-jitsu,  
5 Muay Thai, kickboxing, karate, judo, and other styles. Combat  
6 sports events have drawn capacity crowds to the Neal S.  
7 Blaisdell Arena. The prestigious Ultimate Fighting Championship  
8 organization has never staged a show in Hawaii, but the idea has  
9 been floated many times. The legislature finds that to continue  
10 growing the combat sports industry in the State and to attract  
11 events like those staged by the Ultimate Fighting Championship,  
12 Hawaii's boxing commission should be expanded to include combat  
13 sports.

14           Accordingly, the purpose of this Act is to:

15           (1) Rename the existing boxing commission of Hawaii to the  
16           combat sports commission of Hawaii and expand its



1 jurisdiction to include combat sports and mixed  
2 martial arts; and

3 (2) Repeal the existing mixed martial arts program under  
4 chapter 440E, Hawaii Revised Statutes.

5 SECTION 2. Chapter 440, Hawaii Revised Statutes, is  
6 amended as follows:

7 1. By adding a new section to be appropriately designated  
8 and to read:

9 "§440-DD Definitions. As used in this chapter, unless the  
10 context requires otherwise:

11 "Commission" means the combat sports commission of Hawaii.

12 "Contest" means match or exhibition.

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

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

17 2. By designating section 440-DD as part I, and inserting  
18 a title before section 440-DD to read "General Provisions".

19 3. By designating sections 440-1 to 440-37 as part II, and  
20 inserting a title before section 440-1 to read "Boxing  
21 Contests".



1           4. By adding a new part to be appropriately designated and  
2 to read:

3                           **"PART           .    COMBAT SPORTS CONTESTS**

4           **§440-A Definitions.** As used in this part:

5           "Amateur combat sports contest" means a combat sports  
6 contest in which no money, purse, or other form of monetary  
7 compensation is offered or given to contestants and the  
8 contestants are at least eighteen years of age.

9           "Amateur combat sports contestant" means a person who is  
10 trained in combat sports, competes in an amateur combat sports  
11 contest, and is at least eighteen years of age.

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

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



1 "Combat sports contestant" or "contestant" means a person  
2 who is trained in combat sports and competes in a combat sports  
3 contest.

4 "Licensed health care provider" includes a physician  
5 licensed to practice medicine in the State under chapter 453.

6 "Manager" means any person who:

7 (1) Undertakes or has undertaken to represent in any way  
8 the interests of any combat sports contestant in  
9 procuring, arranging, or conducting any combat sports  
10 contest in which the combat sports contestant is to  
11 participate; or

12 (2) Directs or controls the combat sports activities of  
13 the combat sports contestant.

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

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

19 (1) Are permitted to use, with few or no rules or  
20 restrictions, a combination of combative contact  
21 techniques, including punches, kicks, chokes, joint



1 locks, and other maneuvers, with or without the use of  
2 weapons, that place contestants at an unreasonably  
3 high risk of bodily injury or death; and

4 (2) Have received, directly or indirectly, any money,  
5 prize, reward, purse, or other compensation, or  
6 promise thereof, for the expenses of training, taking  
7 part in the contest, or winning the contest.

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

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

15 "Small combat sports contest" means a combat sport contest  
16 conducted in a venue with a capacity of less  
17 than persons.

18 **§440-B Amateur combat sports.** This part, with the  
19 exception of sections 440-F(b)(5) and 440-I(c) and (e), shall  
20 apply to amateur combat sports contests.



1           **§440-C Deputy commissioners.** The director may appoint  
2 deputy combat sports commissioners after receiving the approval  
3 of the commission to do so. The director may remove deputy  
4 commissioners after consultation with the commission. The  
5 commission may direct one or more deputy commissioners to be  
6 present at any combat sports contest and, in the absence of the  
7 commission or a member of the commission, to supervise and  
8 control the combat sports contest, in accordance with this part  
9 and the rules adopted by the commission pursuant to this part.  
10 The deputy commissioners shall submit a written report to the  
11 executive officer in the manner and form prescribed by the  
12 commission detailing the conditions prevailing at every combat  
13 sports contest.

14           **§440-D Other employees.** Subject to chapter 76, the  
15 department may employ clerks, inspectors, and other employees as  
16 it deems necessary for the purposes of this part.

17           **§440-E Powers and duties of the commission.** The  
18 commission shall adopt rules pursuant to chapter 91 necessary or  
19 expedient for the conduct of its business and regulation of the  
20 matters in this part committed to its charge, including:



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



- 1           (6) Procedures to evaluate the professional records and  
2           licensed health care provider's certification of each  
3           combat sports contestant participating in a combat  
4           sports contest in the State and to deny authorization  
5           to a combat sports contestant to participate in a  
6           combat sports contest when the requirements of this  
7           paragraph are not met;
- 8           (7) Procedures to ensure that no combat sports contestant  
9           shall be permitted to compete while under suspension  
10          from any government entity that regulates combat  
11          sports due to:
- 12           (A) A recent knockout or series of consecutive  
13           losses;
- 14           (B) An injury, any required medical procedure, or a  
15           licensed health care provider's denial of  
16           certification to compete;
- 17           (C) Failure of any drug test; or
- 18           (D) The use of false aliases or falsifying or  
19           attempting to falsify official identification  
20           cards or documents relating to combat sports  
21           contests;



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

4 (9) Procedures to revoke a suspension if a combat sports  
5 contestant furnishes proof of sufficiently improved  
6 medical or physical condition or furnishes proof that  
7 the suspension was not, or is no longer, warranted by  
8 the facts; and

9 (10) Establishing a combat sports registry and the issuance  
10 of an identification card to combat sports  
11 contestants.

12 **§440-F Jurisdiction of commission.** (a) The commission  
13 shall have exclusive jurisdiction, direction, management, and  
14 control over all combat sports contests conducted, held, or  
15 given within the State. No combat sports contest shall be  
16 conducted, held, or given within the State except in accordance  
17 with this part and the rules adopted by the commission pursuant  
18 to this part.

19 (b) No combat sports contest shall take place unless the  
20 commission has approved the proposed combat sports contest. In



1 addition, the commission shall not allow any combat sports  
2 contest unless:

3 (1) The combat sports contest consists of no more than  
4 five rounds of a duration of no more than five minutes  
5 each, with an interval of at least one minute between  
6 each round and the succeeding round;

7 (2) Each contestant is at least eighteen years of age and  
8 is not disqualified from competing in a similar combat  
9 sports contest in another jurisdiction at the time of  
10 the combat sports contest;

11 (3) Three hours before the combat sports contest, each  
12 combat sports contestant is examined by at least one  
13 licensed health care provider who shall certify in  
14 writing to the referee of the combat sports contest  
15 that the contestant is physically fit to engage in the  
16 combat sports contest;

17 (4) Each contestant furnishes to the commission:

18 (A) A medical report of a medical examination  
19 completed no less than six months before the  
20 contest, including the results of HIV and  
21 hepatitis testing; and



- 1 (B) Previous fight records that establish the  
2 contestant's fitness to compete in the contest;
- 3 (5) The combat sports contest is under the control of a  
4 licensed referee in the ring who has at least one  
5 year's experience in refereeing a match or exhibition  
6 involving combat sports and who has passed a physical  
7 examination by a licensed health care provider,  
8 including an eye examination, within two years before  
9 the combat sports contest;
- 10 (6) At least thirty days before a combat sports contest, a  
11 promoter of the combat sports contest provides to the  
12 commission information and documents, as prescribed by  
13 the commission, together with a review and enforcement  
14 fee of \$500, to establish that the combat sports  
15 contest is not prohibited under this part; provided  
16 that if the commission determines that the combat  
17 sports contest is prohibited by this part, the  
18 commission shall refund the \$500 review and  
19 enforcement fee to the promoter;
- 20 (7) The promoter has complied with sections 440-H and 440-  
21 I; and



1 (8) All participants have complied with the requirements  
2 provided in this part and rules adopted in accordance  
3 with chapter 91, including any rules or requirements  
4 that protect the safety of the contestants to the  
5 extent feasible.

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

14 **§440-G Control and supervision of amateur combat sports**  
15 **contests.** Amateur combat sports contests may be placed under  
16 the control and supervision of any recognized national amateur  
17 combat sports association. The director shall adopt rules  
18 pursuant to chapter 91 for the purposes of this section.

19 **§440-H Licenses; promoters.** (a) A promoter shall apply  
20 to the commission for a license to conduct, hold, or give a  
21 combat sports contest. The application shall be in writing,



1 addressed to the commission, signed by the applicant, and  
2 include the following:

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

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

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

14 (c) The application for a license to promote combat sports  
15 contests shall be accompanied by a fee as provided in rules  
16 adopted by the director pursuant to chapter 91.

17 (d) The commission shall not issue any license to promote,  
18 conduct, hold, or give combat sports contests unless the  
19 commission is satisfied that the applicant:

20 (1) Has complied with the conditions of this part;

21 (2) Possesses the necessary qualifications for a license;



1 (3) Is the real party in interest; and

2 (4) Intends to promote, conduct, give, or hold the combat  
3 sports contest itself.

4 The commission shall not issue a promoter's license to an  
5 applicant if the applicant or any of the applicant's officers,  
6 partners, members, or associates have been convicted of any  
7 crime related to gambling or a crime that is directly related to  
8 a person's performance in combat sports.

9 (e) A license may be revoked at any time if the commission  
10 finds after a hearing that:

11 (1) The licensee is not the real party in interest or has  
12 not complied with this part 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 a person's performance in combat  
18 sports.

19 (f) Every license shall be subject to this part and the  
20 rules of the commission.



1           **§440-I Requirements to hold a combat sports contest.** (a)

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

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



1 (c) Before any combat sports contest, all contracts with  
2 managers, combat sports contestants, and venues, including any  
3 agreement of pre-contest training funds advanced to any  
4 contestant either by the promoter or manager or any party in  
5 interest, shall be submitted by the promoter to the commission  
6 for the commission's review and approval.

7 (d) Before any combat sports contest, a promoter shall  
8 submit to the commission, for the commission's review and  
9 approval, all ring records of all combat sports contestants  
10 scheduled to participate in the combat sports contest.

11 (e) A promoter shall provide a cashier's or certified  
12 check made payable to each combat sports contestant for the  
13 amount due the contestant or the contestant's manager, as the  
14 case may be, in accordance with the contracts approved by the  
15 commission.

16 (f) A promoter shall provide to the commission written  
17 confirmation that an ambulance with paramedics and appropriate  
18 security have been obtained and will be present at all times at  
19 the venue of the combat sports event; provided that this  
20 subsection shall not apply to small combat sports contests.



1 (g) A promoter shall provide to the commission written  
2 confirmation that appropriate security service has been obtained  
3 and will be present at all times at the venue of the combat  
4 sports contest and provide evidence that security personnel and  
5 resources will be present in sufficient number and force to  
6 exercise crowd control and to protect spectators at the combat  
7 sports contest.

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

11 (i) The promoter shall maintain sanitary conditions at the  
12 site of the combat sports contest.

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

16 (k) Licensed promoters may engage in promotions with other  
17 licensed promoters as long as each promoter holds a valid,  
18 unexpired license and has received the written approval of the  
19 commission before the promotion.

20 (l) In addition to the payment of other fees and moneys  
21 due under this part, a licensed promoter shall pay:



- 1           (1) A license fee of three 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 two 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) Two 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                   commissions, brokerage fees, distribution fees,  
14                   advertising, contestants' purses, or any other  
15                   expenses or charges, including federal, state, or  
16                   local taxes; and
- 17           (4) Two 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 part.

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

11 **§440-J Licenses; participants.** (a) Any person may apply  
12 to the commission for a license to act as a physician, health  
13 care provider, referee, judge, matchmaker, manager, timekeeper,  
14 second, or combat sports contestant to participate, either  
15 directly or indirectly, in any combat sports contest. The  
16 application shall be in writing, addressed to the commission,  
17 and signed by the applicant. The application shall contain a  
18 recital of facts, as may be specified by the commission, for the  
19 commission to determine whether the applicant possesses the  
20 necessary licensure and physical, mental, and moral  
21 qualifications to entitle the applicant to a license. The



1 commission shall adopt rules for licensure in accordance with  
2 chapter 91.

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

10 (c) Any license to act as a provider, health care  
11 provider, referee, judge, matchmaker, manager, timekeeper,  
12 second, or combat sports contestant may be suspended or revoked,  
13 or the person otherwise disciplined by the commission after a  
14 contested case hearing held in accordance with chapter 91.

15 **§440-K License fees.** License fees shall be paid annually  
16 to the State by every applicant to whom a license is issued to  
17 participate in the conduct of combat sports in any of the  
18 capacities described in this part, including promoter,  
19 physician, health care provider, referee, judge, matchmaker,  
20 manager, timekeeper, second, and combat sports contestant. The  
21 charge for a duplicate of a license and all fees required by



1 this part shall be as provided in rules adopted by the director  
2 pursuant to chapter 91 and shall be deposited with the director  
3 to the credit of the compliance resolution fund.

4 **§440-L Licenses; limitations and renewals.** (a) No combat  
5 sports contest shall be conducted, held, or given unless all the  
6 parties participating, as designated herein, are licensed by the  
7 commission. It shall be unlawful for any individual or promoter  
8 to participate in a combat sports contest in any capacity  
9 designated herein unless the person is licensed to do so.

10 (b) The commission may limit the number of licenses issued  
11 for any purpose as specified in this part and may limit the  
12 number of combat sports contests conducted, held, or given in  
13 any county of the State.

14 (c) All licenses shall be for a period of no more than one  
15 year and shall expire on December 31 of the year in which the  
16 licenses are issued.

17 (d) The commission, at the commission's discretion and  
18 upon application, may renew a license for the following year.  
19 Failure to timely apply for renewal of any license shall result  
20 in the automatic forfeiture of the license. Any applicant whose  
21 license has been forfeited shall file an application for a new



1 license and meet all current requirements, including successful  
2 passage of the examination, as the case may be, for the license.

3 (e) Any person or promoter licensed under this part shall  
4 be subject to the rules adopted by the commission.

5 **§440-M Receipts and reports.** (a) Every promoter holding  
6 a license to promote, conduct, hold, or give a combat sports  
7 contest, within seventy-two hours after the determination of  
8 every combat sports contest for which admission fees were  
9 charged and received, shall furnish to the commission a written  
10 report, duly verified, showing the number of tickets sold for  
11 the combat sports contest, the amount of the gross receipts or  
12 proceeds thereof, and other matters as the commission  
13 prescribes.

14 (b) For the purposes of this section, "gross receipts"  
15 include income received from the sale of print, internet,  
16 broadcasting, television, and motion picture rights.

17 **§440-N Failure to report receipts.** Whenever any promoter  
18 holding a license to promote, conduct, hold, or give a combat  
19 sports contest fails to make a report of any combat sports  
20 contest at the time and in the manner prescribed by this part,  
21 or whenever the report is unsatisfactory to the commission, the



1 executive officer, at the promoter's expense, may examine, or  
2 cause to be examined, the books and records of the promoter.

3       **§440-O Admission tickets.** All tickets of admission to any  
4 combat sports contest for which admission fees are charged and  
5 received shall have printed clearly upon the face of the ticket  
6 the purchase price of the ticket, and no ticket shall be sold  
7 for more than the printed price.

8       **§440-P Inspectors; duties.** The commission may appoint  
9 official representatives designated as inspectors, each of whom  
10 shall receive from the commission a card or badge authorizing  
11 the person to act as an inspector whenever the commission may  
12 designate the person to so act. An inspector, the executive  
13 officer, or a deputy commissioner shall be present at all combat  
14 sports contests to ensure that this part and the rules are  
15 strictly observed.

16       **§440-Q Judges; duties.** The commission, in the  
17 commission's discretion, may appoint two judges to act with the  
18 referee in rendering a decision, or three judges to act with a  
19 nonvoting referee in rendering a decision.



1           **§440-R Physician; duties.** Every promoter holding a  
2 license to promote, conduct, hold, or give combat sports  
3 contests shall have in attendance:

4           (1) At every combat sports contest except a small combat  
5 sports contest, at least two physicians who are  
6 licensed to practice medicine in the State under  
7 chapter 453, and licensed pursuant to this part; or

8           (2) At every small combat sports contest, at least two  
9 licensed health care providers licensed pursuant to  
10 this part who may but are not required to be  
11 physicians who are licensed to practice medicine in  
12 the State under chapter 453,

13 who shall observe the physical condition of the combat sports  
14 contestants and advise the referee with regard thereto and,  
15 three hours before each contestant enters the ring, certify in  
16 writing as to the physical condition of the contestant to engage  
17 in the combat sports contest. A report of the medical  
18 examination shall be filed with the commission not less than  
19 forty-eight hours after the termination of the combat sports  
20 contest. In addition, at least one licensed health care  
21 provider shall immediately examine every contestant who was



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

5       **§440-S Referees; duties.** (a) At each combat sports  
6 contest there shall be in attendance a duly licensed referee  
7 designated by the commission, who shall direct and control the  
8 combat sports contest. The referee shall render a decision for  
9 each combat sports contest, except as otherwise provided under  
10 this section.

11       (b) The referee may recommend, and the commission may  
12 declare, the forfeiture of any prize, reward, purse, or other  
13 compensation, or any part thereof, to which one or both of the  
14 contestants may be entitled, or any part of the gate receipts  
15 for which the contestants are competing, if in the commission's  
16 judgment one or both of the contestants are not honestly  
17 competing.

18       (c) Each referee shall warn contestants of the referee's  
19 power to recommend the forfeiture of any prize, reward, purse,  
20 or other compensation should there be any apparent cause for the  
21 warning.



1 (d) In any case where the referee decides that the  
2 contestants are not honestly competing and that under the law  
3 the contestants' prize, reward, purse, or other compensation, or  
4 the prize, reward, purse, or other compensation, of either  
5 contestant should be forfeited, the combat sports contest shall  
6 be stopped before the end of the last round, and no decision  
7 shall be given. A contestant shall earn nothing and shall not  
8 be paid for a combat sports contest in which there is stalling,  
9 faking, dishonesty, or collusion. The commission, independently  
10 of the referee or the referee's decision, may determine the  
11 merits of any contest and take whatever action it considers  
12 proper. The executive officer or any commissioner may order the  
13 prize, reward, purse, or other compensation, of the offender to  
14 be held for investigation and action.

15 (e) The referee shall stop the combat sports contest when,  
16 in the referee's judgement, either of the contestants shows a  
17 marked superiority or is apparently outclassed.

18 **§440-T Timekeeper; duties.** (a) At each combat sports  
19 contest there shall be in attendance at least one timekeeper  
20 licensed pursuant to this part and designated to act as the  
21 official timekeeper of the combat sports contest.



1 (b) The timekeeper shall keep track of the time elapsing  
2 during each round of a combat sports contest, the time intervals  
3 between each round, and time between contests. The timekeeper  
4 shall keep the referee aware during each combat sports contest  
5 of the time constraints of each combat sports contest.

6 **§440-U Drug test; withholding of wages; penalty.** (a) On  
7 the advice of one or both of the licensed health care providers  
8 in attendance at a combat sports contest, a post-contest drug  
9 test may be administered to any contestant, at the sole expense  
10 of the promoter, to determine whether the contestant has  
11 consumed any illegal drugs or drugs banned by the commission.

12 (b) Any wages due to a contestant shall be withheld by the  
13 commission until the commission, in consultation with the two  
14 attending licensed health care providers, is satisfied that the  
15 contestant did not have the presence of any illegal or banned  
16 drugs in the contestant's person.

17 (c) Any contestant who fails a drug test shall have the  
18 contestant's license suspended by the commission for no less  
19 than twelve months from the date of the offense and, in the  
20 discretion of the commission, may have the contestant's license  
21 permanently revoked.



1           **§440-V Sham or false contests; forfeiture of license.** Any  
2 promoter who knowingly conducts, holds, gives, or participates  
3 in any sham or false combat sports contest shall forfeit the  
4 license issued in accordance with this part, and the license  
5 shall be canceled and declared void by the commission. The  
6 promoter and any officers, partners, or members of the promoter  
7 shall not be entitled to receive, and shall not be given,  
8 another license.

9           **§440-W Sham or false contests; penalty against contestant.**  
10 Any contestant who knowingly participates in any sham or false  
11 combat sports contest shall be suspended by the commission for  
12 no less than twelve months from the date of the offense from  
13 further participation in any combat sports contest held or given  
14 under this part and may be permanently disqualified from further  
15 participation in any combat sports contest held or given under  
16 this part.

17           **§440-X Financial interest in combat sports contestants**  
18 **prohibited.** (a) No commission member or staff, or appointee,  
19 shall receive compensation from any person who sanctions,  
20 arranges, or promotes a combat sports contest. No commission  
21 member or staff, or appointee, shall have, either directly or



1 indirectly, any financial interest in any contestant competing  
2 in any combat sports contest.

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

10 **§440-Y Wages of contestants; prepayment prohibited.** All  
11 moneys paid to a combat sports contestant for services, as money  
12 prize, reward, compensation, or otherwise, shall be considered  
13 wages. No contestant shall be paid for services before the  
14 commencement of a combat sports contest; provided that, with the  
15 approval of the commission, a promoter may advance sums of money  
16 for training purposes.

17 **§440-Z Disposition of receipts.** Except as otherwise  
18 provided in this part, all fees and other moneys received by the  
19 commission shall be deposited into the compliance resolution  
20 fund.



1           **§440-AA Summary disciplinary action.** The commission may  
2 fine, withhold purse money or fees, and issue immediate  
3 temporary suspensions of no more than sixty days against a  
4 licensee for any violation of this part or commission rules.  
5 The commission shall notify the licensee in writing of any  
6 temporary suspension, fine, or withholding of purse money within  
7 five days of the commission's action. The licensee shall have a  
8 right to a hearing in accordance with chapter 91; provided that  
9 the licensee shall notify the commission in writing of the  
10 request for a hearing within thirty days after the commission  
11 notifies the licensee in writing, by mail or personal service,  
12 of the commission's order.

13           **§440-BB Inapplicability to active duty armed forces, armed**  
14 **forces reserves, national guard, or Police Activities League.**  
15 This part shall not apply to any combat sports contest held as a  
16 recreational activity by personnel of the active duty armed  
17 forces, armed forces reserves, national guard, or the Police  
18 Activities League, when the combat sports contest is held under  
19 the supervision of a recreational officer of the active duty  
20 armed forces, armed forces reserves, national guard, or Police  
21 Activities League staff member.



1           **§440-CC Revocation; suspension.** (a) In addition to any  
2 other actions authorized by law, the commission shall have the  
3 power to revoke or suspend the license of any person licensed  
4 under any of the classifications designated in this part, or  
5 fine the licensee, or both, for any cause authorized by law,  
6 including but not limited to the following:

7           (1) Violation of this part, or the rules adopted pursuant  
8           to this part or any other law, or any rule that  
9           applies to those persons licensed under this part;

10          (2) Manifest incapacity, professional misconduct, or  
11          unethical conduct;

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

14          (4) Any fraudulent, dishonest, or deceitful act in  
15          connection with the licensing of any promoter under  
16          this part or in connection with any combat sports  
17          contest;

18          (5) Making any false or misleading statement in any  
19          application or document submitted or required to be  
20          filed under this part;



1 (6) Revocation or suspension of a license or other  
2 disciplinary action against the licensee by another  
3 combat sports commission, or other similar commission;

4 (7) Failure to report any disciplinary action, including  
5 medical and mandatory suspensions, or revocation or  
6 suspension of a license in another jurisdiction within  
7 fifteen days preceding any combat sports contest in  
8 which the licensee participates; or

9 (8) Participation in any sham or false combat sports  
10 contest.

11 (b) A manager may be held responsible for any violations  
12 of this part by a contestant whom the manager manages and may be  
13 subject to license revocation or suspension, fines, or any  
14 combination thereof, irrespective of whether any disciplinary  
15 action is taken against the contestant.

16 **§440-DD Penalties.** (a) Any person in violation of this  
17 part or the rules of the commission shall be fined no more than  
18 \$5,000 for each violation. Each day's violation or failure to  
19 comply shall be deemed a separate offense.

20 (b) In addition to the penalties provided in this part,  
21 any person in violation of this part may be prohibited from



1 engaging in any combat sports activities in the State for a  
2 period in conformity with that set forth in section 92-17."

3 SECTION 3. Section 26-9, Hawaii Revised Statutes, is  
4 amended by amending subsection (c) to read as follows:

5 "(c) The board of acupuncture, board of public  
6 accountancy, board of barbering and cosmetology, [~~boxing~~  
7 ~~commission~~] Hawaii board of chiropractic, combat sports  
8 commission of Hawaii, contractors license board, board of  
9 dentistry, board of electricians and plumbers, elevator  
10 mechanics licensing board, board of professional engineers,  
11 architects, surveyors, and landscape architects, board of  
12 massage therapy, Hawaii medical board, motor vehicle industry  
13 licensing board, motor vehicle repair industry board, board of  
14 naturopathic medicine, board of nursing, Hawaii board of  
15 optometry, pest control board, board of pharmacy, board of  
16 physical therapy, board of psychology, board of private  
17 detectives and guards, real estate commission, Hawaii board of  
18 veterinary medicine, board of speech pathology and audiology,  
19 and any board, commission, program, or entity created pursuant  
20 to or specified by statute in furtherance of the purpose of this  
21 section including but not limited to section 26H-4, or chapters



1 484, 514B, and 514E shall be placed within the department of  
2 commerce and consumer affairs for administrative purposes.

3 The public utilities commission shall be placed, for  
4 administrative purposes only, within the department of commerce  
5 and consumer affairs. Notwithstanding section 26-9(e), (f),  
6 (g), (h), (j), (k), (l), (m), (n), (p), (q), (r), and (s), and  
7 except as permitted by sections 269-2 and 269-3, the department  
8 of commerce and consumer affairs shall not direct or exert  
9 authority over the day-to-day operations or functions of the  
10 commission."

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

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



1 purpose ~~[which]~~ that it may deem necessary and reasonable;  
2 provided that:

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

20 (2) The authority to increase or decrease fees or nontax  
21 revenues under the chapters listed in paragraph (1)



1           that are established by the department of commerce and  
2           consumer affairs shall apply to fees or nontax  
3           revenues established by statute or rule;

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

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

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

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



1 SECTION 5. Section 440-1, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 **"§440-1 Definitions.** As used in this [~~chapter~~] part:

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

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

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

15 [~~"Commission" means the state boxing commission.~~

16 [~~"Contest" means match or exhibition.~~

17 [~~"Director" means the director of commerce and consumer  
18 affairs.~~

19 [~~"Executive officer" means the executive officer assigned to  
20 the commission.]~~

21 "Manager" means any person who:



1           (1) Undertakes or has undertaken to represent in any way  
2           the interest of any professional boxer in procuring,  
3           arranging, or conducting any professional contest in  
4           which the boxer is to participate as a contestant;  
5           provided that "manager" shall not include an attorney  
6           licensed to practice in this State while the attorney  
7           is representing the legal interest of a professional  
8           boxer as a client; or

9           (2) Directs or controls the boxing activities of the  
10          professional boxer.

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

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

18          SECTION 6. Section 440-2, Hawaii Revised Statutes, is  
19          amended to read as follows:

20          "**§440-2 Commission established.** There shall be a board  
21          which shall be known as the [~~state boxing~~] combat sports



1 commission of Hawaii. The commission shall consist of [~~five~~  
2 eight members. At least one of the members shall be a member of  
3 USA Boxing, Inc. At least one member shall have experience in  
4 the regulation of combat sports and combat sports events. One  
5 member shall be designated by the governor as chairperson of the  
6 commission."

7 SECTION 7. Section 440-5, Hawaii Revised Statutes, is  
8 amended to read as follows:

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



1 commission of the conditions prevailing at every boxing  
2 contest."

3 SECTION 8. Section 440-20, Hawaii Revised Statutes, is  
4 amended to read as follows:

5 "**§440-20 Judges; duties.** The [~~boxing~~] commission may in  
6 its discretion 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 SECTION 9. Section 440-23, Hawaii Revised Statutes, is  
10 amended to read as follows:

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

19 SECTION 10. Section 440-29, Hawaii Revised Statutes, is  
20 amended to read as follows:



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

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

5           SECTION 11. Section 440-32, Hawaii Revised Statutes, is  
6 amended to read as follows:

7           **"§440-32 Amateur contestants entitled to medals and**

8 **trophies only.** A medal or trophy may be awarded to each  
9 contestant in an amateur boxing contest not to exceed in value  
10 the sum of \$35 each. The medal or trophy shall have engraved  
11 thereon the name of the winner and the date of the event.

12           No other or additional prize, reward, or remuneration shall  
13 be given or awarded to any contestant unless authorized in  
14 writing by the [~~boxing~~] commission.

15           Every contestant in an amateur boxing contest or sparring  
16 match shall be registered with the commission or its amateur  
17 representative and subject to an annual physical examination.  
18 Each amateur contestant shall be examined by a physician  
19 immediately before the contest."

20           SECTION 12. Section 440-33, Hawaii Revised Statutes, is  
21 amended to read as follows:



1           "~~S440-33~~ **Disposition of receipts.** All moneys received by  
2 the [~~boxing~~] commission shall be deposited by the director of  
3 commerce and consumer affairs with the director of finance to  
4 the credit of the general fund of the State."

5           SECTION 13. Chapter 440E, Hawaii Revised Statutes, is  
6 repealed.

7           SECTION 14. There is appropriated out of the general  
8 revenues of the State of Hawaii the sum of \$                    or so  
9 much thereof as may be necessary for fiscal year 2025-2026 and  
10 the same sum or so much thereof as may be necessary for fiscal  
11 year 2026-2027 to establish and fund                   full-time equivalent  
12 (           FTE) positions within the department of commerce and  
13 consumer affairs for the combat sports commission of Hawaii.

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

16           SECTION 15. In codifying the new sections added by section  
17 2 of this Act, the revisor of statutes shall substitute  
18 appropriate section numbers for the letters used in designating  
19 the new sections in this Act.

20           SECTION 16. Statutory material to be repealed is bracketed  
21 and stricken. New statutory material is underscored.



1 SECTION 17. This Act shall take effect on July 1, 3000;

2 provided that:

3 (1) Sections 1 and 2 shall take effect on April 1, 2026;

4 and

5 (2) Section 14 shall take effect on July 1, 2025.



S.B. NO. 148  
S.D. 2  
H.D. 1

**Report Title:**

Combat Sports Commission of Hawaii; Combat Sports Contests;  
Prohibitions; Mixed Martial Arts Contests; Repeal; Appropriation

**Description:**

Renames the Boxing Commission of Hawaii as the Combat Sports Commission of Hawaii. Amends the jurisdiction of the Commission to include combat sports contests. Prohibits no rules combat or similar combat sports contests. Repeals chapter 440E, HRS, relating to Mixed Martial Arts Contests. Appropriates funds. Effective 7/1/3000. (HD1)

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

