

SENATE BILL No. 557

DIGEST OF INTRODUCED BILL

Citations Affected: IC 10-13-3-38.5; IC 25-1; IC 25-9-1-0.3; IC 25-38.5.

Synopsis: Licensing of unarmed combat. Establishes the unarmed combat licensing board. Requires the board to license: (1) a person who conducts or holds a contest or exhibition of unarmed combat; and (2) a person who acts as a contestant, promoter, manager, trainer, or ring official. Establishes requirements for licensure. Requires a person who conducts or holds a contest or exhibition of unarmed combat to have a: (1) physician in attendance; and (2) licensed ring official to direct and control the contest or exhibition. Requires a contestant to be examined by a licensed physician before participating in a contest or exhibition of unarmed combat. Requires the board to obtain information, including fingerprints, necessary to facilitate access to the criminal history information of an applicant for a license to hold or conduct a contest or exhibition of unarmed combat. Establishes the unarmed combat fund. Appropriates money to the board to: (1) satisfy obligations incurred by a person in holding a contest or exhibition of unarmed combat; and (2) refund amounts from bonds not used to pay obligations incurred. Makes it a: (1) Class B misdemeanor for a person to knowingly or intentionally engage in certain acts concerning unarmed combat licensing requirements; and (2) Class B infraction for a physician to knowingly or intentionally certify falsely to the physical condition of any contestant.

Effective: July 1, 2007.

Kruse

January 23, 2007, read first time and referred to Committee on Commerce, Public Policy & Interstate Cooperation.

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First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

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SENATE BILL No. 557



A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 10-13-3-38.5, AS AMENDED BY P.L.1-2006,
2 SECTION 173, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2007]: Sec. 38.5. (a) Under federal P.L.92-544
4 (86 Stat. 1115), the department may use an individual's fingerprints
5 submitted by the individual for the following purposes:

6 (1) Determining the individual's suitability for employment with
7 the state, or as an employee of a contractor of the state, in a
8 position:

9 (A) that has a job description that includes contact with, care
10 of, or supervision over a person less than eighteen (18) years
11 of age;

12 (B) that has a job description that includes contact with, care
13 of, or supervision over an endangered adult (as defined in
14 IC 12-10-3-2), except the individual is not required to meet the
15 standard for harmed or threatened with harm set forth in
16 IC 12-10-3-2(a)(3);

17 (C) at a state institution managed by the office of the secretary



1 of family and social services or state department of health;
 2 (D) at the Indiana School for the Deaf established by
 3 IC 20-22-2-1;
 4 (E) at the Indiana School for the Blind and Visually Impaired
 5 established by IC 20-21-2-1;
 6 (F) at a juvenile detention facility;
 7 (G) with the Indiana gaming commission under IC 4-33-3-16;
 8 (H) with the department of financial institutions under
 9 IC 28-11-2-3; or
 10 (I) that has a job description that includes access to or
 11 supervision over state financial or personnel data, including
 12 state warrants, banking codes, or payroll information
 13 pertaining to state employees.

14 (2) Identification in a request related to an application for a
 15 teacher's license submitted to the department of education
 16 established by IC 20-19-3-1.

17 (3) Use by the state boxing commission established under
 18 IC 25-9-1-1 for licensure of a promoter (as defined in
 19 IC 25-9-1-0.7) under IC 25-9-1.

20 (4) Use by the Indiana board of pharmacy in determining the
 21 individual's suitability for a position or employment with a
 22 wholesale drug distributor, as specified in IC 25-26-14-16(b),
 23 IC 25-26-14-16.5(b), IC 25-26-14-17.8(c), and IC 25-26-14-20.

24 **(5) Use by the unarmed combat licensing board established by**
 25 **IC 25-38.5-3-1 for licensure of a person who applies for a**
 26 **license to conduct or hold a contest or exhibition of unarmed**
 27 **combat (as defined in IC 25-38.5-2-11) under IC 25-38.5.**

28 An applicant shall submit the fingerprints in an appropriate format or
 29 on forms provided for the employment or license application. The
 30 department shall charge each applicant the fee established under
 31 section 28 of this chapter and by federal authorities to defray the costs
 32 associated with a search for and classification of the applicant's
 33 fingerprints. The department may forward fingerprints submitted by an
 34 applicant to the Federal Bureau of Investigation or any other agency for
 35 processing. The state personnel department or the agency to which the
 36 applicant is applying for employment or a license may receive the
 37 results of all fingerprint investigations.

38 (b) An applicant who is an employee of the state may not be charged
 39 under subsection (a).

40 (c) Subsection (a)(1) does not apply to an employee of a contractor
 41 of the state if the contract involves the construction or repair of a
 42 capital project or other public works project of the state.

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1 SECTION 2. IC 25-1-2-6 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2007]: Sec. 6. (a) As used in this section,
3 "license" includes all occupational and professional licenses,
4 registrations, permits, and certificates issued under the Indiana Code,
5 and "licensee" includes all occupational and professional licensees,
6 registrants, permittees, and certificate holders regulated under the
7 Indiana Code.

8 (b) This section applies to the following entities that regulate
9 occupations or professions under the Indiana Code:

- 10 (1) Indiana board of accountancy.
- 11 (2) Indiana grain buyers and warehouse licensing agency.
- 12 (3) Indiana auctioneer commission.
- 13 (4) Board of registration for architects and landscape architects.
- 14 (5) State board of barber examiners.
- 15 (6) State board of cosmetology examiners.
- 16 (7) Medical licensing board of Indiana.
- 17 (8) Secretary of state.
- 18 (9) State board of dentistry.
- 19 (10) State board of funeral and cemetery service.
- 20 (11) Worker's compensation board of Indiana.
- 21 (12) Indiana state board of health facility administrators.
- 22 (13) Committee of hearing aid dealer examiners.
- 23 (14) Indiana state board of nursing.
- 24 (15) Indiana optometry board.
- 25 (16) Indiana board of pharmacy.
- 26 (17) Indiana plumbing commission.
- 27 (18) Board of podiatric medicine.
- 28 (19) Private detectives licensing board.
- 29 (20) State board of registration for professional engineers.
- 30 (21) Board of environmental health specialists.
- 31 (22) State psychology board.
- 32 (23) Indiana real estate commission.
- 33 (24) Speech-language pathology and audiology board.
- 34 (25) Department of natural resources.
- 35 (26) State boxing commission.
- 36 (27) Board of chiropractic examiners.
- 37 (28) Mining board.
- 38 (29) Indiana board of veterinary medical examiners.
- 39 (30) State department of health.
- 40 (31) Indiana physical therapy committee.
- 41 (32) Respiratory care committee.
- 42 (33) Occupational therapy committee.

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- 1 (34) Social worker, marriage and family therapist, and mental
 2 health counselor board.
 3 (35) Real estate appraiser licensure and certification board.
 4 (36) State board of registration for land surveyors.
 5 (37) Physician assistant committee.
 6 (38) Indiana dietitians certification board.
 7 (39) Indiana hypnotist committee.
 8 (40) Attorney general (only for the regulation of athlete agents).
 9 (41) Manufactured home installer licensing board.
 10 (42) Home inspectors licensing board.
 11 **(43) Unarmed combat licensing board.**
 12 ~~(43)~~ **(44)** Any other occupational or professional agency created
 13 after June 30, 1981.
 14 (c) Notwithstanding any other law, the entities included in
 15 subsection (b) shall send a notice of the upcoming expiration of a
 16 license to each licensee at least sixty (60) days prior to the expiration
 17 of the license. The notice must inform the licensee of the need to renew
 18 and the requirement of payment of the renewal fee. If this notice of
 19 expiration is not sent by the entity, the licensee is not subject to a
 20 sanction for failure to renew if, once notice is received from the entity,
 21 the license is renewed within forty-five (45) days of the receipt of the
 22 notice.
 23 SECTION 3. IC 25-1-4-0.3, AS AMENDED BY P.L.157-2006,
 24 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2007]: Sec. 0.3. As used in section 3 of this chapter, "board"
 26 means any of the following:
 27 (1) Indiana board of accountancy (IC 25-2.1-2-1).
 28 (2) Board of registration for architects and landscape architects
 29 (IC 25-4-1-2).
 30 (3) Indiana athletic trainers board (IC 25-5.1-2-1).
 31 (4) Indiana auctioneer commission (IC 25-6.1-2-1).
 32 (5) State board of barber examiners (IC 25-7-5-1).
 33 (6) State boxing commission (IC 25-9-1).
 34 (7) Board of chiropractic examiners (IC 25-10-1).
 35 (8) State board of cosmetology examiners (IC 25-8-3-1).
 36 (9) State board of dentistry (IC 25-14-1).
 37 (10) Indiana dietitians certification board (IC 25-14.5-2-1).
 38 (11) State board of registration for professional engineers
 39 (IC 25-31-1-3).
 40 (12) Board of environmental health specialists ~~(IC 25-32-1)~~.
 41 **(IC 25-32-1).**
 42 (13) State board of funeral and cemetery service (IC 25-15-9).

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- 1 (14) Indiana state board of health facility administrators
- 2 (IC 25-19-1).
- 3 (15) Committee on hearing aid dealer examiners (IC 25-20-1-1.5).
- 4 (16) Home inspectors licensing board (IC 25-20.2-3-1).
- 5 (17) Indiana hypnotist committee (IC 25-20.5-1-7).
- 6 (18) State board of registration for land surveyors
- 7 (IC 25-21.5-2-1).
- 8 (19) Manufactured home installer licensing board (IC 25-23.7).
- 9 (20) Medical licensing board of Indiana (IC 25-22.5-2).
- 10 (21) Indiana state board of nursing (IC 25-23-1).
- 11 (22) Occupational therapy committee (IC 25-23.5).
- 12 (23) Indiana optometry board (IC 25-24).
- 13 (24) Indiana board of pharmacy (IC 25-26).
- 14 (25) Indiana physical therapy committee (IC 25-27-1).
- 15 (26) Physician assistant committee (IC 25-27.5).
- 16 (27) Indiana plumbing commission (IC 25-28.5-1-3).
- 17 (28) Board of podiatric medicine (IC 25-29-2-1).
- 18 (29) Private detectives licensing board (IC 25-30-1-5.1).
- 19 (30) State psychology board (IC 25-33).
- 20 (31) Indiana real estate commission (IC 25-34.1-2).
- 21 (32) Real estate appraiser licensure and certification board
- 22 (IC 25-34.1-8).
- 23 (33) Respiratory care committee (IC 25-34.5).
- 24 (34) Social worker, marriage and family therapist, and mental
- 25 health counselor board (IC 25-23.6).
- 26 (35) Speech-language pathology and audiology board
- 27 (IC 25-35.6-2).
- 28 (36) Indiana board of veterinary medical examiners (IC 15-5-1.1).
- 29 **(37) Unarmed combat licensing board (IC 25-38.5-3-1).**
- 30 SECTION 4. IC 25-1-6-3, AS AMENDED BY P.L.206-2005,
- 31 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 32 JULY 1, 2007]: Sec. 3. (a) The licensing agency shall perform all
- 33 administrative functions, duties, and responsibilities assigned by law
- 34 or rule to the executive director, secretary, or other statutory
- 35 administrator of the following:
- 36 (1) Indiana board of accountancy (IC 25-2.1-2-1).
- 37 (2) Board of registration for architects and landscape architects
- 38 (IC 25-4-1-2).
- 39 (3) Indiana auctioneer commission (IC 25-6.1-2-1).
- 40 (4) State board of barber examiners (IC 25-7-5-1).
- 41 (5) State boxing commission (IC 25-9-1).
- 42 (6) State board of cosmetology examiners (IC 25-8-3-1).

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- 1 (7) State board of funeral and cemetery service (IC 25-15-9).
- 2 (8) State board of registration for professional engineers
- 3 (IC 25-31-1-3).
- 4 (9) Indiana plumbing commission (IC 25-28.5-1-3).
- 5 (10) Indiana real estate commission (IC 25-34.1).
- 6 (11) Real estate appraiser licensure and certification board
- 7 (IC 25-34.1-8-1).
- 8 (12) Private detectives licensing board (IC 25-30-1-5.1).
- 9 (13) State board of registration for land surveyors
- 10 (IC 25-21.5-2-1).
- 11 (14) Manufactured home installer licensing board (IC 25-23.7).
- 12 (15) Home inspectors licensing board (IC 25-20.2-3-1).
- 13 **(16) Unarmed combat licensing board (IC 25-38.5-3-1).**
- 14 (b) Nothing in this chapter may be construed to give the licensing
- 15 agency policy making authority, which remains with each board.
- 16 SECTION 5. IC 25-1-7-1 IS AMENDED TO READ AS FOLLOWS
- 17 [EFFECTIVE JULY 1, 2007]: Sec. 1. As used in this chapter:
- 18 "Board" means the appropriate agency listed in the definition of
- 19 regulated occupation in this section.
- 20 "Director" refers to the director of the division of consumer
- 21 protection.
- 22 "Division" refers to the division of consumer protection, office of
- 23 the attorney general.
- 24 "Licensee" means a person who is:
- 25 (1) licensed, certified, or registered by a board listed in this
- 26 section; and
- 27 (2) the subject of a complaint filed with the division.
- 28 "Person" means an individual, a partnership, a limited liability
- 29 company, or a corporation.
- 30 "Regulated occupation" means an occupation in which a person is
- 31 licensed, certified, or registered by one (1) of the following:
- 32 (1) Indiana board of accountancy (IC 25-2.1-2-1).
- 33 (2) Board of registration for architects and landscape architects
- 34 (IC 25-4-1-2).
- 35 (3) Indiana auctioneer commission (IC 25-6.1-2-1).
- 36 (4) State board of barber examiners (IC 25-7-5-1).
- 37 (5) State boxing commission (IC 25-9-1).
- 38 (6) Board of chiropractic examiners (IC 25-10-1).
- 39 (7) State board of cosmetology examiners (IC 25-8-3-1).
- 40 (8) State board of dentistry (IC 25-14-1).
- 41 (9) State board of funeral and cemetery service (IC 25-15-9).
- 42 (10) State board of registration for professional engineers

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- 1 (IC 25-31-1-3).
 2 (11) Indiana state board of health facility administrators
 3 (IC 25-19-1).
 4 (12) Medical licensing board of Indiana (IC 25-22.5-2).
 5 (13) Indiana state board of nursing (IC 25-23-1).
 6 (14) Indiana optometry board (IC 25-24).
 7 (15) Indiana board of pharmacy (IC 25-26).
 8 (16) Indiana plumbing commission (IC 25-28.5-1-3).
 9 (17) Board of podiatric medicine (IC 25-29-2-1).
 10 (18) Board of environmental health specialists (IC 25-32-1).
 11 (19) State psychology board (IC 25-33).
 12 (20) Speech-language pathology and audiology board
 13 (IC 25-35.6-2).
 14 (21) Indiana real estate commission (IC 25-34.1-2).
 15 (22) Indiana board of veterinary medical examiners (IC 15-5-1.1).
 16 (23) Department of natural resources for purposes of licensing
 17 water well drillers under IC 25-39-3.
 18 (24) Respiratory care committee (IC 25-34.5).
 19 (25) Private detectives licensing board (IC 25-30-1-5.1).
 20 (26) Occupational therapy committee (IC 25-23.5).
 21 (27) Social worker, marriage and family therapist, and mental
 22 health counselor board (IC 25-23.6).
 23 (28) Real estate appraiser licensure and certification board
 24 (IC 25-34.1-8).
 25 (29) State board of registration for land surveyors
 26 (IC 25-21.5-2-1).
 27 (30) Physician assistant committee (IC 25-27.5).
 28 (31) Indiana athletic trainers board (IC 25-5.1-2-1).
 29 (32) Indiana dietitians certification board (IC 25-14.5-2-1).
 30 (33) Indiana hypnotist committee (IC 25-20.5-1-7).
 31 (34) Indiana physical therapy committee (IC 25-27).
 32 (35) Manufactured home installer licensing board (IC 25-23.7).
 33 (36) Home inspectors licensing board (IC 25-20.2-3-1).
 34 **(37) Unarmed combat licensing board (IC 25-38.5-3-1).**
 35 ~~(37)~~ **(38)** Any other occupational or professional agency created
 36 after June 30, 1981.
 37 SECTION 6. IC 25-1-8-1 IS AMENDED TO READ AS FOLLOWS
 38 [EFFECTIVE JULY 1, 2007]: Sec. 1. As used in this chapter, "board"
 39 means any of the following:
 40 (1) Indiana board of accountancy (IC 25-2.1-2-1).
 41 (2) Board of registration for architects and landscape architects
 42 (IC 25-4-1-2).

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- 1 (3) Indiana auctioneer commission (IC 25-6.1-2-1).
- 2 (4) State board of barber examiners (IC 25-7-5-1).
- 3 (5) State boxing commission (IC 25-9-1).
- 4 (6) Board of chiropractic examiners (IC 25-10-1).
- 5 (7) State board of cosmetology examiners (IC 25-8-3-1).
- 6 (8) State board of dentistry (IC 25-14-1).
- 7 (9) State board of funeral and cemetery service (IC 25-15).
- 8 (10) State board of registration for professional engineers
- 9 (IC 25-31-1-3).
- 10 (11) Indiana state board of health facility administrators
- 11 (IC 25-19-1).
- 12 (12) Medical licensing board of Indiana (IC 25-22.5-2).
- 13 (13) Mining board (IC 22-10-1.5-2).
- 14 (14) Indiana state board of nursing (IC 25-23-1).
- 15 (15) Indiana optometry board (IC 25-24).
- 16 (16) Indiana board of pharmacy (IC 25-26).
- 17 (17) Indiana plumbing commission (IC 25-28.5-1-3).
- 18 (18) Board of environmental health specialists (IC 25-32-1).
- 19 (19) State psychology board (IC 25-33).
- 20 (20) Speech-language pathology and audiology board
- 21 (IC 25-35.6-2).
- 22 (21) Indiana real estate commission (IC 25-34.1-2-1).
- 23 (22) Indiana board of veterinary medical examiners
- 24 (IC 15-5-1.1-3).
- 25 (23) Department of insurance (IC 27-1).
- 26 (24) State police department (IC 10-11-2-4), for purposes of
- 27 certifying polygraph examiners under IC 25-30-2.
- 28 (25) Department of natural resources for purposes of licensing
- 29 water well drillers under IC 25-39-3.
- 30 (26) Private detectives licensing board (IC 25-30-1-5.1).
- 31 (27) Occupational therapy committee (IC 25-23.5-2-1).
- 32 (28) Social worker, marriage and family therapist, and mental
- 33 health counselor board (IC 25-23.6-2-1).
- 34 (29) Real estate appraiser licensure and certification board
- 35 (IC 25-34.1-8).
- 36 (30) State board of registration for land surveyors
- 37 (IC 25-21.5-2-1).
- 38 (31) Physician assistant committee (IC 25-27.5).
- 39 (32) Indiana athletic trainers board (IC 25-5.1-2-1).
- 40 (33) Board of podiatric medicine (IC 25-29-2-1).
- 41 (34) Indiana dietitians certification board (IC 25-14.5-2-1).
- 42 (35) Indiana physical therapy committee (IC 25-27).

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- 1 (36) Manufactured home installer licensing board (IC 25-23.7).
 2 (37) Home inspectors licensing board (IC 25-20.2-3-1).
 3 **(38) Unarmed combat licensing board (IC 25-38.5-3-1).**
 4 ~~(38)~~ **(39)** Any other occupational or professional agency created
 5 after June 30, 1981.
 6 SECTION 7. IC 25-1-8-6, AS AMENDED BY P.L.157-2006,
 7 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2007]: Sec. 6. (a) As used in this section, "board" means any
 9 of the following:
 10 (1) Indiana board of accountancy (IC 25-2.1-2-1).
 11 (2) Board of registration for architects and landscape architects
 12 (IC 25-4-1-2).
 13 (3) Indiana athletic trainers board (IC 25-5.1-2-1).
 14 (4) Indiana auctioneer commission (IC 25-6.1-2-1).
 15 (5) State board of barber examiners (IC 25-7-5-1).
 16 (6) State boxing commission (IC 25-9-1).
 17 (7) Board of chiropractic examiners (IC 25-10-1).
 18 (8) State board of cosmetology examiners (IC 25-8-3-1).
 19 (9) State board of dentistry (IC 25-14-1).
 20 (10) Indiana dietitians certification board (IC 25-14.5-2-1).
 21 (11) State board of registration for professional engineers
 22 (IC 25-31-1-3).
 23 (12) Board of environmental health specialists (IC 25-32-1).
 24 (13) State board of funeral and cemetery service (IC 25-15-9).
 25 (14) Indiana state board of health facility administrators
 26 (IC 25-19-1).
 27 (15) Committee on hearing aid dealer examiners (IC 25-20-1-1.5).
 28 (16) Home inspectors licensing board (IC 25-20.2-3-1).
 29 (17) Indiana hypnotist committee (IC 25-20.5-1-7).
 30 (18) State board of registration for land surveyors
 31 (IC 25-21.5-2-1).
 32 (19) Manufactured home installer licensing board (IC 25-23.7).
 33 (20) Medical licensing board of Indiana (IC 25-22.5-2).
 34 (21) Indiana state board of nursing (IC 25-23-1).
 35 (22) Occupational therapy committee (IC 25-23.5).
 36 (23) Indiana optometry board (IC 25-24).
 37 (24) Indiana board of pharmacy (IC 25-26).
 38 (25) Indiana physical therapy committee (IC 25-27).
 39 (26) Physician assistant committee (IC 25-27.5).
 40 (27) Indiana plumbing commission (IC 25-28.5-1-3).
 41 (28) Board of podiatric medicine (IC 25-29-2-1).
 42 (29) Private detectives licensing board (IC 25-30-1-5.1).

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- 1 (30) State psychology board (IC 25-33).
- 2 (31) Indiana real estate commission (IC 25-34.1-2).
- 3 (32) Real estate appraiser licensure and certification board
- 4 (IC 25-34.1-8).
- 5 (33) Respiratory care committee (IC 25-34.5).
- 6 (34) Social worker, marriage and family therapist, and mental
- 7 health counselor board (IC 25-23.6).
- 8 (35) Speech-language pathology and audiology board
- 9 (IC 25-35.6-2).
- 10 (36) Indiana board of veterinary medical examiners (IC 15-5-1.1).
- 11 **(37) Unarmed combat licensing board (IC 25-38.5-3-1).**

12 (b) This section does not apply to a license, certificate, or
 13 registration that has been revoked or suspended.

14 (c) Notwithstanding any other law regarding the reinstatement of a
 15 delinquent or lapsed license, certificate, or registration, the holder of
 16 a license, certificate, or registration that was issued by the board that
 17 is three (3) years or less delinquent must be reinstated upon meeting
 18 the following requirements:

- 19 (1) Submission of the holder's completed renewal application.
- 20 (2) Payment of the current renewal fee established by the board
- 21 under section 2 of this chapter.
- 22 (3) Payment of a reinstatement fee established by the Indiana
- 23 professional licensing agency.
- 24 (4) If a law requires the holder to complete continuing education
- 25 as a condition of renewal, the holder shall provide the board with
- 26 a sworn statement, signed by the holder, that the holder has
- 27 fulfilled the continuing education requirements required by the
- 28 board for the current renewal period.

29 (d) Notwithstanding any other law regarding the reinstatement of a
 30 delinquent or lapsed license, certificate, or registration, unless a statute
 31 specifically does not allow a license, certificate, or registration to be
 32 reinstated if it has lapsed for more than three (3) years, the holder of a
 33 license, certificate, or registration that was issued by the board that is
 34 more than three (3) years delinquent must be reinstated upon meeting
 35 the following requirements:

- 36 (1) Submission of the holder's completed renewal application.
- 37 (2) Payment of the current renewal fee established by the board
- 38 under section 2 of this chapter.
- 39 (3) Payment of a reinstatement fee equal to the current initial
- 40 application fee.
- 41 (4) If a law requires the holder to complete continuing education
- 42 as a condition of renewal, the holder shall provide the board with

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1 a sworn statement, signed by the holder, that the holder has
2 fulfilled the continuing education requirements required by the
3 board for the current renewal period.

4 (5) Complete such remediation and additional training as deemed
5 appropriate by the board given the lapse of time involved.

6 (6) Any other requirement that is provided for in statute or rule
7 that is not related to fees.

8 SECTION 8. IC 25-1-11-1 IS AMENDED TO READ AS
9 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. As used in this
10 chapter, "board" means any of the following:

- 11 (1) Indiana board of accountancy (IC 25-2.1-2-1).
- 12 (2) Board of registration for architects and landscape architects
13 (IC 25-4-1-2).
- 14 (3) Indiana auctioneer commission (IC 25-6.1-2).
- 15 (4) State board of barber examiners (IC 25-7-5-1).
- 16 (5) State boxing commission (IC 25-9-1).
- 17 (6) State board of cosmetology examiners (IC 25-8-3-1).
- 18 (7) State board of registration of land surveyors (IC 25-21.5-2-1).
- 19 (8) State board of funeral and cemetery service (IC 25-15-9).
- 20 (9) State board of registration for professional engineers
21 (IC 25-31-1-3).
- 22 (10) Indiana plumbing commission (IC 25-28.5-1-3).
- 23 (11) Indiana real estate commission (IC 25-34.1-2-1).
- 24 (12) Real estate appraiser licensure certification board
25 (IC 25-34.1-8).
- 26 (13) Private detectives licensing board (IC 25-30-1-5.1).
- 27 (14) Manufactured home installer licensing board (IC 25-23.7).
- 28 (15) Home inspectors licensing board (IC 25-20.2-3-1).
- 29 **(16) Unarmed combat licensing board (IC 25-38.5-3-1).**

30 SECTION 9. IC 25-9-1-0.3 IS ADDED TO THE INDIANA CODE
31 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
32 1, 2007]: **Sec. 0.3. This chapter does not apply to:**

- 33 **(1) a contest or exhibition of unarmed combat regulated**
34 **under IC 25-38.5; or**
- 35 **(2) a person who:**
 - 36 **(A) participates, directly or indirectly, in a contest or**
37 **exhibition of unarmed combat regulated under IC 25-38.5;**
38 **and**
 - 39 **(B) does not participate in a boxing or sparring match or**
40 **exhibition that is regulated under this chapter.**

41 SECTION 10. IC 25-38.5 IS ADDED TO THE INDIANA CODE
42 AS A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY

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ARTICLE 38.5. UNARMED COMBAT

Chapter 1. Application

Sec. 1. This article applies to a person who participates, directly or indirectly, in a contest or exhibition of unarmed combat after July 1, 2008.

Sec. 2. This article does not apply to the following:

(1) A person who participates in an amateur contest or exhibition of unarmed combat conducted by or participated in exclusively by:

- (A) a school, college, or university; or**
- (B) an association or organization of a school, college, or university;**

if each participant in the contest or exhibition is a bona fide student in the school, college, or university.

(2) A person who participates in a contest or exhibition of Oriental unarmed self-defense in which the participants do not intend to strike any dangerous physical blows.

(3) A person who:

- (A) participates in a boxing or sparring match or exhibition that is regulated under IC 25-9-1; and**
- (B) does not participate in a contest or exhibition of unarmed combat that is regulated under this article.**

Chapter 2. Definitions

Sec. 1. The definitions in this chapter apply throughout this article.

Sec. 2. "Applicant" means a person who applies for a license under this article to conduct or hold a contest or exhibition of unarmed combat.

Sec. 3. "Board" refers to the unarmed combat licensing board established by IC 25-38.5-3-1.

Sec. 4. "Contestant" means any person who engages in unarmed combat for remuneration.

Sec. 5. "Licensee" means a person who holds a license under this article.

Sec. 6. (a) "Manager" means a person who:

(1) undertakes to represent the interests of another person by contract, agreement, or other arrangement, in:

- (A) procuring;**
- (B) arranging; or**
- (C) conducting;**

a contest or exhibition of unarmed combat in which the other

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1 person will participate as a contestant;

2 (2) directs or controls the activities of an unarmed combatant
3 relating to the participation of the unarmed combatant in a
4 contest or exhibition of unarmed combat;

5 (3) receives or is entitled to receive at least ten percent (10%)
6 of the gross purse or gross income of an unarmed combatant
7 for services relating to the participation of the unarmed
8 combatant in a contest or exhibition of unarmed combat; or
9 (4) receives compensation for services as an agent or a
10 representative of an unarmed combatant.

11 (b) The term does not include an attorney who is licensed to
12 practice law in Indiana if the attorney's participation in any of the
13 activities described in subsection (a) is limited solely to the legal
14 representation of a client who is an unarmed combatant.

15 Sec. 7. "Person" means an individual, a partnership, a limited
16 liability company, or a corporation.

17 Sec. 8. "Promoter" means a person who produces, conducts,
18 holds, or stages a contest or exhibition of unarmed combat.

19 Sec. 9. (a) "Purse" means the financial guarantee or any other
20 remuneration for which contestants participate in a contest or
21 exhibition of unarmed combat.

22 (b) The term includes the contestant's share of any payment
23 received for radio broadcasting, television, or motion picture
24 rights.

25 Sec. 10. "Ring official" means a person who performs the
26 official function of supervising the progress of a contest or
27 exhibition of unarmed combat.

28 Sec. 11. (a) "Unarmed combat" means any form of competition
29 in which striking and grappling techniques are used to strike
30 physical blows that may reasonably be expected to inflict injury.

31 (b) The term includes:

32 (1) karate;

33 (2) kung fu;

34 (3) tae kwon-do;

35 (4) kickboxing; or

36 (5) any combination of martial arts, including mixed martial
37 arts or self-defense.

38 (c) The term does not include boxing.

39 Sec. 12. "Unarmed combatant" means a person who engages in
40 unarmed combat in a contest or exhibition with or without
41 remuneration.

42 Chapter 3. Unarmed Combat Licensing Board; Indiana

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Professional Licensing Agency

Sec. 1. The unarmed combat licensing board is established.

Sec. 2. (a) The board consists of three (3) members appointed by the governor.

(b) Each member of the board must be a resident of Indiana.

Sec. 3. (a) Each member of the board serves a term of four (4) years and until the member's successor is appointed and qualified.

(b) A member of the board may not serve more than two (2) consecutive terms.

Sec. 4. (a) The governor may remove a member of the board at any time for incompetency, neglect of duty, or unprofessional conduct.

(b) The governor shall appoint a member to fill a vacancy in the membership of the board. The member serves for the unexpired term.

Sec. 5. (a) The board shall meet at least two (2) times each calendar year upon the call of the chairperson or the written request of a majority of the members of the board.

(b) The chairperson shall establish the date, time, and place for each meeting.

(c) Two (2) members of the board constitute a quorum.

(d) Except as otherwise provided in this article, at least two (2) votes are necessary for the board to take official action.

Sec. 6. Each member of the board is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). Each member of the board is entitled to reimbursement for travel expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.

Sec. 7. (a) Each year the board shall elect a member as chairperson and a member as vice chairperson.

(b) The chairperson and vice chairperson shall serve until their successors are elected.

(c) The chairperson shall preside at all meetings at which the chairperson is present. The vice chairperson shall preside at meetings in the absence of the chairperson and shall perform other duties as the chairperson directs.

Sec. 8. A member of the board may not at any time during the member's service as a member of the board:

- (1) promote or sponsor a contest or exhibition of unarmed combat; or**

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1 (2) have a financial interest in the promotion or sponsorship
2 of a contest or exhibition of unarmed combat.

3 **Sec. 9. The board shall:**

4 (1) enforce and administer this article;
5 (2) adopt rules under IC 4-22-2 for the administration and
6 enforcement of this article;

7 (3) prescribe the requirements for and the form of licenses
8 issued and renewed under this article;

9 (4) establish the:

10 (A) number and qualification of ring officials required to
11 be present at a contest or exhibition of unarmed combat;

12 (B) powers, duties, and compensation of ring officials; and

13 (C) qualifications for a person who acts as a judge for a
14 contest or exhibition of unarmed combat;

15 (5) issue, deny, suspend, and revoke licenses in accordance
16 with this article;

17 (6) in accordance with IC 25-1-7, investigate and prosecute
18 complaints involving licensees or individuals the board has
19 reason to believe should be licensees, including complaints
20 concerning the failure to comply with this article or rules
21 adopted under this article;

22 (7) bring actions in the name of the state of Indiana in an
23 appropriate circuit court to enforce compliance with this
24 article or rules adopted under this article;

25 (8) establish fees in accordance with IC 25-1-8;

26 (9) inspect the records of a licensee in accordance with rules
27 adopted by the board;

28 (10) conduct or designate a member of the board or other
29 representative to conduct public hearings on any matter for
30 which a hearing is required under this article and to exercise
31 all powers granted under IC 4-21.5; and

32 (11) maintain the board's office, files, records, and property
33 in Indianapolis.

34 **Sec. 10. (a) The professional licensing agency may appoint and**
35 **remove deputies for use by the board. The board may direct a**
36 **deputy to be present at any place where a contest or exhibition of**
37 **unarmed combat is held under this article. The deputies shall:**

38 (1) determine the exact conditions concerning the contest or
39 exhibition; and

40 (2) make a written report of the conditions in the manner and
41 form prescribed by the board.

42 (b) The professional licensing agency may appoint and remove

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a secretary for the board. The secretary shall:
 (1) keep a full and true record of all the board's proceedings;
 (2) preserve at the board's general office all the board's books, documents, and papers;
 (3) prepare for service notices and other papers as required by the board; and
 (4) perform other duties prescribed by the professional licensing agency.

Chapter 4. Licensing Requirements

Sec. 1. A person may not conduct or hold a contest or exhibition of unarmed combat without first obtaining from the board a license authorizing the person to conduct or hold a contest or exhibition of unarmed combat.

Sec. 2. A person applying for a license to conduct or hold a contest or exhibition of unarmed combat shall:

- (1) apply for a license for each contest or exhibition of unarmed combat the person conducts or holds;
- (2) apply for the license on a form prescribed by the board; and
- (3) pay the licensing fee established by the board under section 7 of this chapter.

Sec. 3. (a) Except as provided under subsection (c), the board may not grant a license to hold a contest or exhibition of unarmed combat to an applicant unless the applicant complies with one (1) of the following:

- (1) Files a bond in an amount established by the board, but at least one hundred thousand dollars (\$100,000), that is:
 - (A) executed by the applicant as principal and by a corporate surety licensed to do business in Indiana;
 - (B) payable to the state of Indiana; and
 - (C) conditioned upon the faithful performance of the person's compliance with this article and rules adopted by the board.
- (2) Deposits the amount described under subdivision (1) with the board.

(b) Except as provided under subsection (c), if the board determines the requirement for a bond is inadequate, the board may require the applicant to deposit money in an amount established by the board. A deposit under this subsection:

- (1) must be made at least five (5) days before the date of the contest or exhibition of unarmed combat; and
- (2) upon order of the board, may be used to satisfy any

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obligation incurred by the applicant during the staging of the contest or exhibition.

The board shall release the remaining amount of money from the money deposited under this subsection after satisfaction of all obligations described in subdivision (2).

(c) The board shall deposit amounts collected under this section in the unarmed combat fund established under section 4 of this chapter.

Sec. 4. (a) The unarmed combat fund is established to provide funds for administering and enforcing the provisions under section 3 of this chapter. The fund shall be administered by the board.

(b) The fund consists of money from the amounts collected under section 3 of this chapter.

(c) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested.

(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(e) Money in the fund is continually appropriated to the board for:

- (1) use in satisfying any obligation incurred by an applicant during the staging of the contest or exhibition as provided under section 3(b) of this chapter; and
- (2) release and refund of any amount of money remaining from the money deposited under section 3 of this chapter after satisfaction of all obligations described in section 3(b)(2) of this chapter.

Sec. 5. (a) The board shall require an applicant to provide:

- (1) information, including fingerprints, needed to facilitate access to criminal history information; and
- (2) financial information, to the extent allowed by law.

(b) The state police department shall:

- (1) assist the board in obtaining criminal history information of an applicant; and
- (2) forward fingerprints submitted by an applicant to the Federal Bureau of Investigation for the release of the applicant's criminal history information for purposes of licensure under this article.

(c) An applicant shall pay any fees associated with the release of the criminal history information of the applicant.

Sec. 6. A person may not act as a contestant, promoter, manager, trainer, or ring official without obtaining from the board

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1 a license authorizing the person to act as a contestant, promoter,
2 manager, trainer, or ring official.

3 Sec. 7. (a) A person applying for a license to act as a contestant,
4 promoter, manager, trainer, or ring official must:

5 (1) apply for the license on a form prescribed by the board;
6 and

7 (2) pay the licensing fee established by the board under
8 section 8 of this chapter.

9 (b) In addition to the licensing fee established by the board
10 under section 8 of this chapter, the board may require a person
11 applying for a license under this section to pay the costs of the
12 proceedings associated with the issuance of the license, including
13 investigative costs and attorney's fees.

14 Sec. 8. The board shall establish fees for issuance and renewal
15 of a license under this chapter.

16 Sec. 9. The board may require that each person who holds a
17 license as a contestant have insurance coverage in an amount
18 established by the board to provide for medical, surgical, and
19 hospital care for injuries sustained while engaged in a contest or
20 exhibition of unarmed combat.

21 Sec. 10. (a) Except as provided in subsection (b), a promoter
22 may not pay or give money to another licensee before a contest or
23 exhibition of unarmed combat as an advance against a contestant's
24 purse or for a similar purpose.

25 (b) If a promoter receives written permission from a member of
26 the board, the promoter may pay or give money to a licensee
27 before a contest or exhibition of unarmed combat as an advance
28 against the contestant's purse for necessary expenses of
29 transportation and maintenance in preparation for the contest or
30 exhibition of unarmed combat.

31 Sec. 11. (a) A contestant shall be examined not later than two (2)
32 hours before participating in a contest or exhibition of unarmed
33 combat by a physician licensed under IC 25-22.5 appointed by the
34 board.

35 (b) If a physician described in subsection (a) determines that a
36 contestant is physically fit to engage in a contest or exhibition of
37 unarmed combat, the physician shall certify in writing that the
38 contestant is physically fit. The physician shall mail the
39 certification to the board not later than twenty-four (24) hours
40 after the contest or exhibition.

41 (c) A person may not conduct or hold a contest or exhibition of
42 unarmed combat unless a licensed physician is in attendance.

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1 (d) A contestant who, in the opinion of the physician, is
2 physically unfit to enter a contest or exhibition of unarmed combat
3 shall be excused from combat by the board or the board's deputy.

4 (e) During a contest or an exhibition of unarmed combat, the
5 physician may observe a contestant and advise the ring official
6 with regard to the physical condition of the contestant. The
7 physician shall advise the ring official if the physician determines
8 that a contestant in any contest or exhibition of unarmed combat
9 is physically unfit to continue.

10 (f) At each contest or exhibition of unarmed combat, a person
11 who conducts or holds the contest or exhibition shall, at the
12 person's expense, have a licensed ring official to direct and control
13 the contest or exhibition.

14 (g) The ring official may declare forfeited any purse or other
15 money that belongs to a contestant if the ring official determines
16 that the contestant is not competing honestly.

17 Sec. 12. A person who is denied a license under this article has
18 the remedies prescribed under IC 4-21.5.

19 Chapter 5. Renewal of Licenses

20 Sec. 1. A license authorizing a person to hold or conduct a
21 contest or exhibition of unarmed combat expires after the contest
22 or exhibition has been completed.

23 Sec. 2. A license authorizing a person to act as a contestant,
24 promoter, manager, trainer, or ring official expires two (2) years
25 after the date the license is issued and shall be renewed biennially
26 upon payment of the required renewal fees.

27 Sec. 3. A person who applies to renew a license under this article
28 must:

29 (1) meet the requirements established by the board under this
30 article; and

31 (2) pay the renewal fee established by the board under
32 IC 25-38.5-4-8.

33 Sec. 4. (a) Renewal notices must be sent in accordance with
34 IC 25-1-2-6(c).

35 (b) The renewal fee must be paid in accordance with
36 IC 25-1-8-2(d).

37 Chapter 6. Enforcement

38 Sec. 1. (a) The board may take disciplinary action against a
39 contestant, promoter, trainer, ring official, or other participant for
40 any of the following violations:

41 (1) Entering into a contract for a contest or exhibition of
42 unarmed combat in bad faith.

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- 1 **(2) Participating in a sham or fake contest or exhibition of**
- 2 **unarmed combat.**
- 3 **(3) Participating in a contest or exhibition of unarmed combat**
- 4 **under a collusive understanding or agreement in which the**
- 5 **contestant competes in or terminates the contest or exhibition**
- 6 **in a manner that is not based upon honest competition or**
- 7 **honest exhibition of the skill of the contestant.**
- 8 **(4) Committing an act or conduct that is detrimental to a**
- 9 **contest or exhibition of unarmed combat, including foul play**
- 10 **or unsportsmanlike conduct in connection with a contest or**
- 11 **exhibition of unarmed combat.**
- 12 **(b) The board may take disciplinary action against a licensee for**
- 13 **the following violations:**
- 14 **(1) Failing to:**
 - 15 **(A) give the licensee's best efforts;**
 - 16 **(B) compete honestly; or**
 - 17 **(C) give an honest exhibition of the licensee's skills;**
 - 18 **in a contest or exhibition of unarmed combat.**
 - 19 **(2) Failing to comply with a limitation, restriction, or**
 - 20 **condition placed on the licensee's license.**
- 21 **Sec. 2. (a) The board may order a promoter to withhold part or**
- 22 **all of a purse or other money belonging or payable to a contestant,**
- 23 **manager, or trainer if, in the judgment of the board, the:**
 - 24 **(1) contestant has not competed honestly or to the best of the**
 - 25 **contestant's skills and ability;**
 - 26 **(2) contestant has violated the provisions of this article or**
 - 27 **rules adopted by the board; or**
 - 28 **(3) manager or trainer has violated the provisions of this**
 - 29 **article or rules adopted by the board.**
- 30 **(b) If the board orders a promoter to withhold part or all of a**
- 31 **purse or other money under subsection (a), the board shall**
- 32 **immediately:**
 - 33 **(1) schedule a hearing on the matter;**
 - 34 **(2) provide notice to the interested parties; and**
 - 35 **(3) dispose of the matter promptly.**
- 36 **(c) If the board determines that a contestant, manager, or**
- 37 **trainer is not entitled to any part of the purse or other money, the**
- 38 **promoter shall give the purse and other money to the board.**
- 39 **Sec. 3. The procedures set forth in IC 4-21.5 govern the board's**
- 40 **conduct of disciplinary hearings.**
- 41 **Sec. 4. (a) If the board determines that a person not licensed**
- 42 **under this article is engaged in or believed to be engaged in**

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1 activities for which a license is required under this article, the
2 board may issue an order to that person requiring the person to
3 show cause why the person should not be ordered to cease and
4 desist from the activities. The order must set forth a date, time, and
5 place for a hearing at which the affected person may appear and
6 show cause as to why the person should not be subject to licensing
7 under this article.

8 (b) If the board, after a hearing, determines that the activities
9 in which the person is engaged are subject to licensing under this
10 article, the board may issue a cease and desist order that describes
11 the person and activities that are the subjects of the order.

12 (c) A cease and desist order issued under this section is
13 enforceable in a circuit or superior court.

14 Sec. 5. The board may revoke or suspend a license under this
15 article for reasons considered sufficient under this article and
16 under IC 25-1-11.

17 Sec. 6. The board may summarily suspend a license for up to
18 ninety (90) days before a final adjudication or during an appeal of
19 the board's determination if the board finds that a licensee
20 represents a clear and immediate danger to the public's health,
21 safety, or property if the licensee is allowed to participate in a
22 contest or exhibition of unarmed combat. The summary suspension
23 may be renewed, upon a hearing before the board, for up to ninety
24 (90) days.

25 Sec. 7. A person who knowingly or intentionally:
26 (1) conducts or holds a contest or exhibition of unarmed
27 combat or acts as a contestant, promoter, manager, trainer,
28 or ring official without being licensed or without being exempt
29 from licensing under Indiana law;
30 (2) presents as the person's own the license of another;
31 (3) gives false or materially misleading information of any
32 kind to the board or to a member of the board in connection
33 with licensing matters;
34 (4) impersonates another licensee;
35 (5) uses an expired, suspended, or revoked license; or
36 (6) otherwise violates this article;
37 commits a Class B misdemeanor.

38 Sec. 8. A physician who certifies falsely to the physical condition
39 of any contestant commits a Class B infraction.

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