

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 160, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Delete the title and insert the following:
2 A BILL FOR AN ACT to amend the Indiana Code concerning
3 professions and occupations.
4 Delete everything after the enacting clause and insert the
5 following:
6 SECTION 1. IC 10-13-3-38.5, AS AMENDED BY P.L.1-2006,
7 SECTION 173, IS AMENDED TO READ AS FOLLOWS
8 [EFFECTIVE JULY 1, 2009]: Sec. 38.5. (a) Under federal P.L.92-544
9 (86 Stat. 1115), the department may use an individual's fingerprints
10 submitted by the individual for the following purposes:
11 (1) Determining the individual's suitability for employment with
12 the state, or as an employee of a contractor of the state, in a
13 position:
14 (A) that has a job description that includes contact with,
15 care of, or supervision over a person less than eighteen (18)
16 years of age;
17 (B) that has a job description that includes contact with,
18 care of, or supervision over an endangered adult (as defined
19 in IC 12-10-3-2), except the individual is not required to
20 meet the standard for harmed or threatened with harm set
21 forth in IC 12-10-3-2(a)(3);
22 (C) at a state institution managed by the office of the
23 secretary of family and social services or state department
24 of health;
25 (D) at the Indiana School for the Deaf established by
26 IC 20-22-2-1;

- 1 (E) at the Indiana School for the Blind and Visually
 2 Impaired established by IC 20-21-2-1;
 3 (F) at a juvenile detention facility;
 4 (G) with the Indiana gaming commission under
 5 IC 4-33-3-16;
 6 (H) with the department of financial institutions under
 7 IC 28-11-2-3; or
 8 (I) that has a job description that includes access to or
 9 supervision over state financial or personnel data, including
 10 state warrants, banking codes, or payroll information
 11 pertaining to state employees.
- 12 (2) Identification in a request related to an application for a
 13 teacher's license submitted to the department of education
 14 established by IC 20-19-3-1.
- 15 (3) Use by the state ~~boxing~~ **athletic** commission established
 16 under IC 25-9-1-1 for licensure of a promoter (as defined in
 17 IC 25-9-1-0.7) under IC 25-9-1.
- 18 (4) Use by the Indiana board of pharmacy in determining the
 19 individual's suitability for a position or employment with a
 20 wholesale drug distributor, as specified in IC 25-26-14-16(b),
 21 IC 25-26-14-16.5(b), IC 25-26-14-17.8(c), and IC 25-26-14-20.

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

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

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

37 SECTION 2. IC 22-12-1-23 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 23. "Regulated place
 39 of amusement or entertainment" refers to the following:

- 40 (1) A theater, opera house, movie theater, dance hall, night club
 41 with a stage or floor show, or another place that offers an
 42 amusement or entertainment to the public for consideration or
 43 promotional purposes.
- 44 (2) A place where a boxing, **sparring, or unarmed combat**
 45 **match or** exhibition is conducted under the supervision of the
 46 state ~~boxing~~ **athletic** commission.
- 47 (3) A hall, gymnasium, or place of assembly where a school,
 48 college, university, social or fraternal organization, lodge,
 49 farmers organization, society, labor union, trade association, or
 50 church holds any type of amusement.

1 (4) A public or private place where a regulated amusement
2 device is operated.

3 SECTION 3. IC 25-1-2-6, AS AMENDED BY P.L.3-2008,
4 SECTION 176, IS AMENDED TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2009]: Sec. 6. (a) As used in this section,
6 "license" includes all occupational and professional licenses,
7 registrations, permits, and certificates issued under the Indiana Code,
8 and "licensee" includes all occupational and professional licensees,
9 registrants, permittees, and certificate holders regulated under the
10 Indiana Code.

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

- 13 (1) Indiana board of accountancy.
- 14 (2) Indiana grain buyers and warehouse licensing agency.
- 15 (3) Indiana auctioneer commission.
- 16 (4) Board of registration for architects and landscape architects.
- 17 (5) State board of barber examiners.
- 18 (6) State board of cosmetology examiners.
- 19 (7) Medical licensing board of Indiana.
- 20 (8) Secretary of state.
- 21 (9) State board of dentistry.
- 22 (10) State board of funeral and cemetery service.
- 23 (11) Worker's compensation board of Indiana.
- 24 (12) Indiana state board of health facility administrators.
- 25 (13) Committee of hearing aid dealer examiners.
- 26 (14) Indiana state board of nursing.
- 27 (15) Indiana optometry board.
- 28 (16) Indiana board of pharmacy.
- 29 (17) Indiana plumbing commission.
- 30 (18) Board of podiatric medicine.
- 31 (19) Private investigator and security guard licensing board.
- 32 (20) State board of registration for professional engineers.
- 33 (21) Board of environmental health specialists.
- 34 (22) State psychology board.
- 35 (23) Indiana real estate commission.
- 36 (24) Speech-language pathology and audiology board.
- 37 (25) Department of natural resources.
- 38 (26) State ~~boxing~~ **athletic** commission.
- 39 (27) Board of chiropractic examiners.
- 40 (28) Mining board.
- 41 (29) Indiana board of veterinary medical examiners.
- 42 (30) State department of health.
- 43 (31) Indiana physical therapy committee.
- 44 (32) Respiratory care committee.
- 45 (33) Occupational therapy committee.
- 46 (34) Social worker, marriage and family therapist, and mental
47 health counselor board.
- 48 (35) Real estate appraiser licensure and certification board.
- 49 (36) State board of registration for land surveyors.
- 50 (37) Physician assistant committee.

- 1 (38) Indiana dietitians certification board.
 2 (39) Indiana hypnotist committee.
 3 (40) Attorney general (only for the regulation of athlete agents).
 4 (41) Manufactured home installer licensing board.
 5 (42) Home inspectors licensing board.
 6 (43) State board of massage therapy.
 7 (44) Any other occupational or professional agency created after
 8 June 30, 1981.

9 (c) Notwithstanding any other law, the entities included in
 10 subsection (b) shall send a notice of the upcoming expiration of a
 11 license to each licensee at least sixty (60) days prior to the expiration
 12 of the license. The notice must inform the licensee of the need to renew
 13 and the requirement of payment of the renewal fee. If this notice of
 14 expiration is not sent by the entity, the licensee is not subject to a
 15 sanction for failure to renew if, once notice is received from the entity,
 16 the license is renewed within forty-five (45) days of the receipt of the
 17 notice.

18 SECTION 4. IC 25-1-4-0.3, AS AMENDED BY P.L.2-2008,
 19 SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2009]: Sec. 0.3. As used in this chapter, "board" means any of
 21 the following:

- 22 (1) Indiana board of accountancy (IC 25-2.1-2-1).
 23 (2) Board of registration for architects and landscape architects
 24 (IC 25-4-1-2).
 25 (3) Indiana athletic trainers board (IC 25-5.1-2-1).
 26 (4) Indiana auctioneer commission (IC 25-6.1-2-1).
 27 (5) State board of barber examiners (IC 25-7-5-1).
 28 ~~(6) State boxing commission (IC 25-9-1).~~
 29 ~~(7)~~ (6) Board of chiropractic examiners (IC 25-10-1).
 30 ~~(8)~~ (7) State board of cosmetology examiners (IC 25-8-3-1).
 31 ~~(9)~~ (8) State board of dentistry (IC 25-14-1).
 32 ~~(10)~~ (9) Indiana dietitians certification board (IC 25-14.5-2-1).
 33 ~~(11)~~ (10) State board of registration for professional engineers
 34 (IC 25-31-1-3).
 35 ~~(12)~~ (11) Board of environmental health specialists (IC 25-32-1).
 36 ~~(13)~~ (12) State board of funeral and cemetery service
 37 (IC 25-15-9).
 38 ~~(14)~~ (13) Indiana state board of health facility administrators
 39 (IC 25-19-1).
 40 ~~(15)~~ (14) Committee of hearing aid dealer examiners
 41 (IC 25-20-1-1.5).
 42 ~~(16)~~ (15) Home inspectors licensing board (IC 25-20.2-3-1).
 43 ~~(17)~~ (16) Indiana hypnotist committee (IC 25-20.5-1-7).
 44 ~~(18)~~ (17) State board of registration for land surveyors
 45 (IC 25-21.5-2-1).
 46 ~~(19)~~ (18) Manufactured home installer licensing board
 47 (IC 25-23.7).
 48 ~~(20)~~ (19) Medical licensing board of Indiana (IC 25-22.5-2).
 49 ~~(21)~~ (20) Indiana state board of nursing (IC 25-23-1).
 50 ~~(22)~~ (21) Occupational therapy committee (IC 25-23.5).

- 1 ~~(23)~~ **(22)** Indiana optometry board (IC 25-24).
 2 ~~(24)~~ **(23)** Indiana board of pharmacy (IC 25-26).
 3 ~~(25)~~ **(24)** Indiana physical therapy committee (IC 25-27-1).
 4 ~~(26)~~ **(25)** Physician assistant committee (IC 25-27.5).
 5 ~~(27)~~ **(26)** Indiana plumbing commission (IC 25-28.5-1-3).
 6 ~~(28)~~ **(27)** Board of podiatric medicine (IC 25-29-2-1).
 7 ~~(29)~~ **(28)** Private investigator and security guard licensing board
 8 (IC 25-30-1-5.2).
 9 ~~(30)~~ **(29)** State psychology board (IC 25-33).
 10 ~~(31)~~ **(30)** Indiana real estate commission (IC 25-34.1-2).
 11 ~~(32)~~ **(31)** Real estate appraiser licensure and certification board
 12 (IC 25-34.1-8).
 13 ~~(33)~~ **(32)** Respiratory care committee (IC 25-34.5).
 14 ~~(34)~~ **(33)** Social worker, marriage and family therapist, and
 15 mental health counselor board (IC 25-23.6).
 16 ~~(35)~~ **(34)** Speech-language pathology and audiology board
 17 (IC 25-35.6-2).
 18 ~~(36)~~ **(35)** Indiana board of veterinary medical examiners
 19 (IC 25-38.1-2).

20 SECTION 5. IC 25-1-6-3, AS AMENDED BY P.L.3-2008,
 21 SECTION 177, IS AMENDED TO READ AS FOLLOWS
 22 [EFFECTIVE JULY 1, 2009]: Sec. 3. (a) The licensing agency shall
 23 perform all administrative functions, duties, and responsibilities
 24 assigned by law or rule to the executive director, secretary, or other
 25 statutory administrator of the following:

- 26 (1) Indiana board of accountancy (IC 25-2.1-2-1).
 27 (2) Board of registration for architects and landscape architects
 28 (IC 25-4-1-2).
 29 (3) Indiana auctioneer commission (IC 25-6.1-2-1).
 30 (4) State board of barber examiners (IC 25-7-5-1).
 31 ~~(5) State boxing commission (IC 25-9-1).~~
 32 ~~(6)~~ **(5)** State board of cosmetology examiners (IC 25-8-3-1).
 33 ~~(7)~~ **(6)** State board of funeral and cemetery service (IC 25-15-9).
 34 ~~(8)~~ **(7)** State board of registration for professional engineers
 35 (IC 25-31-1-3).
 36 ~~(9)~~ **(8)** Indiana plumbing commission (IC 25-28.5-1-3).
 37 ~~(10)~~ **(9)** Indiana real estate commission (IC 25-34.1).
 38 ~~(11)~~ **(10)** Real estate appraiser licensure and certification board
 39 (IC 25-34.1-8-1).
 40 ~~(12)~~ **(11)** Private investigator and security guard licensing board
 41 (IC 25-30-1-5.2).
 42 ~~(13)~~ **(12)** State board of registration for land surveyors
 43 (IC 25-21.5-2-1).
 44 ~~(14)~~ **(13)** Manufactured home installer licensing board
 45 (IC 25-23.7).
 46 ~~(15)~~ **(14)** Home inspectors licensing board (IC 25-20.2-3-1).
 47 ~~(16)~~ **(15)** State board of massage therapy (IC 25-21.8-2-1).

48 (b) Nothing in this chapter may be construed to give the licensing
 49 agency policy making authority, which remains with each board.

50 SECTION 6. IC 25-1-7-1, AS AMENDED BY P.L.134-2008,

1 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2009]: Sec. 1. As used in this chapter:

3 "Board" means the appropriate agency listed in the definition of
4 regulated occupation in this section.

5 "Director" refers to the director of the division of consumer
6 protection.

7 "Division" refers to the division of consumer protection, office of
8 the attorney general.

9 "Licensee" means a person who is:

10 (1) licensed, certified, or registered by a board listed in this
11 section; and

12 (2) the subject of a complaint filed with the division.

13 "Person" means an individual, a partnership, a limited liability
14 company, or a corporation.

15 "Regulated occupation" means an occupation in which a person is
16 licensed, certified, or registered by one (1) of the following:

17 (1) Indiana board of accountancy (IC 25-2.1-2-1).

18 (2) Board of registration for architects and landscape architects
19 (IC 25-4-1-2).

20 (3) Indiana auctioneer commission (IC 25-6.1-2-1).

21 (4) State board of barber examiners (IC 25-7-5-1).

22 (5) State ~~boxing~~ **athletic** commission (IC 25-9-1).

23 (6) Board of chiropractic examiners (IC 25-10-1).

24 (7) State board of cosmetology examiners (IC 25-8-3-1).

25 (8) State board of dentistry (IC 25-14-1).

26 (9) State board of funeral and cemetery service (IC 25-15-9).

27 (10) State board of registration for professional engineers
28 (IC 25-31-1-3).

29 (11) Indiana state board of health facility administrators
30 (IC 25-19-1).

31 (12) Medical licensing board of Indiana (IC 25-22.5-2).

32 (13) Indiana state board of nursing (IC 25-23-1).

33 (14) Indiana optometry board (IC 25-24).

34 (15) Indiana board of pharmacy (IC 25-26).

35 (16) Indiana plumbing commission (IC 25-28.5-1-3).

36 (17) Board of podiatric medicine (IC 25-29-2-1).

37 (18) Board of environmental health specialists (IC 25-32-1).

38 (19) State psychology board (IC 25-33).

39 (20) Speech-language pathology and audiology board
40 (IC 25-35.6-2).

41 (21) Indiana real estate commission (IC 25-34.1-2).

42 (22) Indiana board of veterinary medical examiners (~~IC~~
43 ~~15-5-1-1~~): (IC 25-34.1-2).

44 (23) Department of natural resources for purposes of licensing
45 water well drillers under IC 25-39-3.

46 (24) Respiratory care committee (IC 25-34.5).

47 (25) Private investigator and security guard licensing board
48 (IC 25-30-1-5.2).

49 (26) Occupational therapy committee (IC 25-23.5).

50 (27) Social worker, marriage and family therapist, and mental

- 1 health counselor board (IC 25-23.6).
 2 (28) Real estate appraiser licensure and certification board
 3 (IC 25-34.1-8).
 4 (29) State board of registration for land surveyors
 5 (IC 25-21.5-2-1).
 6 (30) Physician assistant committee (IC 25-27.5).
 7 (31) Indiana athletic trainers board (IC 25-5.1-2-1).
 8 (32) Indiana dietitians certification board (IC 25-14.5-2-1).
 9 (33) Indiana hypnotist committee (IC 25-20.5-1-7).
 10 (34) Indiana physical therapy committee (IC 25-27).
 11 (35) Manufactured home installer licensing board (IC 25-23.7).
 12 (36) Home inspectors licensing board (IC 25-20.2-3-1).
 13 (37) State department of health, for out-of-state mobile health
 14 care entities.
 15 (38) State board of massage therapy (IC 25-21.8-2-1).
 16 (39) Any other occupational or professional agency created after
 17 June 30, 1981.
- 18 SECTION 7. IC 25-1-8-1, AS AMENDED BY P.L.3-2008,
 19 SECTION 179, IS AMENDED TO READ AS FOLLOWS
 20 [EFFECTIVE JULY 1, 2009]: Sec. 1. As used in this chapter, "board"
 21 means any of the following:
- 22 (1) Indiana board of accountancy (IC 25-2.1-2-1).
 23 (2) Board of registration for architects and landscape architects
 24 (IC 25-4-1-2).
 25 (3) Indiana auctioneer commission (IC 25-6.1-2-1).
 26 (4) State board of barber examiners (IC 25-7-5-1).
 27 (5) State ~~boxing~~ **athletic** commission (IC 25-9-1).
 28 (6) Board of chiropractic examiners (IC 25-10-1).
 29 (7) State board of cosmetology examiners (IC 25-8-3-1).
 30 (8) State board of dentistry (IC 25-14-1).
 31 (9) State board of funeral and cemetery service (IC 25-15).
 32 (10) State board of registration for professional engineers
 33 (IC 25-31-1-3).
 34 (11) Indiana state board of health facility administrators
 35 (IC 25-19-1).
 36 (12) Medical licensing board of Indiana (IC 25-22.5-2).
 37 (13) Mining board (IC 22-10-1.5-2).
 38 (14) Indiana state board of nursing (IC 25-23-1).
 39 (15) Indiana optometry board (IC 25-24).
 40 (16) Indiana board of pharmacy (IC 25-26).
 41 (17) Indiana plumbing commission (IC 25-28.5-1-3).
 42 (18) Board of environmental health specialists (IC 25-32-1).
 43 (19) State psychology board (IC 25-33).
 44 (20) Speech-language pathology and audiology board
 45 (IC 25-35.6-2).
 46 (21) Indiana real estate commission (IC 25-34.1-2-1).
 47 (22) Indiana board of veterinary medical examiners
 48 (IC 25-38.1-2-1).
 49 (23) Department of insurance (IC 27-1).
 50 (24) State police department (IC 10-11-2-4), for purposes of

- 1 certifying polygraph examiners under IC 25-30-2.
 2 (25) Department of natural resources for purposes of licensing
 3 water well drillers under IC 25-39-3.
 4 (26) Private investigator and security guard licensing board
 5 (IC 25-30-1-5.2).
 6 (27) Occupational therapy committee (IC 25-23.5-2-1).
 7 (28) Social worker, marriage and family therapist, and mental
 8 health counselor board (IC 25-23.6-2-1).
 9 (29) Real estate appraiser licensure and certification board
 10 (IC 25-34.1-8).
 11 (30) State board of registration for land surveyors
 12 (IC 25-21.5-2-1).
 13 (31) Physician assistant committee (IC 25-27.5).
 14 (32) Indiana athletic trainers board (IC 25-5.1-2-1).
 15 (33) Board of podiatric medicine (IC 25-29-2-1).
 16 (34) Indiana dietitians certification board (IC 25-14.5-2-1).
 17 (35) Indiana physical therapy committee (IC 25-27).
 18 (36) Manufactured home installer licensing board (IC 25-23.7).
 19 (37) Home inspectors licensing board (IC 25-20.2-3-1).
 20 (38) State board of massage therapy (IC 25-21.8-2-1).
 21 (39) Any other occupational or professional agency created after
 22 June 30, 1981.

23 SECTION 8. IC 25-1-8-6, AS AMENDED BY P.L.105-2008,
 24 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2009]: Sec. 6. (a) As used in this section, "board" means any
 26 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)~~ (6) Board of chiropractic examiners (IC 25-10-1).
 35 ~~(8)~~ (7) State board of cosmetology examiners (IC 25-8-3-1).
 36 ~~(9)~~ (8) State board of dentistry (IC 25-14-1).
 37 ~~(10)~~ (9) Indiana dietitians certification board (IC 25-14.5-2-1).
 38 ~~(11)~~ (10) State board of registration for professional engineers
 39 (IC 25-31-1-3).
 40 ~~(12)~~ (11) Board of environmental health specialists (IC 25-32-1).
 41 ~~(13)~~ (12) State board of funeral and cemetery service
 42 (IC 25-15-9).
 43 ~~(14)~~ (13) Indiana state board of health facility administrators
 44 (IC 25-19-1).
 45 ~~(15)~~ (14) Committee of hearing aid dealer examiners
 46 (IC 25-20-1-1.5).
 47 ~~(16)~~ (15) Home inspectors licensing board (IC 25-20.2-3-1).
 48 ~~(17)~~ (16) Indiana hypnotist committee (IC 25-20.5-1-7).
 49 ~~(18)~~ (17) State board of registration for land surveyors
 50 (IC 25-21.5-2-1).

- 1 ~~(19)~~ **(18)** Manufactured home installer licensing board
 2 (IC 25-23.7).
 3 ~~(20)~~ **(19)** Medical licensing board of Indiana (IC 25-22.5-2).
 4 ~~(21)~~ **(20)** Indiana state board of nursing (IC 25-23-1).
 5 ~~(22)~~ **(21)** Occupational therapy committee (IC 25-23.5).
 6 ~~(23)~~ **(22)** Indiana optometry board (IC 25-24).
 7 ~~(24)~~ **(23)** Indiana board of pharmacy (IC 25-26).
 8 ~~(25)~~ **(24)** Indiana physical therapy committee (IC 25-27).
 9 ~~(26)~~ **(25)** Physician assistant committee (IC 25-27.5).
 10 ~~(27)~~ **(26)** Indiana plumbing commission (IC 25-28.5-1-3).
 11 ~~(28)~~ **(27)** Board of podiatric medicine (IC 25-29-2-1).
 12 ~~(29)~~ **(28)** Private investigator and security guard licensing board
 13 (IC 25-30-1-5.2).
 14 ~~(30)~~ **(29)** State psychology board (IC 25-33).
 15 ~~(31)~~ **(30)** Indiana real estate commission (IC 25-34.1-2).
 16 ~~(32)~~ **(31)** Real estate appraiser licensure and certification board
 17 (IC 25-34.1-8).
 18 ~~(33)~~ **(32)** Respiratory care committee (IC 25-34.5).
 19 ~~(34)~~ **(33)** Social worker, marriage and family therapist, and
 20 mental health counselor board (IC 25-23.6).
 21 ~~(35)~~ **(34)** Speech-language pathology and audiology board
 22 (IC 25-35.6-2).
 23 ~~(36)~~ **(35)** Indiana board of veterinary medical examiners
 24 (IC 25-38.1).
 25 ~~(37)~~ **(36)** State board of massage therapy (IC 25-21.8-2-1).
 26 (b) This section does not apply to a license, certificate, or
 27 registration that has been revoked or suspended.
 28 (c) Notwithstanding any other law regarding the reinstatement of
 29 a delinquent or lapsed license, certificate, or registration and except as
 30 provided in section 8 of this chapter, the holder of a license, certificate,
 31 or registration that was issued by the board that is three (3) years or less
 32 delinquent must be reinstated upon meeting the following
 33 requirements:
 34 (1) Submission of the holder's completed renewal application.
 35 (2) Payment of the current renewal fee established by the board
 36 under section 2 of this chapter.
 37 (3) Payment of a reinstatement fee established by the Indiana
 38 professional licensing agency.
 39 (4) If a law requires the holder to complete continuing education
 40 as a condition of renewal, the holder:
 41 (A) shall provide the board with a sworn statement, signed
 42 by the holder, that the holder has fulfilled the continuing
 43 education requirements required by the board; or
 44 (B) shall, if the holder has not complied with the continuing
 45 education requirements, meet any requirements imposed
 46 under IC 25-1-4-5 and IC 25-1-4-6.
 47 (d) Notwithstanding any other law regarding the reinstatement of
 48 a delinquent or lapsed license, certificate, or registration and except as
 49 provided in section 8 of this chapter, unless a statute specifically does
 50 not allow a license, certificate, or registration to be reinstated if it has

1 lapsed for more than three (3) years, the holder of a license, certificate,
 2 or registration that was issued by the board that is more than three (3)
 3 years delinquent must be reinstated upon meeting the following
 4 requirements:

- 5 (1) Submission of the holder's completed renewal application.
- 6 (2) Payment of the current renewal fee established by the board
 7 under section 2 of this chapter.
- 8 (3) Payment of a reinstatement fee equal to the current initial
 9 application fee.
- 10 (4) If a law requires the holder to complete continuing education
 11 as a condition of renewal, the holder:
 - 12 (A) shall provide the board with a sworn statement, signed
 13 by the holder, that the holder has fulfilled the continuing
 14 education requirements required by the board; or
 - 15 (B) shall, if the holder has not complied with the continuing
 16 education requirements, meet any requirements imposed
 17 under IC 25-1-4-5 and IC 25-1-4-6.
- 18 (5) Complete such remediation and additional training as
 19 deemed appropriate by the board given the lapse of time
 20 involved.
- 21 (6) Any other requirement that is provided for in statute or rule
 22 that is not related to fees.

23 SECTION 9. IC 25-1-11-1, AS AMENDED BY P.L.3-2008,
 24 SECTION 181, IS AMENDED TO READ AS FOLLOWS
 25 [EFFECTIVE JULY 1, 2009]: Sec. 1. As used in 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 auctioneer commission (IC 25-6.1-2).
- 31 (4) State board of barber examiners (IC 25-7-5-1).
- 32 (5) State ~~boxing~~ **athletic** commission (IC 25-9-1).
- 33 (6) State board of cosmetology examiners (IC 25-8-3-1).
- 34 (7) State board of registration of land surveyors (IC 25-21.5-2-1).
- 35 (8) State board of funeral and cemetery service (IC 25-15-9).
- 36 (9) State board of registration for professional engineers
 37 (IC 25-31-1-3).
- 38 (10) Indiana plumbing commission (IC 25-28.5-1-3).
- 39 (11) Indiana real estate commission (IC 25-34.1-2-1).
- 40 (12) Real estate appraiser licensure and certification board
 41 (IC 25-34.1-8).
- 42 (13) Private investigator and security guard licensing board
 43 (IC 25-30-1-5.2).
- 44 (14) Manufactured home installer licensing board (IC 25-23.7).
- 45 (15) Home inspectors licensing board (IC 25-20.2-3-1).
- 46 (16) State board of massage therapy (IC 25-21.8-2-1).

47 SECTION 10. IC 25-1-14-2, AS AMENDED BY P.L.105-2008,
 48 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 49 JULY 1, 2009]: Sec. 2. (a) A member of a board, committee, or
 50 commission may participate in a meeting of the board, committee, or

1 commission:

2 (1) except as provided in subsections (b) and (c), at which at
3 least a quorum is physically present at the place where the
4 meeting is conducted; and

5 (2) by using a means of communication that permits:

6 (A) all other members participating in the meeting; and

7 (B) all members of the public physically present at the place
8 where the meeting is conducted;

9 to simultaneously communicate with each other during the
10 meeting.

11 (b) A member of a board, committee, or commission may
12 participate in an emergency meeting of the board, committee, or
13 commission to consider disciplinary sanctions under IC 25-1-9-10 or
14 IC 25-1-11-13 by using a means of communication that permits:

15 (1) all other members participating in the meeting; and

16 (2) all members of the public physically present at the place
17 where the meeting is conducted;

18 to simultaneously communicate with each other during the meeting.

19 (c) A member of the state ~~boxing~~ **athletic** commission may
20 participate in meetings of the commission to consider the final approval
21 of a permit for a particular boxing, ~~or~~ sparring, **or unarmed combat**
22 match or exhibition under IC 25-9-1-6(b) by using a means of
23 communication that permits:

24 (1) all other members participating in the meeting; and

25 (2) all members of the public physically present at the place
26 where the meeting is conducted;

27 to simultaneously communicate with each other during the meeting.

28 (d) A member who participates in a meeting under subsection (b)
29 or (c):

30 (1) is considered to be present at the meeting;

31 (2) shall be counted for purposes of establishing a quorum; and

32 (3) may vote at the meeting.

33 SECTION 11. IC 25-9-1-0.1 IS ADDED TO THE INDIANA
34 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
35 [EFFECTIVE JULY 1, 2009]: **Sec. 0.1. As used in this chapter,**
36 **"boxing" means the art of attack and defense with the fists, or feet**
37 **in the case of kick boxing, practiced as a sport.**

38 SECTION 12. IC 25-9-1-0.2 IS ADDED TO THE INDIANA
39 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
40 [EFFECTIVE JULY 1, 2009]: **Sec. 0.2. As used in this chapter,**
41 **"commission" refers to the state athletic commission established**
42 **by IC 25-9-1-1.**

43 SECTION 13. IC 25-9-1-0.3 IS ADDED TO THE INDIANA
44 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
45 [EFFECTIVE JULY 1, 2009]: **Sec. 0.3. As used in this chapter,**
46 **"mixed martial arts" means the unarmed physical confrontation**
47 **of persons involving the use, subject to limitations as established by**
48 **the commission, of a combination of techniques from different**
49 **disciplines of the martial arts, including grappling, kicking, and**
50 **striking.**

1 SECTION 14. IC 25-9-1-0.4 IS ADDED TO THE INDIANA
 2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 3 [EFFECTIVE JULY 1, 2009]: **Sec. 0.4. As used in this chapter,**
 4 **"professional boxer" means a person who competes for money,**
 5 **teaches, pursues, or assists in the practice of boxing as a means to**
 6 **obtain a livelihood or pecuniary gain.**

7 SECTION 15. IC 25-9-1-0.6 IS ADDED TO THE INDIANA
 8 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 9 [EFFECTIVE JULY 1, 2009]: **Sec. 0.6. As used in this chapter,**
 10 **"sparring" means combat in which participants intend to and**
 11 **actually:**

12 **(1) inflict kicks, punches, and blows; and**

13 **(2) apply other techniques;**

14 **that may reasonably be expected to inflict injury on an opponent**
 15 **in a contest, exhibition, or performance.**

16 SECTION 16. IC 25-9-1-0.8 IS ADDED TO THE INDIANA
 17 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 18 [EFFECTIVE JULY 1, 2009]: **Sec. 0.8. As used in this chapter,**
 19 **"unarmed combat" means the practice, or any related practice, of**
 20 **mixed martial arts.**

21 SECTION 17. IC 25-9-1-0.9 IS ADDED TO THE INDIANA
 22 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 23 [EFFECTIVE JULY 1, 2009]: **Sec. 0.9. As used in this chapter,**
 24 **"unarmed competitor" means a person who competes for money,**
 25 **teaches, pursues, or assists in the practice of mixed martial arts as**
 26 **a means of obtaining a livelihood or pecuniary gain.**

27 SECTION 18. IC 25-9-1-1 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. There is hereby
 29 created a commission to be known as the state ~~boxing~~ **athletic**
 30 commission, consisting of three (3) persons to be appointed by the
 31 governor. The governor shall initially appoint one (1) of said
 32 commissioners for a period of one (1) year, one (1) for a period of two
 33 (2) years, and one (1) for a period of three (3) years; and upon the
 34 expiration of the terms of such respective commissioners, the governor
 35 shall appoint their successors, each to serve for a term of three (3)
 36 years, and all to serve until their successors are appointed and
 37 qualified. The members of the commission shall each be paid a salary
 38 per diem for each day engaged in the discharge of ~~his~~ **the member's**
 39 duties, and reimbursement for all necessary traveling and hotel
 40 expenses expended outside the city of Indianapolis in accordance with
 41 travel policies and procedures established by the department of
 42 administration and the state budget agency.

43 SECTION 19. IC 25-9-1-3, AS AMENDED BY P.L.197-2007,
 44 SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 45 JULY 1, 2009]: Sec. 3. (a) The **executive director of the** Indiana
 46 ~~professional licensing agency~~ **gaming commission** may appoint and
 47 remove deputies for use by the commission. The commission shall,
 48 when the commission considers it advisable, direct a deputy to be
 49 present at any place where sparring, ~~or~~ **boxing, or unarmed combat**
 50 matches or exhibitions are to be held under this chapter. The deputies

1 shall ascertain the exact conditions surrounding the match or exhibition
 2 and make a written report of the conditions in the manner and form
 3 prescribed by the commission.

4 (b) The ~~licensing agency~~ **executive director of the Indiana**
 5 **gaming commission** may appoint and remove a secretary for the
 6 commission, who shall:

7 (1) keep a full and true record of all the commission's
 8 proceedings;

9 (2) preserve at its general office all the commission's books,
 10 documents, and papers;

11 (3) prepare for service notices and other papers as may be
 12 required by the commission; and

13 (4) perform other duties as the ~~licensing agency~~ **executive**
 14 **director of the Indiana gaming commission** may prescribe.

15 The ~~licensing agency~~ **executive director of the Indiana gaming**
 16 **commission** may employ only such clerical employees as may be
 17 actually necessary and fix their salaries as provided by law.

18 (c) **The executive director of the Indiana gaming commission**
 19 **or a deputy appointed under subsection (a) may, upon the request**
 20 **of the Indiana gaming commission or the commission, execute**
 21 **orders, subpoenas, continuances, and other legal documents on**
 22 **behalf of the Indiana gaming commission or the commission.**

23 ~~(c)~~ (d) Each commissioner shall be reimbursed for all actual and
 24 necessary traveling expenses and disbursements incurred by them in
 25 the discharge of their official duties. All reimbursements for traveling
 26 expenses shall be in accordance with travel policies and procedures
 27 established by the Indiana department of administration and the budget
 28 agency. All expenses incurred in the administration of this chapter shall
 29 be paid from the general fund upon appropriation being made for the
 30 expenses.

31 SECTION 20. IC 25-9-1-4, AS AMENDED BY P.L.1-2006,
 32 SECTION 425, IS AMENDED TO READ AS FOLLOWS
 33 [EFFECTIVE JULY 1, 2009]: Sec. 4. The commission shall maintain
 34 offices for the transaction of its business in the city of Indianapolis,
 35 Indiana, and may, with the approval of the **executive director of the**
 36 **Indiana professional licensing agency** ~~(IC 25-1-5-3)~~, **gaming**
 37 **commission**, incur the necessary expense for rent, office furniture,
 38 stationery, printing, and other incidental expense.

39 SECTION 21. IC 25-9-1-4.5, AS ADDED BY P.L.112-2007,
 40 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2009]: Sec. 4.5. In accordance with IC 35-45-18-1(b), the
 42 commission ~~shall~~ **may** adopt rules under IC 4-22-2 to ~~define~~ **regulate**
 43 **the conduct of** the following:

44 ~~(1) Ultimate fighting.~~

45 ~~(2) Ultimate Fighting Championships.~~

46 ~~(3) (1) Mixed martial arts.~~

47 ~~(4) (2) Martial arts, including the following:~~

48 (A) Jujutsu.

49 (B) Karate.

50 (C) Kickboxing.

1 (D) Kung fu.

2 (E) Tae kwon do.

3 ~~(5)~~ (3) Professional wrestling.

4 SECTION 22. IC 25-9-1-5, AS AMENDED BY P.L.197-2007,
5 SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
6 JULY 1, 2009]: Sec. 5. (a) Boxing, ~~and~~ sparring, **and unarmed**
7 **combat** matches or exhibitions for prizes or purses may be held in
8 Indiana.

9 (b) The commission:

10 (1) has the sole direction, management, control, and jurisdiction
11 over all boxing, ~~and~~ sparring, **and unarmed combat** matches or
12 exhibitions to be conducted, held, or given in Indiana; and

13 (2) may issue licenses for those matches or exhibitions.

14 (c) A boxing, ~~or~~ sparring, **or unarmed combat** match or an
15 exhibition that is:

16 (1) conducted by any school, college, or university within
17 Indiana;

18 (2) sanctioned by United States Amateur Boxing, Inc.; or

19 (3) without a prize or purse;

20 shall not be subject to the provisions of this chapter requiring a license.
21 The term "school, college, or university" does not include a school or
22 other institution for the principal purpose of furnishing instruction in
23 boxing, or other athletics.

24 (d) No boxing, ~~or~~ sparring, **or unarmed combat** match or
25 exhibition, except as provided in this article, shall be held or conducted
26 within Indiana except under a license and permit issued by the ~~state~~
27 ~~boxing~~ commission in accordance with the provisions of this chapter
28 and the rules adopted under this chapter.

29 SECTION 23. IC 25-9-1-6, AS AMENDED BY P.L.197-2007,
30 SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
31 JULY 1, 2009]: Sec. 6. (a) The commission may:

32 (1) cause to be issued by the **executive director of the** Indiana
33 ~~professional licensing agency~~ **gaming commission** under the
34 name and seal of the ~~state boxing~~ commission, an annual license
35 in writing for holding boxing, ~~or~~ sparring, **or unarmed combat**
36 matches or exhibitions to any person who is qualified under this
37 chapter; and

38 (2) adopt rules to establish the qualifications of the applicants.

39 (b) In addition to the general license, a person must, before
40 conducting any particular boxing, ~~or~~ sparring, **or unarmed combat**
41 match or exhibition where one (1) or more contests are to be held,
42 obtain a permit from the ~~state boxing~~ commission.

43 (c) Annual licenses may be revoked by the commission upon
44 hearing and proof that any holder of an annual license has violated this
45 chapter or any rule or order of the commission.

46 (d) A person who conducts a boxing, ~~or~~ sparring, **or unarmed**
47 **combat** match or exhibition without first obtaining a license or permit
48 commits a Class B misdemeanor.

49 SECTION 24. IC 25-9-1-7, AS AMENDED BY P.L.197-2007,
50 SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

1 JULY 1, 2009]: Sec. 7. (a) Applications for licenses or permits to
 2 conduct or participate in, either directly or indirectly, a boxing, ~~or~~
 3 sparring, **or unarmed combat** match or exhibition shall be:

4 (1) made in writing upon forms prescribed by the ~~state boxing~~
 5 commission and shall be addressed to and filed with the
 6 **executive director of the Indiana professional licensing agency;**
 7 **gaming commission;** and

8 (2) verified by the applicant, if an individual, or by some officer
 9 of the club, corporation, or association in whose behalf the
 10 application is made.

11 (b) The application for a permit to conduct a particular boxing, ~~or~~
 12 sparring, **or unarmed combat** match or exhibition, shall, among other
 13 things, state:

14 (1) the time and exact place at which the boxing, ~~or~~ sparring, **or**
 15 **unarmed combat** match or exhibition is proposed to be held;

16 (2) the names of the contestants who will participate and their
 17 seconds;

18 (3) the seating capacity of the buildings or the hall in which such
 19 exhibition is proposed to be held;

20 (4) the admission charge which is proposed to be made;

21 (5) the amount of the compensation percentage of gate receipts
 22 which is proposed to be paid to each of the participants;

23 (6) the name and address of the person making the application;

24 (7) the names and addresses of all the officers if the person is a
 25 club, a corporation, or an association; and

26 (8) the record of each contestant from a source approved by the
 27 commission.

28 (c) The commission shall cause to be kept by the ~~licensing agency~~
 29 **executive director of the Indiana gaming commission** proper records
 30 of the names and addresses of all persons receiving permits and
 31 licenses.

32 SECTION 25. IC 25-9-1-9 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 9. All promoters, either
 34 corporations or natural persons, physicians, referees, judges,
 35 timekeepers, matchmakers, professional boxers, **unarmed**
 36 **competitors, their managers of professional boxers or unarmed**
 37 **competitors,** trainers and seconds, shall be licensed as provided in this
 38 chapter, and no such corporation or person shall be permitted to
 39 participate, either directly or indirectly, in any such boxing, ~~or~~ sparring,
 40 **or unarmed combat** match or exhibition, or the holding thereof,
 41 unless such corporation and all such persons shall have first procured
 42 licenses. ~~For the purpose of this chapter a "professional boxer" is~~
 43 ~~deemed to be one who competes for money or teaches or pursues or~~
 44 ~~assists in the practice of boxing as a means of obtaining a livelihood or~~
 45 ~~pecuniary gain; and any~~ **No** contest conforming to the rules, regulations
 46 and requirements of this chapter shall be deemed to be a ~~boxing match~~
 47 ~~and not~~ a prize-fight.

48 SECTION 26. IC 25-9-1-10 IS AMENDED TO READ AS
 49 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 10. No permit or
 50 license may be issued to any person who has not complied with this

1 chapter or who, prior to the applications, has failed to obey a rule,
 2 regulation or order of the ~~state boxing~~ commission. In the case of a
 3 club, corporation, or association, no license or permit may be issued to
 4 it if, prior to its application, any of its officers have violated this
 5 chapter or any rule, regulation or order of the ~~state boxing~~ commission.
 6 No promoters, physicians, referees, judges, timekeepers, matchmakers,
 7 ~~or~~ professional boxers, **unarmed competitors**, ~~their~~ managers of
 8 **professional boxers or unarmed competitors**, trainers or seconds
 9 may be licensed if they are holders of a federal gambling stamp. A
 10 license or permit when issued shall recite that the person to whom it is
 11 granted has complied with this chapter, and a license or permit is not
 12 transferable.

13 SECTION 27. IC 25-9-1-11 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 11. The commission
 15 shall have full power and authority to limit the number of boxing, ~~or~~
 16 sparring, **or unarmed combat** matches or exhibitions to be held or
 17 given by any person, club, organization, or corporation in any city or
 18 town in this state.

19 SECTION 28. IC 25-9-1-12 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 12. (a) A person to
 21 whom a permit is issued shall not:

- 22 (1) hold the match or exhibition at any other time or place;
- 23 (2) permit any other contestant to participate in the match or
 24 exhibition;
- 25 (3) charge a greater rate or rates of admission; or
- 26 (4) pay a greater fee, compensation, or percentage to contestants
 27 than that specified in the application filed prior to the issuance
 28 of the permit.

29 (b) Notwithstanding subsection (a), in case of emergency the
 30 commission may, upon application, allow a person to hold a boxing, ~~or~~
 31 sparring, **or unarmed combat** match or exhibition wherever and
 32 whenever it may deem fit within the city in which the person is located
 33 and substitute contestants or seconds as circumstances may require.

34 SECTION 29. IC 25-9-1-13 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 13. In case the ~~state~~
 36 ~~boxing~~ commission refuses to grant a license or permit to any
 37 applicant, the applicant, at ~~his or its~~ **the applicant's** option, shall be
 38 entitled to a hearing in the manner hereinafter provided, but if the ~~state~~
 39 ~~boxing~~ commission, prior to such refusal, after a hearing, has found by
 40 a valid finding that the applicant has been guilty of disobeying any rule,
 41 regulation, or order, of the ~~state boxing~~ commission, or of any of the
 42 provisions of this chapter, such applicant shall not be entitled to a
 43 license or permit; and in case any boxing, ~~or~~ sparring, **or unarmed**
 44 **combat** match, or exhibition has been conducted by any person, club,
 45 corporation, or association under the provisions of this chapter, the
 46 ~~state boxing~~ commission on its own motion, or on the petition of any
 47 resident of the state of Indiana, under the provisions of IC 25-1-7, ~~and~~
 48 ~~section 14 of this chapter~~, may conduct a hearing to determine whether
 49 such person, club, corporation, or association has disobeyed any rule,
 50 regulation, or order of the ~~state boxing~~ commission or has been guilty

1 of any violation of the provisions of this chapter.

2 SECTION 30. IC 25-9-1-14.1 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 14.1. Any hearing by
4 the **board commission** shall be in accordance with IC 4-21.5-3.

5 SECTION 31. IC 25-9-1-15, AS AMENDED BY P.L.197-2007,
6 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2009]: Sec. 15. All buildings or structures used, or in any way
8 to be used for the purpose of holding or giving therein boxing, **or**
9 sparring, **or unarmed combat** matches or exhibitions, shall be
10 properly ventilated and provided with fire exits and fire escapes, if
11 need be, and in all manner shall conform to the laws, ordinances, and
12 regulations pertaining to buildings in the city or town where situated.

13 SECTION 32. IC 25-9-1-16, AS AMENDED BY P.L.197-2007,
14 SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2009]: Sec. 16. (a) A person shall not:

16 (1) permit any person under the age of eighteen (18) years to
17 participate in any boxing, **or** sparring, **or unarmed combat**
18 match or exhibition;

19 (2) permit any gambling on the result of, or on any contingency
20 in connection with, any boxing, **or** sparring, **or unarmed**
21 **combat** match or exhibition conducted by it; or

22 (3) participate in or permit any sham or collusive boxing, **or**
23 sparring, **or unarmed combat** match or exhibition.

24 (b) A person who violates this section shall, in addition to any
25 criminal penalty, have the person's license or permit revoked and be
26 rendered ineligible for a license or permit at any future time.

27 SECTION 33. IC 25-9-1-17, AS AMENDED BY P.L.197-2007,
28 SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
29 JULY 1, 2009]: Sec. 17. (a) A person shall not:

30 (1) participate in any sham or collusive boxing, **or** sparring, **or**
31 **unarmed combat** match or exhibition where the match or
32 exhibition is conducted by a licensed person; or

33 (2) being under the age of eighteen (18), participate in any
34 boxing, **or** sparring, **or unarmed combat** match or exhibition.

35 (b) If a person violating this section is a licensed contestant in this
36 state, the person shall for the first offense, in addition to the fine, suffer
37 a revocation of the person's license or permit, and for a second offense
38 be forever barred from receiving any license or permit or participating
39 in any boxing, **or** sparring, **or unarmed combat** match or exhibition in
40 Indiana.

41 (c) A person who gambles on the result of, or on any contingency
42 in connection with, any boxing, **or** sparring, **or unarmed combat**
43 match or exhibition and is convicted under IC 35-45-5 shall, in addition
44 to any criminal penalty imposed, be penalized as provided in
45 subsection (b).

46 SECTION 34. IC 25-9-1-18 IS AMENDED TO READ AS
47 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 18. (a) Each contestant
48 for boxing, **or** sparring, **or unarmed combat** shall be examined within
49 two (2) hours prior to entering the ring by a competent physician
50 licensed under IC 25-22.5 appointed by the commission. The physician

1 shall, if ~~he~~ **the physician** so finds the facts, certify in writing forthwith
 2 over ~~his~~ **the physician's** signature that each contestant is physically fit
 3 to engage in the contest, and the physician's certificate shall be
 4 delivered to the commission before the contest. The physician shall
 5 also mail the report of examination to the commission within a period
 6 of twenty-four (24) hours after the contest. Blank forms of physicians'
 7 reports shall be furnished to physicians by the commission, and
 8 questions on blank forms must be answered in full. No match, contest,
 9 or exhibition shall be held unless a licensed physician is in attendance.
 10 Any boxer **or unarmed competitor** who, in the opinion of the
 11 physician, is physically unfit to enter the match or exhibition shall be
 12 excused by the commission or its deputy. During the conduct of the
 13 match or exhibition, the physician may observe the physical condition
 14 of the boxers **or unarmed competitors** and advise the referee with
 15 regard thereto; and if, in the opinion of the physician, any contestant in
 16 any match or exhibition is physically unfit to continue, ~~he~~ **the**
 17 **physician** shall so advise the referee.

18 (b) No boxing or sparring match or exhibition may last more than
 19 twelve (12) rounds, and no one (1) round may last more than three (3)
 20 minutes. There must not be less than one (1) minute intermission
 21 between each round. The commission may in respect to any bout or in
 22 respect to any class of contestants limit the number of rounds of the
 23 bout within the maximum of twelve (12) rounds.

24 (c) Any contestant in a boxing or sparring match or an exhibition
 25 shall wear gloves of standard make, weighing not less than eight (8)
 26 ounces, and the gloves worn by each of the contestants shall be equal
 27 in weight.

28 (d) At each boxing, ~~or~~ sparring, **or unarmed combat** match or
 29 exhibition there must be in attendance, at the expense of the person
 30 conducting the match or exhibition, a duly licensed referee who shall
 31 direct and control the same. Before starting each contest, the referee
 32 shall ascertain from each contestant the name of his chief second, and
 33 shall hold the chief second responsible for the conduct of his assistant
 34 seconds during the contest. The referee may declare forfeited any
 35 remuneration or purse or any part thereof belonging to the contestants,
 36 or one (1) of them, if, in the referee's judgment, the contestant or
 37 contestants are not honestly competing. Any remuneration or purse, or
 38 part thereof, so forfeited shall be paid into the state treasury for the use
 39 of the state.

40 (e) There must also be in attendance at the expense of the person
 41 conducting the match or exhibition three (3) duly licensed judges who
 42 shall, at the termination of each boxing, ~~or~~ sparring, **or unarmed**
 43 **combat** match or exhibition render their decisions as to the winner.

44 (f) A person who holds any boxing, ~~or~~ sparring, **or unarmed**
 45 **combat** match or exhibition in violation of this section commits a Class
 46 A infraction.

47 (g) A physician who knowingly certifies falsely to the physical
 48 condition of any contestant commits a Class B infraction.

49 SECTION 35. IC 25-9-1-19, AS AMENDED BY P.L.197-2007,
 50 SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

1 JULY 1, 2009]: Sec. 19. (a) No contestant shall be permitted to
 2 participate in any boxing, ~~or~~ sparring, **or unarmed combat** match or
 3 exhibition unless duly registered and licensed with the ~~state boxing~~
 4 commission, which license must be renewed biennially. The license fee
 5 and the renewal fee shall not be less than five dollars (\$5) paid at the
 6 time of the application for the license or renewal.

7 (b) Any person who desires to be registered and licensed as a
 8 contestant shall file an application in writing with the **executive**
 9 **director of the Indiana professional licensing agency, gaming**
 10 **commission**, which application shall, among other things, state:

- 11 (1) the correct name of the applicant;
- 12 (2) the date and place of the applicant's birth;
- 13 (3) the place of the applicant's residence; and
- 14 (4) the applicant's employment, business, or occupation, if any.

15 The application must be verified under oath of the applicant.
 16 Application for renewal license shall be in similar form.

17 (c) No assumed or ring names shall be used in any application nor
 18 in any advertisement of any contest, unless the ring or assumed name
 19 has been registered with the commission with the correct name of the
 20 applicant.

21 (d) Each application for license by a contestant or for a license
 22 renewal must be accompanied by the certificate of a physician residing
 23 within Indiana, who has been licensed as provided in this article, and
 24 has practiced in Indiana for not less than five (5) years, certifying that
 25 the physician has made a thorough physical examination of the
 26 applicant, and that the applicant is physically fit and qualified to
 27 participate in boxing, ~~or~~ sparring, **or unarmed combat** matches or
 28 exhibitions.

29 SECTION 36. IC 25-9-1-20, AS AMENDED BY P.L.194-2005,
 30 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2009]: Sec. 20. (a) The commission shall, upon **proper**
 32 application, ~~to the Indiana professional licensing agency,~~ grant licenses
 33 to competent referees and judges whose qualifications may be tested by
 34 the commission, and the commission may revoke any such license
 35 granted to any referee or judge upon such cause as the commission may
 36 deem sufficient. Such license must be renewed biennially. No person
 37 shall be permitted to act as referee or judge in Indiana unless holding
 38 such license.

39 (b) The application for license as referee, or renewal thereof, shall
 40 be accompanied by a fee established by the commission under
 41 IC 25-1-8-2.

42 (c) The commission shall appoint from among such licensed
 43 officials, all officials for all contests held under this chapter.

44 SECTION 37. IC 25-9-1-20.5, AS AMENDED BY P.L.197-2007,
 45 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 46 JULY 1, 2009]: Sec. 20.5. The commission may declare any person
 47 who has been convicted of an offense under IC 35-48 ineligible to
 48 participate in any boxing, ~~or~~ sparring, **or unarmed combat** match or
 49 exhibition, or any other activity or event regulated by the commission,
 50 notwithstanding that the person may hold a valid license issued by the

1 commission. The period of ineligibility shall be for not less than six (6)
 2 months nor more than three (3) years, as determined by the
 3 commission. If any such person shall be declared ineligible, the
 4 commission shall suspend such convicted person and declare the
 5 person ineligible to participate in any boxing, ~~or~~ sparring, **or unarmed**
 6 **combat** match or exhibition, or any other activity or event regulated by
 7 the commission, as soon as it discovers the conviction, but the period
 8 of ineligibility shall commence from the actual date of the conviction.
 9 During the period of ineligibility, the suspended person may reapply to
 10 the commission for a license in the manner provided, and the
 11 commission may rescind the prior order of suspension.

12 SECTION 38. IC 25-9-1-21, AS AMENDED BY P.L.197-2007,
 13 SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2009]: Sec. 21. (a) Any license provided for under this chapter
 15 may be revoked or suspended by the commission for reasons deemed
 16 sufficient under this chapter and under IC 25-1-11.

17 (b) If a person displays to the public credentials issued by the
 18 commission that:

19 (1) have been revoked or suspended under this section or under
 20 sections 16, 17, and 20.5 of this chapter; or

21 (2) have expired;

22 the commission may act under this section, or the commission may
 23 declare the person ineligible for a period to be determined by the
 24 commission to participate in any boxing, ~~or~~ sparring, **or unarmed**
 25 **combat** match, exhibition, or other activity regulated by the
 26 commission.

27 SECTION 39. IC 25-9-1-22, AS AMENDED BY P.L.197-2007,
 28 SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2009]: Sec. 22. (a) Every person, club, corporation, firm, or
 30 association which may conduct any match or exhibition under this
 31 chapter shall, within twenty-four (24) hours after the termination
 32 thereof:

33 (1) furnish to the ~~Indiana professional licensing agency~~
 34 **commission** by mail, a written report duly verified by that
 35 person or, if a club, corporation, firm, or association, by one (1)
 36 of its officers, showing the amount of the gross proceeds for the
 37 match or exhibition, and other related matters as the commission
 38 may prescribe; ~~and~~

39 (2) pay a tax of five percent (5%) of the price of admission
 40 collected from the sale of each admission ticket to the match or
 41 exhibition, which price shall be a separate and distinct charge
 42 and shall not include any tax imposed on and collected on
 43 account of the sale of any such ticket. Money derived from such
 44 state tax shall be deposited in the state general fund; **and**

45 **(3) pay all fees established by the commission necessary to**
 46 **cover the administrative costs of its regulatory oversight**
 47 **function.**

48 (b) Before any license shall be granted for any boxing, ~~or~~ sparring,
 49 **or unarmed combat** match or exhibition in this state, a bond or other
 50 instrument that provides financial recourse must be provided to the

1 ~~state boxing~~ commission. The instrument must be:
 2 (1) in an amount determined by the commission;
 3 (2) approved as to form and sufficiency of the sureties thereon by
 4 the commission;
 5 (3) payable to the state of Indiana; and
 6 (4) conditioned for the payment of the tax imposed, the officials
 7 and contestants, and compliance with this chapter and the valid
 8 rules of the commission.

9 SECTION 40. IC 25-9-1-22.5 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 22.5. (a) Every person,
 11 club, corporation, firm, or association holding or showing any boxing,
 12 ~~or~~ sparring, **or unarmed combat** matches on a closed circuit telecast,
 13 pay per view telecast, or subscription television viewed within Indiana,
 14 whether originating within Indiana or another state, shall furnish the
 15 **executive director of the** Indiana ~~professional licensing agency~~
 16 **gaming commission** a written report, under oath, stating the amount
 17 of gross proceeds thereof, and such other matter as the commission
 18 may prescribe, and shall, within seventy-two (72) hours after the
 19 showing of the contest, pay a tax of five percent (5%) of its total gross
 20 receipts for the showing of the boxing, ~~or~~ sparring, **or unarmed**
 21 **combat** match. Money derived from such state tax shall be placed in
 22 the state general fund.

23 (b) This section does not apply to a showing occurring at a private
 24 residence.

25 SECTION 41. IC 25-9-1-24, AS AMENDED BY P.L.197-2007,
 26 SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2009]: Sec. 24. The commission may appoint official
 28 representatives, designated as inspectors, each of whom shall receive
 29 from the commission a card authorizing the official representative to
 30 act as an inspector wherever the commission may designate the official
 31 representative to act. One (1) inspector or deputy shall be present at all
 32 boxing, ~~or~~ sparring, **or unarmed combat** matches or exhibitions, and
 33 see that the rules of the commission and the provisions of this chapter
 34 are strictly observed, and shall also be present at the counting up of the
 35 gross receipts, and shall immediately mail to the commission the final
 36 box-office statement received by ~~him~~ **the inspector or deputy** from the
 37 person or officers of the club, corporation, or association conducting
 38 the match or exhibition.

39 SECTION 42. IC 25-9-1-25 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 25. The weights and
 41 classes of boxers **and unarmed competitors** and the rules and
 42 regulations of boxing **and unarmed combat** shall be determined by the
 43 ~~state boxing~~ commission.

44 SECTION 43. IC 25-9-1-26, AS AMENDED BY P.L.197-2007,
 45 SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 46 JULY 1, 2009]: Sec. 26. All tickets of admission to any boxing, ~~or~~
 47 sparring, **or unarmed combat** match or exhibition shall clearly show
 48 their purchase price, and no such tickets shall be sold for more than the
 49 price printed on the tickets. It shall be unlawful for any person, club,
 50 corporation, or association to admit to such contest a number of people

1 greater than the seating capacity of the place where such contest is
2 held.

3 SECTION 44. IC 25-9-1-28, AS AMENDED BY P.L.1-2006,
4 SECTION 426, IS AMENDED TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2009]: Sec. 28. All fees received by the
6 **executive director of the Indiana professional licensing agency** (~~IC~~
7 ~~25-1-5-3~~) **gaming commission** on behalf of the commission under the
8 provisions of this chapter shall be paid to the state treasurer to be
9 placed by the treasurer in the general fund of the state.

10 SECTION 45. IC 25-9-1-34 IS ADDED TO THE INDIANA
11 CODE AS A **NEW SECTION** TO READ AS FOLLOWS
12 [EFFECTIVE JULY 1, 2009]: **Sec. 34. The Indiana gaming**
13 **commission may adopt rules under IC 4-22-2 to administer this**
14 **chapter.**

15 SECTION 46. IC 35-45-18-1, AS ADDED BY P.L.112-2007,
16 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2009]: Sec. 1. (a) As used in this chapter, "combative
18 fighting" (also known as "toughman fighting", "badman fighting", and
19 "extreme fighting") means a match, contest, or exhibition that involves
20 at least (2) contestants, with or without gloves or protective headgear,
21 in which the contestants:

22 (1) use their:

23 (A) hands;

24 (B) feet; or

25 (C) both hands and feet;

26 to strike each other; and

27 (2) compete for a financial prize or any item of pecuniary value.

28 (b) The term does not include:

29 (1) a boxing, ~~or~~ sparring, **or unarmed combat** match regulated
30 under IC 25-9;

31 ~~(2) ultimate fighting, as defined by the state boxing commission~~
32 ~~in rules adopted under IC 25-9-1-4.5;~~

33 ~~(3) Ultimate Fighting Championships, as defined by the state~~
34 ~~boxing commission in rules adopted under IC 25-9-1-4.5;~~

35 ~~(4) (2) mixed martial arts as defined by the state boxing~~
36 ~~commission in rules adopted under IC 25-9-1-4.5; (as defined~~
37 ~~by IC 25-9-1-0.3).~~

38 ~~(5) (3) martial arts, as defined regulated~~ by the state ~~boxing~~
39 ~~athletic~~ commission in rules adopted under IC 25-9-1-4.5;

40 ~~(6) (4) professional wrestling, as defined regulated~~ by the state
41 ~~boxing athletic~~ commission in rules adopted under
42 IC 25-9-1-4.5; or

43 ~~(7) (5) a match, contest, or game in which a fight breaks out~~
44 ~~among the participants as an unplanned, spontaneous event and~~
45 ~~not as an intended part of the match, contest, or game.~~

46 SECTION 47. [EFFECTIVE JULY 1, 2009] **808 IAC 1-1.1-2, 808**
47 **IAC 1-1.1-3, and 808 IAC 1-1.1-4 are void. The publisher of the**
48 **Indiana Administrative Code and Indiana Register shall remove**
49 **these sections from the Indiana Administrative Code.**

50 SECTION 48. [EFFECTIVE JULY 1, 2009] (a) **The rules**

1 **adopted by the state boxing commission before July 1, 2009, and in**
2 **effect on June 30, 2009, shall be treated after June 30, 2009, as the**
3 **rules of the state athletic commission.**

4 **(b) On July 1, 2009, the state athletic commission becomes the**
5 **owner of all personal property of the state boxing commission**
6 **abolished by this act.**

7 SECTION 49. [EFFECTIVE JULY 1, 2009] **Any rules adopted**
8 **by the Indiana professional licensing agency before July 1, 2009,**
9 **and in effect on June 30, 2009, that govern the state boxing**
10 **commission shall be treated after June 30, 2009, as the rules of the**
11 **Indiana gaming commission.**

(Reference is to SB 160 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Pensions and Labor.

LONG, Chairperson