

# 09hr\_JCR-AR\_Misc\_pt41



Details: Emergency Rules by Department of Regulation and Licensing.  
(FORM UPDATED: 08/11/2010)

## WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

### 2009-10

(session year)

### Joint

(Assembly, Senate or Joint)

## Committee for Review of Administrative Rules ...

### COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

### INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)  
(**ab** = Assembly Bill)                      (**ar** = Assembly Resolution)                      (**ajr** = Assembly Joint Resolution)  
(**sb** = Senate Bill)                              (**sr** = Senate Resolution)                              (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

Jim Doyle  
Governor

WISCONSIN DEPARTMENT OF  
REGULATION & LICENSING

1400 E Washington Ave  
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Celia M. Jackson  
Secretary



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July 15, 2010

Senator Jim Holperin, Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 409 South, State Capitol  
Madison, WI 53702

Representative Josh Zepnick, Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 219 North, State Capitol  
Madison, WI 53702

RE: Emergency Rule for the Regulation of Professional Boxing Contests

Dear Senator Holperin and Representative Zepnick:

I am writing pursuant to your standing request for notification to inform you that the Wisconsin Department of Regulation and Licensing is preparing to promulgate emergency rules relating to the regulation of professional boxing contests. A draft copy of the emergency rule is attached.

Pursuant to 2009 Wisconsin Act 111, the department is not required to provide evidence that promulgating this rule as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency.

The department has the authority under 2009 Wisconsin Act 111 to promulgate rules to implement the requirements under ch. 444, Stats., relating to the regulation of professional boxing contests.

If you have any questions, please feel free to contact the Department.

Sincerely,

A handwritten signature in black ink, appearing to read "Celia M. Jackson".

Celia M. Jackson, Secretary  
Department of Regulation and Licensing

STATE OF WISCONSIN  
DEPARTMENT OF REGULATION AND LICENSING

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IN THE MATTER OF RULE-MAKING :  
PROCEEDINGS BEFORE THE : ORDER ADOPTING  
DEPARTMENT OF REGULATION : EMERGENCY RULES  
AND LICENSING :

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ORDER

An order of the Department of Regulation and Licensing to repeal RL 112.005, 113.005, 114.005, 115.005 and 116.005; to renumber and amend RL 113.02 (1) and 115.02 (1) (a); to amend ch. RL 112 (title), 112.01 (intro.), 112.03 (1), 112.08 (2), ch. RL 113 (title), 113.01 (1), 113.02 (4) and (5), 114.09, 116.01 (1) (intro.), (b) to (d), (2), (3) (intro.), (b) to (d), (f) to (h) and 116.02 (4); to repeal and recreate chs. RL 110 and 111 and 113.04, and to create RL 110.08 to 110.13, 113.02 (1) (a) to (g), 114.10, 115.02 (1) (a) 1. to 9., 116.01 (1) (e) to (h), 116.02 (3) (i) to (m), 116.03 and 116.04, relating to the regulation of professional boxing contests.

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FINDING OF EMERGENCY

The Department of Regulation and Licensing, pursuant to 2009 Wisconsin Act 111, is not required to provide evidence that an emergency exists nor provide evidence that promulgating a rule is necessary for the preservation of the public peace, health, safety, or welfare.

Analysis prepared by the Department of Regulation and Licensing.

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ANALYSIS

**Statutes interpreted:**

Ch. 444, Stats., and 2009 Wisconsin Act 111.

**Statutory authority:**

Sections 227.11 (2), 440.03 (1), 440.03 (1m), 444.01, 444.02, 444.03, 444.04, 444.035, 444.06, 444.09, 444.095, 444.10, 444.11, 444.12, 444.13, 444.14, 444.15 and 444.18, Stats.

**Explanation of agency authority:**

The Department of Regulation and Licensing is granted authority under s. 444.02 (1), Stats., and 2009 Wisconsin Act 111, to manage and control professional boxing contests in Wisconsin.

**Related statute or rule:**

There are no other statutes or rules other than those listed above.

**Plain language analysis:**

This proposed rule-making order makes changes to renumbers and makes changes to chs. RL 110 to 116, relating to the regulation of boxing. The proposed rules contain definitions, application and permit requirements, officials' duties at events, medical requirements, grounds for disciplinary action, and mandatory drug testing.

**Summary of, and comparison with, existing or proposed federal regulation:**

The federal law regulating boxing is Title 15 US Code Chapter 89 Professional Boxing safety § 6301- §6313. It's relationship to state law is stated in §6313. "nothing in this Act [15 USCS §§ 6301 et seq.] shall prohibit a State from adopting or enforcing supplemental or more stringent laws or regulations not inconsistent with this Act [15 USCS §§ 6301 et seq.], or criminal, civil, or administrative fines for violations of such laws or regulations." The proposed amendments to the current boxing rules are consistent with this regulation.

**Comparison with rules in adjacent states:**

**Illinois:** Boxing is regulated in Illinois via the Professional Boxing Act 225 ILCS 105 and through the Illinois Code of Regulation. The statute and regulations specify the manner in which boxing contests will be conducted. 225 ILCS 105/0.05 Professional Boxing Act 225 ILCS 105/ Professional Boxing Act. Illinois Code of Regulation Title 68 Pt. 1371 §1371.300 - §1371.380 PART 1371 PROFESSIONAL BOXING AND MARTIAL ARTS CONTESTS: Sections Listing

**Iowa:** Chapter 90A, Code of Iowa regulate boxing and wrestling and empowers the commissioner to adopt rules necessary to enforce the code.

[http://coolice.legis.state.ia.us/Cool-](http://coolice.legis.state.ia.us/Cool-ICE/default.asp?category=billinfo&service=IowaCode&ga=83)

[ICE/default.asp?category=billinfo&service=IowaCode&ga=83](http://coolice.legis.state.ia.us/Cool-ICE/default.asp?category=billinfo&service=IowaCode&ga=83)

The Iowa Administrative Code, 875 IAC 173.1 (90A) – 173.54(90A), regulates professional boxing contests some of the areas of regulation are drug testing, public safety, and blood-borne disease testing of contestants.

[http://search.legis.state.ia.us/nxt/gateway.dll/ar/iac/8750\\_labor%20services%20divisio n%20\\_5b875\\_5d/1730\\_chapter%20173%20professional%20boxing/ c\\_8750\\_1730.xml?f=templates\\$fn=document-frame.htm\\$3.0](http://search.legis.state.ia.us/nxt/gateway.dll/ar/iac/8750_labor%20services%20divisio n%20_5b875_5d/1730_chapter%20173%20professional%20boxing/ c_8750_1730.xml?f=templates$fn=document-frame.htm$3.0)

**Michigan:** The Michigan Unarmed Combat Regulatory Act regulates boxing in Michigan, placing it under the regulatory control of the Department of Energy, Labor and Economic Growth, Director's Office. The administrative rules, MICH.ADMIN CODE R339.101 - R339.403 govern the manner in which boxing and mixed martial arts events are conducted.

[http://www.legislature.mi.gov/\(S\(itxqmlmbkf04w3325ny3cw45\)\)/documents/mcl/pdf/mcl-Act-403-of-2004.pdf](http://www.legislature.mi.gov/(S(itxqmlmbkf04w3325ny3cw45))/documents/mcl/pdf/mcl-Act-403-of-2004.pdf) and [SOAHR Admincode](#).

**Minnesota:** Boxing is regulated in Minnesota via MN Statutes §341.21-§341.37, under the authority of the Combative Sports Commission. The Commission administers the Combative Sports regulations found in Minn. Reg. §2201.0020-§2201.0500. The regulations specify the manner in which boxing contests will be conducted.  
<https://www.revisor.mn.gov/statutes/?id=341><https://www.revisor.mn.gov/data/revisor/rule/current/2201/2201.pdf>

**Summary of factual data and analytical methodologies:**

The Boxing Commissioner recognized the need to review the current boxing regulations in light of the passage of 2009 Wisconsin Act 111 and its impact on chapter 444, Stats. The new legislation made significant changes to the manner in which boxing contests are conducted and added the regulation of mixed martial arts. Along with the new legislation, provisions in force in other states were consulted as examples of consistency in regulating boxing and mixed martial arts. Some of those provisions were incorporated into the working draft, resulting in more standardized regulation of boxing and mixed martial arts specific to Wisconsin.

**Analysis and supporting documents used to determine effect on small business or in preparation of economic impact report:**

There will be an effect on small businesses that promote professional boxing contests in Wisconsin. Prior to the passing of 2009 Wisconsin Act 111, boxing promoters were not required to pay certain fees or meet certain financial obligations such as a gate tax fee, posting of a bond, and payments for additional inspectors. These additional financial obligations could increase costs for promoters. However, the additional costs are necessary to ensure safety in conducting professional boxing events. Moreover, the targeted fees are compatible with other states that regulate the sport.

Section 227.137, Stats., requires an “agency” to prepare an economic impact report before submitting the proposed rule-making order to the Wisconsin Legislative Council. The Department of Regulation and Licensing is not included as an “agency” in this section.

**Anticipated costs incurred by private sector:**

The department finds that this rule will have an impact on the private sector as indicated above. It is important to note that professional boxing events bring in significant revenue to cities that conduct these events. Professional boxing events bring in millions of dollars in revenue when they come to a given state to conduct one of their events. The revenue comes from the patronization of hotels, restaurants, retail and other businesses.

**Fiscal estimate:**

The department will have a one-time cost of \$3,440 which will come from IT programming, form development and website updates. The anticipated total ongoing costs are \$245,440 which will consist of staff time for licensing activities and attending events.

**Effect on small business:**

These proposed rules will be reviewed by the department's Small Business Review Advisory Committee to determine if the rules will have a significant economic impact on a substantial number of small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at [hector.colon@wisconsin.gov](mailto:hector.colon@wisconsin.gov), or by calling 608-266-8608.

**Agency contact person:**

Shawn Leatherwood, Department of Regulation and Licensing, Division of Board Services, 1400 East Washington Avenue, Room 152, P.O. Box 8935, Madison, Wisconsin 53708; telephone 608-261-4438; email at [shawn.leatherwood@wisconsin.gov](mailto:shawn.leatherwood@wisconsin.gov).

**Place where comments are to be submitted and deadline for submission:**

Comments may be submitted to Shawn Leatherwood, Department of Regulation and Licensing, Division of Board Services, 1400 E. Washington Ave., Room 152, P.O. Box 8935, Madison, WI 53708-8935, or by email to [shawn.leatherwood@wisconsin.gov](mailto:shawn.leatherwood@wisconsin.gov). Comments must be received on or before \_\_\_\_\_ to be included in the record of rule-making proceedings.

The proposed rule changes are:

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SECTION 1. Ch. RL 110 is repealed and recreated to read:

CHAPTER RL 110

DEFINITIONS, LICENSES, PERMITS FOR PROFESSIONAL BOXING

**RL 110.01 Scope and authority.** The rules in chs. RL 100 to 116 are adopted pursuant to ss. 227.11 (2) and 440.03 (1) and (1m), Stats., and ch. 444, Stats.

**RL 110.02 Definitions.** As used in chs. RL 110 to 116:

(1) "Anabolic steroid" means a drug or hormonal substance as defined in s. 961.01 (2m) (a), Stats.

(2) "Bout" means a contest between 2 boxers.

(3) "Boxer" means any person who is licensed under the provisions of ch. RL 115.

(4) "Cause" means any of the reasons listed in s. RL 116.01.

(5) "Contest" means any boxing or sparring contest the admission to which requires the purchase of a ticket or the payment of anything of value.

(6) "Knock-out" means that a boxer is down as described in s. RL 114.05 for at least 10 seconds as determined by the referee.

(7) "Permit" means a credential issued to a promoter or professional club to conduct a specific professional boxing contest.

(8) "Professional" means a boxer who receives money or reward, except that "professional" does not mean receiving watches, medals, articles of jewelry, silverware, trophies or ornaments which are suitably inscribed to show that they are given for participating in a contest and which do not exceed the sum of \$35.

(9) "Professional club" means a club licensed under ch. 444, Stats., to conduct professional boxing contests.

(10) "Second" means a person who is present during a bout to provide assistance to the boxer.

(11) "Technical knock-out" means that a boxer loses a bout because the boxer discontinues boxing for any reason or because the referee terminates the bout because the boxer is defenseless or incapable of continuing. "Technical knock-out" does not include a situation when a boxer is down for a 10-count by the referee.

(12) "10-point must scoring system" means a system for scoring each round of a bout in such a way that the winner is awarded 10 points and the loser is awarded 9 points or less. Under this system each judge renders his or her score to the official scorekeeper for a round-by-round tally of points for each boxer. At the end of the bout, the scorekeeper adds the points that each judge gave for each boxer for each round. The winner of the bout is the boxer who receives the higher score from a majority of the judges.

**RL 110.03 Bond required for promoter or club license.** Any promoter or club who wishes to conduct a professional boxing contest shall post a surety bond or letter from a bank of not less than \$25,000 as required by s. 444.035, Stats., with their application for a promoter or club license. The purpose of the \$25,000 surety bond is to insure the payment of the participants involved in conducting a professional boxing contest. The participants, in order of priority include, but not limited to, the department, the boxers, and the officials.

**RL 110.04 Compliance with federal laws.** Professional clubs, promoters, seconds and boxers shall comply with the professional boxing safety act and provide the department with information, copies of documents, identification cards, copies of contracts, disclosures and notifications, required by this Act.

Note: The Professional Boxing Safety Act may be found in 15 USC ss. 6301 et seq.

**RL 110.05 Promoter or club license.** (1) APPLICATION. Any person, club, corporation or association who wishes to conduct a professional boxing contest in this state shall, before conducting a contest, submit an application for a promoter or club license, on forms provided by the department, along with the fee specified in ss. 444.02 and 444.03, Stats. A surety bond or letter of credit from a bank of not less than \$25,000 shall be submitted with the application in accordance with this chapter.

Note: Applications are available upon request to the Department of Regulation and Licensing, Division of Professional Credentialing, 1400 E. Washington Avenue, P.O. Box 8935, Madison, WI 53708, or on the department's website at: <http://drl.wi.gov>.

(2) ELIGIBILITY. (a) To be eligible for a promoter or club license an applicant shall:

1. Comply with the requirements in ss. 444.02 and 444.03, Stats.
2. Clubs, corporations, or associations, shall submit a copy of their articles of incorporation and proof that the secretary of state has filed their articles pursuant to s. 180.0122, Stats., and identify all persons with or having a proprietary interest in the professional club, corporation or association and the percentage of proprietary interest.
3. Post a \$25,000 surety bond made payable to the department and a copy of the certificate verifying the approval and the filing of the bond with the department.

(b) The department shall issue a license to conduct professional boxing contests to a promoter or club if it finds that the applicant is not in default on any payments, obligations, or debts payable to the state of Wisconsin.

(c) The application for a promoter or club license shall be denied if the applicant has committed any act which would, if committed by a licensee, subject the applicant to discipline under this chapter.

**RL 110.06 Manager, matchmaker, judge, referee, trainer and timekeeper licenses.** (1) APPLICATIONS. A person, before acting as a manager, matchmaker, judge, referee, trainer or timekeeper at any professional boxing contest, shall submit an



application on forms provided by the department together with the fee specified in s. 444.11, Stats.

Note: Applications are available upon request to the Department of Regulation and Licensing, Division of Professional Credentialing, 1400 E. Washington Avenue, P.O. Box 8935, Madison, WI 53708, or on the department's website at: <http://drl.wi.gov>.

(2) ELIGIBILITY. (a) To be eligible for a license as a manager, matchmaker, judge, referee, trainer or timekeeper, an applicant shall be at least 21 years of age.

(b) The department may deny a license to an applicant who has committed any act which would, if committed by a licensee, subject the applicant to discipline under this chapter.

**RL 110.07 Ringside physician license.** (1) APPLICATION. A person, before acting as a ringside physician at any professional boxing contest, shall submit an application on forms provided by the department together with the fee specified in s. 444.11, Stats.

Note: Applications are available upon request to the Department of Regulation and Licensing, Division of Professional Credentialing, 1400 E. Washington Avenue, P.O. Box 8935, Madison, WI 53708, or on the department's website at: <http://drl.wi.gov>.

(2) ELIGIBILITY. (a) To be eligible for a license as a ringside physician an applicant shall hold a credential to practice medicine in Wisconsin in accordance with ch. 448, Stats.

(b) The department may deny a license to an applicant who has committed any act which would, if committed by a licensee, subject the applicant to discipline under this chapter.

SECTION 2. RL 110.08 to 110.13 are created to read:

**RL 110.08 Second's license.** (1) APPLICATION. A person shall, before acting as a second at any professional contest, submit an application on forms provided by the department together with the fee specified in s. 444.11, Stats.

Note: Applications are available upon request to the Department of Regulation and Licensing, Division of Professional Credentialing, 1400 E. Washington Avenue, P.O. Box 8935, Madison, WI 53708, or on the department's website at: <http://drl.wi.gov>.

(2) ELIGIBILITY. (a) To be eligible for a license as a second an applicant shall be at least 18 years of age.

(b) The department may deny a license to an applicant who has committed any act which would, if committed by a licensee, subject the applicant to discipline under this chapter.

**RL 110.09 Term of license.** A license for a promoter or club, manager, matchmaker, judge, referee, trainer, timekeeper, ringside physician or second shall be valid for one year, unless suspended or revoked for cause, and expire 12 months after its date of issuance.

**RL 110.10 Renewal of license.** A promoter or club, manager, matchmaker, judge, referee, trainer, timekeeper, ringside physician or second, who chooses to continue licensure after the date of expiration of a license, shall file an application for renewal. The criteria and conditions for an original license shall apply equally to applications for renewal.

**RL 110.11 Professional contest permits; applications.** (1) APPLICATIONS. A licensed promoter or club who wishes to conduct a professional boxing contest shall, before conducting a contest, obtain a permit from the department. An application for a permit to conduct a contest shall be submitted to the department at least 30 calendar days before the proposed date of the contest and no more than 60 calendar days before a contest by a promoter or an authorized representative of a licensed professional club, corporation or association on forms provided by the department and shall include:

Note: Applications are available upon request to the Department of Regulation and Licensing, Division of Professional Credentialing, 1400 E. Washington Avenue, P.O. Box 8935, Madison, WI 53708, or on the department's website at: <http://drl.wi.gov>.

(a) The name, addresses, telephone number and license number of the promoter or professional club, corporation or association.

(b) The name and license number of the matchmaker that the promoter or professional club plans to use for the contest. If the matchmaker is not licensed in Wisconsin, the permit application shall include the proposed matchmaker's application for licensure along with all required documents.

(c) The proposed date, starting time, and location of the contest including all of the following information regarding the venue:

1. Name.
2. Address.
3. Seating capacity.
4. A floor plan which indicates the dressing room locations and fire exits.

5. Name and telephone number of the primary contact person of the proposed venue.

6. Evidence satisfactory to the department that the promoter or professional club has entered into a valid agreement with the owner or manager of the venue where the proposed professional boxing contest will be conducted.

(d) Information regarding whether the proposed contest will be all professional, or combined professional and amateur, the number of rounds scheduled for each bout, and the proposed number of professional bouts and amateur bouts. All amateur contests shall begin before professional contests.

(e) The preliminary fight card for the professional contest shall include the following:

1. The name and weight class of each proposed boxer in each bout.

2. The boxer's current license number.

3. The boxer's Association of Boxing Commission's national identification number.

4. The boxer's professional record.

5. The names and Wisconsin license numbers of the boxer's seconds, trainers and manager.

6. Proposed purse.

(f) A detailed plan to provide medical personnel and equipment for the professional boxing contest and evacuating a seriously injured boxer to a hospital including the name of the promoter or professional club's representative responsible for evacuating an injured boxer, a detailed evacuation route and method of removal from the contest area, the means of transportation to the hospital, and the name of the nearest hospital.

(g) A detailed plan to furnish adequate police or private security forces for the safety of participants and spectators while conducting a professional boxing event.

(h) The time and location of the official weigh-in and physical examination.

(i) Proof of having obtained the insurance required by s. 444.18, Stats.

(j) Proof of having obtained the bond required in s. 444.035, Stats.

(k) The admission fee of all tickets and the proposed number of tickets, including complimentary tickets.

(L) The amount of compensation or the percentage of gate receipts to be paid to each boxer.

(m) The required permit application fee pursuant to s. 444.02, Stats.

(2) Upon receipt of an application for a permit to conduct a professional boxing contest, the department may deny the application if:

(a) The applicant does not provide all the required information.

(b) The department does not have a judge, referee, inspector, or ringside physician available on the proposed date.

(c) One or more boxers listed on the fight card is not licensed or is ineligible to compete due to being under a suspension or revocation order issued by the department or another licensing jurisdiction for one of the following reasons:

1. A recent knock-out or series of consecutive losses.

2. An injury, a requirement for a medical procedure, or a physician's denial of certification.

3. Testing positive for a prohibited drug.

4. The use of aliases, falsifying, or attempting to falsify official identification cards or documents issued pursuant to ch. 444, Stats.

5. Unprofessional conduct or other inappropriate behavior inconsistent with generally accepted methods of competition at a professional boxing contest.

6. The department may grant a permit for the contest, but withhold approval of one or more boxers scheduled to compete in a contest.

(3) The department may require an applicant to provide, before a contest, a bond or letter of credit from a bank in an amount equal to 5% of the estimated gross receipts from the contest pursuant to s. 444.035, Stats.

(4) A permit issued under this rule shall allow the permit holder to conduct only the contest named in the permit. A permit is not transferable. The promoter or representative of the professional club, corporation or association whose name appears on the permit shall be present at the weigh-in and at the contest until the conclusion of the final bout unless excused by the department.

(5) The department shall establish all rules and requirements for conducting professional boxing contests pursuant to ss. 444.02 and 444.09, Stats.

(6) The commissioner, inspector, or department representative shall determine if the boxers are evenly and fairly matched according to skill level, experience, and weight so as to produce a fair and sportsmanlike contest.

**RL 110.12 Permits, issuance and effect.** (1) All promoters and professional clubs who have obtained an event permit from the department shall submit, no later than 4 business days before the scheduled event, the following:

- (a) All complete and signed bout agreements.
- (b) The complete and executed contract or rental agreement between the promoter or professional club and the venue.
- (c) Complete license applications for all boxers, managers, and seconds.
- (d) All required physical examination forms and laboratory reports from boxers.
- (e) The final fight card for the event listing the name, license number, contest history, weight class, scheduled rounds and opponent of each boxer.

(2) If the department denies an application for a permit to conduct a professional boxing event or refuses to approve a boxer whose name has been submitted to the department by the applicant, it shall provide the applicant with an opportunity to have that decision reviewed by the commissioner or department representative. The review shall be conducted at the discretion of the commissioner or department representative.

(3) Issuance of a permit by the department authorizes a promoter or professional club to conduct a professional boxing event under the control of the commissioner, inspectors, department representatives, referees and ringside physicians assigned and listed in the permit.

(4) A promoter or club may substitute a boxer listed on their permit application after requesting a substitute. The request shall be submitted to the department

no later than one business day preceding the date of the event, and be subject to the approval of the commissioner, inspector or department representative.

**RL 110.13 cancelling a professional event.** (1) At any time during an event the assigned inspector may cancel all or part of the event if:

(a) The inspector reasonably believes that the contest is not being conducted according to rules in this chapter or the conditions stated in the permit which authorizes the contest.

(b) The inspector reasonably believes that the contest poses an unreasonable threat to the health or safety of boxers, spectators, or officials.

(2) The promoter or professional club may cancel an event by notifying the department and those members of the media whom the promoter or professional club initially notified about the event no later than 30 hours before it was scheduled to begin. Any cancellation by a promoter shall result in an assessment of costs by the department pursuant to s. 444.035, Stats.

SECTION 3. Ch. RL 111 is repealed and recreated to read:

#### CHAPTER RL 111

#### OFFICIALS FOR BOXING EVENTS

**RL 111.01 Promoters and clubs.** All promoters and clubs that have been issued a permit to conduct a professional boxing event by the department shall comply with the following:

(1) Post a bond in the amount of \$25,000 to ensure payment of the expenses incurred in conducting an event including, in order of priority, the department, the boxers and the officials pursuant to s. 444.035, Stats.

(2) Have a current license has a promoter or club.

(3) Submit to the department the bout agreement executed between a promoter and a boxer that includes the name and address of the professional boxer.

(4) Have submitted an application for an event permit that complies with these rules and ss. 444.02, 444.03 and 444.18, Stats.

(5) Have a separate divider between ring and spectators. The divider shall be approved by the inspector or department representative.

(6) Issue tickets that comply with all ticket and tax rules as defined in s. 444.02, Stats., and have the following:

- (a) Price and date of the event printed on the ticket.
- (b) Seat, row and section number, if applicable, printed on the ticket.
- (c) The word "complimentary" printed on the ticket in a prominent manner for all complimentary tickets.

(7) Provide a box office statement, a ticket manifest, or a certified invoice from the ticket printer to the commissioner, inspector, or department representative. Grant access to the inspector or department representative to all books, records and papers regarding the scheduled professional boxing event, upon request.

(8) Have obtained medical and life insurance for each boxer competing in a professional boxing event pursuant to s. 444.18, Stats., and comply with the following:

(a) The amount of medical insurance shall not be less than \$25,000 and shall be paid to or for the use of a boxer that sustains an injury during a contest.

(b) The amount of life insurance shall not be less than \$25,000 per boxer and shall be paid to the boxer's estate if he or she dies as a result of competing in a professional boxing event.

(c) Boxers shall not waive the insurance coverage pursuant to any agreement with a promoter or club nor be responsible for any insurance deductible payments related to the promoter's duty to obtain insurance pursuant to this rule.

(d) Promoters shall submit to the department verification that medical and life insurance have been obtained for each boxer no later than 4 days prior to the event.

(9) Shall not begin conducting an event without the presence of one licensed referee, at least 3 licensed judges, at least one licensed physician, an ambulance, emergency medical personnel, and security personnel on site.

(10) Supply the boxer's gloves. Gloves shall be new and approved by the inspector, department representative.

(11) Have disposable garbage bags in each dressing room and at ringside.

(12) Provide cleaning solution used for cleaning blood and debris in the ring. A solution of 10% bleach and 90% water is an acceptable solution.

(13) Provide police or private security forces for the protection of the public with at least one commissioned police officer on site during the professional boxing event.

(14) Begin all events at the time designated on the event permit issued by the department. Failure by a promoter or club to begin a professional boxing event at the time designated on the permit may result in disciplinary action by the department.

(15) No promoter, club or boxer shall exhibit any type of entrance theme that includes music, video, or any type of physical display that contains any profanity or any derogatory ethnic remarks. Failure to comply with this rule may result in disciplinary action by the department.

(16) No promoter or club shall allow a round card girl, round card model, or any of the promoter's agents to use any language, including profanity or derogatory ethnic remarks, or any conduct or performance that the average person, applying contemporary community standards, would find appeals to the prurient interest; describes or shows sexual conduct in a patently offensive way; or lacks serious literary, artistic, political, educational or scientific value, in accordance with s. 944.21 (2) (d), Stats. Any promoter violating this rule will be subject to disciplinary action up to and including being suspended for up to 6 months and be subject to criminal prosecution in accordance with s. 944.21 (3) (b) and (5), Stats.

(17) Submit a written report, verified by the promoter or club's officer, to the department within 2 business days of conducting the professional boxing event pursuant to s. 444.04, Stats. Failure to timely file a complete and accurate report shall result in disciplinary action by the department pursuant to s. 444.04, Stats., and may cause the department to examine the books and records of the promoter or club as prescribed in s. 444.15, Stats. The report shall include the following:

- (a) Total number of tickets sold.
- (b) Total amount of gross proceeds.
- (c) All unsold tickets with the stubs attached.

(18) Shall provide emergency medical personnel and equipment for the event and for evacuating a seriously injured boxer to a hospital including the name of the promoter or club's designated representative responsible for evacuating an injured boxer, the method of removal from the contest area, the means of transportation to the hospital, and the name of the nearest hospital.

(19) Shall provide the pregnancy tests for female boxers.

(20) Provide department approved sound devices for the assigned timekeeper's use.



(21) Shall be responsible for compensating all officials and boxers.

(22) Shall pay the gross receipt taxes as defined in s. 444.02 (3), Stats. The boxer shall be paid upon determination by the inspector of the gross admission receipts.

**RL 111.02 Inspectors.** (1) Inspectors assigned to a professional boxing event by the department represent the department and are delegated the department's authority to conduct the professional boxing event from the time of the weigh-in and pre-bout physical examination until 24 hours after the completion of the last bout in the scheduled contest or the final determination of all bouts pursuant to s. 444.06, Stats.

(2) Additional inspectors may be assigned or designated by the department at any one venue for any one event and shall be compensated by the promoter or club in accordance with s. 444.06, Stats., including their actual and necessary travel expenses.

**RL 111.03 Judges.** (1) The department shall assign the judges for a professional boxing event. A judge has the following duties and responsibilities once assigned to an event:

(a) Each judge shall render an independent decision at the end of each round of each bout.

(b) Each judge shall give their scorecard to the referee at the end of each round and at the end of the final event. The referee shall transfer the judge's scorecard to the inspector assigned to the event.

(c) Each judge shall use the 10-point must scoring system to determine the result of a bout.

(2) The department may not assign a person to act as a judge if it has reasonable proof that the person is:

(a) Not competent to act as a judge.

(b) Has a conflict of interest.

(c) Has been subject to a disciplinary action by the department or another jurisdiction that prohibits the person from acting as a judge.

**RL 111.04 Referees.** The department shall assign the referee for a boxing event. The assigned referee represents the department and for the purpose of regulating bouts during a boxing contest. The referee shall:

(1) Regulate the boxers and others in the ring, according to these rules and ch. 444, Stats.

(2) Maintain, direct and control each bout at all stages.

(3) Stop a boxing contest to prevent a weakened or outclassed boxer from receiving excessive punishment, pursuant to s. 444.12, Stats. The referee is the sole arbiter of a contest.

(4) Interpret the rules relevant to a bout, make a determination, and take action upon any circumstance of a bout not covered by a rule.

**RL 111.05 Ringside physicians.** The department shall assign the ringside physician for a boxing event. The assigned ringside physician represents the department for the purpose of protecting the health and welfare of boxers participating in boxing events. The ringside physician shall:

(1) Examine each boxer and certify, on forms provided by the department, that a boxer is physically to compete in a boxing contest.

(2) Maintain continuous attendance at ringside to observe the physical condition of boxers during bouts and be prepared to administer emergent medical procedures to boxers who receiving injuries during bouts.

(3) Attend injured boxers between bouts.

(4) Consult with the referee to determine whether a bout should be interrupted or stopped to prevent a weakened or outclassed boxer from receiving excessive punishment, pursuant to s. 444.12, Stats.

(5) Complete department records and reports.

**RL 111.06 Timekeepers.** The department shall assign the timekeeper for a professional boxing event. The assigned timekeeper represents the department for the purpose of keeping time and documenting time during boxing events. The timekeeper shall:

(1) Provide 2 stopwatches that have been examined and approved by the inspector or department representative.

(2) Give a 10 second warning before the beginning of each round to signal all unauthorized persons to leave the contest area before a bout begins.

(3) Give a 10 second warning before the end of a round to indicate that the end of a round is approaching.

(4) Provide notice that a round has concluded.

(5) If a bout terminates before the scheduled limit of a round, inform the inspector or department representative of the exact duration of the bout.

(6) Start the second clock whenever a boxer is knocked out and report to the ringside physician the entire time the boxer was unconscious.

**RL 111.07 Officials' pay schedule.** (1) The commissioner or department representative shall appoint all licensed officials for all professional boxing events. Promoters shall compensate all officials appointed by the commissioner, inspector, or department representative in accordance with the following pay schedule:

(a) A minimum of 3 judges at a minimum of \$100 each.

(b) A minimum of one referee at a minimum of \$300 each.

(c) The department may assign up to 2 inspectors at a minimum of \$250 each. Inspectors shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties pursuant to s. 444.06, Stats., including mileage fees and lodging at the state rate.

(d) The department shall assign a minimum of one ringside physician, but may assign additional ringside physicians as needed subject to the discretion of the department, who shall be assigned as either:

1. The primary physician at a minimum of \$450 and shall attend the official weigh-in, conduct the pre-bout examination, and be in attendance at ringside during each bout for the entire event; or

2. The secondary physician at a minimum of \$250 and shall be in attendance during the entire event and conduct post-bout physical examinations.

(e) A minimum of one timekeeper at a minimum of \$75 each.

(2) An individual who participates in an event as more than one type of official, alternating between individual professional bouts, shall be compensated at the rate of the highest level at which the individual officiated the event pursuant to s. 444.06, Stats.

(3) The department reserves the right to require additional payments to assigned officials based on the following factors:

(a) Number of professional bouts scheduled for the event.

- (b) Type of venue, including the venue's seating capacity.
- (c) Live broadcast of the event.
- (d) Inclusion of a title bout at the event.

(4) No later than 4 business days before the scheduled event, the department and the promoter or professional club shall have agreed to the amount of compensation for the officials assigned to the event. Failure to reach an agreement on the amount of compensation for assigned officials by the deadline may result in the cancellation of the event.

SECTION 4. Ch. RL 112 (title) is amended to read:

CHAPTER RL 112

(title) ~~EQUIPMENT FOR PROFESSIONALS SHOWS~~ PROFESSIONAL BOXING EVENTS

SECTION 5. RL 112.005 is repealed.

SECTION 6. RL 112.01 (intro.) is amended to read:

**RL 112.01 Ring.** (intro.) All ~~shows~~ contests shall be conducted in a ring which meets the following requirements:

SECTION 7. RL 112.03 (1) is amended to read:

~~RL 112.02 (1) Boxing gloves for male and female boxers may be not less than 5 oz. each in weight when worn by a boxer under 140 pounds, and not less than 6 oz. when worn by a boxer weighing 140 pounds or more. Boxing gloves for female boxers may be not less than 8 oz. each in weight when worn by a boxer under 154 pounds, and not less than 10 oz. when worn by a boxer weighing 154 pounds or more shall weigh no less than 8 ounces each when worn by a boxer weighing under 140 pounds and not less than 10 ounces each when worn by a male or female boxer weighing 140 pounds or more.~~

SECTION 8. RL 112.08 (2) is amended to read:

RL 112.08 (2) Seconds shall submit first aid and corner equipment to the ringside physician for inspection and approval before a ~~show~~ contest.

SECTION 9. Ch. RL 113 (title) is amended to read:

CHAPTER RL 113

(title) ~~CONDUCTING A PROFESSIONAL SHOW~~ BOXING EVENTS

SECTION 10. RL 113.005 is repealed.

SECTION 11. RL 113.01 (1) is amended to read:

**RL 113.01 Boxers.** (1) To participate in a professional ~~show event~~ a boxer shall be licensed by the department under ch. RL 115 and approved under s. RL 110.04.

SECTION 12. RL 113.02 (1) is renumbered RL 113.02 (1) (intro.) and is amended to read:

**RL 113.02 Physical examinations.** (1) All boxers shall have had a complete physical examination as required in s. RL 115.02; and shall produce the results of the physical examination and laboratory results affirming:

SECTION 13. RL 113.02 (1) (a) to (g) are created to read:

RL 113.02 (1) (a) Negative HIV.

(b) Negative hepatitis B surface antigen. If a boxer had a failing hepatitis B surface antigen test then the boxer shall pass a hepatitis B "PCR" quantitative test. The quantitative limit shall be within permissible limits according to the laboratory where the test was administered. The commissioner, department representative, or ringside physician may request that a boxer take an additional hepatitis B surface antigen test and provide the results within 2 weeks of a professional boxing contest in which a boxer is scheduled to compete.

(c) Negative hepatitis C antibody.

(d) Dilated eye examination performed by a physician licensed in accordance with ch. 448, Stats., and board certified in ophthalmology.

(e) The commissioner, department representative, or ringside physician may order a CAT scan with contrast or MRI examination if a boxer:

1. Has lost 3 bouts in a row by KO or TKO.
2. Has lost 6 bouts in a row.
3. Has an extensive losing record.

(f) Electrocardiogram when required by the commissioner, department representative, inspector or ringside physician.

(g) Electrolytes when required by the commissioner, department representative, inspector or ringside physician.

SECTION 14. RL 113.02 (4) and (5) are amended to read:

RL 113.02 (4) A boxer who has been knocked out or injured in a bout which was terminated by a referee may not participate in a ~~show~~ contest unless subsequent to the knock-out or injury the boxer has been given a thorough physical examination by a physician and the physician certifies that the boxer is physically fit to participate in competitive boxing. If a boxer has been knocked out or injured by a head blow, a period of rest is required under s. RL 114.06.

(5) A female boxer shall ~~give the ringside physician written certification that, to her knowledge, she is not pregnant at the time of the pre-bout physical examination~~ submit to a pregnancy test conducted under the supervision of the inspector or ringside physician at her pre-bout physical examination. The pregnancy test shall be provided by the promoter.

SECTION 15. RL 113.04 is repealed and recreated to read:

**RL 113.04 Weight limitations.** (1) All professional boxing contests shall take place only between boxers who are within the same weight class as defined by the commissioner, unless otherwise approved by the commissioner. The allowable weight differences shall be between classes as reflected in Table A.

Note: Example: A contestant 114 lbs., super flyweight, may compete against an opponent 117 lbs., bantamweight.

Table A

| Weight class        | Weight                    | Allowance           | Glove size          |
|---------------------|---------------------------|---------------------|---------------------|
| Mini Flyweight      | up to & including 105 lbs | not more than 3 lbs | not less than 8 oz  |
| Light Flyweight     | over 105 lbs to 108 lbs   | not more than 3 lbs | not less than 8 oz  |
| Flyweight           | over 108 lbs to 112 lbs   | not more than 3 lbs | not less than 8 oz  |
| Super Flyweight     | over 112 lbs to 115 lbs   | not more than 3 lbs | not less than 8 oz  |
| Bantamweight        | over 115 lbs to 118 lbs   | not more than 3 lbs | not less than 8 oz  |
| Super Bantamweight  | over 118 lbs to 122 lbs   | not more than 5 lbs | not less than 8 oz  |
| Featherweight       | over 122 lbs to 126 lbs   | not more than 4 lbs | not less than 8 oz  |
| Super Featherweight | over 126 lbs to 130 lbs   | not more than 4 lbs | not less than 8 oz  |
| Lightweight         | over 130 lbs to 135 lbs   | not more than 5 lbs | not less than 8 oz  |
| Super Lightweight   | over 135 lbs to 140 lbs   | not more than 5 lbs | not less than 8 oz  |
| Welterweight        | over 140 lbs to 147 lbs   | not more than 7 lbs | not less than 10 oz |
| Super Welterweight  | over 147 lbs to 154 lbs   | not more than 7 lbs | not less than 10 oz |
| Middleweight        | over 154 lbs to 160 lbs   | not more than 7 lbs | not less than 10 oz |
| Super Middleweight  | over 160 lbs to 168 lbs   | not more than 7 lbs | not less than 10 oz |

|                   |                         |                      |                     |
|-------------------|-------------------------|----------------------|---------------------|
| Light Heavyweight | over 168 to 175 lbs     | not more than 7 lbs  | not less than 10 oz |
| Cruiserweight     | over 175 lbs to 200 lbs | not more than 12 lbs | not less than 10 oz |
| Heavyweight       | over 200 lbs            | no limit             | 10 oz               |

(2) Boxers shall not exceed the weight specified in the contract between themselves and promoter or club.

(3) Boxers that fail to make their contracted weight within 2 hours of their official weigh-in may:

(a) Lose weight to meet the weight requirement agreed to in the contract. Boxers shall not lose more than 2 pounds of their weight, or

(b) Renegotiate their contract with the promoter or club, provided both contestants are within the same weight class or within the permitted weight difference between weight classes.

(4) The commissioner shall have the sole discretion as to whether to cancel a bout if a boxer does not make weight.

SECTION 16. RL 114.005 is repealed.

SECTION 17. RL 114.09 is amended to read:

**RL 114.09 Stimulants prohibited.** A second may only give a boxer water to drink during a bout. No manager or second may give any drug, narcotic or stimulant to a boxer before or during a bout. ~~The department may require a boxer to submit to a drug test or HIV examination before a scheduled bout.~~

SECTION 18. RL 114.10 is created to read:

**RL 114.10 Required persons at ringside.** Before the start of a boxing contest all of the following persons shall be present at ringside:

- (1) At least one inspector.
- (2) One licensed referee.
- (3) Three licensed judges.
- (4) One ringside physician.
- (5) Emergency medical personnel.
- (6) Security personnel.

(7) One timekeeper.

SECTION 19. RL 115.005 is repealed.

SECTION 20. RL 115.02 (1) (a) is renumbered RL 115.02 (1) (a) (intro.) and is amended to read:

RL 115.02 (1) (a) (intro.) A Boxer's Complete Medical Examination Report, relating to an examination conducted no more than 90 days before the date of the application: including the results of the physical examination and laboratory results affirming:

SECTION 21. RL 115.02 (1) (a) 1. to 9. are created to read:

RL 115.02 (1) (a) 1. Negative HIV.

2. Negative hepatitis B surface antigen. If a boxer had a failing hepatitis B surface antigen test then the boxer shall pass a hepatitis B "PCR" quantitative test. The quantitative limit shall be within permissible limits according to the laboratory where the test was administered. The commissioner, department representative, or ringside physician may request that a boxer take an additional hepatitis B surface antigen test and provide the results within 2 weeks of a professional boxing contest in which a boxer is scheduled to compete.

3. Negative hepatitis C antibody.

4. Dilated eye examination performed by a physician licensed in accordance with ch. 448, Stats., and board certified in ophthalmology.

5. The commissioner, department representative, or ringside physician may order a CAT scan with contrast or MRI examination if a boxer:

a. Has lost 3 bouts in a row by KO or TKO.

b. Has lost 6 bouts in a row.

c. Has an extensive losing record.

6. Electrocardiogram when required by the commissioner, department representative, inspector or ringside physician.

7. Electrolytes when required by the commissioner, department representative, inspector or ringside physician.



8. A professional boxer who is 35 years of age or older is required to submit a CAT scan with contrast or MRI examination in addition to all other related medical examinations.

9. A professional boxer who is 39 years of age or older is required to submit in addition to all other required medical examinations:

- a. MRI/MRA brain examination.
- b. A stress echocardiogram examination with cardiology clearance.
- c. Metabolic blood profile.
- d. A chest x-ray that has been given within 2 years.

SECTION 22. RL 116.005 is repealed.

SECTION 23. RL 116.01 (1) (intro.), (b) to (d) are amended to read:

**RL 116.01 Grounds for discipline.** (1) (intro.) The department may ~~revoke, limit or suspend~~ reprimand, deny, limit, suspend, or revoke the license of any ~~professional club if any professional club member, officer or representative~~ promoter, professional club member, officer, or representative who:

(b) Conducts a ~~show~~ professional boxing contest or engages in conduct at a ~~show~~ professional boxing contest in a manner such that the spectators or participants are ~~subject to an unreasonable risk of harm~~ that would pose unreasonable risk of harm to spectators or participants.

(c) Interferes with an inspector, judge, referee or ringside physician at a ~~show~~ while performing their official duties at an event.

(d) Misrepresents material facts relating to a ~~show~~ professional boxing contest including, but not limited to, the identity or record of a boxer.

SECTION 24. RL 116.01 (1) (e) to (h) are created to read:

RL 116.01 (1) (e) Associates or consorts with bookmakers or gamblers as defined in ch. 945, Stats., or has engaged in similar pursuits.

(f) Has been found guilty of any fraud or misrepresentation substantially related to boxing, or any crime as defined in chs. 939 to 948, Stats.

(g) Has violated any law related to fraud or misrepresentation substantially related to boxing, or any crime as defined in chs. 939 to 948, Stats.

(h) Does not meet the financial obligations required by these rules.

SECTION 25. RL 116.01 (2), (3) (intro.) and (3) (b) to (d), (f) to (h) are amended to read:

RL 116.01 (2) No person whose license has been suspended or revoked shall participate in any boxing ~~show or enter contest including entering the dressing room of any licensed club during any show~~ rooms or entering the contest area at any event.

(3) (intro.) The department may ~~reprimand, deny, revoke, limit or suspend the professional boxing license or deny the application for a professional boxing license if a boxer or applicant:~~

(b) Fails to comply with a directive, or interferes with, an inspector, referee or ringside physician ~~at a show while performing their official duties at a professional boxing event.~~

(c) Engages in conduct which would cause spectators, officials or participants at a ~~show~~ professional boxing event an unreasonable risk of harm.

(d) Makes a materially false statement in an application ~~or in any information furnished to the department or provides any materially false information to the department, its representatives, or officials.~~

(f) Subject to ss. 111.321, 111.322 and 111.335 chs. 939 to 948, Stats., has been convicted of a crime or has been subject to an adverse action. The licensee shall send to the department within 30 days after the judgment of conviction a copy of the complaint or other information which describes the nature of the conviction. All applicants shall disclose the nature of any conviction or pending criminal matter while their application is under review.

(g) Is not capable of ~~performing under his or her license competing in a professional boxing contest~~ due to the use of drugs or alcohol. The department may require a boxer to submit to a drug test pursuant to these rules. The commissioner, inspector, or department representative may seek an order to hold a boxer's purse for failing a drug test by testing positive for alcohol, drugs, controlled substances, anabolic steroids, or illegal enhancement substances in violation of these rules.

(h) Is physically not fit to engage in professional boxing contests, or fails to perform to the best of their ability, based on information contained in a physical examination report or other reliable information.

SECTION 26. RL 116.02 (3) (i) to (m) are created to read:

RL 116.02 (3) (i) Participates in any professional boxing contest in Wisconsin that is not sanctioned or approved by the department.

(j) Is licensed as a professional boxer in this or another jurisdiction and competes in a professional boxing contest as an amateur.

(k) Fails to appear or compete in a contest in which they signed an agreement to appear. The boxer may provide a certificate from a physician, subject to the approval of the commissioner, inspector, or department representative, verifying a physical disability. The boxer who files a certificate from a physician stating they are unable to fulfill an agreement because of physical disability, shall be given a medical suspension for a term deemed appropriate by the department. The boxer shall submit a medical clearance from a physician, subject to the approval of the commissioner, inspector, or department representative before having their medical suspension cleared and their license reinstated.

(L) Fails to appear for their report time for their official weigh-in or fails to make their contracted weight.

(m) Verbally harasses or physically abuses any department representative or official before, during, or after an event regulated by the department.

SECTION 27. RL 116.02 (4) is amended to read:

RL 116.02 (4) ~~The department may revoke, limit or suspend the license of a second or deny the application for a license as a second for the reasons enumerated in sub. (3) (a) to (g) deny the application, reprimand, limit, suspend, or revoke the license of any manager, second, corner, or trainer for acts enumerated in sub. (3) (a) to (m).~~

SECTION 28. RL 116.03 and 116.04 are created to read:

**RL 116.03 Medical suspensions and mandatory rest periods.** (1) A minimum of a 60 day suspension for a knock-out.

(2) A minimum if a 30 day suspension for a technical knock-out.

(3) The ringside physician, after conducting the post-bout examination, shall determine the time period for a medical suspension.

(4) A medical suspension shall be cleared by the department after a boxer complies with all post-bout examination medical requirements issued by the ringside physician.

(5) Without a release from the commissioner, inspector or department representative, a boxer may not compete until 7 days have elapsed from their last bout. The 7 day period begins the first day following the event in which they competed.

(6) If a boxer is reported on "Fight fax" or suspension lists, another jurisdiction, or any other suspension list recognized by the department, the boxer will not be able to compete without a release from the commissioner, inspector or department representative.

**RL 116.04 Mandatory drug testing.** (1) All boxers are prohibited from the personal use of drugs, including all anabolic steroids or controlled substances while participating in a bout, except when prescribed, dispensed or administered by a licensed physician or dentist for a legitimate medical condition.

(2) It shall be the boxer's responsibility to provide written notice or a prescription to the department before participating in any boxing contest. The written notice or prescription shall contain the name of the substance, the quantity and dosage or the substance prescribed, and the name, address and telephone number of the physician or dentist prescribing the substance.

(3) All boxers are prohibited from being under the influence of alcohol while participating in a bout.

(4) The commissioner, inspector, department representative, or ringside physician may require a boxer to submit to a drug test including the presence of alcohol, drugs, controlled substances, or steroids at any time after the official weigh-in, on the day of the bout in which the boxer is participating, or within 24 hours of competing in a boxing contest based on reasonable cause or random selection.

(5) Grounds for reasonable cause include:

(a) The commissioner, inspector, department representative, or ringside physician's observations of a boxer.

(b) The commissioner, inspector, department representative, or ringside physician's reasonable belief that a boxer is under the influence of alcohol, drugs, controlled substances or steroids based on information received from other persons.

(c) The boxer has previously tested positive for drugs, controlled substances or steroids.

(6) The random selection of boxers competing in a bout shall be conducted by the inspector or department representative. The random selection may be witnessed by the boxer or their representative. The inspector or department representative shall determine the number of random samples for each event. Both boxers competing in a selected bout shall submit to a drug test.

(7) The collection of specimens from boxers for drug testing shall be taken in the presence of the inspector, department representative, or ringside physician in a manner prescribed by the official. Specimens may include urine, hair samples, or blood. Specimens shall be tested at a facility acceptable to the department. Results of all drug tests shall be submitted directly to the department.

(8) If a boxer fails to provide a sample for drug testing, after a request by the inspector or department representative, and the request is made before a bout, the boxer shall not be allowed to compete in the event. If the request is made after a bout, and the boxer fails to provide a sample for drug testing, the boxer shall be subject to disciplinary action.

(9) If laboratory testing of a boxer's specimen test positive for any alcohol, drug, controlled substance, anabolic steroids or illegal enhancement substances, the boxer shall be disciplined.

(10) A boxer who is disciplined and was the winner of a contest shall be disqualified and the decision shall be changed to no contest. The results of a contest shall remain unchanged if a boxer who is disciplined was the loser of the contest.

(7) If the laboratory test results prove to be negative or inconclusive, no action shall be taken and all results of the boxer's bout shall stand.

(8) Boxers who are prohibited, restrained, disqualified, or are otherwise ineligible to compete in another state or jurisdiction due to a disciplinary action that involves the use of drugs, shall not compete in any department authorized event until such time as the period of prohibition, restraint, disqualification, or ineligibility is completed or removed and subject to the approval of the commissioner, inspector or department representative.

(9) Subject to the discretion of the commissioner, inspector or department representative, a boxer with a previous disciplinary action in another state or jurisdiction may be required to take a drug test before being allowed to compete in any department authorized event.

(10) The promoter shall be responsible for the costs related to drug testing boxers. Any requests for follow-up or additional testing shall be the financial responsibility of the boxer.

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These emergency rules will be effective September 1, 2010.

Dated: \_\_\_\_\_

Agency \_\_\_\_\_  
Celia M. Jackson, Secretary  
Department of Regulation and Licensing