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State of Ohio  
**OHIO ATHLETIC COMMISSION**

TO: ALL Promoters and Contestants

RE: Proposed Rule Amendments and No Change Rules per 5 Year review

You are receiving this message pursuant to the requirement of EO 2011-01K and Senate Bill 2 of the 129<sup>th</sup> General Assembly, which requires state agencies, including the Ohio Athletic Commission, to draft rules in collaboration with stakeholders, assess and justify any adverse impact on the business community (as defined by SB 2), and provide opportunity for the affected public to provide input on the rules.

The proposed rule amendments, along with the Business Impact Analysis Form (BIA), are attached for your review. You may also view these documents by visiting the Board's website at [www.aco.ohio.gov](http://www.aco.ohio.gov).

If you wish to comment on any of the proposed rule amendments, please reply by email to [bernie.profato@aco.ohio.gov](mailto:bernie.profato@aco.ohio.gov) AND please copy on your email the Common Sense Initiative Office at [csipubliccomments@governor.ohio.gov](mailto:csipubliccomments@governor.ohio.gov).

The deadline for public comments is 11/11/2016.

The Board is proposing amendments to the following rules:

**Chapter 1:**

**3773-1-01 – Definitions – NO CHANGE**

**3773-1-02 – Scope Rule - NO CHANGE**

**3773-1-03 – Office hours - NO CHANGE**

**3773-1-04 – Exemptions - NO CHANGE**

**3773-1-05 – Fees for License and permits - NO CHANGE**

**3773-1-06 – Pay schedule for commission officials - NO CHANGE**

**3773-1-07 - Obtaining notification - NO CHANGE**

**3773-1-08 – Notice procedure - NO CHANGE**

**3773-1-09 – Revocation, suspensions, fines, or refusal to renew license - NO CHANGE**

**3773-1-10 – Violation of commission rules - NO CHANGE**

**3773-1-11 – Notice of adjudication hearing - NO CHANGE**

**3773-1-12 – Drug testing - NO CHANGE**

**3773-1-13 – Protests of results - NO CHANGE**

**These administrative rules are 5 year review and No Change status**

**Chapter 2:**

**3773-2-01 -Weigh-in and weigh-in classes - AMEND: Added 2lbs weight for boxer 147lbs and lower for next day weigh-in. Changed from 8lbs to 10lbs NO CHANGE**

**3773-2-02 –AMEND: Ohio will adopt Association of Boxing Commissions uniform championship rules for male boxers: AMEND: or Association of Combative Sports Commissions.**

**3773-2-03 -Female Boxing rules- AMEND:**

**3773-2-04 – Availability of medical personnel: NO CHANGE**

**3773-2-05 – Starting time: NO CHANGE**

**3773-2-06 – Length of scheduled events and matches: NO CHANGE**

**3773-2-07 – Round limitations for professional boxer: NO CHANGE**

**3773-2-08 - DELETE: Professional wrestling and Exhibition events. This rule does not apply to them. This only applies if there is a second weigh-in after the official weigh-in the day prior.**

**3773-2-09 – Clean buckets and water: NO CHANGE**

**3773-2-10 – Bell and other ringside requirements for time keepers: NO CHANGE**

**3773-2-11 – Ring and ringside specifications: NO CHANGE**

**3773-2-12 – *Referee's instructions: NO CHANGE***

**3773-2-13 – Persons who cannot coach any contestants: NO CHANGE**

**3773-2-14 – Dressing rooms: NO CHANGE**

**3773-2-15 – Payment for physicians and officials: NO CHANGE**

**3773-2-16 – Dispensers for food and drinks; ashtrays: NO CHANGE**

**3773-2-17 – DELETE: Blinding lights and camera with flash at ringside**

**3773-2-18 – When paperwork and scorecards become public record: NO CHANGE**

**3773-2-19 – Rules for Ohio State championship contests: NO CHANGE**

**3773-2-20 – *First aid equipment used in contestant's corner: NO CHANGE***

**3773-2-21 – Wearing of rubber gloves: NO CHANGE**

**3773-2-22- Appearance and approved ring attire: AMEND: Removes section C (5) opponents competing against opposite sex. Listed in another chapter. Doesn't apply in this chapter.**

**3773-2-23 - Ring occupants: AMEND: Defines that a bout can be stopped and ruled technical knockout if any corner person steps onto the apron of the ring.**

**3773-2-24 – Bandaging for hands: NO CHANGE**

**3773-2-25 – Gloves Requirements: NO CHANGE**

**3773-2-26 – Sports drinks at ringside or cage side: NO CHANGE**

**3773-2-27 – Conduct when contestants enter the ring: NO CHANGE**

### **Chapter 3:**

**3773-3-01 - Conditions for promoting contests: NO CHANGE**

**3773-3-02 – *Conditions and bond requirements for issuing a promoter's license:* NO CHANGE**

**3773-3-03 – Conditions for issuing a permit: NO CHANGE**

**3773-3-04 – Limitations and restrictions of promoters – AMEND: remove sentence in Section E- The commission may regulate events that do not comply with those exempted in rule 3773-1-04 of the Administrative Code for contestants under age eighteen. These contestants will not be issued licenses.**

**3773-3-05 – Medical and life insurance: NO CHANGE**

**3773-3-06 – Tickets and complimentary tickets: NO CHANGE**

**3773-3-07 – Posting of permit in box office: NO CHANGE**

**3773-3-08 – Tax and ticket sold report requirements for promoters: NO CHANGE**

**3773-3-09 – Tax penalties: NO CHANGE**

### **Chapter 4:**

**3773-4-01- Conditions for applying and the issuing of a professional boxing license: NO CHANGE**

**3773-4-02 – Physical requirements: Amend: Change rule title to Medical requirements for professional boxer and all other unarmed combat contestants; Change Section E (2) from 6 bouts to 5 bouts.**

**3773-4-03 – Additional Physical and medical examinations: AMEND: Requires 35 year old fighter to also have an EKG exam. Removes requirements for a metabolic blood test**

**3773-4-04 – Licensing of professional boxers from out of state: NO CHANGE**

**3773-4-05 – Contract requirement and suspension: AMEND: Remove sentence - Must submit a medical clearance, or fulfill their bout agreement with the same opponent or a suitable substitute within this suspension period. Also change registered mail to certified mail**

**3773-4-06 – Restrictions for competing in boxing, kickboxing, or MMA event. NO CHANGE**

**3773-4-07 – Pre-bout and post bout medical exams; AMEND: Pre fight medicals will be given within 48 hours prior to the start of the event by assigned ringside medical personnel.**

### **Chapter 5:**

3773-5-01 – Applying for and issuing licenses to ring officials, managers, trainers, seconds, and matchmakers. AMEND: add in physician and inspectors

3773-5-02 – Assigning officials for events: NO CHANGE

3773-5-03 – Qualifications of referees: NO CHANGE

3773-5-04 – Authority and apparel for the referee: NO CHANGE

3773-5-05 – Authority of judges: NO CHANGE

3773-5-06 – Authority of inspectors: NO CHANGE

### **Chapter 6:**

3773-6-01 – Qualifications for tough person contests: AMEND: Remove Section H(2) 2<sup>nd</sup> day weigh-in requirement. Change physical sport to unarmed combat sport. Change Section B change from 48 hours to seventy-two hours to get roster submitted to office.

3773-6-02 – Qualifications for persons for super tough person contest: AMEND: Remove Section F(2) 2<sup>nd</sup> day weigh-in requirement. Change physical sport to unarmed combat sport. Change 48 hrs to 72 hours.

3773-6-03 – Promoter for tough person contest: AMEND: Change social security number to last 4 digits of social security number and must be submitted change 48 hours to 72 hours

3773-6-04 – Officials – qualifications for tough person contest: NO CHANGE

3773-6-05 – Safety and health: NO CHANGE

3773-6-06 – Mouthpiece rule: NO CHANGE

3773-6-07 – Scoring: NO CHANGE

3773-6-08 – Fouls and penalties: NO CHANGE

3773-6-09 – Conduct when contestants enter the ring: NO CHANGE

### **Chapter 7:**

3773-7-01 – Definitions: NO CHANGE

3773-7-02 – Conducting mixed martial arts events: NO CHANGE

3773-7-03 – Weigh-in procedures: AMEND: Reverse Flyweight and Bantamweight weight classes. All fines for overweight when over \$10,000 will be placed in the general fund.

3773-7-04 – Judging and scoring: NO CHANGE

3773-7-05 – Fouls – intentional and unintentional procedures and types of fouls: NO CHANGE

3773-7-06 – Mouthpiece rule: NO CHANGE

3773-7-07 – Restarting fighters: NO CHANGE

3773-7-08 – Appearance and attire: NO CHANGE  
3773-7-09 – Glove specifications: NO CHANGE  
3773-7-10 – Specifications for bandaging hands in mixed martial arts: NO CHANGE  
3773-7-11 – Requirements for ring, cage or fences areas: NO CHANGE  
3773-7-12 – Rubber Gloves: NO CHANGE  
3773-7-13 – Type of bout results: NO CHANGE  
3773-7-14 - Number of rounds for mixed martial arts event: AMEND: Added a mixed martial arts fighter may not compete in more than 5 rounds in one event, unless it's a tournament elimination and one additional round may be fought.  
3773 -7-15- Promoters responsibility: AMEND: Change title to include kickboxing and boxing. To distinguish the number of rounds when events held together  
3773-7 -16 – Licensing: NO CHANGE  
3773-7-17 – Seconds duties when working a corner: NO CHANGE  
3773-7-18 – Disciplinary action: NO CHANGE  
3773-7-19 – Suspensions and mandatory rest periods: NO CHANGE  
3773-7-20 – Amateur rule differences: NO CHANGE  
3773-7-21 –Medical requirements for mixed martial arts contestants: AMEND: Fighters age thirty-five and over will require an EKG exam. Metabolic blood test has been removed  
3773-7-22 - Conduct when contestant enters cage: NO CHANGE  
3773-7-23 – Sports drinks at ringside or cage side: NO CHANGE  
3773-7-24 – First aid equipment in contestants' corner: NO CHANGE

#### **Chapter 8:**

3773-8-01- Wrestling regulations: NO CHANGE  
3773-8-02 – Prohibited acts in wrestling contests: NO CHANGE  
3773-8-03 – Promoters duties: NO CHANGE

#### **Chapter 9:**

3773-9 -01- Definitions: NO CHANGE  
3773-9 -02 – Personal information systems: NO CHANGE  
3773-9-03 – Procedures for assessing personal information: NO CHANGE  
3773-9-04 – Valid reasons for accessing confidential personal information: NO CHANGE  
3773-9-05 – Confidential information: NO CHANGE  
3773-9-06 – Restricting and logging access to confidential personal information in computerized personal information systems: NO CHANGE

#### **1. Please list the Ohio statute authorizing the Agency to adopt this regulation.**

3773.34

#### **2. Does the regulation implement a federal requirement? Is the proposed regulation being adopted or amended to enable the state to obtain or maintain**

approval to administer and enforce a federal law or to participate in a federal program?

NO

3. If the regulation includes provisions not specifically required by the federal government, please explain the rationale for exceeding the federal requirement.

N/A

4. What is the public purpose for this regulation (i.e., why does the Agency feel that there needs to be any regulation in this area at all)?

To comply with the rules and regulations of the Ohio Athletic Commission and the unified rules established by the Association of Boxing Commissions (ABC) and the Association of Combat Sports Commissions (ACSC) to clarify rules for unarmed combat sports, so that contestants can compete in a safe environment.

5. How will the Agency measure the success of this regulation in terms of outputs and/or outcomes?

Creating a safer environment for the athletes creates more competition and less chance of serious injuries or death.

#### **Development of the Regulation**

6. Please list the stakeholders included by the Agency in the development or initial review of the draft regulation.

Promoters, Managers, Trainers, Fighters (contestants) and officials including physicians, Inspectors, referees and judges.

7. What input was provided by the stakeholders, and how did that input affect the draft regulation being proposed by the Agency?

Input from the Legal, Medical, MMA and Boxing rules committees of the ABC and ACSC organization as well as National databases for records for contestants that helps provide a safe and competitive match.

8. What scientific data was used to develop the rule or the measurable outcomes of the rule? How does this data support the regulation being proposed?

N/A

9. What alternative regulations (or specific provisions within the regulation) did the Agency consider, and why did it determine that these alternatives were not appropriate? If none, why didn't the Agency consider regulatory alternatives?

None – There is constant contact with all participants and all input is considered, to make sure these athletes competing in unarmed combat sports, are always competing in a safe environment.

**10. Did the Agency specifically consider a performance-based regulation? Please explain.**

N/A

**11. What measures did the Agency take to ensure that this regulation does not duplicate an existing Ohio regulation?**

These events are only regulated by the Ohio Athletic Commission

**12. Please describe the Agency's plan for implementation of the regulation, including any measures to ensure that the regulation is applied consistently and predictably for the regulated community.**

Licensing of all participants; Training of officials; All regulations, minutes for OAC meetings, forms and event results as well as update rule or safety information that is posted on the website: [www.aco.ohio.gov](http://www.aco.ohio.gov).

**Adverse Impact to Business**

**13. Provide a summary of the estimated cost of compliance with the rule.**

**Specifically, please do the following:**

- a. **Identify the scope of the impacted business community;**  
Events bring revenue into the local communities such as hotels, restaurants, shopping facilities, etc and for the promoters and professional contestants.
- b. **Identify the nature of the adverse impact (e.g., license fees, fines, employer time for compliance); and**  
There are license fees for all participants with the exception of Physicians and Inspectors.
- c. **Quantify the expected adverse impact from the regulation.**  
License fees range from \$30 to \$200 for a wrestling promoter; drug testing fees from \$100 to \$400; Medical tests from \$50 to \$500 depending on the required test; Insurance fees for events for medical and death coverage of each contestant \$800 to \$1500 for coverage of \$10,000 medical and \$10,000 death. Costs for officials for events from \$1400 to \$1800, depending on *mileage fees paid for officials' travel*.

**14. Why did the Agency determine that the regulatory intent justifies the adverse impact to the regulated business community?**

To comply with the rules and regulations of the Ohio Athletic Commission and the unified rules established by the Association of Boxing Commissions (ABC) and the Association of Combat Sports Commissions (ACSC) to clarify unarmed combat sports regulations, so that contestants can compete in a safe environment.

### **Regulatory Flexibility**

15. Does the regulation provide any exemptions or alternative means of compliance for small businesses? Please explain. N/A

16. How will the agency apply Ohio Revised Code section 119.14 (waiver of fines and penalties for paperwork violations and first-time offenders) into implementation of the regulation?

There are no penalties for late application filings; no one can participate unless currently licensed and has the required medical exams, makes the required weight and passes a pre-fight physical given prior to the start of the event

17. What resources are available to assist small businesses with compliance of the regulation?

Athletic Commission website: [www.aco.ohio.gov](http://www.aco.ohio.gov)

