

CHAPTER 70**(HB 366)**

AN ACT relating to the Boxing and Wrestling Commission.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 229 IS CREATED TO READ AS FOLLOWS:

- (1) *Every licensee shall be subject to the administrative regulations promulgated by the commission.*
- (2) *No person shall participate in an unarmed combat show in any capacity without holding a license issued by the commission.*
- (3) *The commission shall establish through the promulgation of administrative regulations:*
 - (a) *All license types, the eligibility requirements for each license type, and the expiration date of each license type;*
 - (b) *The annual license fee, which shall be no greater than:*
 1. *Five hundred dollars (\$500) for promoter licenses; and*
 2. *Fifty dollars (\$50) for all other licenses; and*
 - (c) *The method for submitting all applications for licensure.*
- (4) *No contestant under eighteen (18) years of age shall be knowingly issued a license or allowed to participate in any unarmed combat shows, nor shall any person obtain, or cause to be obtained, a license for any person under eighteen (18) years of age to participate in any unarmed combat show, except through a sanctioning body authorized by Section 3 of this Act.*

➔SECTION 2. A NEW SECTION OF KRS CHAPTER 229 IS CREATED TO READ AS FOLLOWS:

- (1) *No person shall conduct or advertise a show without a promoter license issued by the commission to conduct the show. Show dates shall be approved as determined through the promulgation of an administrative regulation.*
- (2) *Any person applying for a promoter license shall file with the commission a bond in the sum of ten thousand dollars (\$10,000), to be approved as to form and the sufficiency of the sureties by the commission, conditioned for the payment of:*
 - (a) *Taxes;*
 - (b) *Fines;*
 - (c) *Fees imposed by the commission;*
 - (d) *Purses and money owed to contestants; and*
 - (e) *Money owed to judges, physicians, referees, timekeepers, or other contracted event service providers.*
- (3) *If the promoter's bond expires or is cancelled, the commission shall immediately terminate that promoter's license.*

➔SECTION 3. A NEW SECTION OF KRS CHAPTER 229 IS CREATED TO READ AS FOLLOWS:

- (1) *USA Boxing is the only sanctioning body recognized to conduct combat sports not covered under this chapter.*
- (2) *All other sanctioning bodies shall be nonprofit and submit a request to the commission to be recognized as a sanctioning body according to the requirements the commission establishes through the promulgation of an administrative regulation.*

➔SECTION 4. A NEW SECTION OF KRS CHAPTER 229 IS CREATED TO READ AS FOLLOWS:

- (1) *A boxing, kickboxing, or muay thai contest or exhibition shall not consist of more than twelve (12) rounds. The duration of the rounds shall be determined by the commission through the promulgation of an administrative regulation.*
- (2) *Prior to any boxing show, the promoter shall file with the commission a copy of each contract involving compensation of the contestants and a copy of each contract under which he or she will receive, directly or indirectly, compensation from any source. Any person making payments under any of these contracts shall promptly report to the commission the amount of these payments.*

➔SECTION 5. A NEW SECTION OF KRS CHAPTER 229 IS CREATED TO READ AS FOLLOWS:

- (1) *No person shall provide training or instruction for any wrestling show without holding a promoter license granted by the commission.*
- (2) *No person shall train as a wrestler without being licensed by the commission.*

➔Section 6. KRS 229.011 is amended to read as follows:

As used in this chapter unless the context clearly indicates otherwise the following definitions shall apply:

- (1) "Advertise" ~~means~~~~[includes]~~ the use of handbills, placards, posters, billboards, pictures, printed or written material or newspapers or other publications, or radio, television, Internet, and other communication media;
- ~~(2) "Authority" means the Kentucky Boxing and Wrestling Authority;~~
- ~~(3) "Boxing" means a contest or exhibition in which a person delivers blows with the fist ~~that~~~~[which]~~ may be reasonably expected to disable or inflict injury and in which boxers compete for money, a prize, or other pecuniary gain, or for which admission is charged to spectators;~~
- (3) *"Commission" means the Kentucky Boxing and Wrestling Commission;*
- (4) *"Exhibition"*~~["Exhibition,"]~~ means an event or engagement:
 - (a) In which the participants show or display their skills without necessarily striving to win; or
 - (b) *That involves*~~[involve]~~ amateurs not under the jurisdiction of the Kentucky High School Athletic Association, the National Collegiate Athletic Association, *the National Association of Intercollegiate Athletics*, the Amateur Athletic Union, Golden Gloves, USA Boxing, USA Wrestling, or a public show to which an admission ticket is required, or other charge is made, or invitation;
- (5) "Kickboxing" means a boxing contest or exhibition where the participants are allowed to throw kicks or foot blows at the opponent in addition to punching with the hands and in which kickboxers compete for money, a prize, or other pecuniary gain, *or for which admission is charged to spectators;*
- (6) "Mixed martial arts" means any form of unarmed contest or exhibition in which participants compete for money, a prize, or other pecuniary gain, or for which admission *is charged to spectators*~~for donations are collected from the audience~~. Mixed martial arts may include any element or combination of elements of boxing, kickboxing, wrestling, or other martial arts. Exhibitions where participants are judged on form and style and where punches and kicks are pulled shall not be included in this definition;
- (7) *"Muay thai" means a boxing contest or exhibition where the participants are allowed combined use of clinches, elbows, knees, and shins in addition to punching with the hands and in which participants compete for money, a prize, or other pecuniary gain, or for which admission is charged to spectators;*
- (8) "Person" ~~means~~~~[includes]~~ an individual, partnership, corporation, association, or club;{
- ~~(8) "Professional" is a boxer, kickboxer, mixed martial arts contestant, or wrestler who competes for a money prize, or other pecuniary gain;}~~
- (9) "Show" means any~~[organized grouping of]~~ boxing, kickboxing, mixed martial arts, *muay thai*, or wrestling *match, contest, or exhibition*~~[matches, contests, or exhibitions]~~ coming under the jurisdiction of the Kentucky Boxing and Wrestling *Commission*~~[Authority]~~;{~~and~~}
- (10) *"Unarmed combat" means boxing, kickboxing, sparring, wrestling, mixed martial arts, or muay thai under the jurisdiction of the commission; and*
- (11) *"Wrestling"*~~["Professional wrestling"]~~ means an activity or performance of athletic and wrestling skill between individuals who are not under the jurisdiction of the Kentucky High School Athletic Association, the National Collegiate Athletic Association, *the National Association of Intercollegiate Athletics*, or USA

Wrestling~~]~~ in which the participants struggle hand-to-hand primarily for the purpose of providing entertainment to spectators rather than conducting a bona fide athletic contest. The outcome of these matches may be predetermined. Participating wrestlers may not be required to use their best efforts in order to win.

➔Section 7. KRS 229.031 is amended to read as follows:

- (1) Every person conducting *an unarmed combat show*~~[a boxing, kickboxing, mixed martial arts, or wrestling show or exhibition]~~, other than those holding a permit under subsection (1) of KRS 229.061, shall~~[, within twenty-four (24) hours after the termination of every show or exhibition,]~~ furnish to the *commission*~~[authority]~~ a written report, verified by the person, if an individual, or by some officer, if a corporation or association, showing the number of tickets sold for the show~~[or exhibition]~~, the amount of the gross receipts from *this*~~[such]~~ sale, and *any*~~[such]~~ other matters *prescribed by*~~[as]~~ the *commission*~~[authority prescribes]~~. He or she shall also~~[, within the same period,]~~ pay to the *commission*~~[authority]~~ a tax of twenty-five dollars (\$25) or five percent (5%) of the gross receipts from the sale of all tickets to the show~~[or exhibition]~~, whichever is greater.
- (2) *Any person supplying radio, television, or cable facilities for the broadcast or televising of any show shall, prior to the show, notify the commission*~~[He or she shall also, prior to any such show or exhibition, file with the authority a copy of each contract involving compensation of the contestants and a copy of each contract under which he or she will receive, directly or indirectly, compensation from any source whatsoever. Any person making payments under any such contract shall promptly report to the authority the amount of any such payments].~~
- (3) All taxes required to be paid by this section shall be computed on the gross receipts without any deduction~~[whatsoever]~~ for commissions, brokerage, distribution fees, advertising, or other *related* expenses, charges, or recoupments~~[in respect thereto]~~, *except that*~~[exclusive of any]~~ federal excise taxes *may be deducted*.
- (4) *Whenever a person fails to make the report within the time prescribed by the commission, or whenever the report is incomplete or patently inaccurate, the commission may examine or cause to be examined the books and records of that person to ascertain the total amount of its gross receipts for any show to determine the amount of tax due*~~[Any person supplying radio, television, or cable facilities for the broadcast or televising of any show shall, prior to the contest, notify the authority].~~

➔Section 8. KRS 229.061 is amended to read as follows:

- (1) The *commission*~~[authority]~~ may issue a permit, without the payment of any taxes or license fee, to any accredited college, university, school, Young Men's Christian Association, Young Men's Hebrew Association, or organization *that*~~[which]~~ in the judgment of the *commission*~~[authority]~~ is of like character, to hold *an unarmed combat show*~~[boxing or kickboxing shows or exhibitions]~~ upon a sufficient showing that the matches or exhibitions are to be held by and between bona fide students or members of *the*~~[such]~~ accredited colleges, universities, schools, Young Men's Christian Associations, Young Men's Hebrew Associations, or organizations *that*~~[which]~~ in the judgment of the *commission*~~[authority]~~ are of like character.
- (2) Any regularly organized post of the American Legion, and any organization operating solely for charitable purposes from which no individual, partnership, or corporation derives any monetary gain, may hold *an unarmed combat show*~~[boxing or kickboxing shows or exhibitions]~~ without the payment of the license fee prescribed by *Section 1 of this Act*~~[KRS 229.071]~~. Any post of the American Legion or other organization holding shows~~[or exhibitions]~~ under this section shall be subject to~~[the provisions of]~~ KRS 229.031~~[and 229.051]~~.
- (3) No show *authorized*~~[permitted]~~ by *subsection*~~[subsections]~~ (1) *or*~~[and]~~ (2) of this section may be conducted without a permit to hold the specific match and accompanying program of events at a specified location on a specified date.

➔Section 9. KRS 229.111 is amended to read as follows:

Contestants in a boxing, kickboxing, *muay thai*, or mixed martial arts show~~[or exhibition]~~ shall be examined by a reputable licensed physician appointed by the *commission*~~[authority]~~, and shall meet the health and fitness requirements as established in administrative regulations promulgated by the *commission*~~[authority]~~ before participating in a boxing, kickboxing, *muay thai*, or mixed martial arts *show*~~[bout or exhibition]~~.

➔Section 10. KRS 229.131 is amended to read as follows:

Decisions may be rendered in any *unarmed combat*~~[boxing, kickboxing, mixed martial arts, or wrestling] show~~~~[or exhibition,]~~ permitted by this chapter~~[,]~~ in the discretion of the *commission*~~[authority]~~ and by *any*~~[such] method~~~~[as] it~~~~[by rule]~~ prescribes *through the promulgation of administrative regulations*.

➔Section 11. KRS 229.141 is amended to read as follows:

All structures or parts of structures used, or intended to be used, for *an unarmed combat show*~~[boxing, kickboxing, mixed martial arts, and wrestling shows and exhibitions,]~~ shall *conform to any building codes, safety codes, and local laws that apply to the structure or the location and use of the structure*~~[be properly ventilated and provided with fire exits and fire escapes, if need be, and shall conform to the laws, ordinances and regulations pertaining to buildings in the city where situated].~~

➔Section 12. KRS 229.151 is amended to read as follows:

- (1) The Kentucky Boxing and Wrestling *Commission*~~[Authority]~~ is hereby created and established as an agency of state government charged with the responsibility for regulatory oversight and the establishment of sound policies and procedures governing the conduct of *unarmed combat*~~[boxing, wrestling, and other full contact competitive bouts]~~ within the Commonwealth of Kentucky. The *commission*~~[authority]~~ shall be *organized within*~~[attached to] the Public Protection Cabinet~~~~[for administrative purposes]~~.
- (2) The *commission*~~[authority]~~ shall consist of *the following* five (5) members ~~:[appointed by the Governor.~~
 - (a) ~~One (1) member shall be~~
 - (a) The secretary of the Public Protection Cabinet, or the secretary's designee, who shall serve as an ex officio, voting member; *and*
 - (b) *Four (4) members who shall be appointed by the Governor as follows:*~~;~~
 - 1.~~[(b)]~~ One (1) member shall be a *physician licensed to practice medicine in Kentucky*;
 2. *One (1) member shall be an attorney licensed to practice law in Kentucky*;
 3. *One (1) member shall have experience in sports marketing or promotion; and*
 4. *At least one (1) member*~~[medical doctor; and~~
 - (c) ~~Three (3) members shall be appointed from the state at large, One (1) of whom]~~ shall have no financial interest in the business or industry regulated.
 - (3) *The Governor shall designate* one (1) member~~[shall be appointed]~~ to serve as the *commission's*~~[authority's]~~ chairperson. The Governor shall further designate a second member to serve as vice *chairperson*~~[chair]~~ with authority to act in the absence of the *chairperson or if the office of the chairperson is vacant*~~[chair]~~.
 - (4) A majority of the members of the *commission*~~[authority]~~ shall constitute a quorum for the transaction of business.
 - ~~(3)~~ The appointed members of the *commission*~~[authority]~~ shall serve for a term of three (3) years~~[at the pleasure of the Governor, with initial terms staggered]~~. Any member appointed to fill a vacancy occurring other than by expiration of a term shall be appointed for the remainder of the unexpired term.
 - ~~(4)~~ Members of the *commission*~~[authority]~~ shall receive one hundred dollars (\$100) per day for each meeting attended and shall be reimbursed for all expenses paid or incurred in the discharge of official business.

➔Section 13. KRS 229.155 is amended to read as follows:

- (1) To carry out the functions relating to the *commission's*~~[authority's]~~ duties and responsibilities and to afford the full experience and resources of the Public Protection Cabinet, *the secretary of the Public Protection Cabinet may appoint an executive director pursuant to KRS 12.050*~~[, after revenue of five hundred thousand dollars (\$500,000) is generated in two (2) consecutive fiscal years by the authority, the Governor may appoint an executive director who shall serve at the pleasure of the Governor. The Governor shall set the qualifications and salary for the position of executive director under the provisions of KRS 64.640].~~ The secretary of the Public Protection Cabinet *or the secretary's designee* shall act as executive director *in the absence of the executive director*~~[until the fiscal requirement is met]~~.
- (2) The executive director shall employ sufficient regulatory staff for the *commission*~~[authority]~~ that shall be responsible for the day-to-day operations of the *commission*~~[authority]~~, including but not limited to the following:

- (a) Complying with *administrative* regulations;
 - (b) Issuing licenses and permits;
 - (c) Establishing appropriate organizational structures;
 - (d) Carrying out policy and program directives of the *commission*~~[authority]~~; and
 - (e) Performing all other duties and responsibilities as assigned.
- (3) With approval of the *commission*~~[authority]~~, the executive director and regulatory staff may enter into agreements with any state agency or political subdivision of the state, any postsecondary education institution, or any other person or entity to enlist assistance to implement the duties and responsibilities of the *commission*~~[authority]~~.

➔Section 14. KRS 229.171 is amended to read as follows:

- (1) The *commission*~~[authority shall have and hereby]~~ is vested with the sole direction, management, control, and jurisdiction over all *unarmed combat*~~[boxing, sparring, kickboxing, mixed martial arts, and wrestling] shows[or exhibitions]~~ to be conducted, held, or given within the Commonwealth. The *commission*~~[authority]~~ is hereby given the sole control, authority, and jurisdiction over all licenses to:
- (a) Hold *unarmed combat*~~[boxing, sparring, kickboxing, mixed martial arts, or wrestling] shows[or exhibitions]~~ for prizes or purses or where an admission fee or donation is received, or a ticket or invitation is required to attend; and
 - (b) ~~[over all licenses to any and all persons who]~~Participate in the *unarmed combat*~~[boxing, sparring, kickboxing, mixed martial arts, or wrestling] shows[or exhibitions]~~.
- (2) *The commission may promulgate administrative regulations it considers necessary or expedient for the performance of its functions provided in this chapter. In recognition of the fact that more supervision is desirable in this area, it is the intention of the General Assembly to confer upon the commission wider discretion than that ordinarily possessed by administrative agencies.*
- (3) ~~[Except as otherwise provided in this chapter,]~~The *commission*~~[authority]~~ shall be responsible for the following:
- (a) Developing programs and procedures *that*~~[which]~~ will aggressively fulfill its oversight and regulatory role, with full accountability and internal controls to protect athletes in the ring;
 - (b) Adhering to the best regulatory practices and due process procedures to protect the regulated community and the interests of the Commonwealth, and ensuring that all education and training requirements for hearing officers and members serving as hearing officers under KRS Chapter 13B are met;
 - (c) Developing the Commonwealth's goals of providing the professional staff necessary to ensure that events are effectively regulated, while allowing *commission*~~[authority]~~ members to provide the policy oversight necessary to protect the integrity of the regulatory program; and
 - (d) Recommending changes to statutory and regulatory authorities to best protect athletes, while Promoting Kentucky as a world-class market for major events.

➔Section 15. KRS 229.190 is amended to read as follows:

- (1) Any action of the *commission, including any action of a commission employee*,~~[authority]~~ taken under KRS 229.200 may be appealed, and upon appeal an administrative hearing shall be conducted in accordance with KRS Chapter 13B. The *commission*~~[authority]~~ may provide for hearing officers or impanel not less than three (3) of its members to conduct hearings.
- (2) Any party aggrieved by a final order of the *commission*~~[authority]~~ may appeal to Franklin Circuit Court in accordance with KRS Chapter 13B.

➔SECTION 16. KRS 229.200 IS REPEALED AND REENACTED TO READ AS FOLLOWS:

- (1) *The commission may suspend, reprimand, revoke, probate, or refuse to renew or issue a license if it has reason to believe the licensee or applicant has:*
- (a) *Violated any provision of this chapter;*

- (b) *Violated any administrative regulation promulgated by the commission pursuant to this chapter;*
 - (c) *Been found guilty of, entered a plea of guilty or no contest to, or entered an Alford plea to a crime, other than a traffic violation, that is detrimental to the interests of unarmed combat or to the public interest, convenience, or necessity in any jurisdiction;*
 - (d) *Been found liable in a civil action for any claim that involves fraud or dishonesty in any jurisdiction if the person is a licensed promoter, manager, referee, or judge;*
 - (e) *Violated a law related to boxing, kickboxing, sparring, mixed martial arts, muay thai, or wrestling in any jurisdiction;*
 - (f) *Placed a bet or wager on any bout or match in which the person participates or works;*
 - (g) *Served as, or consorted or associated with any person who is, a bookmaker or illegal gambler;*
 - (h) *Participated in an unlicensed event;*
 - (i) *Declared bankruptcy if the person is a licensed promoter, manager, referee, or judge; or*
 - (j) *An injury or health condition that makes it unsafe for the person to participate.*
- (2) *If the commission has reason to believe that a person has committed a violation of this chapter or administrative regulations promulgated thereunder, the commission may impose one (1) or more of the following penalties:*
- (a) *Issue a cease and desist order;*
 - (b) *Declare a contestant ineligible to compete or disqualify the contestant;*
 - (c) *Eject the person from the premises at which the show or exhibition is taking place;*
 - (d) *Issue a fine not to exceed five thousand dollars (\$5,000);*
 - (e) *Suspend, reprimand, revoke, probate, or refuse to renew or issue a license; or*
 - (f) *Refer the person for criminal prosecution.*
- (3) *The commission may delegate to its employees the ability to take any of the actions authorized by subsection (2) of this section, subject to the appellate rights granted in Section 15 of this Act.*
- (4) *For any act that would justify the suspension of a license, other than a medical suspension, the commission may declare the person who committed the act ineligible to receive a license for a period not to exceed one (1) year.*

➔Section 17. KRS 229.240 is amended to read as follows:

All peace officers, who are informed or who have reason to believe that a show ~~or exhibition that is~~ in violation of this chapter or administrative regulations promulgated in accordance with this chapter is **taking place or will be taking**~~about to take place, or that there is training or preparation for such a show or exhibition, in any~~ place within their jurisdiction, shall suppress and prevent it. For this purpose any peace officer may enter any place where ~~a~~**a**~~such~~ show ~~or exhibition~~ is being or will be held or where there is training or preparation for **a wrestling**~~such a~~ show ~~or exhibition~~ and may arrest without a warrant any person who does not submit satisfactory proof that he or she has the license or permit required by this chapter.

➔Section 18. KRS 229.250 is amended to read as follows:

- (1) ~~The~~**The** ~~first two hundred fifty thousand dollars (\$250,000) in~~ fees and charges collected by the Kentucky Boxing and Wrestling **Commission**~~Authority~~ shall be paid into the State Treasury and credited to a separate revolving or trust and agency fund account established for the purpose of administrat~~ing~~**ing** ~~the provisions of~~ this chapter. ~~The amount of fees and charges collected in excess of two hundred fifty thousand dollars (\$250,000) shall be deposited to the credit of the general fund.~~ The cost and expenses of administrat~~ing~~**ing** ~~the provisions of~~ this chapter, including compensation to members of the **commission**, ~~authority and~~ its officers, and employees shall be paid out of the State Treasury upon warrants of the secretary of the Finance and Administration Cabinet according to law. ~~provided that~~ The total expense of administrat~~ing~~**ing** **this chapter**~~these provisions~~ shall not exceed the fees and other charges collected by the **commission**~~authority~~ and available in the revolving or trust and agency fund account~~, of that authority, except that, in fiscal year 1984-85 such costs shall not exceed the fees and other charges collected by the authority and available in the~~

~~revolving or trust and agency account plus any funds which are appropriated to the authority under the provisions of Acts Chapter 418 of the 1984 session of the Kentucky General Assembly.~~

- (2) All fees and charges collected by the Kentucky Boxing and Wrestling *Commission*~~Authority, up to a maximum of two hundred fifty thousand dollars (\$250,000),~~ shall be available for the administration of ~~the provisions of~~ this chapter, and for no other purpose.

➔Section 19. KRS 229.260 is amended to read as follows:

- (1) The Kentucky Boxing and Wrestling *Commission* Medical Advisory Panel is hereby created *and established as an agency of state government.*
- (2) (a) The panel shall consist of three (3) to five (5) physicians appointed by the *secretary of the Public Protection Cabinet*~~chair of the Kentucky Boxing and Wrestling Authority with the consent of the full authority~~.
- (b) *At least one (1) of the panel members shall be a neurologist.*
- (c) *In addition to the physicians appointed to the panel under this subsection, the licensed physician appointed to the commission by the Governor under Section 12 of this Act shall be an ex officio voting member of the panel and shall serve as the panel's chairperson.*
- (3) Each physician shall be:
- (a) Licensed to practice medicine in Kentucky; and
- (b) Knowledgeable regarding *one (1) or more medical fields related to* the kinds and types of injuries or conditions likely to be the result of *unarmed combat*~~boxing, kickboxing, mixed martial arts, and wrestling~~.
- ~~(4)(3)~~ Each member of the panel shall receive one hundred dollars (\$100) per day for each meeting of the panel and for each day ~~or portion thereof~~ that the member is engaged in carrying out the duties of the panel.
- ~~(5)(4)~~ The panel shall advise the Kentucky Boxing and Wrestling *Commission*~~Authority~~ regarding:
- (a) Health and safety issues and policy relating to the sports regulated by the *commission*~~authority~~~~; and~~
- (b) The fitness of an individual referred to the panel for review to compete in the regulated sports; *and*
- (c) *The length of a medical suspension of an injured person.*
- (6) *Meetings of the Kentucky Boxing and Wrestling Medical Advisory Panel held for the purpose of discussing an individual's fitness to obtain a license or to compete shall be exempt from the Kentucky Open Meetings Law established in KRS Chapter 61.*
- (7) *Meetings of the Kentucky Boxing and Wrestling Medical Advisory Panel for the purpose of discussing individual fitness to obtain a license or to compete may be held in the form of written, video, telephonic, or electronic communications between members. The members shall not be compensated for these meetings.*

➔Section 20. KRS 12.020 is amended to read as follows:

Departments, program cabinets and their departments, and the respective major administrative bodies that they include are enumerated in this section. It is not intended that this enumeration of administrative bodies be all-inclusive. Every authority, board, bureau, interstate compact, commission, committee, conference, council, office, or any other form of organization shall be included in or attached to the department or program cabinet in which they are included or to which they are attached by statute or statutorily authorized executive order; except in the case of the Personnel Board and where the attached department or administrative body is headed by a constitutionally elected officer, the attachment shall be solely for the purpose of dissemination of information and coordination of activities and shall not include any authority over the functions, personnel, funds, equipment, facilities, or records of the department or administrative body.

I. Cabinet for General Government - Departments headed by elected officers:

- (1) The Governor.
- (2) Lieutenant Governor.
- (3) Department of State.

- (a) Secretary of State.
 - (b) Board of Elections.
 - (c) Registry of Election Finance.
 - (4) Department of Law.
 - (a) Attorney General.
 - (5) Department of the Treasury.
 - (a) Treasurer.
 - (6) Department of Agriculture.
 - (a) Commissioner of Agriculture.
 - (b) Kentucky Council on Agriculture.
 - (7) Auditor of Public Accounts.
- II. Program cabinets headed by appointed officers:
- (1) Justice and Public Safety Cabinet:
 - (a) Department of Kentucky State Police.
 - (b) Department of Criminal Justice Training.
 - (c) Department of Corrections.
 - (d) Department of Juvenile Justice.
 - (e) Office of the Secretary.
 - (f) Office of Drug Control Policy.
 - (g) Office of Legal Services.
 - (h) Office of the Kentucky State Medical Examiner.
 - (i) Parole Board.
 - (j) Kentucky State Corrections Commission.
 - (k) Office of Legislative and Intergovernmental Services.
 - (l) Office of Management and Administrative Services.
 - (m) Department for Public Advocacy.
 - (2) Education and Workforce Development Cabinet:
 - (a) Office of the Secretary.
 - 1. Governor's Scholars Program.
 - 2. Governor's School for Entrepreneurs Program.
 - (b) Office of Legal and Legislative Services.
 - 1. Client Assistance Program.
 - (c) Office of Communication.
 - (d) Office of Budget and Administration.
 - 1. Division of Human Resources.
 - 2. Division of Administrative Services.
 - (e) Office of Technology Services.
 - (f) Office of Educational Programs.
 - (g) Office for Education and Workforce Statistics.

- (h) Board of the Kentucky Center for Education and Workforce Statistics.
- (i) Board of Directors for the Center for School Safety.
- (j) Department of Education.
 - 1. Kentucky Board of Education.
 - 2. Kentucky Technical Education Personnel Board.
- (k) Department for Libraries and Archives.
- (l) Department of Workforce Investment.
 - 1. Office for the Blind.
 - 2. Office of Vocational Rehabilitation.
 - 3. Office of Employment and Training.
 - a. Division of Grant Management and Support.
 - b. Division of Workforce and Employment Services.
 - c. Division of Unemployment Insurance.
- (m) Foundation for Workforce Development.
- (n) Kentucky Office for the Blind State Rehabilitation Council.
- (o) Kentucky Workforce Investment Board.
- (p) Statewide Council for Vocational Rehabilitation.
- (q) Unemployment Insurance Commission.
- (r) Education Professional Standards Board.
 - 1. Division of Educator Preparation.
 - 2. Division of Certification.
 - 3. Division of Professional Learning and Assessment.
 - 4. Division of Legal Services.
- (s) Kentucky Commission on the Deaf and Hard of Hearing.
- (t) Kentucky Educational Television.
- (u) Kentucky Environmental Education Council.
- (3) Energy and Environment Cabinet:
 - (a) Office of the Secretary.
 - 1. Office of Legislative and Intergovernmental Affairs.
 - 2. Office of General Counsel.
 - 3. Office of Administrative Hearings.
 - 4. Mine Safety Review Commission.
 - 5. Kentucky State Nature Preserves Commission.
 - 6. Kentucky Environmental Quality Commission.
 - 7. Kentucky Public Service Commission.
 - (b) Department for Environmental Protection.
 - 1. Office of the Commissioner.
 - 2. Division for Air Quality.

3. Division of Water.
4. Division of Environmental Program Support.
5. Division of Waste Management.
6. Division of Enforcement.
7. Division of Compliance Assistance.
- (c) Department for Natural Resources.
 1. Office of the Commissioner.
 2. Division of Technical and Administrative Support.
 3. Division of Mine Permits.
 4. Division of Mine Reclamation and Enforcement.
 5. Division of Abandoned Mine Lands.
 6. Division of Oil and Gas.
 7. Division of Mine Safety.
 8. Division of Forestry.
 9. Division of Conservation.
 10. Office of the Reclamation Guaranty Fund.
 11. Kentucky Mining Board.
- (d) Department for Energy Development and Independence.
 1. Division of Efficiency and Conservation.
 2. Division of Renewable Energy.
 3. Division of Biofuels.
 4. Division of Energy Generation Transmission and Distribution.
 5. Division of Carbon Management.
 6. Division of Fossil Energy Development.
- (4) Public Protection Cabinet.
 - (a) Office of the Secretary.
 1. Office of Communications and Public Outreach.
 2. Office of Legal Services.
 - a. Insurance Legal Division.
 - b. Charitable Gaming Legal Division.
 - c. Alcoholic Beverage Control Legal Division.
 - d. Housing, Buildings and Construction Legal Division.
 - e. Financial Institutions Legal Division.
 - (b) Crime Victims Compensation Board.
 - (c) Board of Claims.
 - (d) Kentucky Board of Tax Appeals.
 - (e) Kentucky Boxing and Wrestling **Commission**~~[Authority]~~.
 - (f) Kentucky Horse Racing Commission.
 1. Division of Licensing.

2. Division of Incentives and Development.
3. Division of Veterinary Services.
4. Division of Security and Enforcement.
- (g) Department of Alcoholic Beverage Control.
 1. Division of Distilled Spirits.
 2. Division of Malt Beverages.
 3. Division of Enforcement.
- (h) Department of Charitable Gaming.
 1. Division of Licensing and Compliance.
 2. Division of Enforcement.
- (i) Department of Financial Institutions.
 1. Division of Depository Institutions.
 2. Division of Non-Depository Institutions.
 3. Division of Securities.
- (j) Department of Housing, Buildings and Construction.
 1. Division of Fire Prevention.
 2. Division of Plumbing.
 3. Division of Heating, Ventilation, and Air Conditioning.
 4. Division of Building Code Enforcement.
- (k) Department of Insurance.
 1. Property and Casualty Division.
 2. Health and Life Division.
 3. Division of Financial Standards and Examination.
 4. Division of Agent Licensing.
 5. Division of Insurance Fraud Investigation.
 6. Consumer Protection Division.
 7. Division of Kentucky Access.
- (l) Office of Occupations and Professions.
- (5) Labor Cabinet.
 - (a) Office of the Secretary.
 1. Division of Management Services.
 2. Office of General Counsel.
 - (b) Office of General Administration and Program Support for Shared Services.
 1. Division of Human Resource Management.
 2. Division of Fiscal Management.
 3. Division of Budgets.
 4. Division of Information Services.
 - (c) Office of Inspector General for Shared Services.

- (d) Department of Workplace Standards.
 - 1. Division of Employment Standards, Apprenticeship, and Mediation.
 - 2. Division of Occupational Safety and Health Compliance.
 - 3. Division of Occupational Safety and Health Education and Training.
 - 4. Division of Workers' Compensation Funds.
 - (e) Department of Workers' Claims.
 - 1. Office of General Counsel for Workers' Claims.
 - 2. Office of Administrative Law Judges.
 - 3. Division of Claims Processing.
 - 4. Division of Security and Compliance.
 - 5. Division of Information and Research.
 - 6. Division of Ombudsman and Workers' Compensation Specialist Services.
 - 7. Workers' Compensation Board.
 - 8. Workers' Compensation Advisory Council.
 - 9. Workers' Compensation Nominating Commission.
 - (f) Workers' Compensation Funding Commission.
 - (g) Kentucky Labor-Management Advisory Council.
 - (h) Occupational Safety and Health Standards Board.
 - (i) Prevailing Wage Review Board.
 - (j) Apprenticeship and Training Council.
 - (k) State Labor Relations Board.
 - (l) Employers' Mutual Insurance Authority.
 - (m) Kentucky Occupational Safety and Health Review Commission.
- (6) Transportation Cabinet:
- (a) Department of Highways.
 - 1. Office of Project Development.
 - 2. Office of Project Delivery and Preservation.
 - 3. Office of Highway Safety.
 - 4. Highway District Offices One through Twelve.
 - (b) Department of Vehicle Regulation.
 - (c) Department of Aviation.
 - (d) Department of Rural and Municipal Aid.
 - 1. Office of Local Programs.
 - 2. Office of Rural and Secondary Roads.
 - (e) Office of the Secretary.
 - 1. Office of Public Affairs.
 - 2. Office for Civil Rights and Small Business Development.
 - 3. Office of Budget and Fiscal Management.
 - 4. Office of Inspector General.

- (f) Office of Support Services.
 - (g) Office of Transportation Delivery.
 - (h) Office of Audits.
 - (i) Office of Human Resource Management.
 - (j) Office of Information Technology.
 - (k) Office of Legal Services.
- (7) Cabinet for Economic Development:
- (a) Office of the Secretary.
 - 1. Office of Legal Services.
 - 2. Department for Business Development.
 - a. Office of Entrepreneurship.
 - i. Commission on Small Business Advocacy.
 - b. Office of Research and Public Affairs.
 - c. Bluegrass State Skills Corporation.
 - 3. Office of Financial Services.
 - a. Kentucky Economic Development Finance Authority.
 - b. Division of Finance and Personnel.
 - c. Division of Network Administration.
 - d. Compliance Division.
 - e. Incentive Assistance Division.
- (8) Cabinet for Health and Family Services:
- (a) Office of the Secretary.
 - (b) Office of Health Policy.
 - (c) Office of Legal Services.
 - (d) Office of Inspector General.
 - (e) Office of Communications and Administrative Review.
 - (f) Office of the Ombudsman.
 - (g) Office of Policy and Budget.
 - (h) Office of Human Resource Management.
 - (i) Office of Administrative and Technology Services.
 - (j) Department for Public Health.
 - (k) Department for Medicaid Services.
 - (l) Department for Behavioral Health, Developmental and Intellectual Disabilities.
 - (m) Department for Aging and Independent Living.
 - (n) Department for Community Based Services.
 - (o) Department for Income Support.
 - (p) Department for Family Resource Centers and Volunteer Services.
 - (q) Kentucky Commission on Community Volunteerism and Service.

- (r) Kentucky Commission for Children with Special Health Care Needs.
- (s) Governor's Office of Electronic Health Information.
- (9) Finance and Administration Cabinet:
 - (a) Office of General Counsel.
 - (b) Office of the Controller.
 - (c) Office of Administrative Services.
 - (d) Office of Public Information.
 - (e) Office of Policy and Audit.
 - (f) Department for Facilities and Support Services.
 - (g) Department of Revenue.
 - (h) Commonwealth Office of Technology.
 - (i) State Property and Buildings Commission.
 - (j) Office of Equal Employment Opportunity and Contract Compliance.
 - (k) Kentucky Employees Retirement Systems.
 - (l) Commonwealth Credit Union.
 - (m) State Investment Commission.
 - (n) Kentucky Housing Corporation.
 - (o) Kentucky Local Correctional Facilities Construction Authority.
 - (p) Kentucky Turnpike Authority.
 - (q) Historic Properties Advisory Commission.
 - (r) Kentucky Tobacco Settlement Trust Corporation.
 - (s) Kentucky Higher Education Assistance Authority.
 - (t) Kentucky River Authority.
 - (u) Kentucky Teachers' Retirement System Board of Trustees.
 - (v) Executive Branch Ethics Commission.
- (10) Tourism, Arts and Heritage Cabinet:
 - (a) Kentucky Department of Travel and Tourism.
 - 1. Division of Tourism Services.
 - 2. Division of Marketing and Administration.
 - 3. Division of Communications and Promotions.
 - (b) Kentucky Department of Parks.
 - 1. Division of Information Technology.
 - 2. Division of Human Resources.
 - 3. Division of Financial Operations.
 - 4. Division of Facilities Management.
 - 5. Division of Facilities Maintenance.
 - 6. Division of Customer Services.
 - 7. Division of Recreation.
 - 8. Division of Golf Courses.

9. Division of Food Services.
 10. Division of Rangers.
 11. Division of Resort Parks.
 12. Division of Recreational Parks and Historic Sites.
- (c) Department of Fish and Wildlife Resources.
1. Division of Law Enforcement.
 2. Division of Administrative Services.
 3. Division of Engineering.
 4. Division of Fisheries.
 5. Division of Information and Education.
 6. Division of Wildlife.
 7. Division of Public Affairs.
- (d) Kentucky Horse Park.
1. Division of Support Services.
 2. Division of Buildings and Grounds.
 3. Division of Operational Services.
- (e) Kentucky State Fair Board.
1. Office of Administrative and Information Technology Services.
 2. Office of Human Resources and Access Control.
 3. Division of Expositions.
 4. Division of Kentucky Exposition Center Operations.
 5. Division of Kentucky International Convention Center.
 6. Division of Public Relations and Media.
 7. Division of Venue Services.
 8. Division of Personnel Management and Staff Development.
 9. Division of Sales.
 10. Division of Security and Traffic Control.
 11. Division of Information Technology.
 12. Division of the Louisville Arena.
 13. Division of Fiscal and Contract Management.
 14. Division of Access Control.
- (f) Office of the Secretary.
1. Office of Finance.
 2. Office of Research and Administration.
 3. Office of Governmental Relations and Tourism Development.
 4. Office of the Sports Authority.
 5. Kentucky Sports Authority.
- (g) Office of Legal Affairs.

- (h) Office of Human Resources.
 - (i) Office of Public Affairs and Constituent Services.
 - (j) Office of Creative Services.
 - (k) Office of Capital Plaza Operations.
 - (l) Office of Arts and Cultural Heritage.
 - (m) Kentucky African-American Heritage Commission.
 - (n) Kentucky Foundation for the Arts.
 - (o) Kentucky Humanities Council.
 - (p) Kentucky Heritage Council.
 - (q) Kentucky Arts Council.
 - (r) Kentucky Historical Society.
 - 1. Division of Museums.
 - 2. Division of Oral History and Educational Outreach.
 - 3. Division of Research and Publications.
 - 4. Division of Administration.
 - (s) Kentucky Center for the Arts.
 - 1. Division of Governor's School for the Arts.
 - (t) Kentucky Artisans Center at Berea.
 - (u) Northern Kentucky Convention Center.
 - (v) Eastern Kentucky Exposition Center.
- (11) Personnel Cabinet:
- (a) Office of the Secretary.
 - (b) Department of Human Resources Administration.
 - (c) Office of Employee Relations.
 - (d) Kentucky Public Employees Deferred Compensation Authority.
 - (e) Office of Administrative Services.
 - (f) Office of Legal Services.
 - (g) Governmental Services Center.
 - (h) Department of Employee Insurance.
 - (i) Office of Diversity and Equality.
 - (j) Center of Strategic Innovation.
- III. Other departments headed by appointed officers:
- (1) Council on Postsecondary Education.
 - (2) Department of Military Affairs.
 - (3) Department for Local Government.
 - (4) Kentucky Commission on Human Rights.
 - (5) Kentucky Commission on Women.
 - (6) Department of Veterans' Affairs.
 - (7) Kentucky Commission on Military Affairs.

- (8) Office of Minority Empowerment.
- (9) Governor's Council on Wellness and Physical Activity.

➔Section 21. KRS 12.252 is amended to read as follows:

- (1) There is established within the Public Protection Cabinet a Department of Financial Institutions, a Department of Insurance, a Department of Housing, Buildings and Construction, a Department of Charitable Gaming, and a Department of Alcoholic Beverage Control. Each department shall be headed by a commissioner appointed by the Governor as required by KRS 12.040 and, where appropriate, by KRS 238.510, 241.015, and 304.2-020. Commissioners shall be directly responsible to the secretary and shall perform the functions, powers, and duties provided by law and prescribed by the secretary.
- (2) There is established within the Public Protection Cabinet an Office of Occupations and Professions, which shall be headed by an executive director appointed by the secretary with the approval of the Governor as required by KRS 12.050. The executive director shall be directly responsible to the secretary and shall perform the functions, powers, and duties provided by law and prescribed by the secretary.
- (3) The secretary of the Public Protection Cabinet shall be appointed by the Governor in accordance with KRS 12.255. The Office of the Secretary shall contain the following entities:
 - (a) The Office of Communications and Public Outreach, which shall be headed by an executive director appointed by the secretary with the approval of the Governor in accordance with KRS 12.050; and
 - (b) The Office of Legal Services, which shall be headed by an executive director appointed by the secretary with the approval of the Governor in accordance with KRS 12.050 and 12.210.
- (4) The following agencies are attached to the Public Protection Cabinet for administrative purposes only, except as provided in KRS 131.330:
 - (a) Crime Victims Compensation Board;
 - (b) Board of Claims;
 - (c) Kentucky Board of Tax Appeals; *and*
 - ~~(d) Kentucky Boxing and Wrestling Authority; and~~
 - ~~(e) Kentucky Horse Racing Commission.~~
- (5) ***There is established within the Public Protection Cabinet the Kentucky Boxing and Wrestling Commission, which shall be headed by an executive director appointed by the secretary with the approval of the Governor as required by KRS 12.050. The executive director shall be directly responsible to the secretary and shall perform the functions, powers, and duties provided by law and prescribed by the secretary.***

➔Section 22. KRS 148.590 is amended to read as follows:

- (1) There is created the Kentucky Sports Authority, which shall be attached to the Tourism, Arts and Heritage Cabinet, Office of the Secretary, for administrative purposes.
- (2) The authority shall consist of fifteen (15) members, including the Lieutenant Governor, the secretary of the Tourism, Arts and Heritage Cabinet, the secretary of the Public Protection Cabinet, and twelve (12) members appointed by the Governor. The members appointed by the Governor shall include representatives of the Kentucky Horse Racing Commission, the fish and wildlife community, and the Kentucky Boxing and Wrestling ~~Authority~~ **Commission**.
- (3) The Lieutenant Governor shall serve as chairperson of the authority. Members shall elect other officers as they deem necessary. Of the members initially appointed by the Governor, one-third (1/3) shall serve a term of four (4) years, one-third (1/3) shall serve a term of three (3) years, and one-third (1/3) shall serve a term of two (2) years. All succeeding terms shall be for four (4) years.
- (4) The secretary of the Tourism, Arts and Heritage Cabinet shall appoint an executive director, with the prior written approval of the Governor, to head the authority. The cabinet shall provide additional administrative support to the authority from the cabinet's existing staff as necessary.
- (5) The authority shall meet no less than biannually and at other times as necessary, upon the call of the chairperson. Members shall be reimbursed for expenses incurred in performing the authority's duties, functions, and responsibilities.

- (6) The authority's primary responsibility shall be to recruit, promote, assist, place, and develop sporting events, facilities, attractions, and programs in the Commonwealth, with the ultimate goal of developing commerce, the economy, job opportunities, and revenue streams. The authority's duties shall include but not be limited to the following:
- (a) Lead efforts to attract national and regional sporting events to Kentucky by working with national, regional, and local sporting organizations;
 - (b) Work with communities to recruit professional franchises and develop an overall strategic plan to recruit and retain all forms of professional and amateur sporting events to Kentucky;
 - (c) Collaborate with communities to identify and propose improvements for sporting activity infrastructure, including opportunities for private and public partnership on infrastructure development; present for the Governor's approval any financial plan that would require state tax dollars to build new athletic facilities; and upon the Governor's approval of a proposed financial plan, present it to the General Assembly;
 - (d) Foster relationships between sporting event organizers and event sponsors, and between and among state agencies, and provide advice and direction for increasing the number and quality of sporting events;
 - (e) Evaluate various sports and sports-related activities and entities and make written recommendations to the Governor and the General Assembly if additional regulation, licensing, or taxing are necessary;
 - (f) Collaborate with communities and Kentucky athletes to develop programs to promote youth wellness and awareness of the benefits of a healthy lifestyle; and
 - (g) Develop and recommend to the Governor, as necessary, legislation and administrative regulations to further the purposes of the authority, including but not limited to the recruitment and maintenance of professional and amateur sporting events, the facilitation of sporting participation by Kentucky's citizens, the safe and ethical operation of sporting events, and the fiscal impact of sporting events in the Commonwealth.

➔Section 23. The following KRS sections are repealed:

- 229.021 License required for shows and exhibitions.
- 229.041 Books examined, when.
- 229.051 Bond licensee -- Condition.
- 229.071 License requirement for shows and exhibitions -- Fees -- License preference to Kentucky residents.
- 229.081 License and eligibility requirements for participants in show.
- 229.091 Licensees subject to regulation -- Written application.
- 229.101 Length of bouts, exhibitions, and rounds.
- 229.121 Age limit for contestants.
- 229.180 Authority's rules and administrative regulations.
- 229.210 Medical suspension -- Other ineligibility duration.
- 229.991 Penalties.

➔Section 24. Of the initial commission appointments made by the Governor under subsection (2)(b) of Section 12 of this Act, one member shall serve a term of one year, one member shall serve a term of two years, and two members shall each serve a term of three years.

➔Section 25. The General Assembly confirms Executive Order 2016-270, dated May 16, 2016, which establishes the Boxing and Wrestling Commission and the Boxing and Wrestling Commission Medical Advisory Panel, to the extent it is not otherwise confirmed or superseded by this Act.

Signed by Governor March 21, 2017.