

PUBLIC PROTECTION CABINET
Boxing and Wrestling Commission
(Amended After Comments)

201 KAR 27:006. Powers and duties of inspector.

RELATES TO: KRS 229.011, 229.025, 229.031, 229.035~~229.021, 229.041, 229.051~~, 229.061, 229.155, 229.171, 229.190, 229.200, 229.991~~1, EO 2016-270~~

STATUTORY AUTHORITY: KRS 229.171~~1, 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. ~~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 duties of an inspector.

Section 1.

- (1) The executive director or the executive director's designee shall assign an inspector to monitor each boxing, elimination event, mixed martial arts, and kickboxing show.
- (2) The executive director or the executive director's designee may assign an inspector to monitor a wrestling show based on:
 - (a) The availability of an inspector;
 - (b) The need to conduct periodic inspections; and
 - (c) Knowledge or information that a violation or potential violation may occur.

Section 2. Inspector's Duties.

- (1) Except as otherwise established in 201 KAR Chapter 27, the inspector shall exercise immediate and full supervision, control, and regulation of any show on behalf of the commission and shall be responsible directly to the commission.
- (2) The inspector's powers shall include authority:
 - (a) Over each contestant, licensed or unlicensed, on the premises before, during, and after a show relating to the show;
 - (b) To conduct hearings and issue decisions or rulings on questions, disputes, protests, complaints, or objections relating to the show;
 - (c) To enforce the provisions of KRS Chapter 229 and 201 KAR Chapter 27;
 - (d) To issue violations and penalties as established in KRS Chapter 229 and 201 KAR Chapter 27;
 - (e) To eject or exclude from the premises or any part thereof any person whom the inspector reasonably believes is intoxicated or under the influence of a legal or illegal drug and who may create a hazard to others or interfere with the show;
 - (f) To investigate possible violations of KRS Chapter 229 or 201 KAR Chapter 27;
 - (g) To examine the books and records of any person who conducts a show or exhibition;
 - (h) To issue a license required by 201 KAR 27:008; and
 - (i) To approve the form and sufficiency of any bond filed in accordance with KRS 229.035~~229.051~~.

Section 3. Appeal. Any decision made pursuant to this administrative regulation may be appealed to the full commission in the manner prescribed in KRS 229.190.

MATT BYRD, Executive Director
RAY A. PERRY, Secretary

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REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person:Doug Hardin

(1) Provide a brief summary of:

(a) What this administrative regulation does:

This regulation establishes the powers and duties of the inspectors employed by the Kentucky Boxing and Wrestling Commission.

(b) The necessity of this administrative regulation:

This regulation is necessary so that the Boxing and Wrestling commission inspectors have clearly defined authority to regulate boxing, wrestling, and other unarmed combat sporting events in Kentucky.

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

KRS 229.155 authorizes the Commission's executive director to employ "sufficient regulatory staff...that shall be responsible for the day-to-day operations of the commission."

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

Employing inspectors with clearly defined roles will help ensure that unarmed combat events are run safely and in compliance with the law.

(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:

N/A

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

N/A

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

N/A

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

N/A

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

The Boxing & Wrestling Commission licenses and regulates over 800 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, and wrestlers); • 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:

This regulation will not require licensees to take any specific action to comply.

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

There will be no cost to these licensees to comply with the regulation.

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

Having inspectors assigned to monitor boxing, mixed martial arts, and wrestling events will help to ensure that these events are conducted safely and in compliance with the law.

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

(a) Initially:

There will be no new costs to the Commission or its licensees.

(b) On a continuing basis:

There will be no new costs to the Commission or its licensees.

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

The Commission's funding comes from license fees and the tax that promoters pay on ticket sales to unarmed combat shows.

(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:

No additional funding will be necessary to implement this regulation.

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

This administrative regulation does not increase any fees.

(9) TIERING: Is tiering applied?

Tiering does not apply because there are no different classifications of inspectors.

FISCAL IMPACT STATEMENT

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

KRS 229.155 authorizes the Commission's executive director to employ "sufficient regulatory staff...that shall be responsible for the day-to-day operations of the commission."

(2) Identify the promulgating agency and any other affected state units, parts, or divisions:

Kentucky Boxing & Wrestling Commission

(a) Estimate the following for the first year:

Expenditures:None

Revenues:None

Cost Savings:None

(b) How will expenditures, revenues, or cost savings differ in subsequent years?

(3) Identify affected local entities (for example: cities, counties, fire departments, school districts):

This regulation is not likely to affect any local government entities.

(a) Estimate the following for the first year:

Expenditures:None

Revenues:None

Cost Savings:None

(b) How will expenditures, revenues, or cost savings differ in subsequent years?

The Commission does not anticipate any expenditures, revenue, or cost savings related to this regulation.

(4) Identify additional regulated entities not listed in questions (2) or (3):

This regulation will likely impact the Commission's licensees, including contestants, physicians, promoters, referees, etc.

(a) Estimate the following for the first year:

Expenditures:None

Revenues:None

Cost Savings:None

(b) How will expenditures, revenues, or cost savings differ in subsequent years?

The Commission does not anticipate any expenditures, revenue, or cost savings related to this regulation.

(5) Provide a narrative to explain the:

(a) Fiscal impact of this administrative regulation:

This regulation is not likely to have a significant fiscal impact.

(b) Methodology and resources used to determine the fiscal impact:

The Commission already employs inspectors. This regulation will not result in any new employee hires.

(6) Explain:

(a) Whether this administrative regulation will have an overall negative or adverse major economic impact to the entities identified in questions (2) - (4). (\$500,000 or more, in aggregate)

This regulation will likely have no economic impact on these entities.

(b) The methodology and resources used to reach this conclusion:

The Commission already employs inspectors. This regulation will not result in any new employee hires.

FEDERAL MANDATE ANALYSIS COMPARISON

(1) Federal statute or regulation constituting the federal mandate.

N/A

(2) State compliance standards.

N/A

(3) Minimum or uniform standards contained in the federal mandate.

N/A

(4) Will this administrative regulation impose stricter requirements, or additional or different responsibilities or requirements, than those required by the federal mandate?

N/A

(5) Justification for the imposition of the stricter standard, or additional or different responsibilities or requirements.

N/A