

# COMMITTEE REPORT

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## 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 [EFFECTIVE JULY 1, 2009]: Sec. 4. The commission shall maintain  
33 offices for the transaction of its business in the city of Indianapolis,  
34 Indiana, and may, with the approval of the **executive director of the**  
35 **Indiana professional licensing agency** ~~(IC 25-1-5-3)~~, **gaming**  
36 **commission**, incur the necessary expense for rent, office furniture,  
37 stationery, printing, and other incidental expense.

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

43 ~~(1)~~ **Ultimate fighting.**

44 ~~(2)~~ **Ultimate Fighting Championships.**

45 ~~(3)~~ **(1) Mixed martial arts.**

46 ~~(4)~~ **(2) Martial arts, including the following:**

47 (A) Jujutsu.

48 (B) Karate.

49 (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.**

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LONG, Chairperson