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ATHLETIC COMMISSION

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December 17, 2024

**INFORMATIONAL STATEMENT
REGARDING LCB FILE NO. R104-24
(NRS 233B.066)**

Pursuant to NRS 233B.066, the Nevada Athletic Commission ("Commission") hereby submits the following Information Statement regarding its adopted regulation identified in LCB File No. R104-24:

a. A clear and concise explanation of the need for the adopted regulation.

The need and purpose of the proposed permanent regulations identified in LCB File No. R104-24 is to:

1. Add a provision and amend NAC 467.011 to provide that the possession, use, or consumption of cannabis and cannabis products will not be deemed an anti-doping violation. (See sections 4 and 7 of R104-24 attached hereto.)
2. Add provision defining the terms "cannabis" and "cannabis product." (See sections 2 and 3 of R104-24 attached hereto.)
3. Amend NAC 467.00307 to revise the definition of "prohibited substance" to exclude "cannabis" and "cannabis products." (See section 6 of R104-24 attached hereto.)
4. Add provisions that authorize the Commission or the Executive Director to issue an order to cease and desist against a person who is engaging in, has engaged in, or is planning to engage in an activity the violated existing law or regulations relating to unarmed combat. (See section 5 of R104-24 attached hereto.)
5. Add provisions that: (1) establish certain service requirements for an order to cease and desist; (2) provide that an order to cease and desist must contain certain provisions; and (3) prohibits a person served with an order to cease and desist from continuing in the activity during the pendency of the cease-and-desist proceedings. (See section 5 of R104-24 attached hereto.)

6. Amend NAC 467.011 and NAC 467.570 to update the names of certain publications adopted by the Athletic Commission by reference. (See sections 7 and 10 of R104-24 attached hereto.)
7. Amend NAC 467.272 to clarify that it is the promoter's responsibility to ensure that the requirements regarding containers used to serve drinks and food to patrons are complied with. (See section 8 of R104-24 attached hereto.)
8. Amend NAC 467.568 to permit the Athletic Commission to perform the indicated medical tests at any time requested by the Athletic Commission, Executive Director, or designee. (See section 9 of R104-24 attached hereto.)
9. Amend 467.770 to include violations of the Rules of Unarmed Combat adopted by the Athletic Commission to the list of errors that are covered under the regulation. (See section 11 of R104-24 attached hereto.)
10. Repeal The following sections of NAC Chapter 467 as redundant (addressed in Chapter 467 of NRS) or no longer necessary:
 - (1) NAC 467.0028 – Definition of "Manager". (See section 12 of R104-24 attached hereto.)
 - (2) NAC 467.0034 – Definition of "Respondent". (See section 12 of R104-24 attached hereto.)
 - (3) NAC 467.0035 – Definition of "Ring Official". (See section 12 of R104-24 attached hereto.)
 - (4) NAC 467.0085 – Provision regarding the Nevada Attorney General. (See section 12 of R104-24 attached hereto.)
 - (5) NAC 467.208 – Provision requiring promoter to only retain certain licensed individual for certain positions. (See section 12 of R104-24 attached hereto.)
 - (6) NAC 467.792 – Provision addressing martial arts involving full contact. (See section 12 of R104-24 attached hereto.)
11. Take such additional actions as may be necessary and proper to effectuate this stated purpose and/or enforce the requirements of chapter 467 of NRS and chapter 467 of NAC.

b. A description of how public comment was solicited, a summary of the public response, and an explanation of how other interested persons may obtain a copy of the summary.

The Commission solicited written and oral public comment by distributing the proposed permanent regulation identified in LCB File No. R104-24 to its interested party listserv, as well as posting it on its public website. The Commission also notified the public of the opportunity to offer comment in its Notice for the public workshop it held on April 9, 2024, its Notice of the public hearing and adoption hearing held on October 29, 2024, and its Notice of the public hearing and adoption hearing held on December 17, 2024.

No public comments, written or oral, were received on the proposed permanent regulation identified in LCB File No. R104-24.

c. The Commission recorded the following data regarding public participation in the public workshop and public hearing on the proposed permanent regulation:

1. Persons who attended the public workshop held on April 9, 2024: 7
2. Persons who testified at the public workshop held on April 9, 2024: 0
3. Persons who attended the public hearing and adoption hearing held on October 29, 2024: 15
4. Persons who testified at the public hearing and adoption hearing held on October 29, 2024: 0
5. Persons who attended the public hearing and adoption hearing held on December 17, 2024: 3
6. Persons who testified at the public hearing and adoption hearing held on December 17, 2024: 0
7. Persons who submitted written statements to the Commission regarding the proposed permanent regulation: 0

d. For each person identified in subsections (2), (3), and (5) of section c above, the following information was obtained by the Commission:

Workshop held on April 9, 2024

N/A

Public hearing and adoption hearing held on October 29, 2024

N/A

Public hearing and adoption hearing held on December 17, 2024

N/A

Written Comment:

N/A

- e. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation of how other interested parties may obtain a copy of the summary.**

On August 31, 2024, and September 1, 2024, the Commission emailed and mailed small business impact questionnaires to 129 individuals, which included licensees, officials, inspectors, and other interested parties on the Commission's interested parties list. The Commission also posted the small business impact questionnaire on its public website. The Commission received no responses to the small business impact questionnaire.

In addition, on April 9, 2024, the Commission held a public workshop regarding the provisions that ultimately became LCB File No. R104-24. While 7 members of the public attended the workshop, no one testified regarding the regulations or that the regulations would have a negative economic impact on their operations in Nevada.

Lastly, on October 29, 2024, and December 17, 2024, the Commission held a public hearing on LCB File No. R104-24 at which the public was given the opportunity to comment. While a combined total of 18 members of the public attended these two hearings, no one testified regarding the regulations or that the proposed regulations would have a negative fiscal impact on their operations in Nevada.

Other interested parties may obtain a copy of the summary by submitting a written request to the Commission at boxing@boxing.nv.gov.

- f. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

No member of the public testified regarding the regulations, nor was any written comment received. As such, the Commission staff determined that no changes to the regulation draft were necessary.

- g. The estimated economic effect of the regulation on the business which it is to regulate and on the public as required by NRS 233B.066(1)(g).**

Business:

There is no anticipated adverse economic effect for businesses.

There is no anticipated beneficial economic effect for businesses.

Public:

There is no anticipated adverse effect for the public.

The anticipated beneficial effect for the public is the codification of the Commission's policy regarding the use and possession of cannabis. Further, the amendments provide a process the Commission is to follow when issuing cease and desist orders and provides the procedures to seek review of such orders. Both of these changes make the regulations clear, which benefits the public and the industry.

- h. The estimated cost to the agency for enforcement of the proposed regulation as required by NRS 233B.066(1)(h).**

The Commission will not incur additional costs to enforce the proposed permanent regulation.

- i. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, name the regulating federal agency. This is required by NRS 233B.066(1)(i).**

None known.

- j. If the regulation included provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions as required by NRS 233b.066(1)(j).**

None known.

- k. If the regulation provides a new fee or increases an existing fee, a statement indicating the total annual amount the agency expects to collect and the manner in which the money will be used as required by NRS 233b.066(1)(k).**

Not applicable. The regulation does not provide a new fee or increase an existing fee.