
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 further finds that to
10 continue growing the combat sports industry in the State and to
11 attract events like those staged by the Ultimate Fighting
12 Championship, the state boxing commission of Hawaii should be
13 expanded to include combat sports.

14 Accordingly, the purpose of this Act is to:

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



1 and expand its jurisdiction to include combat sports;

2 and

3 (2) Repeal the existing mixed martial arts contests

4 program.

5 SECTION 2. Chapter 440, Hawaii Revised Statutes, is

6 amended as follows:

7 1. By amending its title to read:

8 "CHAPTER 440

9 BOXING AND COMBAT SPORTS CONTESTS"

10 2. By adding a new section to be appropriately designated

11 and to read:

12 "§440-EE Definitions. As used in this chapter, unless the
13 context requires otherwise:

14 "Commission" means the boxing and combat sports commission
15 of Hawaii.

16 "Contest" means match or exhibition.

17 "Department" means the department of commerce and consumer
18 affairs.

19 "Director" means the director of commerce and consumer
20 affairs.



1 "Executive officer" means the executive officer assigned to
2 the commission."

3 3. By designating section 440-EE as part I, and inserting
4 a title before section 440-EE to read "General Provisions".

5 4. By designating sections 440-1 to 440-37 as part II, and
6 inserting a title before section 440-1 to read "Boxing
7 Contests".

8 5. By adding a new part to be appropriately designated and
9 to read:

10 **"PART . COMBAT SPORTS CONTESTS**

11 **§440-A Definitions.** As used in this part:

12 "Amateur combat sports contest" means a combat sports
13 contest, but in which no money prize, purse, or other form of
14 monetary compensation is offered or given to amateur combat
15 sports contestants.

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

19 "Combat sports" means unarmed combat involving the use of a
20 combination of techniques from different disciplines of martial
21 arts, including grappling, kicking, and striking, subject to any



1 applicable limits set forth in this part and any rules adopted
2 to implement these limits.

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

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

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

12 "Manager" means any person who:

13 (1) Undertakes or has undertaken to represent in any way
14 the interests of any combat sports contestant in
15 arranging, conducting, or procuring any combat sports
16 contest in which the combat sports contestant is to
17 participate; or

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



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

4 "No rules combat or similar contest" means a contest
5 performed in the State in which the participants:

- 6 (1) Are permitted to use, with few or no rules or
7 restrictions, a combination of combative contact
8 techniques, including punches, kicks, chokes, joint
9 locks, and other maneuvers, with or without the use of
10 weapons, that place participants at an unreasonably
11 high risk of bodily injury or death; and
- 12 (2) Have received, directly or indirectly, any money
13 prize, purse, or other compensation, or promise
14 thereof, for the expenses of training, taking part in
15 the contest, or winning the contest.

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

19 "Promoter" means an individual, corporation, joint venture,
20 partnership, limited liability corporation, limited liability



1 partnership, or any other type of business entity that conducts,
2 gives, holds, or promotes a combat sports contest.

3 **§440-B Amateur combat sports.** This part, with the
4 exception of sections 440-F(b)(5) and 440-I(c) and (e), shall
5 apply to amateur combat sports contests.

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



1 **§440-D Other employees.** Subject to chapter 76, the
2 department may employ clerks, inspectors, and other employees as
3 it deems necessary for the purposes of this part.

4 **§440-E Powers and duties of the commission.** In addition
5 to any other powers and duties authorized by law, the commission
6 shall adopt rules pursuant to chapter 91 necessary or expedient
7 for the conduct of its business and regulation of the matters in
8 this part committed to its charge, including:

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



- 1 (5) An automatic medical suspension from combat sports
2 contests for a period of time to be determined by the
3 commission for any combat sports contestant who is
4 knocked out from head blows or who has received a
5 severe beating about the head; provided that the
6 period of time of the automatic medical suspension
7 shall be based upon the severity of the beating
8 received by the combat sports contestant;
- 9 (6) Procedures to evaluate the professional records and
10 licensed health care provider's certification of each
11 combat sports contestant participating in a combat
12 sports contest in the State and to deny authorization
13 to a combat sports contestant to participate in a
14 combat sports contest when the requirements of this
15 paragraph are not met;
- 16 (7) Procedures to ensure that no combat sports contestant
17 shall be permitted to compete while under suspension
18 from any government entity that regulates combat
19 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 licensed health care provider's denial of
3 certification to 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 combat sports
8 contests;

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

12 (9) Procedures to revoke a suspension if a combat sports
13 contestant furnishes proof of sufficiently improved
14 medical or physical condition or furnishes proof that
15 the suspension was not, or is no longer, warranted by
16 the facts; and

17 (10) Establishing a combat sports registry and the issuance
18 of an identification card to combat sports
19 contestants.

20 **§440-F Jurisdiction of commission.** (a) The commission
21 shall have exclusive jurisdiction, direction, management, and



1 control over all combat sports contests conducted, given, or
2 held within the State. No combat sports contest shall be
3 conducted, given, or held within the State except in accordance
4 with this part and the rules adopted by the commission pursuant
5 to this part.

6 (b) No combat sports contest shall take place unless the
7 commission has approved the proposed combat sports contest. In
8 addition, the commission shall not allow any combat sports
9 contest unless:

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

14 (2) Each contestant is at least eighteen years of age and
15 is not disqualified from competing in a similar combat
16 sports contest in another jurisdiction at the time of
17 the combat sports contest;

18 (3) One hour before the combat sports contest, each combat
19 sports contestant is examined by at least one licensed
20 physician who shall certify in writing to the referee



1 of the combat sports contest that the contestant is
2 physically fit to engage in the combat sports contest;
3 (4) Each contestant furnishes to the commission:
4 (A) A medical report of a medical examination
5 completed no less than six months before the
6 contest, including the results of human
7 immunodeficiency virus and hepatitis testing; and
8 (B) Previous fight records that establish the
9 contestant's fitness to compete in the contest;
10 (5) The combat sports contest is under the control of a
11 licensed referee in the ring who has at least one year
12 of experience in refereeing a contest involving combat
13 sports and who has passed a physical examination by a
14 licensed health care provider, including an eye
15 examination, within two years before the combat sports
16 contest;
17 (6) At least thirty days before a combat sports contest, a
18 promoter of the combat sports contest provides to the
19 commission information and documents, as prescribed by
20 the commission, with a review and enforcement fee of
21 \$500, to establish that the combat sports contest is



1 not prohibited under this part; provided that if the
2 commission determines that the combat sports contest
3 is prohibited by this part, the commission shall
4 refund the \$500 review and enforcement fee to the
5 promoter;

6 (7) The promoter has complied with sections 440-H and 440-
7 I; and

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

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



1 **§440-G Control and supervision of amateur combat sports**
2 **contests.** Amateur combat sports contests may be placed under
3 the control and supervision of any recognized national amateur
4 combat sports association. The director shall adopt rules
5 pursuant to chapter 91 for the purposes of this section.

6 **§440-H Licenses; promoters.** (a) A promoter shall apply
7 to the commission for a license to conduct, give, hold, or
8 promote a combat sports contest. The application shall be in
9 writing, addressed to the commission, signed by the applicant,
10 and include the following:

11 (1) Evidence of financial integrity in accordance with
12 rules adopted by the commission pursuant to chapter
13 91; and

14 (2) Proof that the applicant has satisfied all of the
15 applicable requirements of the business registration
16 division of the department.

17 (b) The application shall contain a recital of the facts
18 as may be specified by the commission, for the commission to
19 determine whether the applicant possesses the necessary
20 financial, mental, moral, and physical qualifications to entitle
21 the applicant to a license.



1 (c) The application for a license to conduct, give, hold,
2 or promote combat sports contests shall be accompanied by a fee
3 as provided in rules adopted by the director pursuant to chapter
4 91.

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

- 8 (1) Has complied with the conditions of this part;
- 9 (2) Possesses the necessary qualifications for a promoter
10 license;
- 11 (3) Is the real party in interest; and
- 12 (4) Intends to conduct, give, hold, or promote the combat
13 sports contest itself.

14 The commission shall not issue a promoter license to an
15 applicant if the applicant or any of the applicant's officers,
16 partners, members, or associates have been convicted of any
17 crime related to gambling or a crime that is directly related to
18 a person's performance in combat sports.

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



1 (1) The licensee is not the real party in interest or has
2 not complied with this part or the rules of the
3 commission; or

4 (2) The licensee or any of the licensee's officers,
5 partners, members, or associates have been convicted
6 of any crime related to gambling or a crime that is
7 directly related to a person's performance in combat
8 sports.

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

11 **§440-I Requirements to conduct, give, or hold a combat**

12 **sports contest.** (a) For approval to conduct, give, or hold a
13 combat sports contest, a licensed promoter shall provide proof
14 of medical insurance for combat sports contestants in accordance
15 with rules adopted by the commission. A licensed promoter shall
16 be responsible for paying any deductible amount of the medical
17 insurance policy.

18 (b) Before each combat sports contest, a licensed promoter
19 shall provide a bond, in an amount determined by the commission,
20 to adequately cover the licensed promoter's obligations in
21 conducting, giving, or holding a combat sports contest. The



1 bond shall be executed by the licensed promoter as principal and
2 by a surety company authorized to conduct business in the State
3 as the surety. If the licensed promoter fails to pay any
4 obligations covered by the bond, any aggrieved person may file
5 an action against the bond to recover the amount owed in the
6 circuit court in the judicial circuit in which the combat sports
7 contest was conducted, given, or held; provided that the
8 aggregate liability of the surety to all aggrieved persons shall
9 not exceed the amount of the bond. Any action against the bond
10 shall be commenced within ninety days after the combat sports
11 contest was conducted, given, or held.

12 (c) Before any combat sports contest, all contracts with
13 licensed combat sports contestants, licensed managers, and
14 venues, including any agreement of pre-contest training funds
15 advanced to any licensed contestant either by the licensed
16 promoter or licensed manager or any party in interest, shall be
17 submitted by the licensed promoter to the commission for the
18 commission's review and approval.

19 (d) Before any combat sports contest, a licensed promoter
20 shall submit to the commission, for the commission's review and
21 approval, all ring records of all licensed combat sports



1 contestants scheduled to participate in the combat sports
2 contest.

3 (e) A licensed promoter shall provide a cashier's or
4 certified check made payable to each licensed combat sports
5 contestant for the amount due the licensed contestant or the
6 licensed contestant's licensed manager, as the case may be, in
7 accordance with the contracts approved by the commission.

8 (f) A licensed promoter shall provide to the commission
9 written confirmation that an ambulance with paramedics have been
10 obtained and will be present at all times at the venue of the
11 combat sports contest.

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

19 (h) A licensed promoter shall provide to the commission
20 evidence that the combat sports contest will be conducted in
21 compliance with applicable fire codes.



1 (i) The licensed promoter shall maintain sanitary
2 conditions at the site of the combat sports contest.

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

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

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

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

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

20 (3) Two per cent of the gross sales price for the sale,
21 lease, or other exploitation of broadcasting,



1 internet, motion picture, and television rights for a
2 combat sports contest, without any deductions for
3 advertising, brokerage fees, commissions, contestants'
4 purses, distribution fees, or any other expenses or
5 charges, including federal, state, or local taxes; and
6 (4) Two per cent of the gross receipts from subscription
7 or admission fees, exclusive of federal, state, and
8 local taxes, charged for viewing within the State of a
9 simultaneous telecast of a combat sports contest;
10 provided that payments under this subsection shall be deposited
11 into a separate account in the compliance resolution fund and
12 shall be used to cover the costs of the commission and
13 regulating this part.

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

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

20 **§440-J Licenses; participants.** (a) Any person may apply
21 to the commission for a license to act as a combat sports



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

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

19 (c) Any license to act as a combat sports contestant,
20 health care provider, judge, manager, matchmaker, physician,
21 referee, second, or timekeeper may be suspended or revoked, or



1 the person otherwise disciplined by the commission after a
2 contested case hearing held in accordance with chapter 91.

3 **§440-K License fees.** License fees shall be paid annually
4 to the State by every applicant to whom a license is issued to
5 participate in the conduct of combat sports in any of the
6 capacities described in this part, including combat sports
7 contestant, health care provider, judge, manager, matchmaker,
8 physician, promoter, referee, second, and timekeeper. The
9 charge for a duplicate of a license and all fees required by
10 this part shall be as provided in rules adopted by the director
11 pursuant to chapter 91 and shall be deposited with the director
12 to the credit of the compliance resolution fund.

13 **§440-L Licenses; limitations and renewals.** (a) No combat
14 sports contest shall be conducted, given, held, or promoted
15 unless all the parties participating, as specified in this part,
16 are licensed by the commission. It shall be unlawful for any
17 individual or promoter to participate in a combat sports contest
18 in any capacity specified in this part unless the person is
19 licensed to do so.

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



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

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

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

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

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



1 proceeds thereof, and other matters as the commission
2 prescribes.

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

6 **§440-N Failure to report receipts.** Whenever any promoter
7 holding a license to conduct, give, hold, or promote a combat
8 sports contest fails to make a report of any combat sports
9 contest at the time and in the manner prescribed by this part,
10 or whenever the report is unsatisfactory to the commission, the
11 executive officer, at the licensed promoter's expense, may
12 examine, or cause to be examined, the books and records of the
13 licensed promoter.

14 **§440-O Admission tickets.** All tickets of admission to any
15 combat sports contest for which admission fees are charged and
16 received shall have printed clearly upon the face of the ticket
17 the purchase price of the ticket, and no ticket shall be sold
18 for more than the printed price.

19 **§440-P Inspectors; duties.** The commission may appoint
20 official representatives designated as inspectors, each of whom
21 shall receive from the commission a card or badge authorizing



1 the person to act as an inspector whenever the commission may
2 designate the person to so act. An inspector, the executive
3 officer, or a deputy combat sports commissioner shall be present
4 at all combat sports contests to ensure that this part and the
5 rules are strictly observed.

6 **§440-Q Judges; duties.** The commission, in the
7 commission's discretion, may appoint two licensed judges to act
8 with the licensed referee in rendering a decision, or three
9 licensed judges to act with a nonvoting licensed referee in
10 rendering a decision.

11 **§440-R Physician; duties.** Every promoter holding a
12 license to conduct, give, hold, or promote combat sports
13 contests shall have in attendance at every combat sports contest
14 at least two physicians who are licensed to practice medicine in
15 the State under chapter 453, and licensed pursuant to this part,
16 who shall observe the physical condition of the licensed combat
17 sports contestants and advise the licensed referee on such
18 physical condition and, one hour before a licensed contestant
19 enters the ring, certify in writing as to the physical condition
20 of the licensed contestant to engage in the combat sports
21 contest. A report of the medical examination shall be filed



1 with the commission no less than forty-eight hours after the
2 termination of the combat sports contest. In addition, at least
3 one licensed physician shall immediately examine every licensed
4 contestant who was knocked down or who sustained a severe
5 beating about the head during the combat sports contest and
6 shall file a written medical opinion within forty-eight hours of
7 the combat sports contest to the executive officer.

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

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



1 (c) Each licensed referee shall warn the licensed
2 contestants of the referee's power to recommend the forfeiture
3 of any prize, reward, purse, or other compensation should there
4 be any apparent cause for the warning.

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

20 (e) The licensed referee shall stop the combat sports
21 contest when, in the licensed referee's judgement, either of the



1 licensed contestants shows a marked superiority or is apparently
2 outclassed.

3 **§440-T Timekeeper; duties.** (a) At each combat sports
4 contest there shall be in attendance at least one timekeeper
5 licensed pursuant to this part and designated to act as the
6 official timekeeper of the combat sports contest.

7 (b) The licensed timekeeper shall keep track of the time
8 elapsing during each round of a combat sports contest, the time
9 intervals between each round, and time between combat sports
10 contests. The licensed timekeeper shall keep the licensed
11 referee aware during each combat sports contest of the time
12 constraints of each combat sports contest.

13 **§440-U Drug test; withholding of wages; penalty.** (a) On
14 the advice of one or more of the licensed health care providers
15 in attendance at a combat sports contest, a post-contest drug
16 test may be administered to any licensed contestant, at the sole
17 expense of the licensed promoter, to determine whether the
18 licensed contestant has consumed any illegal drugs or drugs
19 banned by the commission.

20 (b) Any wages due to a licensed contestant shall be
21 withheld by the commission until the commission, in consultation



1 with at least two of the attending licensed health care
2 providers, is satisfied that the licensed contestant did not
3 have the presence of any illegal or banned drugs in the licensed
4 contestant's person.

5 (c) Any licensed contestant who fails a drug test shall
6 have the contestant's license suspended by the commission for no
7 less than twelve months from the date of the offense and, in the
8 discretion of the commission, may have the contestant's license
9 permanently revoked.

10 **§440-V Sham or false contests; forfeiture of promoter**
11 **license.** Any licensed promoter who knowingly conducts, gives,
12 holds, promotes, or participates in any sham or false combat
13 sports contest shall forfeit the license issued in accordance
14 with this part, and the license shall be canceled and declared
15 void by the commission. The promoter and any officers,
16 partners, or members of the promoter shall not be entitled to
17 receive, and shall not be given, another license.

18 **§440-W Sham or false contests; penalty against contestant.**
19 Any licensed contestant who knowingly participates in any sham
20 or false combat sports contest shall be suspended by the
21 commission for no less than twelve months from the date of the



1 offense from further participation in any combat sports contest
2 conducted, given, or held under this part and may be permanently
3 disqualified from further participation in any combat sports
4 contest conducted, given, or held under this part.

5 **§440-X Financial interest in combat sports contestants**

6 **prohibited.** (a) No commission member or staff, or appointee,
7 shall receive compensation from any person who sanctions,
8 arranges, or promotes a combat sports contest. No commission
9 member or staff, or appointee, shall have, either directly or
10 indirectly, any financial interest in any contestant competing
11 in any combat sports contest.

12 (b) The prohibition described in this section shall not
13 apply to any contract entered into, or any reasonable
14 compensation received, by the commission to supervise a combat
15 sports contest in this State or another state.

16 (c) For the purposes of this section, "compensation" shall
17 not include funds held in escrow for payment to another person
18 in connection with a combat sports contest.

19 **§440-Y Wages of contestants; prepayment prohibited.** All
20 moneys paid to a licensed combat sports contestant for services,
21 as money prize, reward, compensation, or otherwise, shall be



1 considered wages. No licensed contestant shall be paid for
2 services before the commencement of a combat sports contest;
3 provided that with the approval of the commission, a licensed
4 promoter may advance sums of money for training purposes.

5 **§440-Z Disposition of receipts.** Except as otherwise
6 provided in this part, all fees and other moneys received by the
7 commission shall be deposited into the compliance resolution
8 fund.

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



1 **§440-BB Inapplicability to active duty armed forces, armed**
2 **forces reserves, national guard, or Police Activities League.**

3 This part shall not apply to any combat sports contest held as a
4 recreational activity by personnel of the active duty armed
5 forces, armed forces reserves, national guard, or the Police
6 Activities League, when the combat sports contest is held under
7 the supervision of a recreational officer of the active duty
8 armed forces, armed forces reserves, national guard, or Police
9 Activities League staff member.

10 **§440-CC Revocation; suspension.** (a) In addition to any
11 other actions authorized by law, the commission may revoke or
12 suspend the license of any person licensed under any of the
13 classifications designated in this part, or fine the licensee,
14 or both, for any cause authorized by law, including but not
15 limited to the following:

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

19 (2) Manifest incapacity, professional misconduct, or
20 unethical conduct;



- 1 (3) Making any false representations or promises through
- 2 advertising or other dissemination of information;
- 3 (4) Any fraudulent, dishonest, or deceitful act in
- 4 connection with the licensing of any promoter under
- 5 this part or in connection with any combat sports
- 6 contest;
- 7 (5) Making any false or misleading statement in any
- 8 application or document submitted or required to be
- 9 filed under this part;
- 10 (6) Revocation or suspension of a license or other
- 11 disciplinary action against the licensee by another
- 12 combat sports commission, or other similar commission;
- 13 (7) Failure to report any disciplinary action, including
- 14 medical and mandatory suspensions, or revocation or
- 15 suspension of a license in another jurisdiction within
- 16 fifteen days preceding any combat sports contest in
- 17 which the licensee participates; or
- 18 (8) Participation in any sham or false combat sports
- 19 contest.
- 20 (b) A licensed manager may be held responsible for any
- 21 violations of this part by a licensed contestant whom the



1 licensed manager manages and may be subject to license
2 revocation or suspension, fines, or any combination thereof,
3 irrespective of whether any disciplinary action is taken against
4 the licensed contestant.

5 **§440-DD Penalties.** (a) Any person in violation of this
6 part or the rules of the commission shall be fined no more than
7 \$5,000 for each violation. Each day's violation or failure to
8 comply shall be deemed a separate offense.

9 (b) In addition to the penalties provided in this part,
10 any person in violation of this part may be prohibited from
11 engaging in any combat sports activities in the State for a
12 period in conformity with that set forth in section 92-17."

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

15 "(c) The board of acupuncture, board of public
16 accountancy, board of barbering and cosmetology, boxing and
17 combat sports commission, Hawaii board of chiropractic,
18 contractors license board, board of dentistry, board of
19 electricians and plumbers, elevator mechanics licensing board,
20 board of professional engineers, architects, surveyors, and
21 landscape architects, board of massage therapy, Hawaii medical



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

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



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

3 **"§92-28 State service fees; increase or decrease of.** Any
4 law to the contrary notwithstanding, the fees or other nontax
5 revenues assessed or charged by any board, commission, or other
6 governmental agency may be increased or decreased by the body in
7 an amount not to exceed fifty per cent of the statutorily
8 assessed fee or nontax revenue, to maintain a reasonable
9 relation between the revenues derived from [~~such~~] the fee or
10 nontax revenue and the cost or value of services rendered,
11 comparability among fees imposed by the State, or any other
12 purpose [~~which~~] that it may deem necessary and reasonable;
13 provided that:

14 (1) The authority to increase or decrease fees or nontax
15 revenues shall be subject to the approval of the
16 governor and extend only to the following: chapters
17 36, 92, 94, 142, 144, 145, 147, 150, 171, 188, 189,
18 231, 269, 271, 321, 338, 373, 412, 414, 414D, 415A,
19 417E, 419, 421, 421C, 421H, 421I, 425, 425E, 428, 431,
20 436E, 436H, 437, 437B, 440, [~~440E,~~] 441, 442, 443B,
21 444, 447, 448, 448E, 448F, 448H, 451A, 451J, 452, 453,



1 453D, 455, 456, 457, 457A, 457B, 457G, 458, 459, 460J,
2 461, 461J, 462A, 463, 463E, 464, 465, 465D, 466, 466D,
3 466K, 467, 467E, 468E, 468L, 468M, 469, 471, 472, 482,
4 482E, 484, 485A, 501, 502, 505, 514B, 514E, 572, 574,
5 and 846 (part II) and any board, commission, program,
6 or entity created pursuant to title 25 and assigned to
7 the department of commerce and consumer affairs or
8 placed within the department for administrative
9 purposes;

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

15 (3) The authority to increase or decrease fees or nontax
16 revenues established by the University of Hawaii under
17 chapter 304A shall be subject to the approval of the
18 board of regents; provided that the board's approval
19 of any increase or decrease in tuition for regular
20 credit courses shall be preceded by an open public

1 meeting held during or before the semester preceding
2 the semester to which the tuition applies;

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

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

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

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

15 "~~§440-1~~ **Definitions.** As used in this [~~chapter:~~] part:

16 "Amateur boxing contest" is one in which no contestant has
17 boxed with or against a professional boxer or another amateur
18 boxer for a money prize or purse, except as provided in this
19 [~~chapter.~~] part.

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



1 "Club" means a promoter, corporation, joint venture,
2 partnership, limited liability corporation, limited liability
3 partnership, or any other type of business entity that promotes,
4 conducts, holds, or gives a boxing contest. The terms "club"
5 and "promoter" are synonymous, and may be used interchangeably.

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

7 ~~"Contest" means match or exhibition.~~

8 ~~"Director" means the director of commerce and consumer~~
9 ~~affairs.~~

10 ~~"Executive officer" means the executive officer assigned to~~
11 ~~the commission.]~~

12 "Manager" means any person who:

- 13 (1) Undertakes or has undertaken to represent in any way
14 the interest of any professional boxer in procuring,
15 arranging, or conducting any professional contest in
16 which the boxer is to participate as a contestant;
17 provided that "manager" shall not include an attorney
18 licensed to practice in this State while the attorney
19 is representing the legal interest of a professional
20 boxer as a client; or



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

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

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

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

12 "**§440-2 Commission established.** There shall be a board
13 which shall be known as the [~~state~~] boxing and combat sports
14 commission of Hawaii. The commission shall consist of [~~five~~]
15 eight members. At least one of the members shall be a member of
16 USA Boxing, Inc. At least one member shall have experience in
17 the regulation of combat sports and combat sports events. One
18 member shall be designated by the governor as chairperson of the
19 commission."

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



1 "**§440-5 Deputy commissioners.** The director may appoint
2 deputy boxing commissioners [~~; provided that the director has~~
3 after receiving the approval of the commission [~~prior to any~~
4 appointment.] to do so. The director may remove deputy
5 commissioners after consultation with the commission. The
6 commission may direct the deputy commissioner or deputy
7 commissioners to be present at any boxing contest and, in the
8 absence of the commission or a member thereof, to superintend
9 and control the boxing contest, in accordance with this
10 [~~chapter~~] part and the rules adopted by the commission pursuant
11 thereto. The deputy commissioners shall make a written report
12 to the executive officer in the manner and form prescribed by
13 the commission of the conditions prevailing at every boxing
14 contest."

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

17 "**§440-20 Judges; duties.** The [~~boxing~~] commission may in
18 its discretion appoint two judges to act with the referee in
19 rendering a decision or three judges to act with a nonvoting
20 referee in rendering a decision."



1 SECTION 9. Section 440-23, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"§440-23 Sham boxing contest; penalty against contestant.**

4 Any contestant who knowingly participates in any sham or false
5 boxing contest shall be suspended by the [~~boxing~~] commission for
6 not less than twelve months from the date of the offense from
7 further participation in any boxing contest held or given under
8 this [~~chapter~~] part and may be permanently disqualified from
9 further participation in any boxing contest held or given under
10 this [~~chapter.~~] part."

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

13 **"§440-29 Limit of weight difference between contestants.**

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

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

19 **"§440-32 Amateur contestants entitled to medals and**

20 **trophies only.** A medal or trophy may be awarded to each
21 contestant in an amateur boxing contest not to exceed in value



1 the sum of \$35 each. The medal or trophy shall have engraved
2 thereon the name of the winner and the date of the event.

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

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

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

13 "**§440-33 Disposition of receipts.** All moneys received by
14 the [~~boxing~~] commission shall be deposited by the director of
15 commerce and consumer affairs with the director of finance to
16 the credit of the general fund of the State."

17 SECTION 13. Chapter 440E, Hawaii Revised Statutes, is
18 repealed.

19 SECTION 14. Sections 440-9, 440-10, 440-13, 440-14, 440-
20 18, 440-22, 440-34, 440-34.5, 440-35, and 440-36, Hawaii Revised
21 Statutes, are amended by substituting the word "this part", or



1 similar term, wherever the phrase "this chapter", or similar
2 term, appears, as the context requires.

3 SECTION 15. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$ or so
5 much thereof as may be necessary for fiscal year 2025-2026 and
6 the same sum or so much thereof as may be necessary for fiscal
7 year 2026-2027 to establish and fund full-time equivalent
8 (FTE) positions within the department of commerce and
9 consumer affairs for the boxing and combat sports commission of
10 Hawaii.

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

13 SECTION 16. In codifying the new sections added by section
14 2 of this Act, the revisor of statutes shall substitute
15 appropriate section numbers for the letters used in designating
16 the new sections in this Act.

17 SECTION 17. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 18. This Act shall take effect on July 1, 3000;
20 provided that section 15 shall take effect on July 1, 2025.



Report Title:

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

Description:

Renames the State Boxing Commission of Hawaii as the Boxing and 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 the existing Mixed Martial Arts Contests Program. Appropriates funds. Effective 7/1/3000. (HD2)

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