

Section II
Proposed Rules

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

STATE BOARD OF ADMINISTRATION

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|--|------------|
| RULE TITLES: | RULE NOS.: |
| Reimbursement Contract | 19-8.010 |
| Procedures to Determine Ineligibility for Participation and Exemption from Participation in the Florida Hurricane Catastrophe Fund | 19-8.012 |
| Revenue Bonds Issued Pursuant to Section 215.555(6), Florida Statutes | 19-8.013 |
| Insurer Reporting Requirements | 19-8.029 |
| Insurer Responsibilities | 19-8.030 |

PURPOSE AND EFFECT: These rules are promulgated to implement Section 215.555, Florida Statutes, regarding the Florida Hurricane Catastrophe Fund, for the 2004-2005 Contract Year.

SUMMARY: Proposed amended Rule 19-8.010, F.A.C., adopts the reimbursement contract for the Contract Year 2004-2005. Proposed amended Rule 19-8.012, F.A.C., updates the name and address of the Florida Hurricane Catastrophe Fund Administrator and updates incorporated forms. Proposed amended Rule 19-8.013, F.A.C., replaces references to the statutory \$11 billion limit with a reference to the statute containing the limit and replaces the word “event” as used in the rule with the phrase “covered event.” Proposed amended Rule 19-8.029, F.A.C., adopts forms for insurer reporting to the Florida Hurricane Catastrophe Fund for the 2004-2005 Contract Year and updates incorporated forms. Also, the phrase “ground up or gross direct losses” has been replaced by the phrase “ultimate net losses.” Proposed amended Rule 19-8.030, F.A.C., adds those companies under regulatory supervision to the list of companies that have reimbursement premiums due on August 1 unless control or supervision occurs after that date. Also, the requirement that a company violating a rule “will” be referred to the Office of Insurance Regulation has been changed to “may” to take into account those situations in which the violation was the result of circumstances beyond the control of the company.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The Board has prepared a statement and found the cost to be minimal.

Any person who wishes to provide information regarding the statement of estimated regulatory costs or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 215.555(3) FS.

LAW IMPLEMENTED: 215.555(2),(3),(4),(5),(6),(7),(10) FS.

A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:00 a.m. – 12:00 Noon, Monday, March 1, 2004

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, FL 32308

Any person requiring special accommodations to participate in this proceeding is asked to advise Patti Elsbernd, P. O. Box 13300, Tallahassee, FL 32317-3300, (850)413-1346, at least five (5) calendar days before such proceeding.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Jack E. Nicholson, Senior FHCF Officer, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300, (850)413-1340

THE FULL TEXT OF THE PROPOSED RULES IS:

19-8.010 Reimbursement Contract.

(1) through (9) No change.

(10) The reimbursement contract for the 2004-2005 contract year required by Section 215.555(4), Florida Statutes, which is called Form FHCF-2004K – “Reimbursement Contract” or “Contract” between (name of insurer) (the “Company”)/NAIC # () and The State Board of Administration of the State of Florida (“SBA”) which Administers the Florida Hurricane Catastrophe Fund (“FHCF”), is hereby adopted and incorporated by reference into this rule. This contract is effective from June 1, 2004 through May 31, 2005.

~~(11)~~(10) Copies of the reimbursement contract may be obtained from the State Board of Administration. The mailing address is P. O. Box 13300, Tallahassee, FL 32317-3300. The street address is 1801 Hermitage Blvd., Tallahassee, Florida 32308, (850)413-1346.

Specific Authority 215.555(3) FS. Law Implemented 215.555 FS. History—New 5-31-94, Amended 8-29-95, 5-19-96, 6-19-97, 5-28-98, 5-17-99, 9-13-99, 6-19-00, 6-3-01, 6-2-02, 11-12-02, 5-13-03, _____.

19-8.012 Procedures to Determine Ineligibility for Participation in the Florida Hurricane Catastrophe Fund and to Determine Exemption from Participation in the Florida Hurricane Catastrophe Fund.

(1) No change.

(2) Procedures to Determine Ineligibility for Participation in the Fund.

(a) An insurer seeking ineligibility from participation in the Fund because it has surrendered its certificate of authority to write insurance in Florida shall submit a written request for ineligibility stating that it will have no covered policies, as that

term is defined in Section 215.555(2)(c), Florida Statutes, after May 31 of the year for which the ineligibility is sought and provide a copy of the Office of Insurance Regulation Order, if any, revoking the insurer's authority to write insurance in Florida. The request shall be sent to the Fund's Administrator, Paragon Strategic Solutions Inc., Reinsurance Risk Management Services, Inc., at 3600 American Boulevard, West 80th Street, Minneapolis, Minnesota 55431.

(b) An insurer which is not surrendering its certificate to write insurance in Florida but which is seeking ineligibility from participation in the Fund because it does not have any covered policies, as that term is defined in Section 215.555(2)(c), Florida Statutes, shall submit a written request for a determination regarding its ineligibility for participation. The request shall be sent, no later than September 1 of the current contract year, to the Fund's Administrator, Paragon Strategic Solutions Inc., Reinsurance Risk Management Services, Inc., at 3600 American Boulevard, West 80th Street, Minneapolis, Minnesota 55431, and shall contain the following information:

1. A detailed explanation of any premium appearing on the insurer's Florida Form 2 of the National Association of Insurance Commissioners annual statement for lines of business which may contain covered policies. These lines are: Fire, Allied Lines, Homeowners Multiple Peril, Commercial Multiple Peril (non-liability portion), Inland Marine, Farmowners Multiple Peril.

2. A copy of the insurer's Form 2 of the annual statement, required by Section 624.424, Florida Statutes, and any rules adopted thereunder, for the State of Florida for the applicable year.

3. Form FHCF-E1, "Statement related to Covered Policies as defined in Section 215.555(2)(c), Florida Statutes," rev. 5/04 8/96, signed by two executive officers attesting to the fact that the insurer writes no covered policies. Form FHCF-E1 is hereby adopted and incorporated by reference. The form may be obtained from the Fund's Administrator at the address stated in this paragraph.

(c) Upon receipt of the information required by paragraphs (a) or (b), above, the Fund's Administrator will forward copies to the State Board of Administration of Florida (Board) for review.

1. If the Board determines that additional information is needed before a decision can be made, the Fund's Administrator will obtain the information and forward it to the Board.

2. If the Board determines that the insurer writes covered policies, as defined in Section 215.555(2)(c), Florida Statutes, and in Article V of the reimbursement contract, as adopted and incorporated by reference in Rule 19-8.010, F.A.C., and must therefore participate in the Fund as required by Section 215.555(4)(a), Florida Statutes, the Board will notify the insurer that its request has been denied. All insurers determined to be participants in the Fund will be required to

enter into a reimbursement contract with the Board and will be subject to all premium payments and interest thereon, as well as fees for inadequate exposure data.

3. If the Board determines that the insurer does not write covered policies, as defined in Section 215.555(2)(c), Florida Statutes, and in Article V of the reimbursement contract, as adopted and incorporated by reference in Rule 19-8.010, F.A.C., the Board will notify the insurer that its request has been approved and note that the insurer must immediately notify the Board if it begins writing covered policies. The Board will provide the Fund's Administrator with a copy of any approval letter so that the Fund's Administrator can update its information and can refund any overpayment of reimbursement premium.

(3) Procedures to Determine Exemption from the Fund Due to Limited Exposure.

(a) An insurer requesting exemption from participation in the Fund because its exposure for covered policies, as defined in Section 215.555(2)(c), Florida Statutes, and in Article V of the reimbursement contract, as adopted and incorporated by reference in Rule 19-8.010, F.A.C., is less than \$500,000 in the aggregate shall submit a written request for a determination regarding such an exemption no later than June 1 of the upcoming contract year. The request shall be sent to the Fund's Administrator, Paragon Strategic Solutions Inc., Reinsurance Risk Management Services, Inc., at 3600 American Boulevard, West 80th Street, Minneapolis, Minnesota 55431. The insurer shall submit the following information:

1. through 2. No change.

3. Form FHCF-E2, "Information regarding FHCF Covered Policies In-force at May 31, _____," rev. 5/04 5/03. Form FHCF-E2 is hereby adopted and incorporated by reference. The form may be obtained from the Fund's Administrator at the address stated in this paragraph.

4. Form FHCF-E3, "Statement related to Aggregate Exposure for Covered Policies as defined in Section 215.555(2)(c), Florida Statutes, on behalf of _____," rev. 5/04 8/96, signed by two executive officers attesting to the fact that the insurer writes no covered policies with an aggregate exposure of \$500,000 or more. Form FHCF-E3 is hereby adopted and incorporated by reference. The form may be obtained from the Fund's Administrator at the address stated in this paragraph.

(b) No change.

Specific Authority 215.555(3) FS. Law Implemented 215.555(2)(c), (3), (4), (5) FS. History—New 2-17-97, Amended 6-3-02, 5-13-03, _____.

19-8.013 Revenue Bonds Issued Pursuant to Section 215.555(6), Florida Statutes.

(1) through (2) No change.

(a) through (d) No change.

(e) Board or SBA means the ~~Florida~~ State Board of Administration of Florida.

(f) through (g) No change.

(h) ~~An “Event” or a “Covered Event”~~ means a hurricane as defined in Section 215.555(2)(b), Florida Statutes, and in Article V of the Reimbursement Contract adopted and incorporated by reference in Rule 19-8.010, F.A.C.

(i) through (o) No change.

(3) No change.

(a) No change.

(b) Regardless of its assets, ability to raise funds or the amount of covered losses, the obligation of the Fund with respect to all Reimbursement Contracts covering a particular Contract Year shall not exceed the limits set forth in Section 215.555(4)(c)1., Florida Statutes. ~~actual claims paying capacity of the Fund, as defined in Section 215.555(4)(e), Florida Statutes, up to a limit of \$11 billion for that Contract Year, unless the Board determines that there is sufficient estimated claims paying capacity to provide \$11 billion of capacity for the current Contract Year and an additional \$11 billion of capacity for the subsequent Contract Year.~~

(4) through (c)1. No change.

2. If Reimbursement Premiums received under Section 215.555(5), Florida Statutes, or earnings on such premiums are used to pay debt service on revenue bonds, such premiums and earnings shall be used only after the use of the monies derived from Emergency Assessments. If a Covered Event occurs which exhausts the Balance of the Fund as of December 31 of the Contract Year in which the Covered Event occurs and if Emergency Assessments are levied to provide revenues to pay debt service on revenue bonds issued to pay reimbursable losses related to such Covered Event, then Reimbursement Premiums collected in Contract Years following the Contract Year in which the Covered Event occurred are expected to be used to pay debt service only if the amounts raised through Emergency Assessments are not sufficient to make the required debt service payments on the revenue bonds issued for the Covered Event. If Reimbursement Premiums are used for debt service in the event of a temporary shortfall in the collection of Emergency Assessments, then the amount of the Reimbursement Premiums so used shall be returned, without interest, to the Fund when sufficient Emergency Assessments are received.

(d) through (e) No change.

(5) No change.

Specific Authority 215.555(3) FS. Law Implemented 215.555(2),(3),(4),(5),(6),(7) FS. History—New 9-18-97, Amended 12-3-98, 9-12-00, 6-1-03,_____.

19-8.029 Insurer Reporting Requirements.

(1) No change.

(2) through (e) No change.

(f) Independent Consultant means the independent individual, firm, or organization with which the State Board of Administration of Florida (Board) ~~SBA~~ contracts to prepare the premium formula and any other actuarial services for the FHCF, as determined under the contract with the consultant.

(g) through (h) No change.

(3) through (b) No change.

(c) Reporting Regarding Insurers Withdrawing from the State or Discontinuing the Writing of All Kinds of Insurance Prior to June 30 of Each Year. Insurers which discontinue writing insurance in Florida and have no remaining Covered Policy exposure as of June 30 of each Contract Year ~~are~~ is required to petition for exemption from the Fund pursuant to Rule 19-8.012, F.A.C. Insurers which withdraw from the Florida insurance market prior to June 30 and have no remaining Covered Policy exposure as of that date shall not participate in the Fund. The affected insurer shall provide written evidence obtained from the Office of Insurance Regulation that it has surrendered its certificate of authority and currently has no outstanding Covered Policies in force. Nothing in this rule shall be construed to conflict with the requirements of Section 624.430(1), Florida Statutes.

(d) No change.

(4) through (e) No change.

(f) For the 2004/2005 Contract Year, the reporting shall be in accordance with the following: Form FHCF-D1A, “Florida Hurricane Catastrophe Fund 2004 Data Call,” rev. 5/04 and UNICEDE[®] /PX Data Exchange Format, Version 4.0.0.” The two forms identified in the immediately preceding sentence are hereby adopted and incorporated by reference. A new participant shall report its actual exposure as of December 31 of the Contract Year on or before March 1 of the Contract Year, to the Administrator.

(5) Loss Reimbursement Reporting Requirements.

(a) As directed by the Board, after a covered event occurs, insurers shall report all their estimated ultimate net losses (as defined in the Reimbursement Contract, adopted and incorporated into Rule 19-8.010, F.A.C.) for Covered Policies ~~(ground up or gross direct losses without regard for the insurer’s retention)~~ on Form FHCF-L1A, “Florida Hurricane Catastrophe Fund Interim Loss Report,” rev. ~~5/04~~ 5/03, which is hereby adopted and incorporated by reference. Prompt reporting in the format requested will aid the Board in determining whether to seek additional sources of funds to pay for reimbursable losses. The losses reported on Form FHCF-L1A are expected to result from a good faith effort on the part of the insurer to report as accurately as possible. Preliminary reports will not be binding. Reimbursements by the Fund will be made on the basis of Form FHCF-L1B, adopted below, and on the basis of quarterly adjustments thereafter. After the initial report of losses on Form FHCF-L1A, only insurers expecting to exceed their retentions for covered losses are required to comply with paragraph (b), below.

(b) No change.

(c) Insurers shall report their ultimate net annual covered losses ~~(all losses regardless of an insurer’s retention)~~ for each occurrence on or before December 31 of the Contract Year

during which the covered event occurs and quarterly thereafter on the date the quarter ends on Form FHCF-L1B, "Florida Hurricane Catastrophe Fund Proof of Loss Report," rev. 5/04 ~~5/03~~, which is hereby adopted and incorporated by reference. In reporting losses, deductibles ~~and~~ or attachment points shall be applied first to the coverages provided by the FHCF. For the quarterly report due on 3/31, any insurer whose losses reach or exceed 50% of its FHCF retention shall report its losses on Form FHCF-L1B. For the quarterly report due on 6/30, any insurer whose losses reach or exceed 75% of its FHCF retention shall report its losses on Form FHCF-L1B. For the quarterly reports due on 9/30 and thereafter, any insurer which anticipates that its losses will reach 100% or more of its FHCF retention shall report its losses on Form FHCF-L1B until all its losses are paid to its policyholders and the insurer has received reimbursement from the Fund. For purposes of this rule, quarterly Loss Reports shall be those reports submitted at each quarter end date after December 31 of the Contract Year in which the covered event occurs and continuing until all claims and losses resulting from loss occurrences commencing during the Contract Year are fully discharged in accordance with the reporting requirements in this paragraph. "Fully Discharged" means the earlier of the date on which the insurer has paid its policyholders in full or the commutation clause, in Article X of the Reimbursement Contract, adopted in Rule 19-8.010, F.A.C., takes effect.

(d) As a result of reports submitted on Form FHCF-L1B, reimbursements to insurers shall be adjusted in accordance with Section 215.555(4)(b)3., Florida Statutes, which prohibits an insurer's recovery from all sources to exceed 100% ~~percent~~ of its losses from a covered event, and in accordance with Section 215.555(4)(d)1., Florida Statutes, which requires the Fund to pay additional amounts to insurers and insurers to return overpayments to the Fund, based on the most recent calculation of losses.

(6) All the forms adopted and incorporated by reference in this rule may be obtained from: Administrator, Florida Hurricane Catastrophe Fund, Paragon Strategic Solutions Inc., Reinsurance Risk Management Services, Inc., at 3600 American Boulevard, West ~~80th Street~~, Minneapolis, Minnesota 55431.

Specific Authority 215.555(3) FS. Law Implemented
 215.555(2),(3),(4),(5),(6),(7),(15) FS. History--New 5-17-99, Amended
 6-19-00, 6-3-01, 6-2-02, 11-12-02, 5-13-03, _____

19-8.030 Insurer Responsibilities.

(1) through (2) No change.

(3) Definitions. The terms defined below will be capitalized in this rule.

(a) No change.

(b) Board or SBA means the ~~Florida~~ State Board of Administration of Florida.

(c) No change.

(d) Citizens Property Insurance Corporation or Citizens means the entity formed under Section 627.351(6), Florida Statutes, and includes both the High Risk Account (~~formerly the Florida Windstorm Underwriting Association~~) and the Personal Lines and Commercial Lines Accounts (~~formerly the Florida Residential Property and Casualty Joint Underwriting Association~~).

(e) through (n) No change.

(4) No change.

(5) Exposure Reporting Requirements:

(a) No change.

(b) Current Participants. Each Insurer, with Covered Policies as of June 1 of a Contract Year must participate in the FHCF and must complete and submit the Data Call. The Data Call is incorporated into Rule 19-8.029, F.A.C., and is due, correctly completed, no later than ~~by~~ September 1 of the Contract Year.

(c) through (d) No change.

(6) Premiums:

(a) through (c) No change.

(d) With respect to any Company where control of the Company has been transferred through any legal or regulatory proceeding to a state regulator or court appointed receiver or rehabilitator, or the Company has been placed under regulatory supervision, prior to December 1 of the Contract Year, the full annual provisional Reimbursement Premium as billed and any outstanding balances will be due on August 1, or the date that control is transferred if after August 1.

(7) No Changes.

(8) Loss Reporting: Participating Insurers are required to file the following two types of loss reports at the times prescribed in Rule 19-8.029, F.A.C. Form FHCF-L1A, "Florida Hurricane Catastrophe Fund Interim Loss Report," rev. 5/04 ~~5/03~~ and Form FHCF-L1B, "Florida Hurricane Catastrophe Fund Proof of Loss Report," rev. 5/04 ~~5/03~~. Both of these forms are hereby adopted and incorporated by reference into this rule.

(9) Penalties and Additional Charges: The Participating Insurers' responsibilities outlined in this rule are not an exhaustive list and Section 215.555, F.S. and other rules promulgated under that section may outline additional responsibilities ~~and~~ or deadlines. The failure by a Participating Insurer to meet any of the deadlines or responsibilities outlined in this rule, Section 215.555, F.S. ~~and~~ or any other Rules applicable to the FHCF constitute a violation of the Florida Insurance Code. In the event of a violation, in addition to the consequences outlined below, the FHCF may will notify the Office of Insurance Regulation of the violation. The Office of Insurance Regulation may take whatever action it deems appropriate in addressing the violation.

(a) through (b) No change.

(c) Consequences for Failure to meet the Advance Audit Preparation Record Requirements or the On-Site Audit Record Requirements in a timely manner: In addition to other penalties and/or consequences, the FHCF has the authority, pursuant to Section 215.555(4)(f), F.S., to require that the Insurer pay for the following services under the circumstances outlined below:

- 1. through 3. No change.
- (10) No change.

Specific Authority 215.555(3) FS. Law Implemented 215.555 FS. History--New 5-13-03, Amended _____.

DEPARTMENT OF CORRECTIONS

RULE TITLE: RULE NO.:

Rules of Conduct 33-208.002

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to correct staff titles and clarify circumstances when employees are required to report incidents to their supervisors.

SUMMARY: The proposed rule corrects staff titles and describes circumstances when employees are required to report incidents to their supervisors.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 20.315, 944.09 FS.

LAW IMPLEMENTED: 944.09, 944.14, 944.35, 944.36, 944.37, 944.38, 944.39, 944.47 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-208.002 Rules of Conduct.

The Department of Corrections requires all employees to familiarize themselves with all rules and regulations pertaining to their positions and duties, and that employees abide by these rules and regulations. The following rules of conduct and performance standards are applicable both on and off the job to all Department of Corrections employees. Some of these rules of conduct are found again in abbreviated form in the next section titled "Range of Disciplinary Actions," however, all rules of conduct are enforceable by appropriate disciplinary action regardless of whether they are listed in the range of disciplinary actions.

(1) Each warden, Officer-in-Charge, and circuit administrator, or District Supervisor, as well as designated Central Office Staff, shall be responsible for insuring that each employee under his supervision, before assuming the duties of his employment, is familiar with all rules and regulations of the Department and institution which pertain to such employee and to the protection, custody, control, care and treatment of persons under his supervision or control. Each employee shall keep himself completely familiar and comply with all such rules and regulations during his employment. Copies of the rules and regulations shall be made available for inspection by employees.

~~(2) Each employee shall make an immediate report to the Secretary, warden, or Officer in Charge of any violation of the law or the rules and regulations of the Department of which he has knowledge. Such employee's report may be required in writing at the discretion of the receiving official.~~

~~(2)(a)(3)~~ Each employee shall make a full written report within 3 calendar days of any:

- 1. Ceriminal charge filed against him or
- 2. Arrest any or receipt of a Notice to Appear for any violation of any criminal law involving a misdemeanor or felony or ordinance except minor ~~traffic~~ violations for which the fine or bond forfeiture is \$200 or less.
- 3. Knowledge of any violation of the law, rules, directives or procedures of the Department.

~~(b) In field locations~~ This report shall be submitted to the warden, regional director, or circuit administrator ~~or officer in charge~~; in central office this report shall be submitted to the employee's bureau chief or director.

(4) through (5) renumbered (3) through (4) No change.

~~(5)(6)~~ No employee shall solicit, trade, barter, or accept a gift or any compensation from or present a gift to, an inmate, an inmate's family, a person under supervision of the department, his family, or any other person in behalf of an inmate or person under supervision, except as authorized by the warden, officer-in-charge or circuit administrator or district supervisor.

(7) through (9) renumbered (6) through (8) No change.

~~(9)(10)~~ No employee shall report for duty or exercise supervision or control over any person while under the influence of a narcotic, barbiturate, hallucinogenic drug, central nervous system stimulant or an intoxicant. However, in the event any of the foregoing drugs is prescribed and administered to an employee, the employee shall report this to the circuit administrator, supervisor or Officer-in-Charge or District Supervisor and provide him or her with a prescription receipt detailing the type of medication, dosage, and possible side effects. The circuit administrator, supervisor or officer-in-charge or district supervisor shall then make a determination whether the employee can perform his duties without detrimental effect. No employee shall refuse to submit to a scientific test to measure his alcohol blood level when

reporting for duty or while on duty if the circuit administrator, supervisor or Officer-in-Charge or District Supervisor has reason to believe that the employee is under the influence of alcohol.

(11) through (27) renumbered (10) through (26) No change.

Specific Authority 20.315, 944.09 FS. Law Implemented 944.09, 944.14, 944.35, 944.36, 944.37, 944.38, 944.39, 944.47 FS. History—New 10-8-76, Amended 10-11-77, 4-19-79, 6-18-83, Formerly 33-4.02, Amended 8-15-89, 10-20-90, 1-31-91, 3-20-91, 1-30-96, 3-24-97, 4-19-98, Formerly 33-4.002, Amended 7-17-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Ralph Kiessig

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: James V. Crosby, Jr.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 23, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 26, 2003

DEPARTMENT OF CORRECTIONS

| RULE TITLES: | RULE NOS.: |
|--|------------|
| State Classification Office and Institutional Classification Teams | 33-601.209 |
| Elderly Offender Housing | 33-601.217 |
| Youthful Offenders – Definitions | 33-601.220 |
| Maximum Management | 33-601.820 |

PURPOSE AND EFFECT: The purpose and effect of the proposed rules is to modify the definition of “institutional classification team” to clarify the intent of the rules, i.e., that security interests be represented in team decisions. The proposed rules replace the requirement that a specific individual be on the team with the requirement that a high-ranking member of security staff be a part of the team.

SUMMARY: The proposed rules modify the definition of “institutional classification team” to clarify the intent of the rules, i.e., that security interests be represented in team decisions. The proposed rules replace the requirement that a specific individual be on the team with the requirement that a high-ranking member of security staff be a part of the team.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULES IS:

33-601.209 State Classification Office and Institutional Classification Teams.

(1) No change.

(2) The State Classification Office shall be composed of a chairperson, a vice-chairperson and other members as designated by the Chief of Classification and Central Records.

~~(a)~~ The State Classification Office (SCO) refers to a staff member at the central office level who is responsible for the review of inmate classification decisions. Duties include approving or rejecting Institutional Classification team (ICT) recommendations.

(3) The Institutional Classification Team refers to the team consisting of the warden or assistant warden, classification supervisor, a correctional officer chief, and other members as necessary when appointed by the warden or designated by rule. The ICT is responsible for making work, program, housing and inmate status decisions at a facility and for making other recommendations to the State Classification Office (SCO) local classification decisions as defined in rule and procedure. The Institutional Classification Team shall be comprised of the following members:

~~(a) Warden or assistant warden who shall serve as chairperson.~~

~~(b) Classification supervisor.~~

~~(c) Chief of Security.~~

~~(d) Other members as necessary when appointed by the warden or designated by rule.~~

Specific Authority 944.09 FS. Law Implemented 944.09, 944.17, 944.1905, 958.11 FS. History—New 9-19-00, Amended _____.

33-601.217 Elderly Offender Housing.

(1) Definitions.

(a) Institutional Classification Team (ICT) – refers to the team consisting of the warden or assistant warden, classification supervisor, a correctional officer and chief, and other members as necessary when appointed by the warden or designated by rule. The ICT is of security, responsible for making work, program, housing and inmate status decisions at a facility and for making other recommendations to the State Classification office (SCO).

(b) through (2) No change.

Specific Authority 944.09, 944.804 FS. Law Implemented 944.09, 944.804 FS. History—New 9-15-02, Amended _____.

33-601.220 Youthful Offenders – Definitions.

(1) through (6) No change.

(7) Institutional Classification Team (ICT) – refers to the team consisting of the warden or assistant warden, classification supervisor, a correctional officer and chief, and other members as necessary when appointed by the warden or designated by rule. The ICT of security which is responsible for making work, program, housing and inmate status decisions at a facility and for making other recommendations to the State Classification Office (SCO).

(8) through (9) No change.

Specific Authority 944.09, 958.11 FS. Law Implemented 944.09, 958.11 FS. History–New 3-13-01, Formerly 33-506.100, Amended 2-19-03, _____.

33-601.820 Maximum Management.

(1) No change.

(2) Definitions.

(a) No change.

(b) Institutional Classification Team (ICT) for Maximum Management Review – refers to the team consisting responsible for making local classification decisions. The Institutional Classification Team shall be comprised of the warden or aAssistant wWarden, who shall serve as Chairperson, cClassification sSupervisor, a correctional officer cChief of Security, and other members as necessary when appointed by the warden or designated by rule. The ICT is responsible for making work, program, housing and inmate status decisions at a facility and for making other recommendations to the State Classification Office (SCO).

(c) through (11) No change.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History–New 12-7-00, Amended 11-23-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Rathmann

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: James V. Crosby, Jr.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 21, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 26, 2003

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Auctioneers

RULES TITLES:

Application Fees

Examination Fees

RULES NOS.:

61G2-3.002

61G2-3.003

PURPOSE AND EFFECT: The Board proposes to add language to the rule to address an application fingerprinting processing fee; also the Board proposes to amend the rule to adjust the examination fees.

SUMMARY: The rules will be amended to address application fingerprinting processing fees and to adjust the examination fees.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 468.385, 468.386(1), 468.387, 943.053 FS.

LAW IMPLEMENTED: 455.2171, 468.385, 468.385(4), 468.387, 943.053 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Julie Malone, Executive Director, Board of Auctioneers, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULES IS:

61G2-3.002 Application Fees.

The application fee for those applying for an auctioneer license through examination is \$50; for an auctioneer license by endorsement or reciprocity \$75; for an apprentice license \$50; and for an auction business license \$50. Additionally, each application shall be accompanied by a \$47 fingerprint processing fee.

Specific Authority 468.386(1), 943.053 FS. Law Implemented 468.385, 468.387, 943.053 FS., as amended by s. 7, Ch. 87-210, Laws of Florida. History–New 5-4-87, Amended 10-19-87, Formerly 21BB-3.002, Amended _____.

61G2-3.003 Examination Fees.

(1) When the examination is not conducted by a professional testing service pursuant to Section 455.2171, Florida Statutes, \$250.00 payable to the Department. When the examination is conducted by a professional testing service pursuant to Section 455.2171, Florida Statutes, \$241.00 ~~237.00~~ payable to the Department plus \$9.00 ~~13.00~~ payable to the testing service.

(2) When the re-examination is not conducted by a professional testing service pursuant to Section 455.2171, Florida Statutes, \$250.00 payable to the Department. When the re-examination is conducted by a professional testing service

pursuant to Section 455.2171, Florida Statutes, ~~\$241.00~~ ~~237.00~~ payable to the Department plus \$9.00 ~~43.00~~ payable to the testing service.

Specific Authority 468.386(1) FS. Law Implemented 455.2171, 468.385(4) FS. History—New 5-4-87, Amended 9-13-88, Formerly 21BB-3.003, Amended 5-3-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Auctioneers
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Auctioneers
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 12, 2003
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 26, 2003

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Qualification for Certification
PURPOSE AND EFFECT: The proposed rule amendment sets forth the qualification for certification of contractors.

SUMMARY: The proposed rule intends clarifies the guidelines for verification of active experience in the applicant’s specific category.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 489.111 FS.

LAW IMPLEMENTED: 489.111 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Timothy Vaccaro, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-15.001 Qualification for Certification.

(1)(a) An applicant for certification must, as a precondition thereto, submit proof that he meets the eligibility requirements set forth in Section 489.111(2)(c), F.S., for the particular category in which he seeks to qualify. An applicant who seeks to meet the educational standard set forth in Section 489.111(2)(c)1., 2., or 3., F.S., must direct the college, university, junior college, or community college which he attended to submit proof to the Department that the applicant

received the requisite amount of education. Active experience in the category in which the applicant seeks to qualify shall be verified by affidavits prepared or signed by a state certified Florida contractor, or an architect or engineer, in the applicant’s category, who is licensed in good standing or a licensed building official, who is active in the applicant’s category, employed by a political subdivision of any state, territory or possession of the United States who is responsible for inspections of construction improvements, listing chronologically the active experience in the trade, including the name and address of employers and dates of employment (which may be corroborated by investigation by the Board). Said affidavit shall be subscribed to in front of a notary.

(b) Applicants shall follow the guidelines set forth in this section when seeking to verify active experience in accordance with paragraph 61G4-15.001(1)(a), F.A.C.

If the applicant’s category is: The following licensees can verify the applicant’s active experience:

- | | |
|---|--|
| <u>1. General</u> | <u>General contractor</u> |
| <u>2. Building</u> | <u>General and/or Building contractor</u> |
| <u>3. Residential</u> | <u>General, Building and/or Residential contractor</u> |
| <u>4. Plumbing</u> | <u>General, Building, Residential, Plumbing and/or Underground Utility and Excavation contractor</u> |
| <u>5. Roofing</u> | <u>General, Building, Residential and/or Roofing contractor</u> |
| <u>6. Class A Air-Conditioning Contractor</u> | <u>General, Building, Residential, Class A air-conditioning contractor and/or Mechanical contractor</u> |
| <u>7. Class B Air-Conditioning Contractor</u> | <u>General, Building, Residential, Class A air-conditioning, Class B air-conditioning and/or Mechanical contractor</u> |
| <u>8. Commercial Pool/Spa Contractor</u> | <u>General, Building, Residential, Commercial Pool/Spa contractor</u> |
| <u>9. Residential Pool/Spa Contractor</u> | <u>General, Building, Residential, Commercial Pool/Spa and/or Residential Pool/Spa contractor</u> |
| <u>10. Swimming Pool/Spa Servicing</u> | <u>General, Building, Residential, Commercial Contractor Pool /Spa, Residential Pool/Spa and/or Swimming Pool/Spa Servicing contractor</u> |

- 11. Mechanical Contractor General, Building, Residential, Mechanical, Class A air-conditioning and/or Class B air-conditioning contractor
- 12. Sheet Metal Contractor General, Building, Residential, Sheet metal, Class A air-conditioning, Class B air-conditioning and/or Mechanical contractor
- 13. Specialty Structure Contractor General, Building, Residential and/or Specialty structure contractor
- 14. Solar Contractor General, Building, Residential, Solar, Commercial Pool/Spa and/or Residential Pool/Spa contractor
- 15. Underground Utility and Excavation General, Building, Residential, Contractor Underground utility and excavation, and/or Plumbing contractor
- 16. Residential Solar Water Heating General, Building, Residential, Residential Contractor Solar Water Heating, Plumbing, and /or Mechanical contractor
- 17. Gypsum Drywall Contractor General, Building, Residential and/or Gypsum Drywall contractor
- 18. Gas Line Specialty Contractor General, Building, Residential, Gas Line Specialty, Underground utility and/or Plumbing contractor
- 19. Glass and Glazing Specialty Contractor General, Building, Residential and/or Glass and Glazing contractor

(2)(a) In the case of applicants for certification in the general or building contractor categories, the phrases “active experience” and “proven experience” as used in Section 489.111(2)(c)1., 2., or 3., F.S., shall be defined to mean construction experience in four or more of the following areas:

- 1. Foundation/Slabs in excess of twenty thousand (20,000) square feet.
- 2. through 3. No change.
- 4. Elevated slabs ~~Trusses.~~
- 5. Precast concrete structures ~~Structural wood framing~~ (excluding platform framing).
- 6. through 7. No change.
- (b) No change.
- (3) through (5) No change.

Specific Authority 489.111 FS. Law Implemented 489.111 FS. History--New 1-6-80, Amended 12-16-80, 6-30-82, 4-11-83, Formerly 21E-15.01, Amended 12-11-90, 8-21-91, 4-16-92, Formerly 21E-15.001, Amended 7-18-94, 12-16-01, 2-6-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Construction Industry Licensing Board
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 16, 2004
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 5, 2003

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Requirements for Certification and Registration RULE NO.: 61G4-15.005

PURPOSE AND EFFECT: The proposed rule amendment sets forth revisions to the net worth amounts.

SUMMARY: The proposed rule amendment increases the net worth amounts required for certification and registration of contractors.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 489.115(5),(6), 489.129(1), 489.132(5) FS.

LAW IMPLEMENTED: 489.113(1), 489.115(5),(6), 489.129(1), 489.132(5) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Timothy Vaccaro, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-1039

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-15.005 Requirements for Certification and Registration.

In order that the Board may carry out its statutory duty to investigate the financial responsibility, credit, and business reputation of a new applicant for certification or registration or a change of status of a certification or registration, an applicant shall be required to forward the following to the Department for a review by the Board:

- (1) through (2) No change.

(3) As a prerequisite to issuance of a certificate, an applicant shall, in addition to the submissions required in subsections (1) and (2) above, submit competent, substantial evidence to the Florida Construction Industry Licensing Board demonstrating the following:

(a) Net worth as listed below for the following categories of contractors:

- 1. General Contractor, ~~\$80,000~~ \$20,000;
 - 2. Building Contractor, ~~\$40,000~~ \$20,000;
 - 3. Residential Contractor, \$20,000;
 - 4. Sheet Metal Contractor, ~~\$20,000~~ \$10,000;
 - 5. Roofing Contractor, ~~\$20,000~~ \$10,000;
 - 6. Class A Air Conditioning Contractor, ~~\$20,000~~ \$10,000;
 - 7. Class B Air Conditioning Contractor, ~~\$20,000~~ \$10,000;
 - 8. Class C Air Conditioning Contractor, ~~\$20,000~~ \$10,000;
 - 9. Mechanical Contractor, ~~\$20,000~~ \$10,000;
 - 10. Commercial Pool/Spa Contractor, ~~\$20,000~~ \$10,000;
 - 11. Residential Pool/Spa Contractor, ~~\$20,000~~ \$10,000;
 - 12. Swimming Pool/Spa Servicing Contractor, ~~\$10,000~~ \$2,500;
 - 13. Plumbing Contractor, ~~\$20,000~~ \$10,000;
 - 14. Underground Utility and Excavation Contractor, ~~\$20,000~~ \$10,000;
 - 15. Solar Contractor, ~~\$20,000~~ \$10,000;
 - 16. Residential Solar Water Heating Specialty Contractor, ~~\$5,000~~ \$2,500;
 - 17. Specialty Structure Contractor, ~~\$20,000~~ \$10,000;
 - 18. Pollutant Storage System Specialty Contractor, ~~\$20,000~~ \$10,000;
 - 19. Gypsum Drywall Specialty Contractor, ~~\$5,000~~ \$2,500;
 - 20. Gas Line Specialty Contractor, ~~\$20,000~~ \$10,000; or
- (b) through (d) No change.
 (4) No change.

Specific Authority 489.115(5),(6), 489.129(1), 489.132(5) FS. Law Implemented 489.113(1), 489.115(5),(6), 489.129(1), 489.132(5) FS. History—New 1-10-80, Amended 4-15-82, 9-5-82, 3-21-83, Formerly 21E-15.05, Amended 4-18-86, 1-19-87, 7-1-87, 1-26-88, 1-1-89, 5-23-89, 6-5-90, 4-16-92, Formerly 21E-15.005, Amended 10-17-93, 7-18-94, 7-19-95, 4-24-96, 9-8-96, 10-31-96, 2-4-97, 8-2-98, 9-15-98, 4-5-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Construction Industry Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 16, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 31, 2003

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE TITLE: Original Cosmetologist Licensure Fee, Cosmetologist Examination and Endorsement Fees, Initial Specialist Registration; Application and Endorsement Fees 61G5-24.002

RULE NO.:

PURPOSE AND EFFECT: The proposed rule amendment is intended to modify the examination fees.

SUMMARY: The proposed rule amendment sets forth the fees for cosmetologists and specialists for licensure, examination, registration, application and endorsement.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 455.2171, 477.016, 477.026 FS. LAW IMPLEMENTED: 455.2171, 477.026(1)(b) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Julie Malone, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G5-24.002 Original Cosmetologist Licensure Fee, Cosmetologist Examination and Endorsement Fees, Initial Specialist Registration; Application and Endorsement Fees.

(1) The following fees are adopted by the Board:

- (a) No change.
- (b) The examination fee for licensure as a cosmetologist by examination shall be fifty dollars (\$50.00). When the examination is not conducted by a professional testing service pursuant to Section 455.2171, Florida Statutes, the entire examination fee shall be payable to the Department. When the examination is conducted by a professional testing service pursuant to Section 455.2171, Florida Statutes, twenty-three dollars (\$23.00) ~~eleven dollars (\$11.00)~~ of the examination fee shall be payable to the Department; and twenty-seven dollars (\$27.00) ~~thirty-nine dollars (\$39.00)~~ shall be payable to the professional testing service.
- (c) through (f) No change.

(2) No change.

Specific Authority 455.2171, 477.016, 477.026 FS. Law Implemented 455.2171, 477.026(1)(b) FS. History—New 11-2-80, Amended 5-18-82, 10-1-85, Formerly 21F-24.02, Amended 9-6-87, Formerly 21F-24.002, Amended 4-13-99.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Cosmetology
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Cosmetology
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 11, 2004
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 7, 2003

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE TITLE: Citations
RULE NO.: 61G5-30.004

PURPOSE AND EFFECT: The proposed rule amendment is intended to modify penalty fees and update language.

SUMMARY: The proposed rule amendment sets forth citation violations and the penalties applicable to such violations.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 455.224, 477.016 FS.

LAW IMPLEMENTED: 455.224, 477.106 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Julie Malone, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G5-30.004 Citations.

(1) through (5) No change.

(6) The Board hereby designates the following as citation violations, which shall result in a penalty of one hundred and fifty dollars (\$150.00) ~~two hundred and fifty dollars (\$250.00)~~:

(a) Practicing cosmetology or a specialty with an inactive or expired license for more than two months but not more than three months ~~Operating a salon without a wet sanitizer as required by Rule 61G5-20.002(2)(d), F.A.C.;~~

(b) Operating a salon with a delinquent license for more than two months but not more than three months ~~Three or more violations of the safety, sanitary, or other salon requirements specified in Rule 61G5-20.002, F.A.C.;~~

(c) Employing a person to practice cosmetology or a specialty with an inactive or expired license for more than two months but not more than three months;

(d) No change.

(7) The Board hereby designates the following as citation violations, which shall result in a penalty of two hundred dollars (\$200.00) ~~three hundred dollars (\$300.00)~~:

(a) Practicing cosmetology or a specialty with an inactive or expired license for more than three months but not more than four months without a license;

(b) Operating a salon with a delinquent license for more than three months but not more than four months without a license;

(c) Employing a person to practice cosmetology or a specialty with an inactive or expired license for more than three months but not more than four months without a license;

(d) No change.

(8) The Board hereby designates the following as citation violations, which shall result in a penalty of two hundred and fifty dollars (\$250.00):

(a) Operating a salon without a wet sanitizer as required by paragraph 61G5-20.002(2)(d), F.A.C.;

(b) Three or more violations of the safety, sanitary, or other salon requirements specified in Rule 61G5-20.002, F.A.C.;

(c) Practicing cosmetology or a specialty with an inactive or expired license for more than four months but not more than five months;

(d) Operating a salon with a delinquent license for more than four months but not more than five months;

(e) Employing a person to practice cosmetology or a specialty with an inactive or expired license for more than four months but not more than five months;

(9) The Board here by designates the following as citation violations, which shall result in a penalty of three hundred dollars (\$300.00):

(a) Practicing cosmetology or a specialty with an inactive or expired license for more than five months but not more than six months;

(b) Operating a salon with a delinquent license for more than five months but not more than six months;

(c) Employing a person to practice cosmetology or a specialty with an inactive or expired license for more than five months but not more than six months;

(d) Five or more violations of the safety, sanitary, or other salon requirements specified in Rule 61G5-20.002, F.A.C.

(10) The Board here by designates the following as citation violations, which shall result in a penalty of three hundred and fifty dollars (\$350.00):

(a) Practicing cosmetology or a specialty with an inactive or expired license for more than six months but not more than seven months;

(b) Operating a salon with a delinquent license for more than six months but not more than seven months;

(c) Employing a person to practice cosmetology or a specialty with an inactive or expired license for more than six months but not more than seven months;

(11) The Board here by designates the following as citation violations, which shall result in a penalty of four hundred dollars (\$400.00):

(a) Practicing cosmetology or a specialty with an inactive or expired license for more than seven months but not more than eight months;

(b) Operating a salon with a delinquent license for more than seven months but not more than eight months;

(c) Employing a person to practice cosmetology or a specialty with an inactive or expired license for more than seven months but not more than eight months;

(12) The Board here by designates the following as citation violations, which shall result in a penalty of four hundred and fifty dollars (\$450.00):

(a) Practicing cosmetology or a specialty with an inactive or expired license for more than eight months but not more than nine months;

(b) Operating a salon with a delinquent license for more than eight months but not more than nine months;

(c) Employing a person to practice cosmetology or a specialty with an inactive or expired license for more than eight months but not more than nine months;

(13) The Board hereby designates the following as citation violations, which shall result in a penalty of five hundred dollars (\$500.00):

(a) Practicing cosmetology or a specialty without a license;

(b) Operating a salon without a license;

(c) Employing a person to practice cosmetology or a specialty without a license;

(d) Practicing cosmetology or a specialty with an inactive or expired license for more than nine months but not more than twelve months;

(e) Operating a salon with a delinquent license for more than nine months but not more than twelve months;

(f) Employing a person to practice cosmetology or a specialty with an inactive or expired license for more than nine months but not more than twelve months.

Specific Authority 455.224, 477.016 FS. Law Implemented 455.224, 477.016 FS. History—New 11-17-91, Amended 4-15-93, Formerly 21F-30.004, Amended 8-8-95, 2-28-96, 10-1-97, 5-10-01,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Cosmetology

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Cosmetology

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 11, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 19, 2003

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Funeral Directors and Embalmers

RULE TITLE: RULE NO.:

Minor Violations. Notice of Noncompliance 61G8-30.0021

PURPOSE AND EFFECT: The Board proposes to provide an alternative to the provisions of Section 455.225(1), F.S.

SUMMARY: The proposed rule amendment sets forth the criteria for minor violations that do not endanger the public health.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 455.225(3) FS.

LAW IMPLEMENTED: 455.225(3) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juanita Chastain, Executive Director, Board of Funeral Directors and Embalmers, Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G8-30.0021 Minor Violations. Notice of Noncompliance.

(1) As an alternative to the provisions of 455.225(1) and (2), Florida Statutes, the Department may provide a licensee with a notice of non-compliance for ~~an initial offense of~~ a minor violation.

(2) Minor violations that do not endanger the public health, safety and welfare, and which do not demonstrate a serious inability to practice the profession are:

(a) First time failure to notify ~~Notification~~ that a funeral establishment has moved to a new location, provided such notification does not exceed thirty days since the date of moving.

(b) First time failure to notify ~~Notification~~ that ownership of a funeral establishment has changed or otherwise transferred, provided such notification does not exceed thirty days since the date of change.

(c) First time failure to notify ~~Notification~~ that major alterations or modifications are made in the physical structure of a funeral establishment, provided such notification does not exceed thirty days since the date of change.

(d) No change.

(e) First time failure to display ~~Not displaying~~ casket prices where caskets are located, provided this minor violation is corrected within fifteen (15) days of notification by the Department.

(f) through (h) No change.

(i) Violations discovered during pre-need audits resulting in fines of \$1500.00 or less.

(3) This designation of violations as minor for the purposes of Section 455.225(3), F.S., is limited to initial violations which are corrected within 15 days of the Department's issuance of a notice on non-compliance. A violation which continues past that period shall no longer be deemed a minor violation and shall be forwarded to the Department for appropriate action. Violations of this section, except as provided herein, shall be handled in accordance with standard disciplinary guidelines. Nothing provided in this section shall restrict the Board from seeking full prosecution in such instances where aggravating circumstances (as set forth in subsection 61G8-30.001(6), F.A.C.) are present which would preclude a minor violation dismissal.

Specific Authority 455.225(3) FS. Law Implemented 455.225(3) FS. History--New 1-8-95, Amended 9-10-96, 10-13-97, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Funeral Directors and Embalmers
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Funeral Directors and Embalmers
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 3, 2003
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 26, 2003

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

RULE CHAPTER TITLE: RULE CHAPTER NO.:
General Rules for Boxing 61K1-1
RULE TITLES: RULE NOS.:
Purpose, Applicability and Scope of Rules 61K1-1.001
Definitions 61K1-1.002
Commission, Commission Employees,
Duties and Responsibilities;
Deputy Commissioners 61K1-1.0023

| | |
|--|-------------|
| Medical Advisory Council | 61K1-1.0024 |
| Executive Director, Duties and Responsibilities | 61K1-1.0025 |
| Deputy Commissioners, Duties and Responsibilities | 61K1-1.0026 |
| Commission Representatives, Duties and Responsibilities | 61K1-1.0027 |
| Chief Inspector, Inspectors, Duties and Responsibilities | 61K1-1.0028 |
| Licenses, Permits; Requirement, Procedure and Period, Fee | 61K1-1.003 |
| Insurance | 61K1-1.0035 |
| Weight Classes; Weigh-In; Pre-Match Physical of Participant and Referee | 61K1-1.004 |
| Drugs and Foreign Substances; Penalties Promoter and Matchmaker; Licensing and Bond; Duties and Conduct | 61K1-1.005 |
| Concessionaire; License; Bond | 61K1-1.0055 |
| Arena Equipment; Ring Requirements; Floor Plan and Apron Seating; Emergency Medical and Other Equipment | 61K1-1.006 |
| Participants' Apparel and Appearance | 61K1-1.007 |
| Bandages and Handwraps | 61K1-1.008 |
| Gloves and Mouthpieces | 61K1-1.009 |
| Physician; License and Duties; Authority Manager; License; Contract Between Manager and Participant | 61K1-1.011 |
| Participant; License; Conduct and Other Requirements | 61K1-1.012 |
| Judge; License and Duties | 61K1-1.013 |
| Announcer; License and Duties | 61K1-1.016 |
| Timekeeper or Knockdown Timekeeper; License and Duties | 61K1-1.017 |
| Second; License and Duties | 61K1-1.018 |
| Referee; License and Duties | 61K1-1.019 |
| Trainer; License and Conduct | 61K1-1.023 |
| Booking Agent, Representative of Booking Agent; License | 61K1-1.024 |
| Rounds | 61K1-1.030 |
| Scoring System; Scoring, Criteria; Knockdowns, Fouls; Determination of Win or Draw; Decision Final, Exceptions | 61K1-1.035 |
| Post-Match Physical Requirements; Suspensions | 61K1-1.037 |
| Post-Match Reports Required to be Filed; Penalty for Late Filing | 61K1-1.040 |
| Closed Circuit Telecasts; Requirements; Penalty for Late Filing | 61K1-1.042 |
| Method of Payment | 61K1-1.050 |
| Administrative Complaints | 61K1-1.070 |
| Forms | 61K1-1.080 |
| PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendments is to conform Boxing rule language to certain statutory revisions made in Legislative Session 2002; to establish the regulations, standards, and safety procedures for professional mixed martial art matches; to incorporate rules | |

for kickboxing within the boxing and mixed martial arts rules in order to streamline the rules for all three disciplines; to update definitions, terms, and requirements to conform with their respective disciplines; to add additional clarification to the requirements, processes, and procedures for licensure and permitting; to provide for additional health and financial protection of licensees; to allow flexibility in license suspension, license revocation, and assessment of fines; to clarify distinction between kickboxing and mixed martial arts; to establish licensure requirement for concessionaires; to add additional clarification of the duties and responsibilities and safety standards to the roles and required conduct of licensees, the executive director, commission representatives, district coordinators, other employees of the commission, and the commissioners; to allow for additional neurological and medical tests that may be made available with future technology; to allow the ingestion of commission approved sports drinks; to ensure consistency and conformity with the rules and the commission's forms; to provide for DBPR form numbers; and, to technically amend the rules for additional clarity, efficiency, and statutory conformity.

SUMMARY: The rule amendments address and update the requirements, safety standards, practices, and procedures for the regulation of mixed martial arts, kickboxing, and boxing, pursuant to Chapter 548, F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person wishing to provide information regarding the statement of estimated costs or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 548.003(2) FS.

LAW IMPLEMENTED: 548 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Jason Penley, Assistant Executive Director, The Florida State Boxing Commission, 725 S. Bronough Street, Room 206, Tallahassee, Florida 32399, (850)488-8500

THE FULL TEXT OF THE PROPOSED RULES IS:

GENERAL RULES FOR BOXING, KICKBOXING AND MIXED MARTIAL ARTS

61K1-1.001 Purpose, Applicability and Scope of Rules.

(1) These rules implement the provisions of Chapter 548, F.S., and establish the regulations and standards set forth by the Florida State Boxing Commission ~~State Athletic Commission~~ relative to the ~~conduct of~~ professional boxing, kickboxing, and mixed martial arts. The rules contained herein

apply to all professional boxing, kickboxing, and mixed martial arts matches held in Florida or shown on a closed circuit telecast viewed in Florida.

(2) Chapter 548, F.S., and these rules do not apply to any:

(a) Match in which the participants are amateurs;

(b) Match conducted or sponsored by a university, college, or secondary school if all the participants are students regularly enrolled in the institution;

(c) Match conducted or sponsored solely by a nationally chartered veterans' organization registered with the state;

(d) Match conducted or sponsored solely by any company or detachment of the Florida National Guard; or

(e) Official Olympic event.

(3) All forms referenced in these rules may be obtained by contacting, and shall be filed with, Executive Director, Florida State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-1016.

Specific Authority 548.003, 548.006 FS. Law Implemented 548.004, 548.006, 548.007, 548.061 FS. History—New 2-7-85, Formerly 7F-1.01, Amended 4-6-89, 1-1-90, Formerly 7F-1.001, Amended 9-10-95, 4-3-00, _____.

61K1-1.002 Definitions.

The definitions contained in Section ~~s~~ 548.002, F.S., apply equally herein unless expressly indicated otherwise. As used in this Chapter the term:

(1) "Broadcast" means any audio or visual image sent by radio or television signals.

(2) "Closed Circuit Telecast" means any telecast which is not intended to be available for viewing without the payment of a fee, collected for or based upon each event viewed, for the privilege of viewing the telecast and includes the term "pay per view." Examples of locations where a closed circuit telecast could occur include arenas, bars, clubs, entertainment or meeting centers and private residences.

(3) "Contact Exhibition" means any exhibition in which the participants intend, are allowed or are expected to hit, punch, or contact each other in any way.

~~(4) "Council" means the Medical Advisory Council.~~

~~(4)(5)~~ "Counted Out" means that a participant has been knocked down and the referee and knockdown timekeeper have performed the appropriate count as set forth in these rules, and the completion of such count signifies that the participant has been knocked out.

~~(5)(6)~~ "Face Value" means the dollar value of a ticket which value shall reflect the dollar amount that the customer is required to pay or, for complimentary tickets, would have been required to pay to purchase a ticket with equivalent seating priority, in order to view the match or program of matches. It shall include any charges or fees, such as dinner, gratuity, parking, surcharges or any other charges or fees which must be incurred in order to be allowed to view the match. However, if

the ticket specifies the amount of admission charges attributable to state or federal taxes, such taxes shall not be included in face value.

~~(6)(7)~~ “Fight Card” means a program of matches.

~~(7)(8)~~ “Gross Receipts” means the gross price charged for the sale or lease of broadcasting, television and motion picture rights without any deductions for commissions, brokerage fees, distribution fees, advertising, or other expenses or charges; the portion of the receipts from the sale of souvenirs, programs and other concessions received by the promoter or concessionaire; and the face value of all tickets sold and complimentary tickets issued.

(9) “Kickboxing” means to compete with the fists, feet, legs, or any combination thereof. Offensive full-contact professional karate punching, kicking, and striking techniques, with the exception of those techniques identified herein as fouls, are appropriate. ~~“He” or “His” shall also mean she or her.~~

(10) “Main Event” means the principal match or matches within a program of matches.

(11) “Mixed Martial Arts” means unarmed combat that includes, but is not limited to, a combination of skills such as wrestling, grappling, kickboxing, boxing and other martial arts. Variations of kickboxing that include strikes using forearms or knees are included in this definition for permitting purposes only and shall be referenced using their known titles such as, but not limited to, Muay Thai or Thai Boxing.

~~(12)(11)~~ “Person” shall mean an individual, group of individuals, business, corporation, partnership or any other individual or collective entity.

~~(13)(12)~~ “Physician” means an individual licensed under Chapter 458 or 459, F.S., to practice medicine and surgery in Florida and who has been licensed to provide medical services to participants and other persons under the jurisdiction of the commission before, during, and after matches pursuant to Chapter 548, F.S.

~~(14)(13)~~ “Program of Matches” means, collectively, all of the matches that are scheduled or proposed to be scheduled under the same permit.

~~(15)(14)~~ “Cable System Operator” means any person who broadcasts or telecasts a closed circuit telecast regardless of the technology used to transmit or receive the broadcast or telecast.

~~(16)(15)~~ “Employee of the Commission” means the executive director, the commission’s legal counsel, and, to the extent that they are assigned to work for the commission, any full time or part time salaried employee of the Department of Business and Professional Regulation, and all OPS employees of the Department of Business and Professional Regulation, except those OPS employees determined to be independent contractors and who are not involved in making policy decisions for the commission. This definition is only for the purposes of implementing Chapter 548, Florida Statutes F.S.,

Rule Chapter 61K1, Florida Administrative Code, and Pub. L. 104-272, October 9, 1996, as set forth in Title 15, Section 6301-6313, USCA, and does not confer employee status for any other purpose.

~~(17)(16)~~ “Boxing Registry” means any central repository or collection of match records person who maintains the fight by fight records of any boxer or kickboxer that is subsequently approved by the commission.

Specific Authority 548.003 FS. Law Implemented 548.002, 548.006, 548.013, 548.017, 548.021, 548.045, 548.046, 548.057, 548.06, 548.061 FS. History–New 2-7-85, Formerly 7F-1.02, Amended 4-6-89, Formerly 7F-1.002, Amended 9-10-95, 11-20-95, 4-3-00.

61K1-1.0023 Commission, Commission Employees, Duties and Responsibilities; Deputy Commissioners.

(1) A meeting of the commission shall be convened, after the executive director gives notice as required by Chapters 120 and 286, F.S., upon the call of the chairman or at least three members of the commission. The location of the meeting shall be determined by a majority of the commission. Under no circumstances shall a meeting of the commission occur unless notice has been made as required in Chapters 120 and 286, F.S.

(2) At the first meeting after June 1 of each year, the commission shall elect a chairman and vice-chairman from among its membership.

(3) No member or employee of the commission shall be a member of, belong to, contract with, or receive any compensation from; any person or entity who sanctions, arranges, or promotes, professional boxing or who otherwise has a financial interest in any active participant boxer currently registered with a boxing registry.

(4) No commissioner shall represent to another person or organization that the executive director he is acting for or representing the commission unless the executive director he has first obtained the authority of the commission to so act or represent.

(5) No member or employee of the commission shall supervise a boxing event in another state, except as authorized by Section 548.003(7), F.S.

Specific Authority 548.003 FS. Law Implemented 548.003, 548.004, 548.006, 548.011, 548.025, 548.035, 548.054, 548.056, 548.07, 548.071, 548.073 FS. History–New 4-6-89, Amended 8-28-89, Formerly 7F-1.0023, Amended 4-3-00.

61K1-1.0024 Medical Advisory Council.

A meeting of the council shall be convened, after the executive director gives notice as required by chapters 120 and 286, F.S., upon the call of the chairman of the commission, three members of the commission or the executive director to consider such matters as requested by the commission. The location of the meeting shall be determined by a majority of the council. Under no circumstances shall a meeting of the council occur unless notice has been made as required in chapters 120 and 286, F.S.

Specific Authority 548.003 FS. Law Implemented 548.046 FS. History—New 4-6-89, Formerly 7F-1.0024, Amended 4-3-00, ~~Repealed~~.

61K1-1.0025 Executive ~~Director Secretary~~, Duties and Responsibilities.

(1) The executive director shall:

(a) Maintain offices in the official headquarters of the commission located in Tallahassee, Florida;

(b) Perform all administrative functions to ensure that the commission operates and ~~conducts~~ ~~carries on~~ its business in a lawful manner;

(c) Be the custodian of ~~the~~ records ~~for~~ of the commission;

(d) Ensure that proper notice and recording is made of all meetings of the commission ~~and the council~~;

(e) Attend all meetings of the commission;

(f) Tentatively approve, issue, withhold or deny licenses and permits according to the provisions of Chapter 548, F.S., and the rules set forth herein;

(g) Be present at all matches and act as the commission representative in charge or, in ~~the executive director's~~ ~~his~~ absence, appoint ~~an assistant executive director or an employee of the commission~~ ~~another commission representative~~ to be the commission representative in charge;

(h) Ensure that all matches are conducted in accordance with the provisions of ~~C~~chapter 548, F.S., and the rules set forth herein. This shall include appointing or causing to be appointed licensed match officials, in accordance with the criteria established within these rules, and reviewing and approving or disapproving a match or fight card based on, ~~but not limited to, the prospective participant's~~ weights, abilities, records, ~~and~~ ~~or~~ physical condition of ~~the prospective participants~~. The executive director shall not approve a match where it is reasonable to ~~believe~~ ~~assume~~, based on weights, abilities, records, or physical condition of the prospective participants, that the match would not be competitive, would be physically unsafe for one or both participants, would be in conflict with the suspension requirements imposed by any other jurisdiction's boxing commission against one or both participants, except as provided for in Pub. L. 104-272, October 9, 1996, as set forth in Title 15, ~~s~~Section 6306(b), USCA, or would not be in the best interest of the sport or the welfare of the public;

(i) Issue or cause to be issued administrative complaints ~~and citations~~ as set forth herein; and

(j) Shall have the authority to affix ~~the executive director's~~ ~~his~~ signature to documents which attest to or represent official commission action.

(2) The executive ~~director secretary~~ or any other employee of the commission shall not have any financial or pecuniary interest in any person under the jurisdiction of the commission.

(3) The executive ~~director secretary~~ shall be responsible for notifying the commission of any violation which would be grounds for suspension or revocation of any person's license,

of violations that could cause the cancellation of a match or any matter which could reasonably be anticipated to negatively affect the health of a participant, the safety ~~and~~ ~~or~~ welfare of the public or result in legal action being taken against the commission.

(4) The executive ~~director secretary~~ and employees, and ~~commission~~ representatives of ~~the commission~~, while acting in their official capacity, shall be reimbursed for travel, food, and lodging expenses as provided for in ~~Section~~ ~~s~~. 112.061, F.S.

Specific Authority 548.003 FS. Law Implemented 548.004, 548.006, 548.011, 548.056, FS. History—New 4-6-89, Amended 1-1-90, Formerly 7F-1.0025, Amended 9-10-95, 4-3-00, ~~Repealed~~.

61K1-1.0026 Deputy Commissioners, Duties and Responsibilities.

(1) ~~A deputy commissioner shall be appointed by the commission for the purpose of assisting the commission or the executive secretary to carry out and enforce the provisions of chapter 548, F.S., and these rules. The executive secretary shall, whenever necessary, make temporary or emergency appointments of deputy commissioners for the same purposes as stated above, provided however, that such temporary or emergency appointments shall be valid for only such time period as necessary to carry out the temporary or emergency duties.~~

(2) ~~The term of a deputy commissioner shall be from the date of appointment until December 31 of the year in which the appointment was effective or the first regular meeting of the commission after December 31, whichever is later, unless otherwise provided by the commission.~~

(3) ~~The compensation of a deputy commissioner shall be the same as that of a commissioner, provided however that the commission shall be required to pre approve the expenditure of funds for attendance of a deputy commissioner at a commission meeting.~~

(4) ~~No deputy commissioner shall have any direct or indirect financial or pecuniary interest in any person under the jurisdiction of the commission.~~

Specific Authority 548.003 FS. Law Implemented 548.004, 548.006, 548.056, 548.061, 548.071 FS. History—New 4-6-89, Amended 8-28-89, Formerly 7F-1.0026, Amended 9-10-95, ~~Repealed~~.

61K1-1.0027 ~~District Coordinators~~ ~~Commission~~ Representatives, Duties and Responsibilities.

(1) A commission representative ~~shall be~~ appointed by ~~the commission~~ or the executive director for the purpose of supervising or assisting in the supervision of a ~~weigh-in or match regulated under~~ ~~C~~chapter 548, F.S., and such other duties as described herein ~~shall be referred to as a district coordinator. The following process and criteria will be used to select commission representatives:~~

(a) Any person desiring to become a ~~district coordinator~~ ~~commission representative~~ must submit a State of Florida OPS employment application which may be obtained by writing to the Florida State Boxing Commission, 1940 North Monroe

Street, Tallahassee, Florida 32399-1016. Any person desiring to assist the commission by attending closed circuit telecasts and accumulating information for the commission to use in the collection of taxes, needs only to contact the commission by writing to the commission address set forth above.

~~(b) Commission representatives will be appointed to perform a variety of functions such as supervising at weigh ins and boxing events in the absence of the executive director, coordinate events at weigh ins and boxing events, travel to closed circuit venues and audit ticket sales for tax purposes and attend meetings when requested by the commission or executive director.~~

~~(c) Recognizing that commission representatives require expertise in a variety of disciplines, each will be appointed to serve in positions in accordance with the particular expertise each commission representative possesses:~~

~~1. Commission representatives desiring to work boxing events will be referred to as District Coordinators.~~

~~2. Commission representatives desiring to be assigned to a closed circuit venue for the purpose of auditing ticket sales for taxes will be referred to as Commission Representatives and must be familiar with their duties and responsibilities as provided on Form BPR 0009 482, entitled Report Of Ticket Sales By Commission Representative For A Closed Circuit Telecast, incorporated herein by reference and effective May, 1993, and a form entitled Instruction Sheet For Form BPR 0009 482, Commission Representative's Report For Closed Circuit Event. A commission representative appointed to represent the commission at a facility during the telecast of a closed circuit match or program of matches shall be responsible for the following:~~

~~a. Arriving at the facility prior to the opening of the gates so as to become familiar with the layout of the facility and determine how many employees of the facility are present;~~

~~b. Taking a position at a location from which the number of customers being admitted to the facility can be observed and counted;~~

~~c. Ensuring that no person is admitted to the facility to view the telecast unless a ticket stub is deposited in the ticket stub container or unless such person is an employee of the facility and is actively working during the telecast;~~

~~d. Observing the telecast or portions of the telecast and reporting the quality of the picture and sound;~~

~~e. Reporting the refunding of any tickets; and~~

~~f. Completing Form BPR 0009 482, entitled Report Of Ticket Sales By Commission Representative For A Closed Circuit Telecast with an effective date of May 1993, and submitting such report to the commission office within 24 hours after the conclusion of the telecast. A commission representative, while representing the commission at a closed circuit telecast, shall not require or request that the operator or owner of the facility allow the complimentary admittance of any other person.~~

(2) The District coordinators commission representative shall be responsible for immediately notifying the executive director of any violation of Chapter 548, F.S., or the rules set forth herein any person under the jurisdiction of the commission or of problems that, if unresolved, could cause the cancellation of a match or any matter which could reasonably be anticipated to negatively affect the health of a participant or the safety or welfare of the public.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.045, 548.046, 548.057 FS. History—New 4-6-89, Amended 8-28-89, 1-1-90, 5-13-90, Formerly 7F-1.0027, Amended 9-10-95, 4-3-00, _____.

61K1-1.0028 Chief Inspector, Inspectors, Duties and Responsibilities.

(1) The executive director shall appoint a minimum of one chief inspector for each program of matches for the purpose of overseeing and coordinating the activities occurring in the dressing rooms with the activities occurring at ringside and the television coordinator, as appropriate. ~~The following process and criteria will be used to select chief inspectors:~~

(a) Any person desiring to become a chief inspector shall submit a State of Florida OPS employment application which may be obtained by writing to the Florida State Boxing Commission at 1940 North Monroe Street, Tallahassee, Florida 32399-1016.

(b) Chief Inspectors shall ~~The duties of a chief inspector are:~~

1. Enforce the rules regarding handwraps, glove weights and types, approved substances, and equipment and supplies that must be in the corner during a match, conduct of the seconds in the corner during the match, how a fight may be stopped by the chief second, and drug anti-doping test administration.

2. Have available and in good working condition two-way radios, drug testing kits, tape, pens, and gloves for use by the commission.

3. Ensure that the promoter has provided the required emergency medical personnel and their equipment.

~~3.(2) The chief inspector shall~~ Appoint a minimum of four inspectors for each program of matches for the purpose of overseeing, directing, and controlling the activities occurring in the dressing room and at ringside. ~~The following process and criteria will be used to select the inspectors:~~

(a) Any person desiring to become an inspector shall submit a State of Florida OPS employment application which may be obtained by writing to the Florida State Boxing Commission at 1940 North Monroe Street, Tallahassee, Florida 32399-1016.

(b) Applicants for inspector must:

1. Know ~~Be knowledgeable~~ of the rules governing handwraps, glove weights, and types of approved substances, and equipment and supplies that must be in the corner;

2. Be able to observe, assimilate and react to a variety of complex situations;

3. Be able to work in a highly stressful environment with a known deadline;

4. Be able to work as a team member;

5. Remain impartial as to participants and their affiliates;

~~6.5. Exhibit while exhibiting~~ a demeanor of control of the dressing room area and the activities of the seconds and participants at ringside;

~~7.5. Know~~ Be knowledgeable of the rules governing the conduct of the seconds in the corner;

~~8.6.~~ Be knowledgeable of the rules governing how a fight may be stopped by the chief second; and

~~9.7. Know~~ Be knowledgeable and be proficient in the regarding anti-doping test administration of drug tests; and

~~10.8.~~ Have participated as an unofficial inspector for a minimum of 3 4 events.

~~(e) The duties of an inspector are to enforce the rules regarding handwraps, glove weights and types approved substances, equipment and supplies that must be in the corner during a match, conduct of the seconds in the corner during the match, how a fight may be stopped by the chief second, and anti-doping test administration.~~

Specific Authority 548.003 FS. Law Implemented 548.006 FS. History—New 4-6-89, Amended 8-28-89, Formerly 7F-1.0028, Amended 4-3-00, _____.

61K1-1.003 Licenses, Permits; Requirement, Procedure and Period, Fee.

(1) License; Requirement, Procedure and Period, Fee.

(a) License Requirement.

1. No person may act as an announcer, timekeeper, judge, physician, trainer, manager, promoter, foreign copromoter, second, referee, participant, matchmaker, booking agent, or representative of a booking agent or concessionaire for any match held in Florida without first obtaining the appropriate license.

2. No person shall be issued a license if such person has an unpaid fine or any delinquent indebtedness outstanding to the commission.

3. ~~The commission shall not issue a license to: No person shall be issued a license who, in any jurisdiction, has been convicted of any act which would constitute a violation of Chapter 548, F.S., or the rules set forth herein; or which would constitute any of the grounds set forth in Chapter 548, F.S., for suspension or revocation of a license; or against whom such charges are pending before any regulatory body.~~

a. Any person or business entity that has been convicted of any act, or that has a trustee, partner, officer, director, or owner that has been convicted of any act; that would constitute a violation of Chapter 548, F.S., or would constitute any of the grounds set forth in Chapter 548, F.S., for suspension or revocation of a license or against whom such charges are pending before any regulatory body; or

b. Any person or business entity that has been named in any information or indictment, or that has a trustee, partner, officer, director, or owner that has been named in an information or indictment, for any act that would constitute a violation of Chapter 548, F.S., or a ground for suspension or revocation of a license.

~~4. No person shall be issued a license who has been named in an information or indictment for any act which would constitute a violation of chapter 548, F.S., or which act would constitute a ground for suspension or revocation of a license.~~

~~4.5.~~ No person shall transfer or attempt to transfer, including by the use of a power of attorney, any rights, privileges, responsibilities, duties, obligations, or liabilities which by their nature are entitled to or encumbered by only those individuals holding a license to perform and be responsible for such activities.

~~5.6.~~ For the purposes of this Cchapter, the requirements and responsibilities of a foreign copromoter shall be the same as that of a promoter, and wherever the term promoter is used it is deemed to include the term foreign copromoter.

(b) Licensing Procedure and Period.

1. All applications for a license shall be in writing on a form provided by the commission, verified by the applicant, complete and have any required attachments, and accompanied by the required fee. An applicant for a license as an announcer, booking agent, concessionaire, foreign copromoter, judge, manager, matchmaker, participant, physician, promoter, referee, representative of a booking agent, second, timekeeper or trainer shall utilize Form BPR-0009-450, entitled Application for License, incorporated herein by reference and effective _____ April 3, 2000. An applicant for a license as a manager shall utilize Form BPR-0009-492, entitled Application for Manager License, incorporated herein by reference and effective April 3, 2000. An applicant for a license as a physician shall utilize Form BPR-0009-470, entitled Application for Physician License, incorporated herein by reference and effective April 3, 2000. An applicant for a license as a promoter or foreign copromoter shall utilize Form BPR-0009-452, entitled Application for Promoter or Foreign Copromoter License, incorporated herein by reference and effective April 3, 2000. An applicant for a license as a participant shall utilize Form BPR-0009-467, entitled Application for Participant License, incorporated herein by reference and effective April 3, 2000.

2. Upon receipt of an application for a license, the application shall be reviewed by the executive director, assistant executive director, or an authorized commission representative and, if the application is in compliance with the requirements of Cchapter 548, F.S., and the rules set forth herein, ~~the executive director shall cause~~ a temporary license shall ~~to~~ be issued pending final approval by the commission. If it is determined that the application is not in compliance, the

applicant shall be immediately notified and advised of the reasons for the finding that the application is not in compliance.

3. A license issued pursuant to Chapter 548, F.S., and these rules shall be valid from the date of issuance until December 31 of the year in which the license was effective. An application for the renewal of a license shall be submitted on the same forms as referenced above and all of the requirements, standards, and criteria used to approve or disapprove an application for a new or initial license shall be used to approve or disapprove the application for the renewal of a license.

(c) License Fees. The following non-refundable fee shall accompany each application for a license:

| | |
|--|-----------------|
| 1. Announcer | \$25.00 |
| 2. Booking Agent | \$50.00 |
| 3. Judge | \$25.00 |
| 4. Manager | \$50.00 |
| 5. Matchmaker | \$100.00 |
| 6. Participant | \$15.00 |
| 7. Promoter/ <u>Foreign Copromoter</u> | \$250.00 |
| 8. Referee | \$25.00 |
| 9. Representative of a Booking Agent | \$25.00 |
| 10. Second | \$15.00 |
| 11. Timekeeper | \$25.00 |
| 12. Trainer | \$15.00 |
| <u>13. Concessionaire</u> | <u>\$100.00</u> |

(2) Permit; Requirement, Procedure and Period, Fee.

(a) Permit Requirement.

1. No promoter shall present a program of matches or no promoter, foreign copromoter or concessionaire shall broadcast a program of matches unless he has first obtained a permit has first been obtained.

2. No promoter, foreign copromoter, or concessionaire shall be given tentative approval for or issued a permit if such person has an unpaid fine or any delinquent indebtedness outstanding to the commission.

(b) Permit Applications – Live Events Held in This State.

1. For live events held in this state, tThe application for permit accompanied by the required fees shall be submitted by a promoter licensed under Chapter 548, F.S., and shall be required to be on file with the commission at least 7 seven calendar days prior to the scheduled program of matches. An applicant for a permit shall utilize Form BPR-0009-454, entitled Application for Permit, incorporated herein by reference and effective July, 1996.

2. Upon receipt of the application for permit for a live event held in this state, the executive director secretary shall review the application and, if the application is in compliance with the requirements of Chapter 548, F.S., and the rules set forth herein, the executive director shall give tentative approval to the promoter for the proposed date of the program. The

approval shall be considered to be a tentative approval. If the executive director secretary determines that the application for permit is not in compliance with Chapter 548, F.S., or the rules as set forth herein, the executive director shall immediately advise the promoter that the application for permit has been disapproved and shall state the reasons that the application is not in compliance. The executive director shall deny an application for permit if another program of matches has previously been scheduled for the same date, and the executive director has determined that adequate staff would not be available to properly supervise both programs of matches or if the executive director determines adequate staff would not be available to properly supervise a single program of matches even if another program of matches is not scheduled for the same day.

3. The promoter or matchmaker shall be required to provide the proposed fight card not later than 7 calendar days prior to the proposed date of the program. Once a promoter has identified a licensed matchmaker for a specific program of matches, any proposed matches submitted by the promoter will be deemed to be received from the matchmaker. The promoter or matchmaker will be allowed to propose additional matches until 12 noon on the day prior to the scheduled program of matches. After such time, matches may only be proposed if records can be verified to the satisfaction of the executive director and prior to the conclusion of the weigh-in. At the conclusion of the weigh-in no further matches may be proposed or approved. The executive director shall review the proposed fight card and, if he determines that all the proposed matches meet the requirements of Chapter 548, F.S., and the rules set forth herein, he shall approve the proposed fight card or match(es). If the executive director determines that the proposed fight card or match(es) is not in compliance with Chapter 548, F.S., or the rules set forth herein, the executive director shall not approve the proposed fight card and shall immediately advise the promoter or matchmaker that the proposed fight card has been disapproved and the reasons for the disapproval. Approvals and disapprovals may be communicated for individual matches comprising the proposed fight card.

4. All other pre-match requirements of the promoter described in Chapter 548, F.S., and the rules set forth herein shall be accomplished before final approval is given and the permit issued. If the executive director or commission representative determines that the promoter is not in compliance with the requirements set forth herein above, the executive director or commission representative shall rescind the tentative approval of the permit and the program of matches shall be cancelled. If the program of matches is canceled, all tickets shall be refunded in accordance with the refund provisions set forth in Section s- 548.066, F.S.

5. A permit shall only be valid for the program of matches for which it was issued. A new permit shall be required for each program of matches.

6. Permits may not be issued at the discretion of the executive director if the program of matches is not comprised of an acceptable number of scheduled rounds in order to protect purchasers of tickets. The executive director may take into account whether or not the live event permit application for a particular sport is combined with another live event permit application for a different sport and scheduled for the same date and venue in making a determination relative to the minimum number of rounds as a condition of approval for each permit application.

7. For mixed martial arts, the promoter shall submit the conditions of the match for the proposed event no later than 14 days in advance of the event to the executive director for review purposes. The executive director shall approve the proposed conditions of the match if they fall within the predetermined requirements as set forth by the commission. Any differences that fall outside of the scope of the predetermined requirements shall cause the executive director to obtain approval from the commission member appointed by the commission as the mixed martial arts point of contact.

(c) A non-refundable permit fee shall be submitted with the application for permit for a live event held in this state and, if boxing or kickboxing, shall be based on the seating capacity of the premises to be utilized to present the program of matches under t~~The following fee structure shall be utilized to determine the permit fee:~~

1. Seating capacity is less than 2,000 – Fee = \$50.00
2. Seating capacity is 2,000 or more but no greater than 5,000 – Fee = \$100.00
3. Seating capacity exceeds 5,000 – Fee = \$250.00

For mixed martial arts matches, a non-refundable permit fee of \$5,000 per event shall be submitted with the application for permit for a live event held in this state.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.012, 548.013, 548.014, 548.017, 548.021, 548.025, 548.026, 548.028, 548.032, 548.035, 548.045, 548.046, 548.057, 548.066 FS. History–New 2-7-85, Amended 11-24-85, Formerly 7F-1.03, Amended 4-6-89, 8-28-89, 5-13-90, Formerly 7F-1.003, Amended 9-10-95, 4-3-00,_____.

61K1-1.0035 Insurance.

(1) Each participant in a match held in Florida shall be covered by insurance for medical, surgical and hospital care for injuries sustained while engaged in a match as described in Section 548.049, F.S. Said coverage shall be for an amount not less than ~~\$20,000~~ \$5,000 for each participant. In addition, each participant shall have life insurance for an amount not less than ~~\$20,000~~ \$5,000 covering death caused by injuries received while engaged in a match bout.

(2) The promoter of a program of matches for the match shall be responsible for providing evidence of the insurance coverage described above and filing with the commission

written evidence of insurance no later than the weigh-in. Such evidence of insurance shall specify, at a minimum, the name of the insurance company, the insurance policy number, the effective date of the coverage and evidence that each participant is covered by the insurance. ~~Any deductible associated with the insurance policy shall be paid by the promoter and shall not be paid by or charged to the participant.~~

(3) If, at the time of weigh-in, the promoter fails to provide evidence of insurance as required above, the permit shall not be issued or, if issued, shall be suspended and the program of matches shall be cancelled.

(4) The promoter for a program of matches shall be responsible for any deductible associated with the insurance policies described in paragraph (1) of this section and shall not be the responsibility of nor paid by or charged to the participant.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.049, 548.071 FS. History–New 10-16-88, Amended 8-28-89, Formerly 7F-1.0035, Amended 4-3-00,_____.

61K1-1.004 Weight Classes; Weigh-In; Pre-Match Physical of Participant and Referee.

(1) Weight Classes.

(a) The following weight classes are hereby established for boxing and kickboxing:

1. Flyweight – not over 112 pounds
2. Bantamweight – not over 118 pounds
3. Featherweight – not over 126 pounds
4. Junior Lightweight – not over 130 pounds
5. Lightweight – not over 135 pounds
6. Junior Welterweight – not over 140 pounds
7. Welterweight – not over 147 pounds
8. Junior Middleweight – not over 154 pounds
9. Middleweight – not over 160 pounds
10. Light Heavyweight – not over 175 pounds
11. Cruiserweight – over 175, not to exceed 190 pounds
12. Heavyweight – over 190 pounds.

(b) The following weight classes are hereby established for mixed martial arts:

1. Flyweight – up to 124.9 pounds
2. Bantamweight – 125 pounds to 135 pounds
3. Featherweight – 135.1 pounds to 145 pounds
4. Lightweight – 145.1 pounds to 155 pounds
5. Welterweight – 155.1 pounds to 170 pounds
6. Middleweight – 170.1 pounds to 185 pounds
7. Light Heavyweight – 185.1 pounds to 205 pounds
8. Heavyweight – 205.1 pounds to 265 pounds
9. Super Heavyweight – 265.1 pounds and over.
10. Other weight classes may be approved by the commission or the executive director.

(c) Weight differences between participants shall conform to the following requirements:

1. ~~(b)~~ No boxing or kickboxing contest shall be permitted when there is a difference of weights between the two participants as follows:

a. ~~More than 12 pounds between the two participants~~ when the lighter of the two weighs more than 160 pounds and not more than 175 pounds; or

b. ~~More than 10 pounds between the two participants~~ when the lighter of the two weighs more than 147 pounds and not more than 160 pounds; or

c. ~~More than 8 pounds between the two participants~~ when the lighter of the two weighs more than 135 pounds and not more than 147 pounds; or

d. ~~More than 6 pounds between two participants~~ when the lighter of the two weighs more than 112 pounds and not more than 135 pounds.

2. No mixed martial arts contest shall be permitted when there is a difference of weights between the two participants as follows:

a. More than 15 pounds when the lighter of the two weighs more than 155 pounds and not more than 185 pounds; or

b. More than 10 pounds when the lighter of the two weighs more than 125 pounds and not more than 155 pounds; or

c. More than 8 pounds when the lighter of the two weighs not more than 125 pounds.

(2) Weigh-In.

(a) ~~Weigh-in procedures shall conform to section 548.043(4), F.S. Participants in matches shall be weighed on the same scale at a time and place to be determined by the commission representative, in the presence of the opponent and a commission representative, provided however, that if a participant fails to arrive at the weigh in at the time and place determined by the commission, the opponent of such participant shall be permitted to be weighed without the need for the participant to observe the weighing in of his opponent, provided however that the participant who arrived at the weigh in on time does not lose his privilege of observing the weighing in of his opponent. The weigh in shall occur no sooner than 4:00 p.m. the day preceding the date of the program of matches.~~

(b) Failure of a participant to be present at the weigh-in, at the time and place designated by the executive director or commission representative, may shall result in the following penalties not limited to a participant and may include other license types, which may shall be in addition to a participant's his loss of right to be present at view the official weigh-in of participant's his opponent:

1. In lieu of suspension or revocation of the participant's license(s) for the first occurrence, the executive director or commission representative may issue a citation and assess participant shall be penalized by assessing a fine of \$25 per licensee;

2. In lieu of suspension or revocation of a the participant's license for the second occurrence, the executive director or commission representative may issue a citation and assess participant shall be penalized by assessing a fine of \$50 per licensee;

3. The third occurrence shall result in the loss of the participant engaging in the program of matches of the weigh-in violation, and the suspension of be penalized by suspending the license(s) of the licensee(s) in violation of this rule participant for a period of time to be determined by the commission and not allowing the participant to engage in the program of matches; and,

4. The fourth occurrence shall result in the revocation of be penalized by revoking the license(s) of the participant and or licensee(s).

(c) If, at the time of the official weigh-in, the weight of any participant in a match contest fails to meet the weight parameters of the rules set forth herein, the participant he shall have 2 additional hours to meet such weight parameters.

(d) A participant is not permitted to lose more than 3 percent of the initial his body weight as recorded by the commission during the two additional hours established in (c) above.

(e) At the time of weigh-in, each participant in a match contest shall be required to provide to the commission representative for inspection the following:

1. Participants must present a federal an identification card issued by Florida or the state in which the participant resides or Florida. Such identification card shall contain a recent photograph of the participant, the participant's social security number, and a personal identification number assigned to the participant by the Association of Boxing Commissions' official boxer registry for boxers, or a personal identification number assigned to the participant by the Florida State Boxing Commission for kickboxers or mixed martial artists. In order to obtain an identification card issued by Florida, the participant must present to the commission a picture identification issued by a federal, state, or local unit of government or other similar authority, or a passport issued by the United States of America or a foreign government. This identification card must be renewed every four two years. If a participant presents fictitious identification to the commission, the commission shall, upon the first occurrence disallow the participant from participating in a boxing, mixed martial arts or kickboxing match for a period of one year. Upon the second occurrence, the participant shall be permanently banned from participating in a from boxing, mixed martial arts or kickboxing match in Florida.

(f) The participant shall be required to complete a participant information form which shall be provided by the commission. The participant shall utilize Form BPR-0009-455469, entitled Participant Information and Medical Sheet, incorporated herein by reference and effective

~~August, 1995.~~ Any participant who refuses to complete this form shall not be allowed to engage in any match in Florida.

(g) Each person identified on the participant information form by the participant as an authorized person to work in the participant's corner shall affirm to the commission of no personal knowledge as to why the participant should not compete in the match due to an accident or injury sustained prior to the fight while training or sparring. If a recent accident or injury is disclosed, the executive director shall consult with the physician in determining whether or not the participant should be permitted to fight.

(3) Pre-Match Physical of Participant and Referee.

(a) Each participant shall, at the time of the weigh-in, be examined by a physician. The physician shall certify in writing the participant's physical condition and a his professional assessment as to whether or not the participant may engage in the match. The physician shall, prior to the match, file with the commission representative a his written report of examination of the participant, which report shall state whether or not, in the opinion of the physician, the participant is physically fit to engage in the match. No participant shall be permitted to engage in a match unless he has been examined and pronounced fit to do so by a physician. Physicians shall utilize the information provided on the front and complete the reverse side of Form BPR-000908-455, entitled Participant Information and Medical Sheet Physical Examination By Physician, incorporated herein by reference and effective May, 1990.

(b) The examination given all participants shall include the following:

1. Temperature;
2. Pulse; sitting, standing and running;
3. Lungs;
4. Heart; and
5. Blood pressure.

(c)(b) No participant shall be allowed to engage in any match if any of the following conditions are found by the physician:

1. Hernia or bubonocoele;
2. Organic heart murmurs;
3. Active pulmonary lesions;
4. Abnormal temperature as determined by the physician;
5. Systolic pressure over 150;
6. Infectious skin lesions, such as boils or infected wounds;
7. Recent wounds, especially on face and ears;
8. Hand injuries, and fractures less than 6 weeks old, if, in the physician's opinion, the injury would be detrimental to the participant's health or ability to effectively compete or exhibit;

9. An indication that the participant is using or is under the influence of narcotics, drugs, stimulants, depressants, alcohol, local anesthetics or such a high level of analgesics as to render the participant unable to recognize if participant he is seriously injured. If the physician finds any indication or evidence that the participant is using, is under the influence, of unauthorized drugs or foreign substances such that the physician cannot make a definite determination and therefore allows the match to proceed, the physician shall immediately advise the commission representative who shall ensure that a urine sample is taken and processed in accordance with section 1.0043 of these rules;

10. Retinopathy or detached retina; provided however, that the applicant shall be permitted to participate in a fight if the participant provides, at or before the weigh-in, the written statement of a licensed ophthalmologist stating that the applicant's retina is completely healed and that in the ophthalmologist's medical opinion, no unusual or extraordinary risk to the applicant is anticipated as a result of the retinopathy or a previously detached retina.

11. Dental abscess;
12. Ophthalmological problem;
13. History of epilepsy or seizures;
14. Blindness;
15. History of kidney problems;
16. Change in gait or balance; or

17. History of any abnormality in a computerized axial tomography (CAT) CAT scan, electroencephalogram (EEG), or electrocardiogram (EKG), magnetic resonance imaging (MRI) scan, or other similar medical tests.

(c) Each participant may be required to submit to any medical examination or test ordered by the executive director or the commission. Any medical examination or test submitted to the executive director or the commission must be an original or certified copy of the results which were performed by an M.D., D.O., or laboratory no earlier than 30 days before the date on which the results are provided to the commission or its executive director.

1. Each participant shall provide the commission with lab results indicating no infection relative to the hepatitis virus. Negative results will be acceptable for a period of up to 1 year. After 1 year, the participant will need to be re-tested and provide the commission with current lab results.

2. Lab results filed with other commissions or jurisdictions in the United States may be verified in writing by them to the executive director in lieu of requiring a subsequent blood test for this purpose.

(d)(e) The executive director or commission representative shall, whenever necessary, require that a referee undergo a physical examination prior to acting as a referee in any match.

(e)(d) If at any time, evidence is revealed that indicates that the match may be unusually adverse to the health of a participant or referee, the executive director or commission

representative shall order a medical examination to be given to the participant or referee, the report of which examination shall be made to the executive director or commission representative.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.043, 548.045, 548.046, 548.071, 548.075 FS. History—New 2-7-85, Amended 11-24-85, Formerly 7F-1.04, Amended 4-6-89, 8-28-89, 1-1-90, 5-13-90, 1-9-91, Formerly 7F-1.004, Amended 9-10-95, 4-3-00, _____.

61K1-1.0043 Drugs and Foreign Substances; Penalties.

(1) Drugs and Foreign Substances Ingested or Designed to be Ingested.

(a) No participant shall at any time, use or be under the influence of any drug or foreign substance that would unfairly increase or decrease his performance, or impair his or the physician's ability to recognize a potentially serious injury or physical condition. No substance, other than plain drinking water; or any commission approved sports drink, shall be given to or ingested by a participant during the course of a match.

(b) The following drug or foreign substance classifications are prohibited except as otherwise indicated:

1. Stimulants – All stimulants are banned with the following exceptions:

a. Caffeine – provided, however, that an amount greater than 12 mcg/ml in the urine is prohibited;

b. Beta 2 Agonist – provided it is selected from the following list and is in aerosol or inhalant form only:

Drug ChemicalBrand Name

(I) Bitolterol MesylateTornalate

(II) Metaproterenol SulfateAlupent, Metaprel

(III) Albuterol SulfateVentolin, Proventil

(IV) Terbutaline SulfateBrethaire;

2. Narcotics;

3. Anabolic Steroids, including human growth hormone;

4. Diuretics;

5. Alcohol;

6. Local Anesthetics; and

7. Corticosteroids.

~~(c) Whenever the commission representative has reason to believe that a participant has ingested or used a prohibited drug or foreign substance, the commission representative shall request and the participant shall provide, under the supervision of the physician, commission representative or inspector, a sample of his urine taken not more than 1 hour after the conclusion of the match. No participant shall use substances or methods which would alter the integrity of the urine sample. Urine samples shall be taken in accordance with the protocol as agreed upon in writing between the commission and the laboratory used for processing the urine samples.~~

~~(d) Failure or refusal to provide a urine sample immediately upon request shall result in the revocation of the participant's license. Any participant who has been adjudged the loser of a match and who subsequently refuses or is unable~~

~~to provide a urine sample, shall forfeit his share of the purse to the commission. Any participant who is adjudged the winner of a match and who subsequently refuses or is unable to provide a urine sample shall forfeit the win and shall not be allowed to engage in any future match in Florida. A no decision result shall be entered into the official record as the result of the match. The purse shall be redistributed as though the participant found to be in violation of this subsection had lost the match. If redistribution of the purse is not necessary or after redistribution of the purse is accomplished, the participant found to be in violation of this section shall forfeit his share of the purse to the commission.~~

~~(c)(e) After each match the physician shall advise the commission representative as to whether or not he observed any behavior or other signs that would indicate the advisability of processing the urine sample. The commission representative shall make the final decision as to the processing of the urine sample.~~

(d) The executive director or a commission representative may request a participant submit to a blood or urine test if reasonable suspicion is present that may indicate the potential use of anabolic steroids. Such test shall be performed within 7 days of the request and the cost of the examination shall be the responsibility of the participant.

(2) Drugs or Foreign Substances Used Eternally or Designed for External Use.

(a) No drug or foreign substance shall be used unless expressly provided for in these rules or as directed by the physician.

(b) The following drugs or foreign substances may be used by participants under the conditions described herein:

1. Petroleum Jelly – The discretionary use of petroleum jelly shall be allowed around the eyes. However, the use of petroleum jelly on the arms, legs and body of a participant is prohibited.

2. The discretionary use of Thrombin or a 1/1000 solution of Adrenalin and Avitine, or their generic equivalents, as approved by the physician, shall be allowed between rounds to stop bleeding of minor cuts and lacerations sustained by a participant.

~~(3) Any participant determined to have been using or under the influence of a prohibited drug or foreign substance and who has been adjudged the loser of a match, shall forfeit his share of the purse to the commission. Any participant determined to have been using or under the influence of a prohibited drug or foreign substance and who has been adjudged the winner of a match, shall forfeit the win, and a no decision result shall be entered into the official record as the result of the match. The purse shall be redistributed as though the participant found to be in violation of this subsection had lost the match. If redistribution of the purse is not necessary or after redistribution of the purse is accomplished, the participant found to be in violation of this section shall forfeit his share of~~

~~the purse to the commission.~~ The following penalties ~~may shall~~ be assessed against any participant found to be in violation of this section or Section 548.046, F.S.:

(a) The first occurrence ~~may shall be~~ result in the suspension of ~~penalized by suspending~~ the participant's license and the banning of participant's participation ~~his participating~~ in any manner, in any match, for a period of 180 calendar days, and by assessing a fine in the amount of \$100;

(b) The second occurrence ~~may shall~~ result in the suspension of ~~be penalized by suspending~~ the participant's license and the banning of participant's ~~his~~ participation in any manner, in any match for a period of 1 year, and the assessment of a fine in the amount of \$500;

(c) The third occurrence ~~may result in the revocation of shall be penalized by permanently revoking~~ the participant's license and the permanent banning of participant's ~~permanently his~~ participation in any manner, in any match or activity regulated by Chapter 548, F.S.

(4) No person licensed by the commission shall participate in or contribute to the act of violating this section, and any violation ~~may shall~~ be grounds for suspension or revocation of all licenses held by such person(s). Any person(s) found to be in violation of this section may be required to shall forfeit their ~~his~~ share of the purse or other compensation to the commission and may shall be assessed the following penalty(ies):

(a) The first occurrence ~~may result in the suspension of shall be penalized by suspending~~ the person's license and the banning of the licensee's participation ~~his participating~~ in any manner, in any match, for a period of 180 calendar days, and the assessment of a fine in the amount of \$100;

(b) The second occurrence ~~may result in the suspension of shall be penalized by suspending~~ the person's license and the banning of the licensee's ~~his~~ participation in any manner, in any match, for a period of 1 year, and by assessing a fine in the amount of that share of the purse to which the licensee is entitled or \$500, whichever is greater;

(c) The third occurrence ~~may result in the permanent revocation of shall be penalized by permanently revoking~~ the person's license and the permanent of the licensee's banning ~~permanently his~~ participation in any manner, in any match or activity regulated by Chapter 548, F.S., and the assessment of a fine in the amount that share of the purse to which the licensee is entitled or \$1,000, whichever is greater.

(5) Drugs, containers and other equipment used in conjunction with the match, regardless of why or how they are used or where they are located, shall at all times be available for inspection by the physician, referee, inspector, or commission representative and shall be seized if there is any evidence that they may have been used to violate or are in violation of any provision of Chapter 548, F.S., or the rules promulgated herein ~~these rules~~.

(6) It shall be the responsibility of every person under the jurisdiction of the commission to immediately advise the physician, referee, inspector or commission representative of any knowledge that any participant scheduled to be engaged in any match has, in violation of this section, ingested or is under the influence of any drug or foreign substance prohibited by these rules.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.045, 548.046, 548.047, 548.053, 548.054, 548.058, 548.071, 548.075, 548.079 FS. History—New 4-6-89, Amended 8-28-89, Formerly 7F-1.0043, Amended 4-3-00,

61K1-1.005 Promoter and Matchmaker; Licensing and Bond; Duties and Conduct.

(1) Licensing and Bond.

(a) No person shall act as a promoter for any match held in Florida or telecast in or into Florida via closed circuit without first having obtained a promoter license. No person shall act as a matchmaker, including a matchmaker employed by a promoter, for any match held in Florida without first having obtained a matchmaker license.

(b) No licensed promoter or matchmaker shall act as a promoter or matchmaker for any boxing, mixed martial arts, or kickboxing match in this state unless the match is sanctioned by the commission.

(c) Ownership of Promoter License.

1. Any person licensed as an individual shall have sole ownership of such license, and such license shall not be transferable or assignable to another. If such person is no longer in business, the license shall become void.

2. Any license issued to and in the name of a corporation shall not be transferable or assignable to another. If such corporation is no longer in business or no longer operates as the corporation, the license shall become void. If any officer of the corporation is added or deleted, the licensee shall, within 10 calendar days, notify the commission of such addition or deletion. A newly added officer shall be required to submit an Application For Promoter Or Foreign Copromoter License.

3. Any license issued to a partnership shall not be transferable or assignable to another. If the partnership is no longer in business or no longer operates as the partnership, the license shall become void, provided however that if the business continues to operate but does not operate as a partnership and the sole remaining person was one of the licensed partners and all other previous licensed partners have, in writing, authorized such sole remaining person to have control and use of the licensed name, then the license may remain in force and effective until its expiration date, at which time the person shall apply as an individual.

(d) No promoter shall also be licensed as a booking agent, representative of a booking agent, matchmaker, manager, second, or trainer. A promoter may be licensed as a manager if

the licenses are held in different sports and participants under contract to the manager are not also being promoted by the same licensee within the same sport.

~~(e) No promoter shall have any financial or pecuniary interest in any participant under the jurisdiction of the commission.~~

(f) Bond or Other Security, Requirements.

1. An applicant for a promoter license shall deposit with the commission a surety bond, cash, or certified check in the amount of \$15,000 prior to being issued a promoter license. If, at any time and for whatever reason, the ~~security bond, cash, or certified check~~ is not maintained in full force and effect, the license shall be automatically void.

2. If it is determined that the projected liability for a match may exceed \$15,000, the commission ~~may shall~~ require the deposit of an additional bond, cash, or certified check as additional security for the match. The additional ~~security bond, cash, or certified check~~ shall be required and used only for the designated match and shall be released or returned 90 calendar days after the date of the match unless, as a result of violations or suspected violations, the commission determines that the additional ~~security letter of credit issued by a bank bond, cash, or certified check~~ shall be retained for a longer period.

3. The bond and other security, or additional bond and additional security shall be filed with the commission for the purpose of providing surety that the promoter will and does faithfully perform and fulfill his obligations as described in Chapter 548, F.S., and the rules set forth herein. Any fault, negligence, error, or omission, failure to fulfill contractual obligations, violation of any rules of the commission or any other act or failure to act shall result in a claim for recovery from the bond and recovery from the other security. When the amount of recovery cannot be determined by the commission due to the failure of the promoter to perform as required by Chapter 548, F.S., or the rules set forth herein, the commission shall recover the face value of the bond and other security and the additional bond and additional security, as appropriate, provided, however, that the recovery shall not be greater than the amount of the bond and other security required to be deposited with the commission.

4. A bond or additional bond shall be acceptable if the following conditions are met:

a. The bond or additional bond shall be on a form provided by the commission and shall have attached a power of attorney, which power of attorney shall not have an expiration date. The promoter shall use Form BPR-0009-465, entitled Surety Bond For Promoter, incorporated herein by reference and effective May, 1990, and shall use Form BPR-0009-472, entitled Additional Surety Bond For Promoter, incorporated herein by reference and effective May, 1990;

b. The bond and additional bond shall provide surety in an amount equal to the face amount of the bond and additional bond and the aggregate annual liability shall be for the face amount of the bond and additional bond;

c. The bond and additional bond shall be made out in the name of the Florida State Boxing Athletic Commission and shall be negotiable on the sole authority of the executive ~~director~~ secretary;

d. The bond and additional bond may not be cancelled, for any reason, unless the following conditions have been met, provided however, when an additional bond is required, as referenced above, (II) below shall not apply:

(I) The surety company has provided the commission at least a 60-calendar-day written notice of intent to cancel; and

(II) The promoter's license has expired or the license has been returned to the commission with a request to cancel such license and canceled by the commission and the promoter has not filed an application for renewal of the license; and

(III) A period of 90 calendar days has elapsed since the most recent match of the promoter; and

~~e. The bond or additional bond is accompanied by a filing fee of \$10 for each bond or additional bond.~~

5. Other security may be provided in lieu of the bond or additional bond provided the following conditions are met:

a. The security must be in the form of cash, a certified check or direct obligations of the United States or this state;

b. The certified check shall be made payable to the Florida State Boxing Athletic Commission, and the certified check and the direct obligations of the United States or this state shall be negotiable on the sole authority of the executive ~~director~~ secretary;

c. The commission shall not pay interest or other charges or fees to the promoter;

d. The security may not be cancelled or requested to be returned, for any reason, unless the following conditions have been met, provided however, when an additional security is required, as referenced above, (II) and (IV) below shall not apply:

(I) The promoter has provided the commission at least a 60-calendar day written notice of request for return or release of the security; and

(II) The promoter's license has expired or the license has been returned to the commission with a request for cancellation and canceled by the commission and the promoter has not filed an application for renewal of the license, or the promoter has substituted a bond for the security and such bond indicates on its face that it shall retroactively cover the promoter for all times and for all obligations of the promoter covered by the security for which the bond is being substituted. In the event of substitution of a bond for the security on deposit with the commission, (III) and (IV) below shall not apply; and

(III) A period of 90 calendar days has elapsed since the most recent match of the promoter; and

(IV) A period of 1 year has elapsed since the security was deposited with the commission.

e. The promoter shall use Form BPR-08-468, entitled Security In Lieu of Bond For Promoter, incorporated herein by reference and effective May, 1990, and shall use Form BPR-08-471, entitled Additional Security In Lieu of Bond For Promoter, incorporated herein by reference and effective May, 1990; and

~~f. The security or additional security is accompanied by a filing fee of \$10.~~

(2) Duties and Conduct.

(a) More than one promoter may be involved in the promotion of a single program of matches. The promoter to whom the permit is issued shall be considered as the promoter of record, and such promoter shall be responsible for ensuring that all the requirements and responsibilities of the promoter are accomplished as set forth herein, provided however that the bonds or other securities deposited with the Commission of all promoters involved in the promotion of the program of matches shall be liable and used as surety against any claim or obligation involving the program of matches.

(b) A matchmaker shall make matches in which the participants are of similar ability and skill.

1. In boxing, a matchmaker or promoter shall be responsible for contacting a commission approved boxing registry to order the official record of any proposed participant and have the official record sent to the commission by mail, personal delivery, facsimile, or e-mail;

2. In kickboxing or mixed martial arts, the matchmaker shall certify as to the competitiveness of each match based upon weight, skill level, number of fights and discipline by facsimile or e-mail.

(c) A matchmaker or promoter shall not contract with or negotiate with any person licensed under Chapter 548, F.S., managers or participants who are under suspension or whose license has been revoked in Florida or any other state.

~~(d)1. Contracts between a manager and a professional shall contain provisions as required by s. 548.05(2), F.S.~~ Contracts between participants and the promoter for each bout shall be filed with the commission no later than at the time of weigh-in and shall contain:

a. The name of each licensed promoter and both participants;

b. The date of the contest to which the contract applies;

c. The location of the contest to which the contract applies;

d. The number of rounds to be fought in the contest to which the contract applies;

e. The weight at which each fighter is to qualify for the contest to which the contract applies;

f. The amount, to be set forth in American dollars, that will be paid to the participant for the contest to which the contract applies and a statement that the designated amount shall be paid directly to the participant ~~or the participant's designated agent;~~

g. The affixed signatures of the promoter and each participant in the contest to which the contract applies; however, the licensed manager of a participant may be authorized by the participant to sign the contract; and

h. The contracts for each participant in the same contest must include the same terms regarding the conduct of the contest, but are permitted to provide for different amounts of consideration provided to the participant.

2. Once the contracts are filed and after determination that they are in compliance with these rules, each contract will be affixed with the signature of the ~~Commission~~ Representative.

(e) Contracts for broadcasting of a proposed match shall be filed with the commission within 14 business days after such contract is received by the promoter or when the Post Event Tax Report and 5% tax payment are filed, whichever is later, provided however that if the promoter pays to the commission the maximum amount of \$40,000, the contract is not required to be filed. Additionally, the promoter shall be responsible for assuring compliance with Rule 61K1-1.040, F.A.C., of these rules.

(f) After the application for a permit has been tentatively approved and a proposed match has been approved, the promoter may provide the names of the participants for the approved match to the media. Under no circumstances shall a promoter advertise, sell or cause to be sold any tickets, distribute or cause to be distributed any complimentary tickets, enter into any contracts or in any way make any obligations, commitments or announcements relative to a match or program of matches unless the match or program of matches has been approved and the permit has been tentatively approved.

(g) The promoter shall, in the case of a substitution in a main event participant or participants, post in a conspicuous place in front of the arena or directly over the cashier windows, notice of the substitution, and if time permits, shall advertise the substitution by radio and in a newspaper expected to have the widest circulation for the intended audience.

(h) No promoter may pay, lend, or give a participant an advance against his purse before a contest, except in accordance with the provisions of Section § 548.052, F.S.

(i) The promoter shall be responsible for ensuring that each participant scheduled to be engaged in a match shall have received any medical examination deemed necessary by the commission through its executive director, and that an ophthalmic examination has, which examination shall have been performed within the immediate past 12-month period. The results of the examinations shall be filed with the commission prior to the match. The promoter, participant and examining professional shall utilize Form BPR-0009-~~455485~~,

entitled Participant Information and Medical Sheet Ophthalmic Examination, incorporated herein by reference and effective _____ May, 1993 or a form submitted by the examining professional which form provides the same information as required in by Form BPR-0009-455485.

(j) The commission representative shall, if there is he has cause to believe that a participant may have suffered cardiac or neurological injury, direct the participant to undergo an EKG, EEG, neurological examination, MRI, CAT scan, or any other exam deemed by a physician licensed by the commission as medically necessary CAT scan. The interpretation and diagnosis shall be filed with the commission. It is the responsibility of the promoter to ensure that this requirement is satisfied.

(k) The promoter shall be responsible for acquiring insurance as described in Rule 61K1-1.0035, F.A.C., of these rules.

(l) The promoter shall advise all managers and participants under contract for a match or program of matches of the time and place of the weigh-in as designated by the commission representative and of the time and place of their appearance for the match or program of matches.

(m) The promoter shall be responsible for appointing a licensed announcer.

(n) The executive director shall appoint ~~It shall be the responsibility of the promoter to ensure that~~ a minimum of one physician for is present at the weigh-in and a minimum of two physicians for are present at the program of matches. ~~The promoter shall be responsible for providing to the commission representative, for approval, the names and license numbers of the proposed physicians. Each physician who is assigned to be present at the weigh-in, program of matches, or both shall be compensated by the promoter at a value not less than \$100 as established by the executive director. The physicians shall be currently licensed under Chapter 458 or 459, Florida Statutes.~~

(o) Each referee who is required to be present shall be compensated ~~\$125~~ by the promoter at a value not less than \$125 as established by the executive director based upon, but not limited to, the total number of rounds scheduled to be fought in the program of matches, the number of scheduled matches within the program, and whether or not the matches are to be televised, provided however, that if the promoter has a television contract greater than \$40,000, each referee shall be compensated \$175. Each judge who is required to be present shall be compensated ~~\$85.00~~ by the promoter at a value not less than \$85 as established by the executive director based upon, but not limited to, the total number of rounds scheduled to be fought in the program of matches, the number of scheduled matches within the program, and whether or not the matches are to be televised, provided however, that if the promoter has a television contract greater than \$40,000, each judge shall be compensated \$135. In the case of championship matches, the executive director may use the fee recommended

required by the sanctioning organization as a guide in determining the appropriate value that whichever is greater, shall be compensated to the referee and judges. Any above referenced official who must travel a distance greater than 30 miles from his home to the premises of the program of matches shall be compensated an additional amount as determined by the ~~eExecutive dDirector~~. This additional amount shall be paid by the promoter. ~~No promoter shall pay, contribute to the pay of or provide any gift or other gratuity to any participant, referee, judge or other licensed official other than specifically provided in these rules.~~

(p) No promoter shall pay, contribute to the pay of or provide any gift or other gratuity to any participant, referee, judge or other licensed official other than specifically provided in these rules.

~~(q)(p)~~ The promoter shall be responsible for providing the proper arena equipment, seating and services as described in Rule 61K1-1.006, F.A.C., of these rules, facilities, personnel, ushers, ticket sellers, security and other equipment, services or personnel necessary to provide for the correct handling of the program of matches. The promoter is solely responsible for ensuring that adequate security is on site and prepared to immediately respond to any situation. If the seating capacity relative to a live event permit is filed with a seating capacity of 2,000 a permit fee of \$100 or greater is paid to the commission, the promoter shall ensure that, in addition to other regular security, a minimum of 2 certified law enforcement officers are located immediately adjacent to each of the red and blue corners and that additional certified law enforcement officers are located within the premises of the program of matches in positions to have a clear and unobstructed view of the ring and are able to immediately respond to their fellow officers at ringside.

(q) The promoter shall ensure that all tickets ~~shall~~ have clearly printed on them the admission price, and no ticket shall be sold for a price higher than the price shown on its face. In the case of generic tickets that are not printed with the ticket prices, each different priced ticket shall be a different color. Each complimentary ticket shall by some distinguishing mark indicate the face value of the ticket, and in no case shall the dollar value of a complimentary ticket be less than the lowest ticket price available for sale to the general public.

(r) No promoter shall sell or issue, or cause to be sold or issued more tickets of admission for any match or program of matches than can be accommodated by the seating capacity of the premises where the match or program of matches is to be held.

(s) The following criteria and procedure shall be used for the refunding of the purchase price of tickets:

1. The promoter shall refund the full purchase price of a ticket for a match or program of matches if:

a. The match or program of matches is postponed; or

b. There is a substitution of either participant in the main event or events; or

c. The main event or the entire program of matches is cancelled; and

d. The person presenting the ticket for refund has presented such ticket within 30 calendar days after the scheduled date of the match or program of matches.

2. Within 10 calendar days after the expiration of the 30-calendar day period, the promoter shall pay all unclaimed ticket receipts to the commission. The commission shall hold the funds in the Professional Regulation State Athletic Commission Trust Fund for 1 year and make refunds during such time to any person presenting a valid ticket for a refund. Thereafter, the commission shall pay all monies remaining from the unclaimed ticket receipts to the State Treasurer for deposit into the appropriate fund.

3. Failure to comply with this provision shall result in the forfeiture of the bond or other security and additional bond or additional security and revocation of the license of the promoter or foreign copromoter or concessionaire.

(t) The promoter or concessionaire shall retain all records necessary to justify and support the information submitted on any reports required by the commission for a period of 2 years following the date of the match or program of matches.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.012, 548.013, 548.014, 548.017, 548.028, 548.032, 548.037, 548.046, 548.049, 548.05, 548.052, 548.053, 548.054, 548.056, 548.058, 548.06, 548.061, 548.064, 548.066, 548.071 FS. History—New 2-7-85, Amended 11-24-85, Formerly 7F-1.05, Amended 4-6-89, 8-28-89, 1-1-90, 5-13-90, 1-9-91, Formerly 7F-1.005, Amended 9-10-95, 4-3-00, _____.

61K1-1.0055 Concessionaire; License; Bond.

(1) License.

(a) No person or business entity not licensed as a promoter shall receive revenues or other compensation from the sale of tickets or from the sale of souvenirs, programs, broadcast rights, or any other concessions in conjunction with the promotion of a professional boxing, kickboxing or mixed martial arts match without first having obtained the appropriate license.

(b) No concessionaire shall also be licensed as a judge, referee, or timekeeper and shall not act as a judge, referee or timekeeper.

(2) Bond.

(a) An applicant for a concessionaire license may be required to deposit with the commission a surety bond, cash, or certified check in an amount as determined by the executive director prior to being issued a concessionaire license. The executive director shall base this determination on the projected tax liability to the state for the license period of one year. If, at any time and for whatever reason, the security is not maintained in full force and effect, the license shall be automatically void.

(b) The bond shall be filed with the commission for the purpose of providing surety that the promoter will and does faithfully perform and fulfill his obligations as described in Chapter 548, F.S., and the rules set forth herein. Any fault, negligence, error or omission, violation of any rules of the commission or any other act or failure to act shall result in a claim for recovery from the bond. When the amount of recovery cannot be determined by the commission due to the failure of the concessionaire to perform as required by Chapter 548, F.S., or the rules set forth herein, the commission shall recover the face value of the bond, as appropriate, provided, however, that the recovery shall not be greater than the amount of the bond required to be deposited with the commission.

4. A bond shall be acceptable if the following conditions are met:

a. The bond shall be on a form provided by the commission and shall have attached a power of attorney, which power of attorney shall not have an expiration date. The concessionaire shall use Form BPR-0009-465, entitled Surety Bond For Promoter, incorporated herein by reference and effective May, 1990;

b. The bond shall provide surety in an amount equal to the face amount of the bond and the aggregate annual liability shall be for the face amount of the bond;

c. The bond shall be made out in the name of the Florida State Boxing Commission and shall be negotiable on the sole authority of the executive director;

d. The bond may not be cancelled, for any reason, unless the following conditions have been met:

(I) The surety company has provided the commission at least a 60-calendar-day written notice of intent to cancel; and

(II) The concessionaire's license has expired or the license has been returned to the commission with a request to cancel such license and canceled by the commission and the concessionaire has not filed an application for renewal of the license; and

(III) A period of 90 calendar days has elapsed since the most recent licensed activity generating taxable revenue owed to the commission

5. Other security may be provided in lieu of the bond or additional bond provided the following conditions are met:

a. The security must be in the form of cash, a certified check or direct obligations of the United States or this state;

b. The certified check shall be made payable to the Florida State Boxing Commission, and the certified check and the direct obligations of the United States or this state shall be negotiable on the sole authority of the executive director;

c. The commission shall not pay interest or other charges or fees to the concessionaire;

d. The security may not be cancelled or requested to be returned, for any reason, unless the following conditions have been met:

(I) The concessionaire has provided the commission at least a 60-calendar day written notice of request for return or release of the security; and

(II) The concessionaire's license has expired or the license has been returned to the commission with a request for cancellation and canceled by the commission and the concessionaire has not filed an application for renewal of the license, or the concessionaire has substituted a bond for the security and such bond indicates on its face that it shall retroactively cover the concessionaire for all times and for all obligations of the concessionaire covered by the security for which the bond is being substituted. In the event of substitution of a bond for the security on deposit with the commission, (III) and (IV) below shall not apply; and

(III) A period of 90 calendar days has elapsed since the most recent licensed activity generating taxable revenue owed to the commission; and

(IV) A period of 1 year has elapsed since the security was deposited with the commission.

e. The concessionaire shall use Form BPR-08-468, entitled Security In Lieu of Bond For Promoter, incorporated herein by reference and effective May, 1990.

Specific Authority 548.003 FS. Law Implemented 548.002, 548.011, 548.015, 548.025, 548.026, 548.028, 548.06, 548.061, 548.064, 548.071 FS. History—New _____.

61K1-1.006 Arena Equipment; Ring Requirements; Fenced Area Requirements for Mixed Martial Arts; Other Fight Mediums; Floor Plan and Apron Seating; Emergency Medical and Other Equipment and Services.

(1) Ring Requirements.

(a) For boxing and kickboxing, the ring shall be not less than 16 feet nor more than 24 feet square inside the ropes. For mixed martial arts, the ring shall not be less than 20 feet nor more than 32 feet square inside the ropes.

(b) The ring floor or apron shall extend beyond the ropes not less than 18 inches.

(c) The ring shall be formed of four posts and four ropes. The ropes shall extend in parallel lines 18, 30, 42, and 54 inches in height above the ring floor. The top three ropes shall be not less than 1 inch in diameter, and the lowest rope shall be not less than 1 1/2 inches in diameter. The lowest rope shall extend outward a distance of 4 inches beyond the other three ropes and in a line parallel to the other three ropes. All ropes shall be wrapped in velvet or other similarly soft material. Ropes shall be properly adjusted and sufficiently taut to inhibit the participant from falling between the ropes. An additional tie rope shall be centered on all four sides of the ring surrounding the ring ropes to prevent excessive separation of the ring ropes. The juncture of the ropes at each corner shall be padded with at least an inch and one half of foam rubber or other similar padding. In mixed martial arts, a fifth rope shall be installed at 12 inches in height above the ring floor.

(d) Ring posts shall be not less than 3 inches in diameter and shall extend from the floor of the ring to a height of no more than 58 inches.

(e) The ring platform shall not be more than 4 feet above the surrounding floor and shall be provided with steps for use of the participant in each participant's corner. Steps shall also be provided in a neutral corner for use by the announcer, referee, round card carrier and physicians.

(f) The ring floor, both inside and outside the ropes, shall be padded to a thickness of at least 1 inch and the padding shall consist of a soft material such as "Ensolite Ring Pad" or similar material applied over a 1-inch base of Celotex building board number two or a material which has similar impact absorbing characteristics. There shall be a top covering of canvas, duck, or equivalent material tightly stretched and laced to the ring platform.

(g) If the match or program of matches is being held outdoors, the ring, apron and seating for all officials shall be protected from inclement weather by use of a heavy duty weatherproof tarpaulin or cover of similar material. The covering shall be erected in such a manner as to ensure that the ring, apron and seating do not become wet. Under no circumstances will the referee or the commission representative allow a match to continue if the condition of the ring floor deteriorates such that its condition poses a hazard to the participants or the referee.

(h) A ring may be used for boxing, kickboxing or mixed martial arts.

(2) Fenced Area Requirements for Mixed Martial Arts.

(a) The fenced area must be circular or have at least eight equal sides;

(b) The fenced area shall not be less than 20 feet wide nor more than 32 feet wide inside the fencing;

(c) The fenced area within the fencing must be padded with Ensolite or another similar closed-cell foam with at least a 1 inch layer of foam padding;

(d) The fenced area padding described in (c) above must be covered with canvas, duck or similar material tightly stretched and laced to the platform. Any covering that is slippery or deemed by the commission as unsafe will not be allowed. Material that tends to gather in lumps or ridges must not be used;

(e) The fenced area platform must not be more than 4 feet above the surrounding floor and shall be provided with steps for use of the participants. In addition to the participants' steps, a neutral set of steps shall also be provided for use by the announcer, referee, round card carrier and physicians;

(f) Ring posts shall be made of metal with dimensions of not less than 3 inches nor more than 6 inches in diameter and shall extend from the floor of the building to a height of no less than 60 inches nor more than 84 inches above the floor of the fenced area. Ring posts must be properly padded in a manner

approved by the commission to include, but not limited to, no abrasive, sharp or potentially injuring materials may be utilized;

(g) Fencing must be made of a material that will prevent a participant from falling out of the fenced area or breaking through the fenced area onto the floor of the building or onto the spectators, including, without limitation, chain link fence coated with vinyl;

(h) Any metal portion of the fenced area must be covered and padded in a manner approved by the commission and must not be abrasive to the participants;

(i) When the fenced area is comprised of equal sections or panels of fencing, metal tubing or pipes are permissible along the outer dimensions or perimeter of the panels for structural purposes and must comply with (h) above. No metal tubing or pipes are allowed within each individual panel running horizontally or vertically from one panel perimeter to another. Each panel should have four sides with no metal tubing or pipes within each individual square;

(j) There must not be an obstruction on any part of the fence surrounding the fenced area in which the participants are competing.

(3) Other Fight Mediums for Mixed Martial Arts.

(a) Fight mediums other than a ring as described in (1) above or a fenced area as described in (2) above may be proposed to the commission at least 45 days prior to the proposed date of the live mixed martial arts event. At a minimum, detailed specifications regarding dimensions and materials used must be provided to the executive director. Any other information, including but not limited to video footage, requested by the executive director must be provided no later than 30 days prior to the proposed date of the live mixed martial arts event;

(b) Proposals are subject to approval by the commission member assigned by the commission as the mixed martial arts point-of-contact;

(c) Any decision made by the point-of-contact is final in terms of the timeline described above for a live event;

(d) Any decision made by the point-of-contact may be appealed to the full membership of the commission at a regularly scheduled meeting.

(4)(2) Floor Plan and Apron Seating.

(a) The executive director or commission representative shall determine the seating arrangements and space requirements for each location at which a match or program of matches is to be held and shall advise the promoter of the floor plan to be used.

(b) The executive director or commission representative shall designate seating at the ring apron as provided in these rules. Ring apron seating on all sides of the ring shall be exclusively controlled by the commission and no person shall be permitted to be seated or have access to the apron without the approval of the commission or the executive director. The

commission's control of the apron is for the purpose of providing for appropriate control of the event including participant, staff, and audience safety, ensuring that only those officials assigned by the commission are seated at the apron and ensuring that adequate seating for working officials is available at the apron. Apron seating not designated by the commission or executive director may be utilized as desired by the promoter, provided however that such use does not interfere with any of the officials or commission representatives seated at the ring apron. Alcoholic beverages shall not be consumed by anyone seated at the ring apron. The following seating shall be provided at the ring apron for all matches:

1. The appropriate number of ~~Three~~ stools for judges in such location and at such height that will allow them a clear and unobstructed view of the ring or fenced area and ~~its ring~~ floor;

2. A seat for the timekeeper shall be located in a neutral position and in such location and at such height that ~~the timekeeper~~ ~~he~~ and the referee shall have visual contact at all times during the match and that he shall have immediate and unobstructed access to the bell;

3. A seat for the knockdown or ~~assistant~~ timekeeper shall be located in a neutral position, adjacent to the timekeeper and at such height that ~~the knockdown or assistant timekeeper~~ ~~he~~ and the timekeeper and referee shall have visual contact at all times during the match and that ~~the knockdown or assistant timekeeper~~ ~~he~~ shall have immediate and unobstructed access to the instrument being used for the knockdown count;

4. ~~Seats~~ ~~A seat~~ for the executive director or the commission representative and each commissioner present shall be located in such location and at such height that ~~the executive director or commission representative and the commissioners~~ ~~he~~ shall have a clear and unobstructed view of the ring, ring floor, referee, and timekeeper; ~~and~~

5. A seat for each district coordinator shall be located in such location and at such height that the district coordinator shall have a clear and unobstructed view of the ring, ring floor, referee, and timekeeper.

~~6.5~~ A seat for each physician shall be located adjacent to each participant's corner in such location and at such height that each physician shall have a clear and unobstructed view of the ring, ring floor, the participant's corner, and the referee.

(c) No match shall begin or continue unless three judges, the timekeeper, knockdown timekeeper, and at least one physician are located in their designated seats, and the referee is in the ring.

~~(5)(3)~~ Emergency Medical Equipment and Services.

(a) It shall be the responsibility of the promoter to provide the following:

1. A portable resuscitator with all additional equipment necessary for its operation;

2. An ambulance with two qualified attendants;

3. A clean stretcher and clean blanket, to be located along with the ambulance attendants, at a location determined by the executive director.

(b) No match shall begin or continue unless such equipment and personnel are on the premises, in a state of readiness and in a pre-designated readily accessible location known to the referee, physicians and the executive director or commission representative. A portable oxygen supply shall be immediately accessible to the ringside physicians at a location to be determined by the executive director or commission representative.

~~(6)~~(4) Other Equipment and Services.

(a) It shall be the responsibility of the promoter to have available at all times during the progress of a program of matches a person or persons capable of making emergency repairs, corrections and adjustments to the ring, lights and other necessary fixtures.

(b) The promoter shall supply the following items which shall be in good working order and available for use as needed:

1. A public address system;
2. Chairs, properly located in accordance with the floor plan and elevated to allow for unobstructed view as detailed in this section;

3. Five stools or chairs, a clean water bucket and a clean water container for drinking purposes for each participant's corner;

4. A supply of oxygen, to be stationed at the commission table;

~~5.4~~ A spit bucket and three clean towels per corner; and

~~6.5~~ A complete set of numbered round cards, which shall be of such size as to make them clearly legible from all parts of the arena.

(c) The promoter shall ensure that all food and beverages are dispensed in paper or plastic plates or cups and that only plastic utensils are provided to individuals intending or allowed to enter the arena area. The serving of food or beverages in cans, glass bottles or plates, or the use of metal utensils is prohibited. This requirement is not applicable to skybox or other premium seating areas that are considered separate areas from the arena area.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.032, 548.045, 548.046, 548.057 FS. History—New 2-7-85, Amended 11-24-85, Formerly 7F-1.06, Amended 4-6-89, 1-1-90, Formerly 7F-1.006, Amended 4-3-00,

61K1-1.007 Participants' Apparel and Appearance.

(1) Each male boxing or kickboxing participant shall wear the following:

(a) ~~Trunks: Boxing trunks must be worn, the belt of which shall not extend above the waistline;~~

1. For boxers, traditional boxing trunks must be worn, the belt of which shall not extend above the waistline;

2. For kickboxers, traditional boxing trunks or Thai boxing shorts must be worn, the belt of which shall not extend above the waistline;

(b) A protective cup, which shall be firmly adjusted before entering the ring;

(c) An individually fitted mouthpiece, which mouthpiece shall be in the participant's mouth at all times during the fight period of each round as provided by these rules;

(d) Shoes made for the purpose of boxing, except for kickboxing, where no shoes are allowed to be worn; and

(e) An abdominal guard of standard type which provides sufficient protection to withstand any low blow without inhibiting an opponent's ability to land a legal blow.

(2) Each female boxing or kickboxing participant shall wear the following in addition to those items listed in (1) above:

(a) ~~A Boxing trunks, the belt of which shall not extend above the waistline and a close fitting tank or halter type top;~~

(b) A protective cup or protective pelvic girdle to cover the pubic area, ovaries, coccyx and sides of the hips;

(c) Breast protectors;

~~(d) An individually fitted mouth piece, which mouth piece shall be in the participant's mouth at all times during the fight period of each round as provided by these rules;~~

~~(e) Shoes made for the purpose of boxing; and~~

~~(f) An abdominal guard of standard type which provides sufficient protection to withstand any low blow without inhibiting an opponent's ability to land a legal blow.~~

(3) Mixed martial arts participants attire shall conform to the following:

(a) May not wear shoes or any padding on the feet during the match;

(b) Must wear shorts approved by the executive director or the commission representative;

(c) Must wear a protective cup as approved by the chief inspector;

(d) May use knee, ankle, or elbow support that is form-fitting with no rigid structural or abrasive materials.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.045, 548.046, 548.071 FS. History—New 2-7-85, Amended 11-24-85, Formerly 7F-1.07, Amended 4-6-89, 1-1-90, Formerly 7F-1.007, Amended 9-10-95, 4-3-00,

61K1-1.008 Bandages and Handwraps.

(1) ~~In all weight classes, All~~ bandages and handwraps applied to each hand of a participant shall be restricted to soft cloth (gauze), not more than 10 yards in length and 2 inches in width, held in place by not more than 5 yards of 1 inch surgical tape. No tape may be applied across the knuckles of any participant.

(2) All bandages and handwraps shall be applied and adjusted in the dressing room in the presence of the inspector. The inspector shall initial or in some other manner mark the

bandage or handwrap on each hand so as to be able to determine at the conclusion of the match whether or not the bandage or handwrap was tampered with after the inspector initially examined the bandage or handwrap.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.043, 548.046 FS. History—New 2-7-85, Formerly 7F-1.08, Amended 4-6-89, 1-1-90, Formerly 7F-1.008, Amended 4-3-00, _____.

61K1-1.009 Gloves and Mouthpieces.

~~(1) Glove requirements for boxing and kickboxing When the lighter of the two participants in a match weighs 154 pounds or less, both participants shall use 8 ounce gloves. When the lighter of the two participants in a match weighs more than 154 pounds, both participants shall use 10 ounce gloves. Where the weights of the two participants are such that, based upon these rules, one would wear 8 ounce gloves and one would wear 10 ounce gloves, the lighter of the two participants shall make the decision as to the weight of the gloves to be used, and both participants shall wear the same weight gloves. Both participants shall use the same color and manufacturer of gloves.~~

(a) When the lighter of the two participants in a boxing or kickboxing match weighs 154 pounds or less, both participants shall use 8 ounce gloves. When the lighter of the two participants in a boxing or kickboxing match weighs more than 154 pounds, both participants shall use 10 ounce gloves. Where the weights of the two participants are such that, based upon these rules, one would wear 8 ounce gloves and one would wear 10 ounce gloves, the lighter of the two participants shall make the decision as to the weight of the gloves to be used, and both participants shall wear the same weight gloves. In boxing and kickboxing, both participants shall use the same manufacturer of gloves.

~~(b)(2)~~ Prior to the beginning of each match each glove of each participant shall be examined and approved or disapproved by the chief inspector and the referee. Any glove intended to be used by a participant in a match shall be whole, clean, in sanitary condition and shall have the thumb attached. Gloves shall be thoroughly disinfected using formaldehyde and properly softened using neatsfoot oil. If the padding in a glove is found to be misplaced or lumpy, or if the glove shows evidence of breaking, roughing or twisting, the glove shall be disapproved and shall not be used. The match shall not begin or continue unless an approved glove has been substituted for the disapproved glove.

~~(c)(3)~~ Laces of gloves shall be knotted on the back of the wrist and tape shall be applied over the laces so as to prevent injury to the opponent.

~~(d)(4)~~ Gloves shall be adjusted in the ring or the dressing room under the supervision of the inspector.

(2) Glove requirements for mixed martial arts –

(a) Gloves shall weigh no less than 4 ounces nor more than 8 ounces; however, both participants shall wear the same weight gloves and use the same manufacturer of gloves as provided by the promoter unless both participants agree to use different manufacturers of gloves.

(b) Prior to the beginning of each match each glove of each participant shall be examined and approved or disapproved by the chief inspector or inspector and the referee. Any glove intended to be used by a participant in a match shall be whole, clean, in sanitary condition. Gloves shall be thoroughly disinfected using formaldehyde and properly softened using neatsfoot oil. If the padding in a glove is found to be misplaced or lumpy, or if the glove shows evidence of breaking, roughing or twisting, the glove shall be disapproved and shall not be used. The match shall not begin or continue unless an approved glove has been substituted for the disapproved glove.

(c) If laces are present, laces of gloves shall be knotted on the back of the wrist and tape shall be applied over the laces so as to prevent injury to the opponent. If velcro is present, the chief inspector may require the use of tape to prevent injury or to prevent loosening of the gloves during the match. Whenever the chief inspector decides to require tape, both corners must be subject to the same requirement.

(d) Gloves shall be adjusted in the ring or the dressing room under the supervision of the chief inspector or inspector.

(5) Each participant shall wear an individually fitted mouthpiece. The mouthpiece shall be in the participant's mouth at all times during the fight period of each round as provided herein. The referee shall handle the ejection of the mouthpiece from the participant's mouth in the following manner:

(a) If the referee believes that the mouthpiece was ejected from the participant's mouth as a result of natural fight action, the referee shall not charge the participant with the loss of a point. The referee shall wait until the flurry during which the mouthpiece was ejected has subsided. The referee ~~He~~ shall then take time out, direct the participant whose mouthpiece remains in place to retire to a neutral corner, and take the other participant to the participant's his own corner. The referee shall direct that the mouthpiece be rinsed and replaced in the participant's mouth. The referee shall direct that the fight period immediately continue; or

(b) If the referee believes that the participant spit out or allowed the mouthpiece to fall out of the his mouth the referee ~~he~~ shall:

1. Upon the first occurrence, wait until the flurry during which the mouthpiece was ejected has subsided. Referee ~~He~~ shall then take time out, direct the participant whose mouthpiece remains in place to retire to a neutral corner, and take the other participant to his or her own corner. The referee shall direct that the mouthpiece be rinsed and replaced in the participant's mouth and warn the participant that a point will

be deducted if ~~participant he~~ subsequently spits out or allows the mouthpiece to fall ~~out~~ ~~our of participant's~~ ~~mouth~~. The referee shall direct that the fight period immediately continue.

2. Upon the second occurrence, wait until the flurry during which the mouthpiece was ejected has subsided. ~~Referee He~~ shall then take time out, direct the participant whose mouthpiece remains in place to retire to a neutral corner, and take the other participant to his ~~or her~~ own corner. The referee shall direct that the mouthpiece be rinsed and replaced in the participant's mouth and warn the participant that ~~participant he~~ will be disqualified if ~~participant he~~ subsequently spits out or allows the mouthpiece to fall out ~~of his~~ ~~mouth~~. The referee shall direct each judge to deduct a point from the participant's score. The referee shall direct that the fight period immediately continue.

3. Upon the third occurrence, disqualify the participant who spit out or allowed his mouthpiece to fall out ~~of his~~ ~~mouth~~. The opponent of such participant shall be declared the winner due to disqualification of his ~~or her~~ opponent. The commission representative shall immediately advise the promoter that the purse of such participant shall be forfeited and paid over to the commission.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.043 FS. History—New 2-7-85, Amended 11-24-85, Formerly 7F-1.09, Amended 4-6-89, 1-1-90, 5-13-90, Formerly 7F-1.009, Amended 4-3-00, _____.

61K1-1.010 Physician; License and Duties; Authority.

(1) License.

(a) No person shall act as a physician in any match held in Florida without first having obtained a physician license pursuant to Chapter 548, F.S.

(b) No physician shall have financial or pecuniary interest in any participant under the jurisdiction of the commission.

(c) No physician shall also be licensed as a booking agent, promoter, foreign copromoter, concessionaire, manager, matchmaker or representative of a booking agent and shall not act as a booking agent, manager, matchmaker or representative of a booking agent.

(2) In addition to the duties, responsibilities and authority outlined in Rules 61K1-1.004, 61K1-1.0043, 61K1-1.012, 61K1-1.019, 61K1-1.035, and 61K1-1.037 of these rules, a physician shall also have the following duties, responsibilities, ~~responsibility~~ and authority:

(a) Two physicians shall be present at each match and render service and assistance as provided for in these rules. A physician shall be located near each participant's corner in a designated seat for the duration of each match. No match shall be allowed to begin or continue unless at least one physician is in his designated seat.

~~(b) The physician shall provide medical assistance for any illness or injury sustained by any person under the jurisdiction of the commission.~~

~~(b)(e)~~ If, at any time during the match, the physician is of the opinion that a participant has received severe punishment or injury, or that to continue the match would pose the threat of unreasonable harm or injury to a participant, the physician shall advise the referee that the match should be terminated. In this event, however, the referee is the sole arbiter of the match, and, as such, the referee is the only individual authorized to stop a match.

~~(d) If, in the opinion of the physician, the referee has received an injury, the seriousness of which prevents him from continuing to officiate, the physician shall notify the commission representative who shall temporarily halt the match. The injured referee shall be attended by the physician until he is no longer in danger or has been transferred to the care of another qualified person.~~

~~(c)(e)~~ In the event of injury to or illness of any person under the jurisdiction of the commission and while located on the premises where a program of matches is being conducted, the physician shall have complete charge of such person, shall provide medical assistance, and shall be accorded the full cooperation of all commission representatives and licensees present.

~~(d)(f)~~ Whenever a knockout occurs in any match, the physician shall examine the participant knocked out at the time of the knockout and in the his dressing room immediately after the match. In the event of a knockout or other serious injury, the physician shall remain on the premises to provide medical attention as needed. When the physician is satisfied that the injured or knocked out participant has recovered to the extent that the physician releases the participant from the physician's ~~his~~ care, the physician he shall, prior to releasing participant him, instruct participant him as to the danger signs of which the participant should be aware and which would indicate the need to seek immediate medical attention. The physician shall give to the injured participant Form BPR-0009-458, entitled Danger Signs, incorporated herein by reference and effective May, 1990.

~~(e)(g)~~ The physician shall not leave the premises until after the decision in the final match has been rendered, physician he is satisfied that physician's his services are no longer necessary and the executive director or commission representative have cleared participant to leave.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.017, 548.021, 548.045, 548.046, 548.047, 548.056 FS. History—New 2-7-85, Formerly 7F-1.10, Amended 5-8-88, 4-6-89, 5-13-90, Formerly 7F-1.010, Amended 9-10-95, 4-3-00, _____.

61K1-1.011 Manager; License; Contract Between Manager and Participant.

(1) License.

(a) No person shall act as a manager for any participant without having first obtained a manager license.

(b) No manager shall also be licensed as a judge, physician, promoter or referee and shall not act as a judge, physician, promoter or referee. A manager can be licensed as a promoter if the licenses are held in different sports and participants under contract to the manager are not also being promoted by the same licensee within the same sport.

(c) No manager shall have financial or pecuniary interest in an opponent of manager's his participant.

(d) No licensed manager shall act as a manager in any boxing, kickboxing or mixed martial arts ~~or kickboxing~~ match in this state unless the match is sanctioned by the commission.

(2) Conduct of Manager.

(a) No manager shall attempt to select or insist upon the selection of any referee or judge in a match in which a participant under his or her management is to appear, nor shall a manager he have the name of any such referee or judge written into the contract governing such match.

(b) No manager shall pay or contribute to the pay of or provide any gift or gratuity to any opposing participant, referee, judge, physician or any licensed official.

(c) Other than provided in these rules no participant, referee, judge, physician or any licensed official shall accept any pay, gift or gratuity from any manager or promoter.

(d) A manager may verbally shall not coach or in any way assist a participant during a round match. A manager shall not use profanity or inappropriate language or excessively coach his or her participant while working in the corner. The executive director or commission representative shall determine whether a manager's coaching or behavior is excessive, inappropriate, disruptive, or otherwise, unbecoming a sportsman. A manager attempting or by word or action, attempt to heckle or annoy his or her participant's opponent or any official is strictly prohibited. A manager shall not enter the corner ~~of the ring, or fenced area~~ at any time during the match and not interfere with the conduct of a match during the match. If any manager enters the corner during any match, the match shall be temporarily stopped and the manager shall be immediately ejected by the referee, and the referee shall order the match to continue. If any manager enters the ring or fenced area during any match, the match shall be forfeited to the opposing participant. Whenever a person licensed as a manager in this state desires to work in the corner of a participant under contract to the manager, the manager shall be designated a second and shall be deemed to be a second for that specific bout without the need to apply for a second license. When working in such capacity, the manager shall comply with the requirements set forth for seconds in Section s. 61K1-1.018, F.A.C. of these rules.

(e) The manager shall furnish to manager's his participant a statement of distribution of the purse together with the participant's share of the purse no later than 24 hours after the manager receives the purse and promoter's statement from the promoter. The manager shall retain a copy of the his statement

of distribution of the purse, certified by the manager him to be correct, with receipted vouchers for all expenditures and deductions for a period of 6 months following the date of the match and shall present such copy to the commission for inspection if requested to do so.

(f) Upon the proposal of a professional debut participant, the manager may be required to certify to the commission that the professional debut participant is physically competent and possesses the skills of a trained participant including, but not limited to:

1. Competence in the elements of offense and defense;

2. Clean hitting;

3. Ring generalship; and,

4. Physical stamina to fight at least the minimum number of scheduled rounds and duration.

(g) Professional debut certification shall be made to the executive director or commission representative prior to or at the time of the weigh-in by completing and signing the Pro Debut Release Form as incorporated by reference herein effective _____.

(h) A manager shall be issued a citation for the first occurrence if the professional debut participant is not able to demonstrate the competence and skills listed above.

(i) A manager shall be issued a citation and fined the manager's share of the purse for the second occurrence if the professional debut participant is not able to demonstrate the competence and skills listed above.

(j) A manager's license may be suspended or revoked for the third occurrence and beyond.

(3) Contracts Between Manager and Participant.

(a) No unlicensed manager, unlicensed agent, or other unlicensed person shall negotiate or contract for or on behalf of any participant with any promoter or matchmaker under the jurisdiction of the commission. No contract or negotiation entered into by such unlicensed person shall be valid.

(b) No manager shall negotiate, obligate or contract for matches for a participant not under contract to him or her.

(c) All contracts shall be in writing and shall be filed with the commission within 7 calendar days of execution. The commission shall be notified immediately of any changes in contractual status, which change shall be in writing, signed by all parties to the contract and filed with the commission within 7 calendar days of execution.

(d) No contract shall be entered into which entitles a manager or group of managers to a total fee in excess of 33 1/3 percent of the gross earnings of the participant, and no contract containing such a provision shall be valid or binding.

(e) Release of a participant from a participant or manager contract by a manager shall be in writing and filed with the commission.

(f) No manager of a participant shall sell, assign, transfer any interest, or in any way encumber, or attempt to sell, assign, transfer any interest, or in any way encumber in whole or in part, which he holds in any contract for the services of such participant without notice to and written consent of such participant and without notice to and written consent of the commission. The commission shall not approve an assignment or transfer of interest to any unlicensed, unnamed person.

(g) All contracts entered into in Florida between a manager and a participant, and all such contracts entered into outside of Florida involving participants and managers licensed by or subsequently licensed by the commission, shall expressly contain all provisions specifically as worded in Form BPR-009-451, entitled Letter of Agreement Between Participant and Manager, incorporated herein by reference and effective May, 1990, and if they do not, shall be deemed to contain such provisions as required by Section 548.05(2), F.S.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.017, 548.05, 548.053, 548.054, 548.056, 548.057, 548.058 FS. History—New 2-7-85, Amended 11-24-85, Formerly 7F-1.11, Amended 4-6-89, 8-28-89, 1-1-90, 5-13-90, 1-9-91, Formerly 7F-1.011, Amended 9-10-95, 4-3-00,

61K1-1.012 Participant; License; Conduct and Other Requirements.

(1) License.

(a) No person shall act or perform as a participant in any professional boxing, kickboxing, or mixed martial arts match held in Florida without having first obtained a participant license.

(b) No participant shall also be licensed as a judge, physician, promoter or referee and no participant shall not act as a judge, promoter or referee.

(c) No participant shall have any financial or pecuniary interest in participant's his opponent.

(d) No person shall be licensed as a participant and the license of any participant shall be suspended or revoked if such person:

1. Is under 18 years of age
2. Has had cardiac surgery;
3. Has not received an ophthalmic examination within the immediate 12-month period prior to the date of the scheduled match and the results of the examination filed with the commission;
4. Is found to have any blindness or whose vision is so poor as to cause a significant health hazard or impairment to his ability to effectively participate in a match;
5. Has suffered cerebral hemorrhage or any other serious head injury. The commission representative shall, if the commission representative he has cause to believe that a participant may have suffered neurological injury, direct the participant to undergo an EEG, complete neurological exam, EKG, MRI, or CAT scan, or other medical examination

deemed necessary by the executive director. ~~and~~ The the interpretation and diagnosis shall be filed with the commission; or

6. Is no longer able to competently perform as determined by the commission. A determination that a participant is no longer able to competently perform shall be based on participant's his win/lose/draw record; participant's his previous opponents and the results of such matches; participant's his proposed opponent; ~~and~~ the results of the matches between participant's his proposed opponent and others; participant's his physical condition; and participant's his ability to perform effectively; ~~or~~

7. Participates in a boxing, mixed martial arts or kickboxing match in this state unless the match is sanctioned by the commission.

(2) Conduct and Other Requirements.

(a) No participant whose most recent match was eight rounds or more in duration, shall engage in a match with less than 7 calendar days between matches. No participant whose most recent match was less than ~~8~~ eight rounds in duration, shall engage in a match with less than 48 hours between matches.

(b) A participant losing by knockout, technical knockout, or disqualification, or a participant who is under suspension for any of the reasons outlined under Chapter 548, F.S., shall have their license(s) suspended or revoked pursuant to section 548.041, F.S. ~~A participant, losing by knockout or having been rendered a decision of technical draw as a result of being counted out in any jurisdiction, shall be automatically suspended for a period of time as determined by the physician or commission representative, or at least 60 calendar days from the date of the knockout or technical draw, whichever is longer. A participant shall not engage in any match, contact exhibition or contact sparring for training purposes during the suspension period. After the suspension period and prior to engaging in any match, contact exhibition or contact sparring for training purposes he shall be examined by a physician. The participant shall advise the physician of the previous knockout or technical draw and shall provide medical records or his permission for the physician to consult with the physician who treated him at the time of the previous knockout or technical draw. The results of this examination shall be filed with the commission prior to any further matches being approved for the participant.~~

(c) ~~A participant losing by technical knockout or disqualification shall be automatically suspended for a period of time to be determined by the physician or commission representative, or 30 calendar days from the date of the technical knockout, whichever is longer. A participant shall not engage in any match, contact exhibition or contact sparring for training purposes during the suspension period without the approval of the physician. After the suspension period and prior to engaging in any match, contact exhibition or contact~~

sparring for training purposes he shall be examined by a physician. The participant shall advise the physician of the previous knockout or technical draw and shall provide medical records or his permission for the physician to consult with the physician who treated him at the time of the previous knockout or technical draw. The results of this examination shall be filed with the commission prior to any further matches being approved for the participant. In the case of a disqualification, the commission representative shall determine whether a medical clearance shall be required following suspension.

(d) Any participant who has been suspended by any state as a result of a recent knockout or series of consecutive losses, an injury, requirement for a medical procedure, or physician denial of certification, failure of a drug test, or the use of false aliases, or the falsifying or attempting to falsify official identification cards or documents shall not be permitted to participate in this state until such time as the state in which the participant is suspended removes his name from the suspension list or until the requirements of such suspension have been fulfilled and proof of such has been provided to this state. If a participant has been suspended in another state for any reason other than those stated above, the participant may be permitted to participate if the state in which the participant is suspended is notified and consulted with by this state prior to the granting of approval to participate or the participant appeals to the Association of Boxing Commissions (ABC) and the ABC determines that the suspension of such participant was without sufficient grounds, for an improper purpose, or not related to the health and safety of the participant.

(c)(e) Any participant who fails to appear at a match or fails to appear timely at a match for which he or his manager has contracted and does not provide a valid reason or, in the case of physical disability, furnish a physician's certificate, shall be issued a citation by the commission representative, indefinitely suspended by the executive director, fined or any combination thereof for a period to be determined by the commission. In making this determination, the commission shall consider the following factors:

1. The relative importance of the match;
2. The participant's past record of punctuality and tardiness; and
3. The reasons for his failure to appear or appear timely.

(f) ~~The license of any participant shall be revoked and shall not be reinstated, if such participant intentionally strikes, strikes at, or touches in any way or threatens to touch in any way, any official.~~

Specific Authority 548.003, 548.041 FS. Law Implemented 548.006, 548.011, 548.017, 548.041, 548.045, 548.046, 548.056, 548.071 FS. History—New 2-7-85, Amended 11-24-85, Formerly 7F-1.12, Amended 4-6-89, 8-28-89, 1-1-90, 1-9-91, Formerly 7F-1.012, Amended 9-10-95, 4-3-00, _____.

61K1-1.013 Judge; License and Duties.

(1) License.

(a) No person shall act as a judge in a match held in Florida without first having obtained a judge license.

(b) A judge shall not also be licensed as a booking agent, manager, matchmaker, participant, representative of a booking agent, second, or trainer.

(c) No judge shall have a financial or pecuniary interest in any participant.

(d) No judge licensed in this state shall act as a judge at any boxing, mixed martial arts or kickboxing match in a state, territory, commonwealth, or Native American Reservation without a state boxing commission unless the match is supervised by a state boxing commission.

~~(e) No judge shall also serve as a supervisor or serve on the ratings committee or recommend boxers to the ratings committee for a sanctioning body.~~

(2) Applications for a professional judge's license will be reviewed, evaluated, and processed in the following manner:

(a) Any person desiring to become licensed for the first time as a professional boxing, kickboxing, or mixed martial arts judge shall submit to the commission the appropriate application using Form BPR-0009-450, effective _____ September, 1997. ~~Included in this~~

1. All applicants for a boxing, kickboxing, or mixed martial arts judge license must first be issued a temporary certificate by the executive director. Temporary certificates are required for any person desiring to unofficially score a match for evaluation purposes. A license application shall be submitted with the same information and fee as a judge license.

2. For boxing and kickboxing, the application shall include ~~be~~ a certification from the executive director attesting that the applicant has completed the unofficial scoring of a minimum of 350 rounds of professional boxing or kickboxing held in this state and has been unofficially judging in this state for a minimum of eighteen months with a temporary certificate issued by the commission which is in good standing. The applicant must have a demonstrated record and evidence that he/she has the ability to perform the duties outlined below. The ~~Executive Director~~ Director may issue a temporary license pending final action by the ~~Commission~~ Commission. The commission shall render a decision as to whether or not the application for judge license shall be approved, which decision is solely that of the commission. If a license application is not granted by the commission, the commission shall set forth the reasons for not granting the license. ~~Any person whose application for a judge license has been denied shall not be permitted to reapply for a judge license for a period of six months. Any person whose application for a judge license has been denied on three occasions shall not be permitted to reapply.~~

3. For mixed martial arts, the application shall include a statement of experience inclusive of any certifications attained as an official in any of the martial arts, grappling, boxing, or kickboxing. If satisfied with the credentials of the applicant, the executive director may cause to be issued a temporary certificate for evaluation purposes, whereby the holder shall unofficially score professional mixed martial arts events held in this state for a period of time to be determined by the executive director; however, under no circumstances shall this period be longer than a total of 100 rounds and 18 months. If the temporary certificate holder has unofficially scored 100 rounds during an 18 month period, the executive director shall present the applicant to the commission for a final decision on licensure.

(b) Foreign licensed officials may be temporarily licensed by the executive director upon demonstrating an ability to perform the duties outlined below. The foreign licensed official's record and ability shall be verified by obtaining records from a central repository and any such other information as the Executive Director deems necessary to qualify the official. After issuance of a temporary license, the chairman of the Commission shall approve or disapprove the license, in accordance with these rules.

(c) At its first meeting after November 1 of each year, the commission shall review the performance of each licensed professional judge in Florida and shall approve or disapprove any the application for renewal or subsequent application.

(d) The executive director ~~commission~~ shall limit to three the number of unofficial judges at each event. The commission will make arrangements for unofficial judges to enter the premises of the program of matches free of charge and have an appropriate seat from which to judge the contests, provided however that in the case of television and such other events which by their nature severely limit ringside access, permission to sit and judge at ringside will not be authorized. In the case that the event is sold out, authorization will not be granted to attend the event free of charge. Travel and other expenses of the unofficial judge shall be borne solely by the unofficial judge. Unofficial judges must present their scorecards to the commission representative prior to the announcement of the result by the announcer and all contests within one program of matches must be judged by the unofficial judge in order for any contest within that program of matches to be included in the judge's statistical record.

(3) Duties.

(a) The number of judges shall be assigned in accordance with these rules and Section 548.057(9), F.S. In the event that sufficient judges are not available, a referee ~~may~~ shall be selected to act as a judge for that specific program of matches.

(b) ~~The judges shall be located in seats designated for them by the commission representative.~~

(c) No match shall begin or continue unless the appropriate number of judges, according to these rules, ~~three~~ judges are in their designated seats.

1. For boxing, there shall be three judges.

2. For kickboxing, there shall be three judges for scoring and two judges for kick counts, if so required.

3. For mixed martial arts, the appropriate number of judges will be contingent upon the conditions of the match approved by the commission for each particular event.

(d) It shall be the duty of each judge to:

1. Be fully informed of and conversant with the rules, regulations, standards, guidelines and policies of Chapter 548, F.S., the rules set forth herein, with particular attention given to Rule 61K1-1.035, F.A.C. of these rules;

2. Observe carefully at all times during the match the performance of the participants;

3. Appraise such performance fairly, accurately and expertly using Chapter 548, F.S., and the rules set forth herein;

4. Inscribe the result of such appraisal after each round on the round score card or match score card, whichever is appropriate, according to the scoring system adopted herein; and

5. Complete and sign the round or match score card and deliver it to the referee, ~~executive director or commission representative~~ at the conclusion of each round ~~the match~~.

(e) Judges who are officially scoring a match shall utilize ~~for scoring~~, Form BPR-0009-459, entitled Round Score Card, incorporated herein by reference and effective May, 1990, and Form BPR-0009-457, entitled Match Score Card, incorporated herein by reference and effective May, 1990.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.017, 548.056, 548.057 FS. History--New 2-7-85, Amended 11-24-85, Formerly 7F-1.13, Amended 4-6-89, 5-13-90, 1-9-91, Formerly 7F-1.013, Amended 9-10-95, 4-3-00, _____.

61K1-1.016 Announcer; License and Duties.

(1) License.

(a) No person shall act as an announcer at any match held in Florida without first having obtained an announcer license.

(b) No licensed announcer shall act as an announcer at any boxing, mixed martial arts or kickboxing match in a state without a state boxing commission or similar governmental authority unless the match is sanctioned by a national or international organization recognized by the commission, or at any boxing, mixed martial arts or kickboxing match held in this state unless the match is sanctioned by the commission.

(2) Duties.

(a) The announcer shall make all announcements in the English language unless approved to do otherwise by the executive director or commission representative. ~~He may also announce the match in another language after he has first made all announcements in the English language.~~

(b) An announcer shall be neatly and appropriately dressed while discharging his duties. Dress shall include jacket and tie.

(c) The announcer shall be at all times, subject and responsible to the commission representative in the discharge of his duties and shall accept directions only from the commission representative.

(d) Announcers shall not make unauthorized announcements or introductions of persons other than the participants and officials unless the commission representative has determined that the announcement or introduction is appropriate for the match. Under no circumstances shall an individual be introduced if his license has been revoked or is currently under suspension.

(e) After both participants and their chief seconds are in the ring, the announcer shall announce the name of each participant, his weight as determined at the weigh-in, and such other announcements as directed by the commission representative.

(f) An announcer shall display strict impartiality in word and action while performing his duties.

(g) The number of the round shall be announced at the 1-minute interval between rounds.

(h) At the conclusion of each match, the announcer shall make the announcement of the result ~~win or draw~~ in the manner and at such time as directed by the commission representative.

(i) In the event of a knockout or a technical knockout, the announcer shall obtain the result and the official time of the termination of the match from the commission representative, and shall announce the result, the time and the round in which the knockout or technical knockout occurred.

(j) At the conclusion of each match and immediately after the announcements have been made, the announcer shall submit to the commission representative any match score cards used by the judges and the referee that he may have in his possession.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.017, 548.057 FS. History--New 2-7-85, Amended 11-24-85, Formerly 7F-1.16, Amended 4-6-89, 1-9-91, Formerly 7F-1.016, Amended 9-10-95,_____.

61K1-1.017 Timekeeper or Knockdown Timekeeper; License and Duties.

(1) License.

(a) No person shall act as timekeeper or knockdown timekeeper for any match held in Florida without first obtaining a timekeeper license. A licensed referee that is not acting as such during a particular match may serve as the knockdown timekeeper for that particular match.

(b) No licensed timekeeper shall act as a timekeeper at any boxing, mixed martial arts or kickboxing match in a state without a state boxing commission or similar governmental authority unless the match is sanctioned by a national or

international organization recognized by the commission, or at any boxing, mixed martial arts or kickboxing match held in this state unless the match is sanctioned by the commission.

(2) Duties, Timekeeper.

(a) The timekeeper shall possess during the performance of assigned duties a whistle, a bell, horn or gong, and a ~~3-minute~~ stopwatch.

(b) The timekeeper shall be located within his arm length of the bell in a seat designated by the commission representative. No match shall begin or continue unless the timekeeper is in his designated seat.

(c) The timekeeper shall not use the whistle, bell, or other instrument during the progress of a round except in the manner and at the time authorized herein.

(d) Ten seconds before the beginning of each round, the timekeeper shall give warning to the seconds of each participant by blowing the whistle. Ten seconds before the end of each round, the timekeeper shall give warning by pounding the table three times in succession with a hammer, block of wood or similar object once on the ring floor.

(e) If directed by the referee, the timekeeper shall take time out.

(f) In boxing and kickboxing, the ~~The~~ timekeeper shall strike the bell to signify the beginning and ending of each round.

1. In mixed martial arts, a horn may be used in lieu of a bell to signal the beginning and ending of each round.

(g) If a match ends before the scheduled number of rounds, the timekeeper shall inform the referee and the commission representative of the exact duration of the match.

(i) In the event that an automatic timekeeping machine is available, its use is authorized, provided however, that manual timekeeping is maintained in the event of equipment failure.(h) The timekeeper shall be familiar with and perform such other duties as set forth in Rules 61K1-1.019, 61K1-1.030 and 61K1-1.035, F.A.C., of these rules.

(3) Duties, Knockdown Timekeeper.

(a) The knockdown timekeeper shall be located adjacent to the timekeeper in a seat designated by the commission representative. No match shall begin or continue unless the knockdown timekeeper is in the designated seat.

(b) The knockdown timekeeper shall count each second for knockdowns by striking the floor of the ring or a suitable wooden striking-board with a substantially constructed hammer or wooden mallet and, by stating in a loud voice, the elapse of each second until such time as the referee has taken over the count, at which time the knockdown timekeeper shall no longer call the count aloud.

(c) The knockdown timekeeper shall be familiar with and perform such other duties as set forth in Rules 61K1-1.019 and 61K1-1.035, F.A.C., of these rules.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.017, 548.057 FS. History—New 2-7-85, Amended 11-24-85, Formerly 7F-1.17, Amended 4-6-89, 8-28-89, 1-1-90, 1-9-91, Formerly 7F-1.017, Amended 9-10-95, 4-3-00,_____.

61K1-1.018 Second; License and Duties.

(1) License.

(a) No person shall act as a second for a participant in any match held in Florida without first having obtained a second license except that a licensed manager may be designated as one of his participant's seconds.

(b) No second shall have any financial or pecuniary interest in the opponent of his participant.

(c) No second shall also be licensed as a judge, physician, promoter or referee and shall not act as a judge, physician, promoter or referee.

(d) No licensed second shall act as a second in any boxing, mixed martial arts or kickboxing match in this state unless the match is sanctioned by the commission.

(2) Duties.

(a) Each participant shall be allowed no more than three seconds, one of whom shall be designated the chief second, provided however that in the case of a championship match, each participant shall be allowed no more than four seconds. The chief second shall be in charge of the participant's corner and be responsible for the conduct of all seconds, and shall be held responsible for any violation committed by any second.

(b) The chief second of any participant shall have with him at the ringside the following articles:

1. One pair of scissors;
2. One towel;
3. One clean water bucket;
4. One container of drinking water;
5. The necessary tape and bandages; and,
6. Proper caustics as provided in Section 61K1-1.0043, F.A.C., of these rules to stop bleeding of minor cuts and lacerations.

(c) First aid and other ring equipment of a second shall in all cases and at all times before, during, and after use, be available for inspection by the physician, inspector, and the commission representative. The commission representative's decision shall be final as to the propriety of its use.

(d) Seconds may verbally ~~shall not~~ coach ~~or in any way assist~~ a participant during a round, ~~or by word or action attempt to heckle or annoy his participant's opponent.~~ A second shall not use profanity or inappropriate language or excessively coach his or her participant. The executive director or commission representative shall determine whether a second's coaching is excessive, inappropriate, disruptive, or otherwise, unbecoming a sportsman. A second attempting, ~~or by word or action, attempt~~ to heckle or annoy his or her participant's opponent or any official is strictly prohibited Seconds shall remain seated in place ~~and silent~~ during the fight period of any round and shall not knock or pound on the ring floor or apron.

(e) No second shall attempt to render aid to a participant who has been counted out during the course of a match before the physician has examined the participant.

(f) If any second steps up onto the ring apron during any fight period of any match unless ordered to do so by the referee, the participant for whom that second is performing as a second shall be immediately determined as the losing participant disqualified and the opponent shall be declared the winner by technical knockout disqualification, unless the executive director or commission representative at ringside determines the act was done to avoid the fighter losing by knockout, in which case the executive director or commission representative may order the result be announced and recorded as a knockout and administer the appropriate suspension accordingly.

(g) The excessive or undue spraying of water on any fighter between rounds is prohibited.

(h) Only one second shall be allowed in the ring. No second shall enter the ring until the timekeeper has indicated ~~bell~~ the end of a round. He shall leave the ring at the sound of the timekeeper's whistle indicating the beginning of the next round is imminent. Prior to the beginning of each round, the entire ring platform and ropes shall be cleared of all obstructions, including buckets, stools, towels, and other articles; and none of these articles shall again be placed on the ring platform until the bell has sounded indicating the end of the round.

(i) No second shall approach any other person and either verbally abuse, harass or threaten, or physically abuse, harass, threaten or touch such person. A second who violates this rule shall be immediately ejected from the premises and shall be automatically banned from any involvement with boxing, mixed martial arts or kickboxing in this state unless the commission decides otherwise ~~suspended until a final determination is made by the commission.~~

Specific Authority 548.003 FS. Law Implemented 548.002, 548.006, 548.011, 548.017, 548.046, 548.056, 548.057 FS. History—New 2-7-85, Amended 11-24-85, Formerly 7F-1.18, Amended 4-6-89, 1-1-90, 1-9-91, Formerly 7F-1.018, Amended 9-10-95, 4-3-00,_____.

61K1-1.019 Referee; License and Duties.

(1) License.

(a) No person shall act as a referee in a match held in Florida without first having obtained a referee license.

(b) If, during the course of a match, the referee receives an injury or is unable to continue acting in his capacity as referee, the commission representative shall:

1. Select another qualified person to act as referee for the remainder of the match and program of matches; or
2. If no qualified person is available, cancel the remainder of the match and program of matches.

(c) No person who has financial or pecuniary interest in any participant shall be granted a referee license.

(d) No referee shall also be licensed as a booking agent, manager, matchmaker, participant, representative of a booking agent, second or trainer and shall not act as a booking agent, manager, matchmaker, participant, representative of a booking agent, second or trainer.

(e) No referee licensed in this state shall act as a referee at any boxing, mixed martial arts or kickboxing match in a state without a state boxing commission or similar governmental authority unless the match is supervised by a state boxing commission or similar governmental authority.

(f) No referee shall also serve as a supervisor or serve on the ratings committee or recommend boxers to the ratings committee for a sanctioning body. The applicant must have a demonstrated record and evidence that he/she has the ability to perform the duties outlined below. The ~~e~~Executive ~~d~~Director may issue a temporary certificate pending final action by the Commission.

(2) Applicants for a professional referee's license will be reviewed, evaluated and processed in the following manner:

(a) Any person desiring to become licensed for the first time as a professional boxing referee, shall submit the appropriate application for license.

(b) At its first meeting after November 1 of each year, and its next meeting following the timely submittal of the application for license, the commission shall render a decision as to whether or not the license will be granted.

(c) Applicants for a referee license will be permitted to officiate at the discretion of the executive director for observation purposes. The executive director shall cause to be issued a temporary certificate for this purpose by collecting a license application and fee from the applicant. The executive director shall be cognizant of the relative importance of the match, the number of scheduled rounds and any other factors that may contribute to a difficult set of circumstances for a referee early in his career.

~~(d)(e)~~ Applicants for a referee license will be admitted free of charge to professional boxing venues for the purpose of observing and interacting with licensed referees, provided however, that in the case of television events and such other events which by their nature severely limit ringside access, permission to sit at ringside will not be authorized. In the case that an event is sold out, authorization will not be granted to attend the event. Travel and other expenses will be borne solely by the applicant.

~~(e)(d)~~ At its first meeting after November 1 of each year, the executive director shall recommend to the commission a list of shall review the performance of each licensed professional referees to be licensed or renewed as officials in this state and the commission shall approve or disapprove the recommendations applications for renewal.

(3) Duties.

(a) ~~A referee, in addition to being examined by a physician prior to officiating,~~ shall submit to an annual physical examination to establish physical fitness. The result of this examination shall be filed with the commission. The executive director or commission representative may require the referee to be examined by a physician immediately prior to officiating a match at his discretion.

(b) Prior to the beginning of each match, and periodically for the duration of the match, the referee shall examine the participants' gloves, equipment, and person to ensure that no unsafe or improper condition exists. In boxing and kickboxing, before ~~Before~~ allowing a match to continue after a participant has been knocked down, the referee shall wipe clean the surface of the gloves of the participant who was knocked down.

(c) When a participant receives an injury which the referee believes may incapacitate the participant, the referee shall call time out and consult with the physician as to the advisability of allowing the match to continue. No person shall attempt to render aid to or move a participant other than what may be required to move the participant inside the ropes or to remove the mouthpiece of a participant who has been counted out during the course of a match before the physician has examined the participant. However, the referee shall remove the participant's mouthpiece.

(d) The referee shall have the authority to:

1. Terminate a match at any time when the referee determines that one of the participants has such superior skills or ability as to make such match unreasonably dangerous to the other participant and shall be recorded as a technical knockout;

2. Disqualify a participant who commits an intentional foul and award the decision to the opponent;

3. Terminate a match and disqualify either or both participants if the referee determines that either or both participants are not competing in earnest;

4. Terminate a match if either participant has been injured and is in such condition that to continue the match might subject the participant to a debilitating or life threatening injury;

5. Temporarily or permanently halt a match if the referee believes that a significant health hazard exists, when such hazard could reasonably be anticipated to create a significant danger to the participants or the public; and

6. Enforce discipline and the rules, as set forth herein, pertaining to the conduct and behavior of participants, managers, trainers, and seconds.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.017, 548.056, 548.057, 548.058 FS. History—New 2-7-85, Amended 11-24-85, Formerly 7F-1.19, Amended 4-6-89, 1-1-90, 1-9-91, Formerly 7F-1.019, Amended 9-10-95, 4-3-00, _____.

61K1-1.023 Trainer; License and Conduct.

(1) License.

(a) No person shall act as a trainer for any participant without having first obtained a trainer license.

(b) No trainer shall have financial or pecuniary interest in an opponent of his participant.

(c) No trainer shall also be licensed as a judge, referee, physician or promoter and shall not act as a judge, referee, physician or promoter.

(d) No licensed trainer shall act as a trainer in any boxing, mixed martial arts or kickboxing match in this state unless the match is sanctioned by the commission.

(2) Conduct.

(a) The trainer shall prepare the participant for the match in which he is to engage and shall provide information and direction so as to ensure that the participant is in good physical condition and is prepared to utilize and display his skills to the best of his ability.

(b) A trainer may verbally ~~shall not~~ coach ~~or in any way assist~~ a participant during a round; A trainer shall not use profanity or inappropriate language or excessively coach his or her participant while working in the corner. The executive director or commission representative shall determine whether a trainer's coaching or behavior is excessive, inappropriate, disruptive, or otherwise, unbecoming a sportsman. A trainer attempting ~~or~~ by word or action ~~attempt~~ to heckle or annoy his or her participant's opponent. A trainer shall not use profanity or inappropriate language or excessively coach his or her participant while working in the corner. The executive director or commission representative shall determine whether a trainer's coaching or behavior is excessive, inappropriate, disruptive, or otherwise, unbecoming a sportsman. A trainer attempting ~~or~~ by word or action, ~~attempt~~ to heckle or annoy his or her participant's opponent or any official is strictly prohibited.

(c) A trainer shall not enter the corner or the ring or fenced area at any time during the match and shall remain seated in place during the fight period of any round and shall not knock or pound on the ring floor or apron and silent during the match.

(d) If any trainer steps up onto the ~~ring~~ apron during any match, the participant for whom the trainer is performing as a trainer shall be immediately determined as the losing participant disqualified and the opponent shall be declared the winner by technical knockout disqualification.

(e) No trainer shall approach any other person and either verbally abuse, harass or threaten, or physically abuse, harass, threaten, or touch such person. A trainer who violates this rule shall be immediately ejected from the premises and shall be automatically suspended until a final determination is made by the commission.

(f) Upon the proposal of a professional debut participant, the trainer may be required to certify to the commission that the professional debut participant is physically competent and possesses the skills of a trained participant including, but not limited to:

1. Competence in the elements of offense and defense;

2. Clean hitting;

3. Ring generalship; and

4. Physical stamina to fight at least the minimum number of scheduled rounds and duration.

(g) Professional debut certification shall be made to the executive director or commission representative prior to or at the time of the weigh-in by completing and signing the Pro Debut Release Form as incorporated by reference herein effective _____.

(h) A trainer shall be issued a citation for the first occurrence if the professional debut participant is not able to demonstrate the competence and skills listed above.

(i) A trainer shall be issued a citation and fined the trainer's share of the purse for the second occurrence if the professional debut participant is not able to demonstrate the competence and skills listed above.

(j) A trainer's license may be suspended or revoked for the third occurrence and beyond.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.017, 548.056 FS. History--New 4-6-89, Amended 1-9-91, Formerly 7F-1.023, Amended 9-10-95, 4-3-00, _____.

61K1-1.024 Booking Agent, Representative of Booking Agent; License.

(1) No person shall act as a booking agent or representative of a booking agent without first having obtained the appropriate license.

(2) No booking agent or representative of a booking agent shall also be licensed as a judge, physician, referee or promoter and shall not act as a judge, physician, referee or promoter.

(3) No licensed booking agent or representative of a booking agent shall act as a booking agent or representative of a booking agent for any boxing, mixed martial arts or kickboxing match in this state unless the match is sanctioned by the commission.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.017 FS. History--New 4-6-89, Amended 1-9-91, Formerly 7F-1.024, Amended 9-10-95, _____.

61K1-1.030 Rounds.

(1) The duration of each round of a boxing or kickboxing match shall be 3 minutes with 1-minute rest intervals between rounds. Women's boxing and kickboxing contests shall may be scheduled for 2-minute or 3-minute rounds, as approved by the executive director or commission representative to be determined by agreement of the participants.

(2) A boxing or kickboxing match shall be scheduled for four, six, eight or ten rounds, depending upon the experience of the participants and whether or not the match is a main event. Odd numbers of rounds may be approved by the executive director as long as the number of rounds does not exceed twelve. A championship boxing or kickboxing match shall be scheduled for 12 rounds. Women's championship boxing or kickboxing matches may be scheduled for no less than 10 rounds.

(3) The duration of each round of a mixed martial arts event shall not exceed 5 minutes with no less than 1 minute and no more than 1 and one-half minute rest intervals between rounds depending upon the approved conditions of the matches for the event.

(4) A mixed martial arts match shall be scheduled for two, three, four, five, six, eight or ten rounds, depending on the experience of the participants, whether or not the match is a main event and the conditions of the matches for the event. Under no circumstances can the total fight time for a match exceed 36 minutes.

Specific Authority 548.003 FS, Law Implemented 548.006, 548.057 FS, History—New 4-6-89, Formerly 7F-1.030, Amended 4-3-00,_____.

61K1-1.035 Scoring System; Scoring, Criteria; Knockdowns, Fouls; Determination of Win or Draw; Decision Final, Exceptions.

(1) Scoring System. Scoring shall be by the “10 point must” system. The winner of any round shall be awarded 10 points. The loser of any round shall be awarded six to nine points. When a round is even, each participant shall be awarded scored 10 points. Partial or incomplete rounds shall be scored. No score shall be given for any round that is not completed. However, Any point deduction occurring during the partial round will be deducted as if a complete round were being tabulated from the final score of the completed rounds. In kickboxing, points may be deducted from the points earned from each of the scoring judges for failure to execute the number of required kicks.

(2) Boxing and Kickboxing – Scoring, Criteria; Knockdowns, Fouls. The awarding or deducting of points by the judges and referee, the determination as to the occurrence of knockdowns, knockouts and fouls and the procedure to be used following such occurrence shall be accomplished in the following manner and based on the following criteria, which criteria is listed in the order of importance:

(a) The only fair punch is a punch delivered with the padded knuckle part of the glove to the front or side of the head or body above the belt, and the participant who delivers such a punch shall be awarded points in proportion to its damaging effects.

1. A clean knockdown shall be highly scored. A knockdown is scored as soon as it occurs. The participant who takes advantage of the full 9-second count shall be credited with ring generalship that would not be credited to him if he

arose immediately and, in a groggy condition, tried to continue. If he arises before the count of nine and handles himself well, either aggressively or defensively after he is on his feet, he shall be credited with ring generalship. If the participant who is down arises during the count, the referee may, if he deems it advisable, step between the participants for such period of time to assure himself that the participant who has just arisen is able to continue. When so assured, he shall, without loss of time, order both participants to proceed with the match. The following shall be used to determine when a knockdown has occurred and the procedure to be followed after a knockdown has occurred:

(I) Any part of his body, other than his feet, is on the floor;a. A participant shall be considered to be knocked down when:

(II) He is hanging helplessly over the ropes;

(III) He is rising from a down position; or

(IV) At the conclusion of a round in a match, he leaves the ring and fails to be in the ring when the bell sounds indicating the beginning of the next round.

b. When a participant is knocked down, the referee shall order the opponent to retire to the farthest neutral corner of the ring by pointing to that corner, and shall immediately begin a 10-second count over the participant who is down. He shall announce the passing of the seconds, accompanying the count with a downward motion of his arm. The knockdown timekeeper, by effective signaling, shall provide the referee the correct one second interval for his count. The referee's count is the official count.

c. If the participant taking the count is still down when the referee calls the count of 10, the referee shall wave both arms to indicate that the participant has been knocked out, provided however, that if the participant is counted out by virtue of his failure to be in the ring when the bell sounds indicating the beginning of the next round, the match shall be terminated and the participant who was counted out shall be declared the loser by technical knockout.

d. If a participant is knocked down and is down at the time the bell rings to end the round, the timekeeper shall continue to keep time and the referee shall continue to count. If the downed participant fails to rise before the count of 10, the participant shall be considered to have been knocked out in the next subsequent round. If the participant rises before the count of 10 and the referee determines that the contest can continue, both participants shall be afforded the full one minute rest period between rounds, beginning when one of their seconds comes onto the ring apron, regardless of the amount of time used during the knockdown and subsequent counting by the referee. If a participant is knocked down and is down at the time the bell rings in the final round, the timekeeper shall continue to keep time and the referee shall continue to count. If

the downed participant fails to rise before the count of 10, the participant shall be considered to have been knocked out in the final round.

e. If both participants are knocked down at the same time, counting shall be continued as long as either remains down. If both participants remain down until the count of 10, the match shall be terminated and the decision shall be a technical draw.

f. A participant who has been knocked down shall be required to take a count of eight whether or not he has regained his feet before the count of eight has been reached.

g. If a participant who is down arises before the count of 10 is reached, and then goes down immediately, without being struck, the referee shall resume the count where he previously stopped counting.

h. When a participant is knocked out, the referee shall perform a full 10 second count before terminating the match, provided however that if, in the opinion of the referee or physician, the participant requires immediate medical attention, the referee shall not be required to count to 10.

i. If a participant is knocked out of or has fallen out of the ring the referee shall immediately begin a count of 20. The referee shall not allow the match to resume until he has at least counted to 18.

j. If the participant who is not down and who has been ordered to a neutral corner, fails to stay in the neutral corner, the referee and knockdown timekeeper shall cease the count and shall not resume the count until the participant has retired to the neutral corner.

k. If a towel is thrown into the ring when a participant is down, the towel shall be ignored and the referee and knockdown timekeeper shall continue to count as if it had not appeared.

2. If a participant slips, falls down or is pushed down, the referee shall order him to his feet immediately.

3. An unintentional foul may result in a deduction of a point, as determined by the referee. The referee shall determine whether or not a point is to be deducted, using as his criteria the severity of the foul and its effect upon the opponent. When the referee determines that he shall deduct a point from a participant, he shall immediately advise the participants, judges, and commission representative supervising the event of such action. The referee shall not tolerate continual and repeated commission of fouls by a participant. The referee shall give warning to a participant who continually and repeatedly commits fouls and when, in the opinion of the referee, the participant has displayed persistent disregard for the rule governing the commission of fouls, the referee shall disqualify the participant, terminate the match and provide such findings to the commission for appropriate action. Points for fouls shall only be deducted in the round in which the fouls occurred. A participant shall not be penalized in a subsequent

round for fouls that occurred in a previous round. The following actions are considered to be fouls, the committing of which may result in a deduction of points:

- a. Punching below the belt;
- b. Punching an opponent who is down or is getting up after being down;
- c. Holding an opponent with one hand and punching with the other;
- d. Holding or deliberately maintaining a clinch after several warnings;
- e. Wrestling or kicking;
- f. Butting with the head or shoulder or using the knee;
- g. Punching with an open glove, or with the butt of the hand, the wrist or elbow and all backhand punches;
- h. Striking deliberately at that part of the back near the spine and over the kidneys;
- i. The deliberate use of the rabbit punch or any punch struck at the back of the neck near the base of the skull and which is not the result of the opponent turning his head to avoid a punch;
- j. Jabbing the opponent's eyes with the thumb of the glove;
- k. The use of abusive language in the ring;
- l. Any unsportsmanlike trick or action causing injury to an opponent;
- m. Punching on the break;
- n. Punching after the bell has sounded ending the round;
- o. Roughing at the ropes;
- p. Pushing an opponent around the ring or into the ropes;
- q. Tripping or stepping on the opponent's foot; or
- r. Spitting out of the mouthpiece or allowing the mouthpiece to fall out of the mouth. Referees shall handle ejection of the mouthpiece in the manner described in s. 61K1-1.009, F.A.C., of these rules.

s. Punching or flicking with the open glove; and
 t. Clinching after warning has been given;
u. The following apply to kickboxing in addition to a thought provided above:

(I) Kicking with the knee, or kicking into the knee or to the inside region of the thigh, and sweeps to the inside region of the leg or shin-to-shin sweeps;

(II) Leg checking which is the act of extending the leg to check an opponent's leg to prevent opponent from kicking;

(III) Grabbing or holding an opponent's leg or foot followed by a takedown, strike, or kick;

(IV) Anti-joint techniques which is the act of striking or applying leverage against any joint; and

(V) Holding the ropes with one hand while kicking, punching, or defending with the other hand or the legs.

4. Except in the case of biting or punching while the opponent is down, when the referee determines that a participant has intentionally committed a foul, the referee shall deduct one or more points. Point deductions for intentional fouls shall be accomplished in the same manner as subparagraph 3., above.

a. If an intentional foul causes an injury, and the injury is severe enough to terminate the bout immediately, the participant causing the injury shall lose by disqualification.

b. If an intentional foul causes an injury, and the injury results in the bout being stopped in a subsequent round, the injured participant shall be declared the winner by technical decision if the injured participant is ahead on a majority of the judges' score cards and if not, the bout will be declared a technical draw.

c. If at any time during the match the referee determines that a participant has bitten an opponent, the match will be halted and that participant shall be disqualified.

d. The first offense of punching while down shall result in the deduction of 2 points from the score of the participant who punches his opponent while his opponent is down, unless the first offense, as determined by the referee, is blatant and a clear disregard of the rule. If such determination is made by the referee, the participant committing the foul shall be immediately disqualified and his opponent shall be declared the winner by disqualification. The second offense of punching while down shall result in the disqualification of the participant committing the offense and his opponent shall be declared the winner by disqualification.

(b) Points for aggressiveness shall be awarded to the participant who sustains the actions of a round by the greatest number of skillful attacks;

(c) Consideration shall be given for sportsmanlike conduct, close adherence to the rules and refraining from taking technical advantage of situations which are unfair to his opponent. Points shall be deducted from a participant for unsportsmanlike conduct, disregard of the rules and taking technical advantage of situations which are unfair to his opponent;

(d) Consideration shall be given for clever defensive work such as avoiding or blocking a punch;

(e) Consideration shall be given where ring generalship is conspicuous. Ring generalship includes the ability to:

1. Quickly recognize and take advantage of every opportunity presented;
2. Cope with a diversity of situations;
3. Anticipate and neutralize an opponent's form of attack; and
4. Force an opponent to adopt a style at which he is not particularly skillful;

(f) Points shall be deducted when a participant persistently delays the action of a match by clinching, holding or lack of aggressiveness.

(g) In kickboxing, 8 legal kicks delivered above the belt shall be required. For each legal kick less than the minimum number required, a participant shall be penalized by the deduction of 1 point not to exceed 3 points in any one round. Each knockdown shall be recognized as a legal kick delivered above the belt.

(h) Sweeps must be obvious attempts to unbalance the opponent and not an attempt to injure the leg of the opponent. Sweeps must be executed with the arch part of the foot and delivered to the outside portion of the forward leg only.

(3) Determination of Win or Draw.

(a) A participant who knocks out his opponent shall be declared the winner of the match.

(b) If both participants are knocked down at the same time and both participants remain down until the count of 10, the match shall be considered a technical draw.

(c) A participant who is awarded a technical knockout shall be declared the winner of the match.

(d) When the winner of a match is to be determined by the number of points awarded or deducted or by the number of rounds awarded to each participant, the scores for all rounds shall be compiled for each judge and the following criteria shall be used:

1. Three wins shall be declared a win by unanimous decision;

2. Two wins and one draw shall be declared a win by majority decision;

3. Two wins and one loss shall be declared a win by split decision;

4. One win and two draws shall be declared a draw announced as a majority draw;

5. One win, one draw and one loss shall be declared a draw announced as a draw;

6. One win and two losses shall be declared a loss;

7. Three draws shall be declared a draw;

8. Two draws and one loss shall be declared a draw;

9. One draw and two losses shall be declared a loss; and

10. Three losses shall be declared a loss.

(e) A participant shall not be declared the winner of a match on a claim of low blow foul, and a participant shall not lose a match by reason of an unintentional low blow foul.

(f) No participant shall be awarded a match based on an unintentional foul unless the foul was unintentional butting. If a match is temporarily halted because of an unintentional foul, the referee shall determine whether the participant who has been fouled can continue. If the referee determines that the participant can continue, the referee shall order the match to be continued. If the referee determines that the participant is unable to continue the match as a result of an unintentional foul other than for butting, the referee will give the injured participant five (5) minutes in which to recover and continue. If at the end of the five (5) minute recovery period the fouled

participant is unable to continue the boxing match, the fouled participant shall be declared the loser by technical knockout. During the five (5) minute recovery period neither participant's seconds may assist the participants in any way. If a participant is unintentionally butted in a match so that he cannot continue, the referee shall declare the result of the match using the following criteria:

1. During a four round boxing match, if the unintentional butt occurs prior to the scoring of the third round and the fouled participant is unable to continue, the result shall be a no decision technical draw;

2. During a six, eight, ten or twelve round boxing match, if the unintentional butt occurs prior to the scoring of the fourth round and the fouled participant is unable to continue, the result shall be a no decision;

~~3.2.~~ During a four ~~or six~~ round boxing match, if the unintentional butt occurs in any round subsequent to the scoring of the third round or occurs prior to the scoring of third round but the participant is not determined to be unable to continue until after the scoring of the third round, the determination of win, loss or draw shall be based upon the score cards of the judges as a technical decision whereby partial rounds will be scored;

~~4.3.~~ During a ~~an~~ six, eight, ten or twelve round boxing match, if the unintentional butt occurs in any round subsequent to the scoring of the fourth round or occurs prior to the scoring of fourth round but the participant is not determined to be unable to continue until after the scoring of the fourth round, the determination of win, loss or draw shall be based upon the score cards of the judges as a technical decision whereby partial rounds will be scored;

~~4.~~ ~~During a ten round match, if the unintentional butt occurs in any round subsequent to the scoring of the fourth round or occurs prior to the scoring of fourth round but the participant is not determined to be unable to continue until after the scoring of the fourth round, the determination of win, loss or draw shall be based upon the score cards of the judges;~~

~~5.~~ ~~During a twelve round match, if the unintentional foul occurs in any round subsequent to the scoring of the fourth round or occurs prior to the scoring of fourth round but the participant is not determined to be unable to continue until after the scoring of the fourth round, the determination of win, loss or draw shall be based upon the score cards of the judges.~~

(g) When an injury is produced by a fair punch but because of the severity of the injury the match cannot continue, the injured participant shall be declared the loser by a technical knockout.

(h) If a participant refuses to continue a match while physically able to do so, the referee shall disqualify him, award the match to his opponent, and shall direct that the purse be withheld. The referee shall provide a written report to the commission. If the commission determines that the participant refused to continue a match while physically able to do so, the

commission shall require that the participant's purse shall be forfeited to the commission and shall impose a period of suspension for a period not less than 6 months.

(i) In any case where the referee determines that both participants are not honestly competing, that a knockdown is intentional and predetermined by both parties or a foul has been pre-arranged so as to cause the match to be terminated, he shall not finish the knockdown count or disqualify either participant for fouling or render a decision, but shall instead terminate the match not later than the end of the round and order the promoter to surrender the purses of both participants to the commission representative pending an investigation of the alleged violation. The announcer or referee shall inform the audience that no decision has been rendered.

(j) If, in the opinion of the physician, the referee has received an injury, the seriousness of which prevents him from continuing to officiate, and the commission representative is unable to locate another qualified person to act as referee, the match shall be terminated, no decision shall be rendered and the purses of both participants shall be withheld. The commission shall then rule as to the disposition of the purses.

(4) Decision Final, Exceptions.

(a) A decision rendered at the conclusion or termination of any match is final and shall not be changed unless it is determined that any of the following occurred:

1. There was collusion affecting the result of any match;

2. The compilation of the round or match score cards of the referee and judges shows an error which indicates that the decision was awarded to the wrong participant;

3. There was a violation of Rule 61K1-1.0043, F.A.C., of these rules, relating to drugs or foreign substances; or

4. There was a violation of Chapter 548, F.S., or the rules set forth herein which violation affected the result of the match.

(b) If it is determined that any of the above occurred, the decision rendered shall be changed as directed by the commission.

(5) Conditions of the Match in Mixed Martial Arts.

(a) The conditions of the match for any mixed martial arts match as proposed to the executive director shall be deemed to include the following as fouls:

1. Butting with the head;

2. Eye-gouging of any kind;

3. Biting;

4. Hair pulling;

5. Fishhooking;

6. Groin attacks of any kind;

7. Small joint manipulation to include fingers and toes;

8. Putting a finger into any orifice, cut, or laceration on an opponent;

9. Striking to the spine or back of the head to include, without limitation, hand strikes, punches, kicks and knees;

10. Striking downward using the point of the elbow;
 11. Throat strikes of any kind to include, without limitation, grabbing the trachea;
 12. Clawing, pinching, twisting of the flesh;
 13. Grabbing the clavicle;
 14. Kicking or kneeing to the head of a grounded opponent;
 15. Stomping a grounded opponent;
 16. Kicking to the kidney with the heel of the foot;
 17. Spiking an opponent to the canvas on the head, crown of the head, or neck;
 18. Throwing an opponent out of the ring or fenced area;
 19. Holding the shorts or gloves of your opponent;
 20. Spitting at your opponent;
 21. Engaging in any unsportsmanlike conduct that causes injury to an opponent;
 22. Holding the ropes or fencing;
 23. Attacking an opponent during the rest period, while under the care of the referee or ringside physician, or after the bell has sounded the end of a round;
 24. Flagrant disregard for instructions of the referee;
 25. Timidity to include, without limitation, avoiding contact with an opponent, intentionally spitting or consistently dropping the mouthpiece, or faking an injury;
 26. Interference by the corner;
 27. Throwing in the towel by the corner;
 28. Using abusive language in the ring or fenced area.
- (b) A mandatory 1 point deduction will be standard for any intentional foul that produces an injury.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.054, 548.057, 548.058, 548.071 FS. History—New 4-6-89, Amended 8-28-89, 1-1-90, 1-9-91, Formerly 7F-1.035, Amended 9-10-95, 4-3-00, _____.

61K1-1.037 Post-Match Physical Requirements; Suspensions.

(1) As a result of injuries or suspected injuries sustained or suspected to have been sustained in any match, the commission representative shall order a medical examination to be given to any participant or referee at any time, if he has cause to believe that the health or safety of the participant or referee is in jeopardy.

(2) When it shall appear to a physician, for whatever reason and regardless of how the injury was sustained, that a participant or referee is no longer able to safely continue to compete or officiate, the physician shall report such findings, in writing, to the executive secretary. If the physician has so recommended, the participant or referee shall not be permitted to participate until such time as he is certified as fit to participate by the physician.

(3) A participant, losing by knockout or having been rendered a decision of technical draw as a result of being counted out in any jurisdiction, shall be automatically suspended for a period of time to be determined by the

executive director based upon the recommendation of the physician, or at least 60 calendar days from the date of the knockout or technical draw, whichever is longer. A participant shall not engage in any match, contact exhibition or contact sparring for training purposes during the suspension period. After the suspension period and prior to engaging in any match, contact exhibition or contact sparring for training purposes he shall be examined by a physician. The participant shall advise the physician of the previous knockout or technical draw and shall provide medical records or his permission for the physician to consult with the physician who treated him at the time of the previous knockout or technical draw. The results of this examination shall be filed with the commission prior to any further matches being approved for the participant.

(4) A participant losing by technical knockout or disqualification shall be automatically suspended for a period of time to be determined by the executive director based upon the recommendation of the physician or at least 30 calendar days from the date of the technical knockout, whichever is longer. A participant shall not engage in any match, contact exhibition or contact sparring for training purposes during the suspension period without the approval of the physician. After the suspension period and prior to engaging in any match, contact exhibition or contact sparring for training purposes he shall be examined by a physician. The participant shall advise the physician of the previous knockout or technical draw and shall provide medical records or his permission for the physician to consult with the physician who treated him at the time of the previous knockout or technical draw. The results of this examination shall be filed with the commission prior to any further matches being approved for the participant. In the case of disqualification, the commission representative shall determine whether a medical clearance shall be required following suspension.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.045, 548.046, 548.071 FS. History—New 4-6-89, Amended 1-1-90, Formerly 7F-1.037, Amended 9-10-95, 4-3-00, _____.

61K1-1.040 Post-Match Reports Required to be Filed; Penalty for Late Filing.

(1) Within 2 hours following the conclusion of a program of matches, unless otherwise directed by the commission, the promoter shall distribute to the participant's manager and the participant, the participant's share of the purse along with a written statement showing the distribution of the purse, which statement shall include each item of receipt and each expenditure or deduction. The promoter shall retain a copy of this statement, certified by the promoter to be correct, with receipted vouchers for all expenditures and deductions for a period of 6 months and shall provide such copy to the commission if requested to do so.

(2) Within 24 hours following receipt of the purse and statement from the promoter, unless otherwise directed by the commission, the manager shall distribute to the participant, the

participant's share of the purse and a statement of distribution. The manager shall retain a copy of the manager's statement, certified by him to be correct, with receipted vouchers for all expenditures and deductions for a period of 6 months and shall provide such copy to the commission if requested to do so.

(3) ~~Within 72 hours and 5 days for mailing time~~ Following a program of matches held in Florida, the promoter shall file with the commission as required by section 548.06, F.S., a written report of gross receipts on Form BPR-0009-453, entitled Post Event Tax Report For Live Event, incorporated herein by reference and effective May, 1993, which form shall be provided by the commission. This form shall be accompanied by a tax payment of 5 percent of the total gross receipts excluding any federal tax or state sales tax, except that the tax payment derived from the gross price charged for the sale or lease of broadcasting, television and motion picture rights shall not exceed \$40,000 for any single program of matches. All ticket stubs and unused tickets or an independently prepared ticket manifest shall be retained by the promoter for a period of 6 months and shall be provided to the commission upon request.

(4)(a) Failure to file either or both the report and tax payment within the time frame described above shall result in a daily fine of 10 percent of the amount of the tax payment due or \$25, whichever is greater. If the fine is calculated based upon the 10 percent of the tax payment due, such fine shall not exceed \$5,000. The fine shall begin the day following the end of the time frame described above and shall continue for each day that either or both the report is not filed or the tax payment remains unpaid.

(b) If the report and tax payment filed with the commission is determined to be understated, the fine assessment shall apply to the balance remaining after crediting the tax payment filed. The fine shall commence 72 hours following receipt of notice of the underpayment by the promoter responsible for the tax payment.

Specific Authority 548.003 FS. Law Implemented 548.053, 548.06, 548.075 FS. History—New 4-6-89, Amended 8-28-89, 5-13-90, Formerly 7F-1.040, Amended 9-10-95, 4-3-00, _____.

61K1-1.042 Closed Circuit Telecasts; Requirements; Penalty for Late Filing.

(1) Where the Florida distribution rights for a closed circuit telecast to be viewed in this state are in whole owned by, sold to, acquired by or held by any person who intends to or subsequently sells or, in some other manner, extends such rights in part to another, such person is deemed to be a promoter and must be licensed as such in this state. Closed circuit telecasts of boxing, mixed martial arts, or kickboxing events shall not be telecast from, in or into Florida except under the auspices of a promoter licensed in this state and such promoter shall be responsible for filing the appropriate reports and tax payments with the commission as referenced herein.

(2) A promoter holding, showing or telecasting a closed circuit telecast utilizing facilities other than a cable system's pay-per-view facilities, shall complete and submit to the commission Form BPR-0009-481, entitled Application For Permit For Closed Circuit Event, incorporated herein by reference and effective September, 1993. A promoter holding, showing or telecasting a closed circuit telecast utilizing facilities other than a cable system's pay-per-view facilities, shall complete and submit to the commission Form BPR-0009-480, entitled Application For Permit For Pay Per View Event, incorporated herein by reference and effective September, 1993. This form shall be submitted prior to the promoter selling or negotiating the sale of rights to broadcast such closed circuit telecast to any person.

(3) The promoter shall notify the commission of the names and addresses of all facilities to or through which the closed circuit match will be telecast.

(4) Any promoter holding, showing or telecasting any match via a closed circuit telecast and viewed within Florida, whether originating in Florida or not, shall file a written report. The report shall state the number of tickets or orders sold, the amount of gross receipts from the sale of tickets or orders excluding federal and state sales tax and the amount paid to the promoter by the facility for the right to receive the broadcast of the closed circuit event.

(5) Unless otherwise directed by the commission, a promoter holding, showing or telecasting a closed circuit telecast utilizing facilities other than a cable system's pay-per-view facilities, shall file such report within 72 hours following the date of the telecast and the report shall be accompanied by a tax payment of 5 percent of the total gross receipts derived from the sale of tickets excluding federal and state sales tax. If the required report and tax are filed by mail, the promoter shall be allowed an additional 5 days for mailing.

(6) Each cable system operator whose pay-per-view facilities were utilized to telecast a closed circuit program of matches shall, within 30 calendar days following the date of the telecast, file with the commission a report stating the number of orders sold. At such time as all cable systems have filed reports of orders, the commission shall provide a summary report to the promoter. This summary report shall list the name and address of each cable system, the number of orders reported to have been sold and the amount of tax due. The amount of tax shall be 5% of the total gross receipts from the sale of orders excluding state and federal sales tax. Within 15 days following the date of receipt of the summary report by the promoter, the promoter shall pay to the commission the amount of tax due as stated on the summary report. If such payment is made by mail, the promoter shall be allowed an additional 5 days for mailing.

(7)(a) Failure of the promoter to file either or both the report and tax payment within the prescribed time frame shall result in a daily fine of 10 percent of the amount of the tax

payment due or \$25, whichever is greater. If the fine is calculated based upon the 10 percent of the amount of tax due, the fine shall not exceed \$5,000. The fine shall begin the day following the end of the time frame described above, and shall continue for each day that either or both the report is not filed or the tax payment remains unpaid.

(b) If the report or tax payment filed with the commission is determined to be understated, the fine assessment shall apply to the balance remaining after crediting the tax payment filed. The fine shall commence 72 hours following receipt of notice by the promoter of the underpayment. In addition to the penalty stated above, no promoter shall be permitted to telecast, hold or show any future closed circuit matches or program of matches in this state unless all delinquent taxes and outstanding fines have been paid to the commission.

Specific Authority 548.003 FS. Law Implemented 548.061 FS. History—New 4-6-89, Amended 8-28-89, 5-13-90, Formerly 7F-1.042, Amended 9-10-95, 4-3-00, _____.

61K1-1.050 Method of Payment.

(1) Payment of fees and taxes shall be made by cash, check, cashier’s check or money order.

(2) If a check is returned for non-sufficient funds the commission shall:

(a) Advise the issuer at his last known address of the non-sufficient funds check and allow him 10 business days to provide a cashier’s check or money order in an amount equal to the non-sufficient funds check and the returned check processing fee;

(b) If the issuer fails to provide the commission with a cashier’s check or money order for the correct amount within the prescribed time, the commission shall cancel any licenses or permits issued or tentatively approved for which the non-sufficient funds check was presented. If the non-sufficient funds check was for the payment of taxes for a program of matches or closed circuit telecast, a fine of 10 percent of the payment due or \$25, whichever is greater, shall also be assessed for each day that the non-sufficient funds check and returned check processing fee remain unpaid after notification. Further, the commission shall recover the debt using the means available to the state to collect debts due the state;

(c) If a non-sufficient funds check is corrected within the prescribed time, the commission shall continue to accept checks from the issuer. However, any person who submits two non-sufficient funds checks within a 12-month period shall not be allowed to make payments to the commission in the form of a check for a period of 12 months.

Specific Authority 548.003 FS. Law Implemented 548.006 FS. History—New 4-6-89, Formerly 7F-1.050, Amended 9-10-95, Repromulgated.

61K1-1.070 Administrative Complaints.

(1) The executive director shall issue or cause to be issued all administrative complaints.

(2) The commission shall issue all final orders, provided however that the executive director shall be delegated the authority to affix his signature to documents which attest to or represent official commission action.

Specific Authority 548.003 FS. Law Implemented 548.004, 548.006 FS. History—New 4-6-89, Formerly 7F-1.070, Amended 9-10-95, 4-3-00, Repromulgated.

61K1-1.080 Forms.

The following forms are available from the commission. Their use is required optional.

(1) Form BPR-0009-466, entitled Letter of Agreement Between Promoter and Participant, incorporated herein and effective August, 1996.

(2) Form BPR-0009-486, entitled Post Event Order Report For Pay Per View Portion Of Closed Circuit Telecast By Cable System Operator, incorporated herein and effective May, 1993.

Specific Authority 548.003 FS. Law Implemented 548.006, 548.011, 548.05 FS. History—New 4-6-89, Amended 8-28-89, 5-13-90, Formerly 7F-1.080, Amended 9-10-95, 4-3-00, _____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE TITLE: Acupuncture Program Requirements

RULE NO.: 64B1-4.001

PURPOSE AND EFFECT: The Board proposes to delete subsection (2) of the rule section to conform to minimum education program statutory requirements.

SUMMARY: The proposed rule conforms the Board’s education program requirements to the minimum requirements of Section 457.105(2), Florida statutes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 456.033, 457.102, 457.104, 457.105 FS.

LAW IMPLEMENTED: 456.033, 457.102, 457.105 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela King, Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B1-4.001 Acupuncture Program Requirements.

In order to be certified to take the licensure examination, the applicant must establish that he/she has met the following minimal requirements. For persons who enrolled on or after July 1, 1997, the applicant must complete the program in which they have enrolled.

(1) No change.

~~(2) For applicants who enroll on or after August 1, 1997, applicants must have completed a program that meets the following minimum requirements:~~

~~(a) 330 hours of supervised instruction in Biomedical Clinical Science, to include 90 hours of pathology, 120 hours of anatomy and physiology and 120 hours of western biomedical and diagnostic terminology;~~

~~(b) 1,155 hours of supervised instruction in Traditional Oriental Acupuncture Diagnosis and Treatment, to include 705 hours in Oriental Medical Theory, Diagnosis and Treatment Techniques in Acupuncture and Related Studies, and 450 hours in Herbal Studies;~~

~~(c) 30 hours of supervised instruction in Introduction to Adjunctive Therapies and 200 hours of supervised instruction in Electives in Adjunctive Therapies;~~

~~(d) 660 hours of supervised clinical experience as defined in Rule 64B1-4.0015, F.A.C.;~~

~~(e) 15 hours of supervised instruction in Universal Precautions and 3 hours of HIV/AIDS that complies with the requirements of Section 456.033, F.S.;~~

~~(f) 20 hours of supervised instruction in Florida Statutes & Rules, including Chapters 456 and 457, F.S., and this rule chapter.~~

(3) through (5) renumbered (2) through (4) No change.

Specific Authority 456.033, 457.102, 457.104 457.105 FS. Law Implemented 456.033, 457.102, 457.105 FS. History--New 8-30-84, Formerly 21AA-4.01, Amended 7-20-88, 4-30-89, 9-19-89, 3-18-92, Formerly 21AA-4.001, 61F1-4.001, Amended 3-24-96, Formerly 59M-4.001, Amended 12-31-97, 11-1-99, 6-21-00, 4-3-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Acupuncture

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Acupuncture

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 12, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 17, 2003

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

RULE TITLE: Initial Active Status License Fee

RULE NO.: 64B20-3.004

PURPOSE AND EFFECT: The Board proposes to clarify and does clarify that persons applying for initial active status licensure during the biennial renewal cycle will not have to pay the biennial renewal fee, but will have to pay the unlicensed activity fee, the application fee and the initial licensure fee.

SUMMARY: The rule deletes the biennial renewal fee requirement for applicants who apply for initial active status licensure during the biennial renewal cycle, and clarifies the fees that have to be paid in that situation.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 468.1145(1) FS.

LAW IMPLEMENTED: 456.036, 468.1145 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela E. King, Executive Director, Board of Speech-Language Pathology and Audiology, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B20-3.004 Initial Active Status License Fee.

The initial active status license fee shall be two hundred dollars (\$200.00). If the applicant is initially licensed in the second year of the biennium, the licensure fee shall be one hundred dollars (\$100.00). If an applicant is initially licensed during the biennial renewal licensure cycle, the applicant shall pay the renewal fee, initial licensure fee, unlicensed activity fee plus the application fee, and the license issued shall be good for the next biennium.

Specific Authority 468.1145(1) FS. Law Implemented 456.036, 468.1145, ~~456.065~~ FS. History--New 3-14-91, Amended 8-21-91, Formerly 21LL-3.004, 61F14-3.004, Amended 2-13-95, Formerly 59BB-3.004, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Speech-Language Pathology and Audiology

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Speech-Language Pathology and Audiology

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 27, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 26, 2003

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

RULE TITLE: CONTINUING EDUCATION AS A CONDITION FOR RENEWAL OR REACTIVATION RULE NO.: 64B20-6.001

PURPOSE AND EFFECT: The Board proposes to clarify that two (2) hours of medical errors continuing education is required for all licensees to renew their licenses, regardless of when they become initially licensed within a biennium.

SUMMARY: The rule requires all certified speech-language pathology and audiology assistants to obtain two (2) hours of medical errors continuing education as a condition of biennial licensure renewal. The rule clarifies that all speech language pathologists and audiologists are required to obtain two (2) hours of medical errors continuing education for biennial renewal, regardless of when during the biennium they were initially licensed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 456.013(7), 468.1135(4)(a), 468.1195(1),(3), 468.1205(1) FS.

LAW IMPLEMENTED: 456.013(7), 468.1195(1),(3), 468.1205(1) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela E. King, Executive Director, Board of Speech-Language Pathology and Audiology, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B20-6.001 Continuing Education as a Condition for Renewal or Reactivation.

(1) No change.

(2) As a condition of the biennial renewal of an active status assistant certificate, the assistant shall attend and certify attending twenty (20) credit hours, per biennium, of Board approved, clinically related continuing education. Two (2) of these hours must be in a Board approved course relating to the prevention of medical errors as required by subsection 64B20-2.001(3), F.A.C.

(3) through (4) No change.

(5) Licensees who are initially licensed during the second year of the biennium shall be required to attend and certify twenty (20) hours of Board approved, clinically related, continuing education, for their first renewal. Two (2) of these

hours must be in a Board approved course relating to the prevention of medical errors as described in subsection 64B20-2.001(3), F.A.C.

Continuing education hours obtained during the two year period prior to renewal, including hours obtained while holding a provisional license, may be used to satisfy the requirement.

(6) through (12) No change.

Specific Authority 456.013(7), 468.1135(4)(a), 468.1195(1),(3), 468.1205(1) FS. Law Implemented 456.013(7), 468.1195(1),(3), 468.1205(1) FS. History--New 3-14-91, Amended 8-11-91, 5-28-92, 2-24-93, Formerly 21LL-6.001, Amended 1-31-94, 7-5-94, Formerly 61F14-6.001, Amended 3-28-95, 10-1-95, 11-20-95, 4-1-96, Formerly 59BB-6.001, Amended 7-7-98, 1-6-00, 4-4-02,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Speech-Language Pathology and Audiology

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Speech-Language Pathology and Audiology

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 27, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 26, 2003

**Section III
Notices of Changes, Corrections and
Withdrawals**

**BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND**

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-507.201 RULE TITLE: Substance Abuse Program Services - Determination of Need

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 48, November 28, 2003 issue of the Florida Administrative Weekly:

The second bulleted item in the first section of Form DC5-705, Refusal of Mandatory Substance Abuse Services, should be changed as follows: