

AMENDED IN SENATE APRIL 1, 2002

SENATE BILL

No. 1749

Introduced by Senator Polanco

February 21, 2002

An act to amend Section 18712 of the Business and Professions Code, relating to boxing and martial arts.

LEGISLATIVE COUNSEL'S DIGEST

SB 1749, as amended, Polanco. Boxing and martial arts.

Existing law, the Boxing Act, provides for the licensure of boxers and martial arts fighters by the State Athletic Commission and makes a violation of its provisions a misdemeanor. The act requires that applicants for licensure and for licensure renewal as a professional boxer or as a professional martial arts fighter submit documentation of negative test results for the human immunodeficiency virus and hepatitis type B.

This bill would ~~expand this requirement by extending it to amateur boxers and to amateur martial arts fighters and by including~~ *additionally include within this requirement testing for hepatitis type C.* ~~The bill and would also require professional and amateur boxers and martial arts fighters to submit to the commission negative results for all of the required tests no later than prior to competing in a match that occurs 180 days prior to competing in a match or more after the date of the tests submitted by the boxer or fighter for issuance or renewal of his or her license.~~

Because the bill would specify an additional requirement under the Boxing Act, a violation of which would be punishable as a misdemeanor, it would ~~expand the scope of an existing crime, thereby imposing~~ *impose* a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 18712 of the Business and Professions
2 Code is amended to read:

3 18712. (a) Notwithstanding any other provision of law, any
4 person applying for a license or the renewal of a license as ~~an~~
5 ~~amateur or as a professional boxer or as an amateur or as a~~ *a*
6 *professional boxer or as a professional martial arts fighter* shall
7 present documentary evidence satisfactory to the commission that
8 the applicant has been administered a test, by a laboratory in the
9 United States that possesses a certificate under the Clinical
10 Laboratory Improvement Act (42 U.S.C. Sec. 263a), to detect the
11 presence of antibodies both to the human immunodeficiency virus
12 (HIV) and to hepatitis type C (HBC) and to detect the presence of
13 the antigen of virus hepatitis type B (HBV) within 30 days prior
14 to the date of the application and that the results of all three tests
15 are negative. *A negative report for all three tests shall also be*
16 *required of a professional boxer or professional martial arts*
17 *fighter prior to competing in a match that will occur 180 days or*
18 *more after the date of the tests submitted for the issuance or*
19 *renewal of his or her license.*

20 ~~(b) An amateur or professional boxer and an amateur or~~
21 ~~professional martial arts fighter shall present documentary~~
22 ~~evidence satisfactory to the commission of a negative result for all~~
23 ~~three tests described in subdivision (a) no later than 180 days prior~~
24 ~~to the date of a match in which he or she is a contestant.~~

25 (e)
26 (b) Information received under this section and any other
27 medical information about an applicant or licensee shall be
28 confidential and not subject to discovery or subpoena. If the
29 commission denies a license or the renewal of a license or suspends



1 or revokes a license because of a licensee’s HIV or HBC antibody
2 status or HBV antigen status, it shall state only that the action was
3 taken for medical reasons. An applicant or licensee may appeal the
4 commission’s denial, suspension, or revocation of a license under
5 this section. The commission shall notify each person in writing
6 of his or her right to a closed hearing for that appeal. An applicant
7 or licensee must make a request for a hearing to the commission
8 within 30 days of receiving notification from the commission of
9 the applicant’s or licensee’s right to a hearing.

10 SEC. 2. No reimbursement is required by this act pursuant to
11 Section 6 of Article XIII B of the California Constitution because
12 the only costs that may be incurred by a local agency or school
13 district will be incurred because this act creates a new crime or
14 infraction, eliminates a crime or infraction, or changes the penalty
15 for a crime or infraction, within the meaning of Section 17556 of
16 the Government Code, or changes the definition of a crime within
17 the meaning of Section 6 of Article XIII B of the California
18 Constitution.

