

PUBLIC PROTECTION CABINET
Kentucky Boxing and Wrestling Commission
(Amendment)

201 KAR 27:012. General requirements for wrestling shows.

RELATES TO: KRS 229.021, 229.031, 229.071, 229.081, 229.091, 229.171, EO 2016-270

STATUTORY AUTHORITY: KRS 229.021, 229.031, 229.071, 229.081, 229.091, 229.171, 229.180

NECESSITY, FUNCTION, AND CONFORMITY: KRS 229.171(1) authorizes the authority to exercise sole jurisdiction over all boxing, kickboxing, mixed martial arts, and wrestling shows, exhibitions, and licensees in the Commonwealth~~[commonwealth]~~. Executive Order 2016-270, effective May 16, 2016, abolished the Kentucky Boxing and Wrestling Authority and established the Kentucky Boxing and Wrestling Commission. This administrative regulation establishes the requirements for wrestling shows and for participants in wrestling shows.

Section 1. Show Date Request and Advertising.

- (1) A promoter shall request a show date by completing and submitting to the commission the Wrestling Show Notice Form~~[, which is incorporated by reference in 201 KAR 27:011, Section 23(1)(a)]~~.
- (2) The Wrestling Show Notice Form shall be submitted to the commission for approval no less than ten (10) calendar days before the requested show date.
- (3) A promoter shall not advertise the show until the date has been approved by the commission. Approval is effective upon the commission:
 - (a) Placing the event on the Calendar of Events available on the commission's Web site at https://kbwc.ky.gov/ppc_boxing/Ecal.aspx~~[http://ins.kbwa.ky.gov/ecal.asp]~~; or
 - (b) Providing written notice that the event is approved.

Section 2. Cancellations.

- (1) A contestant who has committed to participate in a professional match and is unable to participate shall notify the promoter of the inability to participate as soon as possible.
- (2) Absent good cause shown, failure to notify the promoter of an inability to participate in a wrestling match at least six (6) hours before the beginning of the match may constitute grounds for issuance of a penalty.

Section 3. Security Required. The promoter shall provide a minimum of two (2) security guards on the premises for each show.

Section 4. Locker Rooms.

- (1) A person shall not be permitted in the locker room unless the person holds a license or has been granted permission by the promoter or inspector.
- (2) Male and female contestants shall have separate locker rooms.

Section 5. Drug Testing.

- (1)
 - (a) The commission may request a licensee to submit to a drug test. A drug test shall be at the licensee's expense.
 - (b) The presence of controlled substances within a licensee for which the licensee does not have a prescription, or the refusal by the licensee to submit to the test, shall result in a penalty pursuant to 201 KAR 27:105.
- (2) From arrival at the venue to the conclusion of the show or exhibition, a licensee shall not consume, possess, or participate under the influence of alcohol or another substance

that may affect the licensee's ability to participate.

Section 6. Pregnancy. A female shall be prohibited from competing in a wrestling show if she is pregnant.

Section 7. Requirements for the Area Surrounding the Wrestling Ring. A border shall be placed at least six (6) feet from all sides of the ring. Spectator seating shall not be allowed between the border and ringside without prior inspector approval.

Section 8. Foreign Objects and Props.

(1) A person shall not use a foreign object on another person during a match without the prior consent of both contestants.

(2) A person shall not use or direct another person to use pyrotechnics, glass, or fire on himself, herself, or another person during a match.

Section 9. Blood and Simulated Blood.

(1) The promoter shall notify the commission on the Show Notice Form required by Section 1 of this administrative regulation if a contestant plans to bleed during a show.

(2) The promoter shall arrange for a healthcare professional to be present at any show where bleeding by a wrestler is planned.

(a) The healthcare professional shall observe the show at all times during a match where bleeding by a wrestler is planned.

(b) The healthcare professional shall be equipped with a first aid kit.

(3) Prior to any show in which a wrestler plans to bleed or in which simulated blood will be used, the promoter or the promoter's designee shall inform the inspector and the healthcare professional of when in the match and how the bleeding or simulated bleeding will occur.

(4) Any wrestler who plans to bleed during a match shall submit to the commission an original or certified copy of his or her HIV Antibody, Hepatitis B Antigen, and Hepatitis C Antibody test results prior to the beginning of the show.

(a) The results of these tests shall be no more than 180 days old.

(b) A person with a positive test result for HIV, Hepatitis B, or Hepatitis C shall not be licensed and shall not compete.

(5) A wrestling match shall be stopped immediately if a wrestler bleeds who has not submitted to the commission an original or certified copy of his or her HIV Antibody, Hepatitis B Antigen, and Hepatitis C Antibody test results taken from within the last 180 days that shows that the wrestler is negative for HIV, Hepatitis B, and Hepatitis C.

(6) The commission shall be notified immediately if a contestant bleeds during a match in which notice of intended bleeding was not given in accordance with subsection (1) of this section.

(a) The video recording required by Section 10 of this administrative regulation shall be sent to the commission within five (5) business days.

(b) If the commission determines that the bleeding was not accidental, the contestant and promoter shall be issued a violation.

Section 10. Video Recording.

(1) The promoter shall ensure that a video recording of each show is made. A copy of the video recording shall be retained by the promoter for at least one (1) year.

(2) The promoter shall provide the video recording of a show to the commission upon request.

Section 11. Incorporation by Reference.

(1) "Wrestling Show Notice Form", June 2023, is incorporated by reference.

(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 https://kbwc.ky.gov/New_Docs.aspx?cat=29&menuid=27.

(19 Ky.R. 1936; Am. 20 Ky.R. 60; eff. 6-11-1993; 26 Ky.R. 2006; 27 Ky.R. 479; eff. 8-14-2000; 32 Ky.R. 1750; 2254; eff. 7-7-2006; 38 Ky.R. 1197; 1574; 1708; eff. 5-4-2012; 43 Ky.R. 291, 724; eff. 1-6-2017; 50 Ky.R. 126; eff. 1-2-2024.)

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.

CONTACT PERSON: Doug Hardin, Staff Attorney, Kentucky Boxing and Wrestling Commission, 500 Mero Street 218 NC, Frankfort, Kentucky 40601, phone (502) 782-8204, fax (502) 573-6625, email doug.hardin@ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person: Doug Hardin, Staff Attorney

(1) Provide a brief summary of:

(a) What this administrative regulation does:

This regulation establishes general requirements for wrestling shows.

(b) The necessity of this administrative regulation:

This regulation is necessary so that the Boxing & Wrestling Commission may establish standards for unarmed combat in Kentucky, which are authorized pursuant to KRS 229.025.

(c) How this administrative regulation conforms to the content of the authorizing statutes:

KRS 229.025 authorizes and requires the Commission to promulgate administrative regulations for licensing participants, officials, and physicians for unarmed combat shows.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

The Boxing & Wrestling Commission is charged with the responsibility of licensing and regulating unarmed combat shows. This administrative regulation establishes the process and forms necessary for licensure of participants, officials, and physicians. The regulation further establishes standards for compensation, pre-fight procedures, ring size, equipment and attire, weight classes, fight length, judging and scoring, and insurance.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:

This amendment incorporates a Wrestling Show Notice Form by reference and updates the URL for the Commission's calendar of events.

(b) The necessity of the amendment to this administrative regulation:

The Commission requires promoters to submit a Show Notice Form when scheduling wrestling shows. This form was not previously incorporated by reference into this regulation.

(c) How the amendment conforms to the content of the authorizing statutes:

These amendments conform to the content of the authorizing statute because this regulation sets forth licensing requirements as permitted by KRS 229.025

(d) How the amendment will assist in the effective administration of the statutes:

An incorporated form will assist the Commission in licensing and regulating wrestling shows.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

As of February 2023, the Boxing & Wrestling Commission licenses and regulates over 900 licensees that will be affected by this administrative regulation, as follows: Over 679 licensed contestants (includes boxers, kickboxers, amateur mixed martial artists, professional mixed martial artists, wrestlers, and elimination event contestants); Over 185 licensed non-contestants (includes judges, trainers, managers, referees,

timekeepers, and seconds). Over 6 licensed medical providers (includes physicians and healthcare professionals) Over 40 licensed promoters

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment:

Licensed promoters would be required to submit a Wrestling Show Notice Form to put on a wrestling show.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):

This particular regulation does not impose any fees on licensees.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3):

Licensees will be able to download, complete, and submit a uniform form for all wrestling shows.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially:

There will be no additional cost to the Commission to implement this administrative regulation initially.

(b) On a continuing basis:

There will be no additional cost to the Commission to implement this administrative regulation on a continuing basis.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation:

There is no additional funding necessary to implement this amendment to the administrative regulation.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:

The implementation of this administrative regulation requires no increase in fees or funding. The compensation required by this amendment is paid by licensed promoters.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:

This administrative regulation neither directly nor indirectly increases any fees.

(9) TIERING: Is tiering applied?

Tiering is not applied because the regulation does not impose fees.

FISCAL NOTE

(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation?

The Kentucky Boxing & Wrestling Commission is the agency responsible for implementing this regulation.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation.

KRS 229.025, 229.031, 229.055, 229.111, 229.131, 229.155, 229.171,

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year?

This administrative regulation is not intended to generate revenue for any state or local government agency.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years?

This administrative regulation is not intended to generate revenue for any state or local government agency.

(c) How much will it cost to administer this program for the first year?

There is no cost to administer this administrative regulation for the first year.

(d) How much will it cost to administer this program for subsequent years?

There is no cost to administer this administrative regulation for subsequent years.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):None

Expenditures (+/-):None

Other Explanation:

None

(4) Estimate the effect of this administrative regulation on the expenditures and cost savings of regulated entities for the first full year the administrative regulation is to be in effect.

(a) How much cost savings will this administrative regulation generate for the regulated entities for the first year?

This administrative regulation is not intended to generate cost savings for regulated entities in the first year, except that certain licensed charitable gaming facilities will have a reduced annual fee if they do not host regularly scheduled bingo sessions.

(b) How much cost savings will this administrative regulation generate for the regulated entities for subsequent years?

This administrative regulation is not intended to generate cost savings for regulated entities in the first year.

(c) How much will it cost the regulated entities for the first year?

This administrative regulation is not intended to generate costs for regulated entities in the first year.

(d) How much will it cost the regulated entities for subsequent years?

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Cost Savings (+/-):None

Expenditures (+/-):None

Other Explanation:

None

(5) Explain whether this administrative regulation will have a major economic impact, as defined below.

"Major economic impact" means an overall negative or adverse economic impact from an administrative regulation of five hundred thousand dollars (\$500,000) or more on state or local government or regulated entities, in aggregate, as determined by the promulgating administrative bodies. [KRS 13A.010(13)]. This administrative regulation is not intended or anticipated to have a major economic impact as defined by KRS 13A.010(13).