

Ohio Athletic Commission
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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 129th 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.

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

The deadline for public comments is 2/14/2019.

The Board is proposing amendments or no change to the following rules:

Chapter 1:

3773-1-01 – Definitions – NO CHANGE

3773-1-02 - Scope Rule - NO CHANGE

3773-1-04 - Exemptions - NO CHANGE

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

3773-1-10 - Violation of Commission Rules - NO CHANGE

3773-1-12 – Drug testing - NO CHANGE

3773-1-13 – Protests of results – Amend: Remove Section (C) – same as B

Chapter 2:

3773-2-01 – Weigh-in and weight classes- AMEND – changed weight for 2nd day from 6lbs to 8lbs for 147lb and less. Raised percentage fee to opponent if overweight

3773-2-02 – Ohio will adopt the Association of Boxing Commission uniform championship rules. Male boxers – Amend – remove male boxer and replace with all boxing events

3773-2-19 – Rules for state boxing championships - NO CHANGE

3773-2-21 – Wearing rubber gloves - NO CHANGE

Chapter 3:

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

3773-3-03 – Conditions for applying for and issuing a permit – Amend – added criteria for replacing an opponent.

3773-3-05 – Medical and Life Insurance – AMEND – Raise Coverage from \$10,000 to \$20,000.

3773-3-08– Tax and Ticket sold report requirements for promoter - NO CHANGE

3773-3-09 – Tax penalties: NO CHANGE

Chapter 4:

3773-4-03 – Additional physical examination requirements – AMEND – add mixed martial arts contestants. Reduce the number of rounds for boxers from 300 to 200

Chapter 5:

3773-5-04 - Authority and apparel of the referee – AMEND – designates when the referee's authority begins and ends

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

Chapter 7:

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

3773-7-03 – Weigh-in procedures – AMEND - changed weight for 2nd day from 8lbs to 10lbs for 155lb and less. Raised percentage fee to opponent if overweight

3773-7-05 – Remove grabbing the clavicle and permit heel kicks to kidney from guard position

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 Ringside Physicians 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, Association of Ringside Physicians (ARP), Mixed Martial Arts and Boxing rules committees of the ABC as well as National databases (Box Rec, Fight Fax and Mixed Martial Arts for records for contestants which 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 assure the athletes competing in unarmed combat sports, are always competing in a safest environment possible.

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.

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.
Insurance fees for events for medical and death coverage of each contestant \$1200 to \$1700 for coverage of \$20,000 medical and \$20,000 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 Ringside Physicians (ARP) 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 medical exam 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