
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:**

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

15 "Contest" means match or exhibition.

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

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

20 "Executive officer" means the executive officer assigned to
21 the commission."



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

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

6 5. By adding a new part to be appropriately designated and
7 to read:

8 **"PART . COMBAT SPORTS CONTESTS**

9 **§440-A Definitions.** As used in this part:

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

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

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



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

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

8 "Licensed health care provider" means a physician licensed
9 to practice medicine in the State under chapter 453.

10 "Manager" means any person who:

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

16 (2) Directs or controls the combat sports activities of
17 the combat sports contestant.

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



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

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

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

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

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



1 **§440-B Amateur combat sports.** This part, with the
2 exception of sections 440-F(b) (5) and 440-I(c) and (e), shall
3 apply to amateur combat sports contests.

4 **§440-C Deputy combat sports commissioners.** (a) The
5 director may appoint deputy combat sports commissioners after
6 receiving the approval of the commission to do so. The director
7 may remove deputy combat sports commissioners after consultation
8 with the commission. The commission may direct one or more
9 deputy combat sports commissioners to be present at any combat
10 sports contest and, in the absence of the commission or a member
11 of the commission, to supervise and control the combat sports
12 contest, in accordance with this part and the rules adopted by
13 the commission pursuant to this part.

14 (b) A deputy combat sports commissioner shall submit a
15 written report to the executive officer after a combat sports
16 contest in the event any:

- 17 (1) Violations occur under this chapter;
18 (2) Discrepancies are observed under this chapter;
19 (3) Medical or safety incidents occur; or
20 (4) Regulatory or operational concerns are identified.



1 **§440-D Other employees.** Subject to chapter 76, the
2 department shall employ clerks, inspectors, and other employees
3 as 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; and

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.

17 **§440-F Jurisdiction of commission.** (a) The commission
18 shall have exclusive jurisdiction, direction, management, and
19 control over all combat sports contests conducted, given, or
20 held within the State. No combat sports contest shall be
21 conducted, given, or held within the State except in accordance



1 with this part and the rules adopted by the commission pursuant
2 to this part.

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

7 (1) The combat sports contest consists of not more than
8 five rounds of a duration of not more than five
9 minutes each, with an interval of at least one minute
10 between each round and the succeeding round;

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

15 (3) One hour before the combat sports contest, each combat
16 sports contestant is examined by at least one licensed
17 physician who shall certify in writing to the referee
18 of the combat sports contest that the contestant is
19 physically fit to engage in the combat sports contest;

20 (4) Each contestant furnishes to the commission:



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



1 refund the \$500 review and enforcement fee to the
2 promoter;

3 (7) The promoter has complied with sections 440-H and
4 440-I; and

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

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

18 **§440-G Control and supervision of amateur combat sports**
19 **contests.** Amateur combat sports contests may be placed under
20 the control and supervision of any recognized national amateur



1 combat sports association. The director shall adopt rules
2 pursuant to chapter 91 for the purposes of this section.

3 **§440-H Licenses; promoters.** (a) A promoter shall apply
4 to the commission for a license to conduct, give, hold, or
5 promote a combat sports contest. The application shall be in
6 writing, addressed to the commission, signed by the applicant,
7 and include the following:

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

11 (2) Proof that the applicant has satisfied all of the
12 applicable requirements of the business registration
13 division of the department.

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

19 (c) The application for a license to conduct, give, hold,
20 or promote combat sports contests shall be accompanied by a fee



1 as provided in rules adopted by the director pursuant to
2 chapter 91.

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

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

7 (2) Possesses the necessary qualifications for a promoter
8 license;

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

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

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

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

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



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

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

8 **§440-I Requirements to conduct, give, or hold a combat**
9 **sports contest.** (a) For approval to conduct, give, or hold a
10 combat sports contest, a licensed promoter shall provide proof
11 of medical insurance for combat sports contestants in accordance
12 with rules adopted by the commission. A licensed promoter shall
13 be responsible for paying any deductible amount of the medical
14 insurance policy.

15 (b) Before each combat sports contest, a licensed promoter
16 shall provide a bond, in an amount determined by the commission,
17 to adequately cover the licensed promoter's obligations in
18 conducting, giving, or holding a combat sports contest. The
19 bond shall be executed by the licensed promoter as principal and
20 by a surety company authorized to conduct business in the State
21 as the surety. If the licensed promoter fails to pay any



1 obligations covered by the bond, any aggrieved person may file
2 an action against the bond to recover the amount owed in the
3 circuit court in the judicial circuit in which the combat sports
4 contest was conducted, given, or held; provided that the
5 aggregate liability of the surety to all aggrieved persons shall
6 not exceed the amount of the bond. Any action against the bond
7 shall be commenced within ninety days after the combat sports
8 contest was conducted, given, or held.

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

16 (d) Before any combat sports contest, a licensed promoter
17 shall submit to the commission, for the commission's review and
18 approval, all ring records of all licensed combat sports
19 contestants scheduled to participate in the combat sports
20 contest.



1 (e) A licensed promoter shall provide to the commission
2 post-contest financial documentation verifying that any amounts
3 due the licensed contestant or the licensed contestant's
4 licensed manager have been paid, as the case may be, in
5 accordance with the contracts approved by the commission.

6 (f) A licensed promoter shall provide to the commission
7 written confirmation that appropriate security service has been
8 obtained and will be present at all times at the venue of the
9 combat sports contest and provide evidence that security
10 personnel and resources will be present in sufficient number and
11 force to exercise crowd control and to protect spectators at the
12 combat sports contest.

13 (g) A licensed promoter shall provide to the commission
14 evidence that the combat sports contest will be conducted in
15 compliance with applicable fire codes.

16 (h) The licensed promoter shall maintain sanitary
17 conditions at the venue of the combat sports contest.

18 (i) Failure, refusal, or neglect of any licensed promoter
19 to comply with this section shall result in the automatic denial
20 to hold the combat sports contest.



1 (j) Licensed promoters may engage in promotions with other
2 licensed promoters; provided that each promoter holds a valid,
3 unexpired license and has received the written approval of the
4 commission before the promotion.

5 (k) In addition to the payment of other fees and moneys
6 due under this part, a licensed promoter shall pay:

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

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

15 (3) Two per cent of the gross sales price for the sale,
16 lease, or other exploitation of broadcasting,
17 internet, motion picture, and television rights for a
18 combat sports contest, without any deductions for
19 advertising, brokerage fees, commissions, contestants'
20 purses, distribution fees, or any other expenses or
21 charges, including federal, state, or local taxes; and



1 (4) Two per cent of the gross receipts from subscription
2 or admission fees, exclusive of federal, state, and
3 local taxes, charged for viewing within the State of a
4 simultaneous telecast of a combat sports contest;
5 provided that payments under this subsection shall be deposited
6 into a separate account in the compliance resolution fund and
7 shall be used to cover the costs of the commission and
8 regulating this part.

9 (1) Within seven days following a combat sports contest,
10 the licensed promoter shall provide the commission with an
11 unedited video record of the combat sports contest in a format
12 prescribed by the commission.

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

15 **§440-J Licenses; participants.** (a) Any person may apply
16 to the commission for a license to act as a combat sports
17 contestant, judge, manager, matchmaker, physician, referee,
18 second, or timekeeper, or to participate, either directly or
19 indirectly, in any combat sports contest. The application shall
20 be in writing, addressed to the commission, and signed by the
21 applicant. The application shall contain a recital of facts, as



1 may be specified by the commission, for the commission to
2 determine whether the applicant possesses the necessary
3 licensure and mental, moral, and physical qualifications to
4 entitle the applicant to a license. The commission shall adopt
5 rules for licensure in accordance with chapter 91.

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

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

18 **§440-K License fees.** License fees shall be paid annually
19 to the State by every applicant to whom a license is issued to
20 participate in the conduct of combat sports in any of the
21 capacities described in this part, including a combat sports



1 contestant, judge, manager, matchmaker, physician, promoter,
2 referee, second, and timekeeper. The charge for a duplicate of
3 a license and all fees required by this part shall be as
4 provided in rules adopted by the director pursuant to chapter 91
5 and shall be deposited with the director to the credit of the
6 compliance resolution fund.

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

14 (b) The commission may limit the number of licenses issued
15 for any purpose as specified in this part and may limit the
16 number of combat sports contests conducted, given, held, or
17 promoted in any county of the State.

18 (c) All licenses shall be for a period of not more than
19 one year and shall expire on December 31 of the year in which
20 the licenses are issued.



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

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

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

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



1 **§440-N Failure to report receipts.** Whenever any promoter
2 holding a license to conduct, give, hold, or promote a combat
3 sports contest fails to make a report of any combat sports
4 contest at the time and in the manner prescribed by this part,
5 or whenever the report is unsatisfactory to the commission, the
6 executive officer, at the licensed promoter's expense, may
7 examine, or cause to be examined, the books and records of the
8 licensed promoter.

9 **§440-O Admission tickets.** All tickets of admission to any
10 combat sports contest for which admission fees are charged and
11 received shall have printed clearly upon the face of the ticket
12 the purchase price of the ticket, and no ticket shall be sold
13 for more than the printed price.

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



1 the nearest emergency room or hospital before any combat sports
2 contest to confirm the availability of a neurologist and ensure
3 the facility has the necessary personnel and resources to treat
4 contestants if needed.

5 **§440-Q Judges; duties.** The commission, in the
6 commission's discretion, may appoint two licensed judges to act
7 with the licensed referee in rendering a decision, or three
8 licensed judges to act with a nonvoting licensed referee in
9 rendering a decision.

10 **§440-R Physician; duties.** Every promoter holding a
11 license to conduct, give, hold, or promote combat sports
12 contests shall have in attendance at every combat sports contest
13 at least two physicians who are licensed to practice medicine in
14 the State under chapter 453, and licensed pursuant to this part,
15 who shall observe the physical condition of the licensed combat
16 sports contestants and advise the licensed referee on their
17 physical condition and, one hour before a licensed contestant
18 enters the ring, certify in writing as to the physical condition
19 of the licensed contestant to engage in the combat sports
20 contest. A report of the medical examination shall be filed
21 with the commission not less than forty-eight hours after the



1 termination of the combat sports contest. In addition, at least
2 one licensed physician shall immediately examine every licensed
3 contestant who was knocked down or who sustained a severe
4 beating about the head during the combat sports contest and
5 shall file a written medical opinion within forty-eight hours of
6 the combat sports contest to the executive officer.

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

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

20 (c) Each licensed referee shall warn the licensed
21 contestants of the referee's power to recommend the forfeiture



1 of any prize, reward, purse, or other compensation should there
2 be any apparent cause for the warning.

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

18 (e) The licensed referee shall stop the combat sports
19 contest when, in the licensed referee's judgement, either of the
20 licensed contestants shows a marked superiority or is apparently
21 outclassed.



1 **§440-T Timekeeper; duties.** (a) At each combat sports
2 contest there shall be in attendance at least one timekeeper
3 licensed pursuant to this part and designated to act as the
4 official timekeeper of the combat sports contest.

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

11 **§440-U Drug test; withholding of wages; penalty.** (a) On
12 the advice of one or more of the licensed physicians in
13 attendance at a combat sports contest, a post-contest drug test
14 may be administered to any licensed contestant, at the sole
15 expense of the licensed promoter, to determine whether the
16 licensed contestant has consumed any illegal drugs or drugs
17 banned by the commission.

18 (b) Any wages due to a licensed contestant shall be
19 withheld by the commission until the commission, in consultation
20 with at least two of the attending licensed physicians, is
21 satisfied that the licensed contestant did not have the presence



1 of any illegal or banned drugs in the licensed contestant's
2 person.

3 (c) Any licensed contestant who fails a drug test shall
4 have the contestant's license suspended by the commission for
5 not less than twelve months from the date of the offense and, in
6 the discretion of the commission, may have the contestant's
7 license permanently revoked.

8 **§440-V Sham or false contests; forfeiture of promoter**
9 **license.** Any licensed promoter who knowingly conducts, gives,
10 holds, promotes, or participates in any sham or false combat
11 sports contest shall forfeit the license issued in accordance
12 with this part, and the license shall be canceled and declared
13 void by the commission. The promoter and any officers,
14 partners, or members of the promoter shall not be entitled to
15 receive, and shall not be given, another license.

16 **§440-W Sham or false contests; penalty against contestant.**
17 Any licensed contestant who knowingly participates in any sham
18 or false combat sports contest shall be suspended by the
19 commission for not less than twelve months from the date of the
20 offense from further participation in any combat sports contest
21 conducted, given, or held under this part and may be permanently



1 disqualified from further participation in any combat sports
2 contest conducted, given, or held under this part.

3 **§440-X Financial interest in combat sports contestants**

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

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

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

17 **§440-Y Wages of contestants; prepayment prohibited.** All
18 moneys paid to a licensed combat sports contestant for services,
19 as money prize, reward, compensation, or otherwise, shall be
20 considered wages. No licensed contestant shall be paid for
21 services before the commencement of a combat sports contest;



1 provided that with the approval of the commission, a licensed
2 promoter may advance sums of money for training purposes.

3 **§440-Z Disposition of receipts.** Except as otherwise
4 provided in this part, all fees and other moneys received by the
5 commission shall be deposited into the compliance resolution
6 fund.

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

19 **§440-BB Inapplicability to active duty armed forces, armed
20 forces reserves, national guard, or Police Activities League.**

21 This part shall not apply to any combat sports contest held as a



1 recreational activity by personnel of the active duty armed
2 forces, armed forces reserves, national guard, or the Police
3 Activities League, when the combat sports contest is held under
4 the supervision of a recreational officer of the active duty
5 armed forces, armed forces reserve, national guard, or Police
6 Activities League staff member.

7 **§440-CC Revocation; suspension.** (a) In addition to any
8 other actions authorized by law, the commission may revoke or
9 suspend the license of any person licensed under any of the
10 classifications designated in this part, or fine the licensee,
11 or both, for any cause authorized by law, including but not
12 limited to the following:

- 13 (1) Violation of this part, or the rules adopted pursuant
14 to this part or any other law, or any rule that
15 applies to those persons licensed under this part;
- 16 (2) Manifest incapacity, professional misconduct, or
17 unethical conduct;
- 18 (3) Making any false representations or promises through
19 advertising or other dissemination of information;
- 20 (4) Any fraudulent, dishonest, or deceitful act in
21 connection with the licensing of any promoter under



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



1 **§440-DD Penalties.** (a) Any person in violation of this
2 part or the rules of the commission shall be fined not more than
3 \$5,000 for each violation. Each day's violation or failure to
4 comply shall be deemed a separate offense.

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

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

11 "(c) The board of acupuncture, board of public
12 accountancy, board of barbering and cosmetology, boxing and
13 combat sports commission, Hawaii board of chiropractic,
14 contractors license board, board of dentistry, board of
15 electricians and plumbers, elevator mechanics licensing board,
16 board of professional engineers, architects, surveyors, and
17 landscape architects, board of massage therapy, Hawaii medical
18 board, motor vehicle industry licensing board, motor vehicle
19 repair industry board, board of naturopathic medicine, board of
20 nursing, Hawaii board of optometry, pest control board, board of
21 pharmacy, board of physical therapy, board of psychology, board



1 of private detectives and guards, real estate commission, Hawaii
2 board of veterinary medicine, board of speech pathology and
3 audiology, and any board, commission, program, or entity created
4 pursuant to or specified by statute in furtherance of the
5 purpose of this section including but not limited to section
6 26H-4, or chapters 484, 514B, and 514E shall be placed within
7 the department of commerce and consumer affairs for
8 administrative purposes.

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

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

19 "**§92-28 State service fees; increase or decrease of.** Any
20 law to the contrary notwithstanding, the fees or other nontax
21 revenues assessed or charged by any board, commission, or other



1 governmental agency may be increased or decreased by the body in
2 an amount not to exceed fifty per cent of the statutorily
3 assessed fee or nontax revenue, to maintain a reasonable
4 relation between the revenues derived from [~~such~~] the fee or
5 nontax revenue and the cost or value of services rendered,
6 comparability among fees imposed by the State, or any other
7 purpose [~~which~~] that it may deem necessary and reasonable;
8 provided that:

9 (1) The authority to increase or decrease fees or nontax
10 revenues shall be subject to the approval of the
11 governor and extend only to the following: chapters
12 36, 92, 94, 142, 144, 145, 147, 150, 171, 188, 189,
13 231, 269, 271, 321, 338, 373, 412, 414, 414D, 415A,
14 417E, 419, 421, 421C, 421H, 421I, 425, 425E, 428, 431,
15 436E, 436H, 437, 437B, 440, [~~440E,~~] 441, 442, 443B,
16 444, 447, 448, 448E, 448F, 448H, 451A, 451J, 452, 453,
17 453D, 455, 456, 457, 457A, 457B, 457G, 458, 459, 460J,
18 461, 461J, 462A, 463, 463E, 464, 465, 465D, 466, 466D,
19 466K, 467, 467E, 468E, 468L, 468M, 469, 471, 472, 482,
20 482E, 484, 485A, 501, 502, 505, 514B, 514E, 572, 574,
21 and 846 (part II) and any board, commission, program,



1 or entity created pursuant to title 25 and assigned to
2 the department of commerce and consumer affairs or
3 placed within the department for administrative
4 purposes;

5 (2) The authority to increase or decrease fees or nontax
6 revenues under the chapters listed in paragraph (1)
7 that are established by the department of commerce and
8 consumer affairs shall apply to fees or nontax
9 revenues established by statute or rule;

10 (3) The authority to increase or decrease fees or nontax
11 revenues established by the [~~University~~] university of
12 Hawaii under chapter 304A shall be subject to the
13 approval of the board of regents; provided that the
14 board's approval of any increase or decrease in
15 tuition for regular credit courses shall be preceded
16 by an open public meeting held during or before the
17 semester preceding the semester to which the tuition
18 applies;

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



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

5 (6) Fees for copies of proposed and final rules and public
6 notices of proposed rulemaking actions under chapter
7 91 shall not exceed 10 cents a page, as required by
8 section 91-2.5."

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

11 "~~§440-1~~ **Definitions.** As used in this [~~chapter~~] part:

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

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

18 "Club" means a promoter, corporation, joint venture,
19 partnership, limited liability corporation, limited liability
20 partnership, or any other type of business entity that promotes,



1 conducts, holds, or gives a boxing contest. The terms "club"
2 and "promoter" are synonymous, and may be used interchangeably.

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

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

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

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

9 "Manager" means any person who:

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

20 "Professional boxer" is one who: competes for a money
21 prize or purse or other form of compensation; or teaches,



1 pursues, or assists in the practice of boxing as a means of
2 obtaining a livelihood or pecuniary gain.

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

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

8 "**§440-2 Commission established.** There shall be a board
9 which shall be known as the [state] boxing and combat sports
10 commission of Hawaii. The commission shall consist of [~~five~~]
11 seven members. At least one of the members shall be a member of
12 USA Boxing, Inc. At least one member shall have experience in
13 the regulation of combat sports and combat sports contests. At
14 least one member shall be a public member. One member shall be
15 designated by the governor as chairperson of the commission."

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

18 "**§440-5 Deputy commissioners.** The director may appoint
19 deputy boxing commissioners [~~; provided that the director has~~]
20 after receiving the approval of the commission [~~prior to any~~
21 ~~appointment.~~] to do so. The director may remove deputy

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

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

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

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

19 **"§440-23 Sham boxing contest; penalty against contestant.**
20 Any contestant who knowingly participates in any sham or false
21 boxing contest shall be suspended by the ~~boxing~~ commission for



1 not less than twelve months from the date of the offense from
2 further participation in any boxing contest held or given under
3 this [~~chapter~~] part and may be permanently disqualified from
4 further participation in any boxing contest held or given under
5 this [~~chapter-~~] part."

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

8 **"§440-29 Limit of weight difference between contestants.**

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

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

14 **"§440-32 Amateur contestants entitled to medals and**

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

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



1 Every contestant in an amateur boxing contest or sparring
 2 match shall be registered with the commission or its amateur
 3 representative and subject to an annual physical examination.
 4 Each amateur contestant shall be examined by a physician
 5 immediately before the contest."

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

8 **"§440-33 Disposition of receipts.** All moneys received by
 9 the [~~boxing~~] commission shall be deposited by the director of
 10 commerce and consumer affairs with the director of finance to
 11 the credit of the general fund of the State."

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

14 SECTION 14. Sections 440-9, 440-10, 440-13, 440-14,
 15 440-18, 440-22, 440-34, 440-34.5, 440-35, and 440-36, Hawaii
 16 Revised Statutes, are amended by substituting the word "this
 17 part", or similar term, wherever the phrase "this chapter", or
 18 similar term, appears, as the context requires.

19 SECTION 15. There is appropriated out of the general
 20 revenues of the State of Hawaii the sum of \$ or so
 21 much thereof as may be necessary for fiscal year 2026-2027 for



1 the establishment of full-time equivalent (FTE)
2 positions within the department of commerce and consumer affairs
3 for the boxing and combat sports commission of Hawaii.

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

6 SECTION 16. In codifying the new sections added by
7 section 2 of this Act, the revisor of statutes shall substitute
8 appropriate section numbers for the letters used in designating
9 the new sections in this Act.

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

12 SECTION 18. This Act shall take effect on July 1, 2050;
13 provided that section 15 shall take effect on July 1, 2026.

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 7/1/2050. (SD1)

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