

PUBLIC PROTECTION CABINET
Kentucky Boxing and Wrestling Commission
(Amendment)

201 KAR 27:008. License requirements and fees.

RELATES TO: KRS 229.025, 229.035, 229.065, 229.171, Chapter 311, 15 U.S.C. 6304, 6305

STATUTORY AUTHORITY: KRS 229.025, 229.035, 229.065, 229.171, 15 U.S.C. 6304, 6305

NECESSITY, FUNCTION, AND CONFORMITY: KRS 229.171(1) authorizes the commission to exercise sole control, authority, and jurisdiction over all unarmed combat shows to be conducted, held, or given within the commonwealth. KRS 229.171(2) authorizes the commission to promulgate administrative regulations it considers necessary or expedient for the performance of its functions provided in KRS Chapter 229. KRS 229.025(3) requires the commission to promulgate administrative regulations to establish license types, the eligibility requirements for each license type, the expiration date of each license type, the annual license fee, and method for submitting all applications for licensure. KRS 229.025(2) prohibits participation in an unarmed combat show in any capacity without holding a license issued by the commission. KRS 229.035 requires a promoter license and a bond approved as to form and sufficiency of sureties by the commission. KRS 229.065 requires a license by the commission for wrestling training. 15 U.S.C. 6304 requires protection of the health and safety of boxers, and includes requirements for a physical examination, a physician to be present at ringside, an ambulance or resuscitation equipment, and health insurance coverage. 15 U.S.C. 6305 requires the commission to issue an identification card to each professional boxer who registers with the commission. This administrative regulation establishes license requirements and fees for persons who conduct activities regulated by the commission.

Section 1. General Provisions.

- (1) A person shall not participate in an unarmed combat show or exhibition unless the person is licensed by the commission.
- (2) Each license shall be separate. A person shall not use a license in one (1) capacity or sport to serve in a different capacity or sport, except:
 - (a) A manager may act as a second; and
 - (b) A contestant may act as a second.
- (3)
 - (a) A promoter license shall be valid for one (1) year from the date of issuance.
 - (b) All other licenses shall be valid from January 1 through December 31.
- (4) Information provided on or with a license application shall be complete and correct. Any false statement of a material matter shall be grounds for:
 - (a) Denial of a license; or
 - (b) If the license has been issued, suspension, probation, or revocation of the license.
- (5) The commission may require an applicant to appear before the commission to answer questions or provide documents in conjunction with an application for a license if:
 - (a) The person has not been licensed by the commission within the previous five (5) years;
 - (b) The person has a history of violations in any jurisdiction;
 - (c) The applicant has not fully completed the required application; or
 - (d) The applicant's written submissions have not met the applicant's burden of proof to prove his or her qualifications for a license.

(6) A licensee shall be governed by KRS Chapter 229 and 201 KAR Chapter 27 and shall be subject to any event-related orders given by the commission or an inspector.

Section 2. Licenses, Applications, and Fees.

(1) The applicant shall complete the appropriate application as established in the table in subsection (2) of this section. The application shall be signed by the applicant under penalty of perjury.

(2) The following applications and non-refundable annual fees shall be required before any person may be licensed:

(a) Boxing and kickboxing licenses:

| Boxing and Kickboxing License Type | License Application Required | License Fee |
|------------------------------------|-----------------------------------|-------------|
| Boxer | Boxing-MMA Contestant Application | \$40 |
| Kickboxer | Boxing-MMA Contestant Application | \$40 |
| Manager | Non-Contestant Application | \$40 |
| Trainer | Non-Contestant Application | \$40 |
| Second | Non-Contestant Application | \$40 |
| Referee | Referee Application | \$40 |
| Judge | Non-Contestant Application | \$40 |
| Timekeeper | Non-Contestant Application | \$40 |

(b) Mixed martial arts licenses:

| Mixed Martial Arts License Type | License Application Required | License Fee |
|-----------------------------------|-----------------------------------|-------------|
| Professional mixed martial artist | Boxing-MMA Contestant Application | \$40 |
| Amateur mixed martial artist | Boxing-MMA Contestant Application | \$40 |
| Manager | Non-Contestant Application | \$40 |
| Trainer | Non-Contestant Application | \$40 |
| Second | Non-Contestant Application | \$40 |
| Referee | Referee Application | \$40 |
| Judge | Non-Contestant Application | \$40 |
| Timekeeper | Non-Contestant Application | \$40 |

(c) Wrestling licenses:

| Wrestling License Type | License Application Required | License Fee |
|------------------------|------------------------------|-------------|
| Wrestler | Wrestler Application | \$40 |
| Referee | Referee Application | \$40 |
| Wrestling event staff | Non-Contestant Application | \$40 |

(d) Promoter license:

| Promoter License Type | License Application Required | License Fee |
|-----------------------|------------------------------|-------------|
| Promoter | Promoter Application | \$300 |

(e) Medical Provider licenses:

| Medical Provider License Type | License Application Required | License Fee |
|-------------------------------|------------------------------|-------------|
| Physician | Medical Provider Application | \$40 |
| Healthcare Professional | Medical Provider Application | \$40 |

(f) For all application fees, applicants that do not submit license applications via the eServices option on the Commission's Web site shall pay an additional processing fee of ten (10) dollars.

Section 3. Health Physical and Application Timing Requirements.

(1) The following applicants for licensure shall submit the form Physical Report to demonstrate the results of a physical that was completed by a physician not more than ninety (90) days before the licensing application is submitted:

- (a) Boxer;
- (b) Kickboxer;
- (c) Professional mixed martial artist;
- (d) Amateur mixed martial artist;
- (e) Boxing and kickboxing referee; and
- (f) Mixed martial arts referee.

(2) An applicant for licensure as a wrestler or wrestling referee shall submit the form Physical Report to demonstrate the results of a physical that was completed by a physician not more than (90) days before the licensing application is submitted if the applicant:

- (a) Has not held a wrestler license in the past two (2) years;
- (b) Is forty-five (45) years of age or older; or
- (c) Has had an in-patient surgical procedure or overnight hospital stay in the past one (1) year.

(3) An applicant who is subject to subsection (1) or(2) of this section shall submit his or her physical and bloodwork to the commission no less than two (2) business days prior to the applicant's first event.

Section 4. Determination of Ability to Obtain a License as a Contestant.

(1) An applicant for a license as a boxer, kickboxer, or professional mixed martial artist shall demonstrate the ability to:

- (a) Be competitive in the sport; and
- (b) Compete without the risk of serious physical injury.

(2) An applicant for a license as a wrestler or an amateur mixed martial artist shall demonstrate that the applicant has the ability to compete without the risk of serious physical injury.

(3)

(a) Individual consideration from a member of the medical advisory panel shall be required if an applicant for licensure as a boxer, kickboxer, professional mixed martial artist, or amateur mixed martial artist:

1. Is thirty-eight (38) or more years old;
2. Has accrued six (6) consecutive losses;

3. Has lost more than twenty-five (25) fights in his or her career;
4. Has fought in 350 or more career rounds;
5. Has lost more than five (5) bouts by knockout in his or her career; or
6. Has been inactive for more than thirty (30) months.

(b) A member of the medical advisory panel may order additional medical testing if the medical evidence before it is inconclusive or incomplete.

(c) The medical advisory panel or member of the panel shall report its recommendation to the commission within forty-five (45) days of being referred a physical.

Section 5. Medical Provider License.

(1) An applicant for a physician license shall be a physician licensed pursuant to KRS Chapter 311.

(2) A person licensed or seeking licensure as a physician or healthcare professional shall maintain an active license in his or her field of practice and certification to administer cardiopulmonary resuscitation.

Section 6. Promoter License. An applicant for licensure as a promoter shall obtain a \$10,000 Surety bond. To obtain a surety the applicant shall complete and have notarized the Promoter Bond Form.

Section 7. Change from Amateur Status to Professional Status.

(1) The commission shall consider the applicant's previous fighting experience in deciding whether to permit a person licensed as an amateur to become a professional. This consideration shall include the:

- (a) Number of sanctioned bouts the applicant has competed in;
- (b) Number of sanctioned rounds the applicant has competed in;
- (c) Date of the applicant's bouts;
- (d) Applicant's performance in previous bouts, including the applicant's win-loss record; and
- (e) Level of competition the applicant has competed against.

(2) A person shall not be licensed as a professional unless the person has fought in a minimum of three (3) bouts.

(3) A licensee who seeks to change his or her status from amateur to professional shall submit his or her license application to the commission no less than fifteen (15) calendar days prior to the applicant's first professional event.

Section 8. Boxer's Federal Identification Card.

(1) To obtain a boxer's federal identification card, an applicant shall complete and submit to the commission a Boxer's Federal Identification Card Application.

(2) The fee for a boxer's federal identification card shall be ten (10) dollars, which shall be submitted with the Boxer's Federal Identification Card Application.

(3) The boxer's federal identification card shall be valid for four (4) years from the date issued.

Section 9. Change of address. A licensee shall provide his or her new address to the commission within thirty (30) days of a change in address.

Section 10. Incorporation by Reference.

(1) The following material is incorporated by reference:

- (a) "Boxing-MMA Contestant Application", June 2023;
- (b) "Wrestler Contestant Application", June 2023;
- (c) "Non-Contestant Application", June 2023;
- (d) "Promoter Application", June 2023;
- (e) "Medical Provider Application", June 2023;
- (f) "Physical Report", June 2023;

- (g) "Promoter Bond Form", June 2023;
- (h) "Boxer's Federal Identification Card Application", June 2023; and
- (i) "Referee Application", June 2023.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Boxing and Wrestling Commission office at 500 Mero St, 218NC, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m., and is available online at <http://kbwa.ky.gov/Pages/Appsforms.aspx>.

This is to certify that the Kentucky Boxing and Wrestling Commission has reviewed and recommended this administrative regulation, as required by KRS 229.025 and KRS 229.171.

MATT BYRD, Executive Director

RAY A. PERRY, Secretary

APPROVED BY AGENCY: June 14, 2023

FILED WITH LRC: June 15, 2023 at 10 a.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on Thursday, August 24, 2023, at 1:00 PM Eastern Time at the Mayo-Underwood Building, Room 133CE, 500 Mero Street, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through August 31, 2023. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.