

AMENDED IN SENATE AUGUST 12, 2013

AMENDED IN ASSEMBLY MAY 24, 2013

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CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1186

Introduced by Assembly Member Bonilla
(Coauthor: Assembly Member Jones)

February 22, 2013

~~An act to add Article 8 (commencing with Section 60130) to Chapter 1 of Part 33 of Division 4 of Title 2 of the Education Code, relating to pupil instruction. An act to amend Sections 18625, 18627, and 18702 of, and to add Section 18770 to, the Business and Professions Code, relating to business, and declaring the urgency thereof, to take effect immediately.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1186, as amended, Bonilla. ~~Pupil instruction. Common Core Implementation Block Grant. State Athletic Commission.~~

Under existing law, the State Athletic Commission Act, the State Athletic Commission has jurisdiction over all professional and amateur boxing, professional and amateur kickboxing, all forms and combinations of forms of full contact martial arts contests, including mixed martial arts, and matches or exhibitions conducted, held, or given within this state. Existing law prohibits an event from taking place without the prior approval of the commission. Existing law prohibits a person from engaging in the promotion of, or from participating in, a

boxing or martial arts contest, match, or exhibition without a license, except as specified. Existing law states that protection of the public shall be the highest priority for the commission.

Existing law defines “martial arts” to include any combination of full contact martial arts including mixed martial arts and defines “full contact” as the use of full unrestrained physical force in a martial arts contest. Under existing law, a “contest” is where full or partial contact is used or intended that may result or is intended to result in physical harm to the opponent. Under existing law, opponents are not required to use their best efforts in any exhibition or sparring match.

This bill would delete that provision relating to best efforts and would specify that a contest includes a professional or amateur contest where full contact is used or intended to result in physical harm to the opponent. The bill would provide that an amateur contest includes a contest where full contact is used, even if unintentionally. The bill would define the term “full contact” to mean the use of full unrestrained physical force in a martial arts contest that may result or is intended to result in physical harm to the opponent.

Existing law authorizes the commission to license professional and amateur martial arts fighters. Existing law prohibits a person under 18 years of age from participating as a contestant in any contest or match or exhibition, except that any person 16 years of age or over may be licensed as an amateur and may participate in an amateur contest or match.

This bill would instead prohibit a person under 18 years of age from participating as a contestant in any professional contest or match or exhibition and authorize any person, irrespective of age, to participate in an amateur contest, match, or exhibition subject to that licensure authorization. The bill would specify that the commission has jurisdiction over all forms and conditions of forms of full contact martial arts contests involving participants 18 years of age or younger.

Existing law authorizes the commission to appoint an advisory committee to advise the commission on martial arts. Existing law requires the advisory committee to be composed of members with prior specified experience with kickboxing or full-contact martial arts events.

This bill would require the commission to establish a pankration subcommittee, consisting of 3 commission members, to investigate the rules and conduct of contests involving or claiming to involve pankration by persons under 18 years of age, or any style deemed by the subcommittee to be sufficiently similar thereto. The bill would require

the subcommittee to meet and examine specified matters, including, but not limited to, participant safety in pankration contests and whether legislation should be enacted to impose age-based restrictions on those contest participants. The bill would require the subcommittee to make recommendations to the commission regarding any administrative actions or statutory changes to be enacted that may be necessary to improve its regulation and oversight of pankration contests.

This bill would declare that it is to take effect immediately as an urgency statute.

~~Existing law requires the Academic Content Standards Commission to develop, and the state board to adopt or reject, academic content standards in language arts and mathematics that are internationally benchmarked and build toward college and career readiness by the time of high school graduation, and requires at least 85% of these standards to be the common core academic content standards developed by the Common Core State Standards Initiative consortium or any associated or related interstate collaboration, except as specified.~~

~~This bill would establish the Common Core Implementation Block Grant for purposes of implementing the adopted common core academic content standards. The bill would require the Superintendent to allocate block grant funds to school districts, county offices of education, and charter schools on the basis of prior year enrollment and would require the school districts, county offices of education, or charter schools receiving block grant funds to use those funds for certain purposes, including professional development of teachers, administrators, and paraprofessional educators, as specified. The bill would require, as a condition of receiving block grant funds, the governing board of a school district, the county board of education, or the governing body of a charter school to adopt a plan delineating how the block grant funds shall be spent and to report detailed expenditure information to the State Department of Education on or before January 1, 2015, as specified. The bill would require the department to provide a summary of the expenditure information provided to it to the appropriate budget subcommittees and policy committees of the Legislature on or before July 3, 2015. The bill would require the Common Core Implementation Block Grant to not be implemented unless funding is provided for the block grant in the annual Budget Act or another statute.~~

Vote: ~~majority~~^{2/3}. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

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

1 *SECTION 1. Section 18625 of the Business and Professions*
 2 *Code is amended to read:*

3 18625. ~~“Contest”~~*(a) As described in the specific provisions*
 4 *of the act, whether referring to a professional or amateur contest*
 5 *or match, the terms “contest” and “match” are synonymous, may*
 6 *be used interchangeably, include boxing, kickboxing, and martial*
 7 *arts exhibitions, and mean a fight, prizefight, boxing contest,*
 8 *pugilistic contest, kickboxing contest, martial arts contest, or*
 9 *sparring match, between two or more persons, where full or partial*
 10 *contact is used or intended that may result or is intended to result*
 11 *in physical harm to the opponent. In any exhibition or sparring*
 12 ~~match, the opponents are not required to use their best efforts.~~

13 *(b) (1) An amateur contest or match includes a contest or*
 14 *match where full contact is used, even if unintentionally.*

15 *(2) An amateur contest or match does not include light contact*
 16 *karate, tae kwon-do, judo, or any other light contact martial arts*
 17 *as approved by the commission and recognized by the International*
 18 *Olympic Committee as an Olympic sport.*

19 *SEC. 2. Section 18627 of the Business and Professions Code*
 20 *is amended to read:*

21 18627. (a) *“Martial arts” means any form of karate, kung fu,*
 22 *tae kwon-do, kickboxing or any combination of full contact martial*
 23 *arts, including mixed martial arts, or self-defense conducted on a*
 24 *full contact basis where a weapon is not used.*

25 (b) *“Kickboxing” means any form of boxing in which blows*
 26 *are delivered with the hand and any part of the leg below the hip,*
 27 *including the foot.*

28 (c) *“Full contact” means the use of full—unrestrained*
 29 ~~unrestrained~~ *physical force in a martial arts contest that may result*
 30 *or is intended to result in physical harm to the opponent, including*
 31 *any contact that does not meet the definition of light contact or*
 32 ~~noncontact.~~

33 (d) *“Light contact” means the use of controlled martial arts*
 34 ~~techniques whereby contact to the body is permitted in a restrained~~
 35 ~~manner, no contact to the face is permitted, permitted and no~~
 36 *contact is permitted which may result or is intended to result in*
 37 *physical harm to the opponent.*

1 (e) “Noncontact” means that no contact occurs between either
2 contestant.

3 *SEC. 3. Section 18702 of the Business and Professions Code*
4 *is amended to read:*

5 18702. (a) No person under ~~the age of~~ 18 years of age shall
6 participate as a contestant in any *professional* contest or match or
7 exhibition, ~~except that any person 16 years or over may be licensed~~
8 ~~as an amateur and may participate in an amateur contest or match.~~
9 *exhibition.*

10 (b) *Any person, irrespective of age, may participate in an*
11 *amateur contest, match, or exhibition subject to Section 18642.*

12 (c) *Consistent with Section 18640, the commission shall have*
13 *jurisdiction over all forms and combinations of forms of full contact*
14 *martial arts contests involving participants 18 years of age or*
15 *younger.*

16 *SEC. 4. Section 18770 is added to the Business and Professions*
17 *Code, to read:*

18 18770. (a) (1) *The commission shall establish a pankration*
19 *subcommittee to investigate the rules and conduct of contests*
20 *involving or claiming to involve pankration by persons under 18*
21 *years of age, or any style deemed by the subcommittee to be*
22 *sufficiently similar thereto.*

23 (2) *The pankration subcommittee shall consist of three members*
24 *of the commission.*

25 (b) *The subcommittee shall meet and examine the following*
26 *matters, including, but not limited to:*

27 (1) *In general, the legality and safety of the contests described*
28 *in subdivision (a).*

29 (2) *Whether or not legislation should be enacted to impose*
30 *age-based requirements or restrictions, which may include a*
31 *prohibition on participants engaging in the contests described in*
32 *subdivision (a).*

33 (3) *Appropriate safety precautions for persons under 18 years*
34 *of age engaging in the contests described in subdivision (a).*

35 (c) *The subcommittee shall make recommendations to the*
36 *commission regarding any administrative actions or statutory*
37 *changes to be enacted that may be necessary to improve its*
38 *regulation and oversight of the contests described in subdivision*
39 *(a) in order to adequately protect participants.*

1 SEC. 5. This act is an urgency statute necessary for the
2 immediate preservation of the public peace, health, or safety within
3 the meaning of Article IV of the Constitution and shall go into
4 immediate effect. The facts constituting the necessity are:

5 In order to make needed changes to the State Athletic
6 Commission Act as soon as possible, it is necessary that this act
7 take effect immediately.

8 SECTION 1. ~~Article 8 (commencing with Section 60130) is~~
9 ~~added to Chapter 1 of Part 33 of Division 4 of Title 2 of the~~
10 ~~Education Code, to read:~~

11
12 ~~Article 8. Common Core Implementation Block Grant~~
13

14 ~~60130. This article shall be known, and may be cited, as the~~
15 ~~Common Core Implementation Block Grant Act.~~

16 ~~60131. (a) For purposes of implementing the common core~~
17 ~~academic content standards adopted pursuant to Sections 60605.8,~~
18 ~~60605.85, and 60811.3, there is hereby established the Common~~
19 ~~Core Implementation Block Grant. It is the intent of the Legislature~~
20 ~~that school districts, county offices of education, and charter~~
21 ~~schools use block grant funds allocated pursuant to subdivision~~
22 ~~(b) to support the integration of common core academic content~~
23 ~~standards in instruction for kindergarten and grades 1 to 12,~~
24 ~~inclusive, for purposes of establishing quality instructional~~
25 ~~programs for all pupils.~~

26 ~~(b) For the 2013-14 fiscal year, subject to subdivision (d), the~~
27 ~~Superintendent shall allocate block grant funds to school districts,~~
28 ~~county offices of education, and charter schools on the basis of~~
29 ~~prior year enrollment. The allocated block grant funds shall be~~
30 ~~available for encumbrance through the 2014-15 fiscal year.~~

31 ~~(c) A school district, county office of education, or charter~~
32 ~~school shall expend block grant funds allocated pursuant to this~~
33 ~~section for any of the following purposes:~~

34 ~~(1) Professional development for teachers, administrators, and~~
35 ~~paraprofessional educators that is aligned to the common core~~
36 ~~academic content standards adopted pursuant to Sections 60605.8,~~
37 ~~60605.85, and 60811.3.~~

38 ~~(2) Instructional materials aligned to the common core academic~~
39 ~~content standards adopted pursuant to Sections 60605.8, 60605.85,~~
40 ~~and 60811.3, including, but not limited to, supplemental~~

1 instructional materials as provided in Sections 60605.86, 60605.87,
2 and 60605.88.

3 ~~(3) Integration of the common core academic content standards~~
4 ~~through technology-based instruction for purposes of improving~~
5 ~~the academic performance of pupils, including, but not limited to,~~
6 ~~administering computer-based assessments and providing~~
7 ~~high-speed, high-bandwidth Internet connectivity for the purpose~~
8 ~~of administering computer-based assessments.~~

9 ~~(d) As a condition of receiving block grant funds allocated~~
10 ~~pursuant to this section, the governing board of a school district,~~
11 ~~county board of education, or the governing body of a charter~~
12 ~~school shall do both of the following:~~

13 ~~(1) Develop and adopt a plan delineating how block grant funds~~
14 ~~allocated pursuant to this section shall be spent. The plan shall be~~
15 ~~explained in a regularly scheduled public meeting of the governing~~
16 ~~board of the school district, county board of education, or~~
17 ~~governing body of the charter school, before its adoption in a~~
18 ~~subsequent regularly scheduled public meeting.~~

19 ~~(2) On or before January 1, 2015, report detailed expenditure~~
20 ~~information to the department, including, but not limited to, specific~~
21 ~~purchases made and the number of teachers, administrators, or~~
22 ~~paraprofessional educators that received professional development.~~
23 ~~The department shall determine the format for this report.~~

24 ~~(e) The department shall summarize the information reported~~
25 ~~pursuant to paragraph (2) of subdivision (d) and shall submit the~~
26 ~~summary to the appropriate budget subcommittees and policy~~
27 ~~committees of the Legislature on or before July 3, 2015.~~

28 ~~60132. This article shall not be implemented unless funding~~
29 ~~is provided for the Common Core Implementation Block Grant in~~
30 ~~the annual Budget Act or another statute.~~