

Assembly Bill No. 2472

Passed the Assembly May 20, 1996

Chief Clerk of the Assembly

Passed the Senate August 8, 1996

Secretary of the Senate

This bill was received by the Governor this ____ day
of _____, 1996, at ____ o'clock __M.

Private Secretary of the Governor

└

CHAPTER _____

An act to add Section 18712 to the Business and Professions Code, relating to boxing.

LEGISLATIVE COUNSEL'S DIGEST

AB 2472, Hoge. Boxing.

Existing law, the Boxing Act, establishes the State Athletic Commission to regulate athletic contests in this state. Existing law prohibits any person from participating in a boxing or martial arts contest, match, or exhibition without a license issued by the commission. Existing law requires all professional boxers to undergo an examination by a licensed physician and surgeon who specializes in neurology and neurosurgery. Existing law provides discretion to the commission to deny or revoke a license for medical reasons, as specified.

This bill would require any person applying for a license or the renewal of a license as a professional boxer or martial arts fighter to provide documentary evidence that he or she has received a negative HIV and HBV test within 30 days prior to the date of application or renewal. This bill would provide that this information and any other medical information concerning the applicant or licensee is confidential and not subject to discovery or subpoena. The bill would authorize an applicant or licensee whose license has been denied, suspended, or revoked because of his or her HIV or HBV status, to appeal that decision and would require the commission to notify the applicant or licensee of his or her right to a closed hearing for that appeal, as specified.

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

SECTION 1. Section 18712 is added to the Business and Professions Code, to read:

18712. (a) Notwithstanding any other provision of law, any person applying for a license or the renewal of a license as a professional boxer or a professional martial



arts fighter shall present documentary evidence satisfactory to the commission that the applicant has been administered a test, by a laboratory in the United States that possesses a certificate under the Clinical Laboratory Improvement Act (42 U.S.C. Sec. 263a), to detect the presence of antibodies to the human immunodeficiency virus (HIV) and to detect the presence of the antigen of virus hepatitis type B (HBV) within 30 days prior to the date of the application and that the results of both tests are negative.

(b) Information received under this section and any other medical information about an applicant or licensee shall be confidential and not subject to discovery or subpoena. If the commission denies a license or the renewal of a license or suspends or revokes a license because of a licensee's HIV antibody status or HBV antigen status, it shall state only that the action was taken for medical reasons. An applicant or licensee may appeal the commission's denial, suspension, or revocation of a license under this section. The commission shall notify each person in writing of his or her right to a closed hearing for that appeal. An applicant or licensee must make a request for a hearing to the commission within 30 days of receiving notification from the commission of the applicant's or licensee's right to a hearing.



Approved _____, 1996

Governor

