

LCB File No. R076-03

**PROPOSED REGULATION OF THE
NEVADA ATHLETIC COMMISSION OF THE
DEPARTMENT OF BUSINESS AND INDUSTRY**

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§1-20; NRS 467.030.

Section 1. Chapter 467 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 3, inclusive, of this regulation.

Sec. 2. *The commission may fine a licensee, or may deny, suspend or revoke a license if the licensee delivers a check to the commission which is not honored by the financial institution upon which it is drawn.*

Sec. 3. *Ring officials appointed by the commission while performing duties required under this chapter by the commission shall be entitled to the same rights and immunities granted to public employees by the provisions of NRS Chapter 41.*

Sec. 4. NAC 467.012 is hereby amended to read as follows:

467.012 1. An application for a license as a:

- (a) Professional boxer;
- (b) Mixed martial artist;
- (c) Elimination boxer;
- (d) Professional wrestler;
- (e) Kickboxer;
- (f) Any other unarmed combatant;
- (g) Promoter;

- (h) Matchmaker;
- (i) Manager;
- (j) Second, including a trainer;
- (k) Referee;
- (l) Judge;
- (m) Timekeeper;
- (n) Announcer; or
- (o) Physician,

must be made in writing on a form supplied by the commission and signed by the applicant under penalty of perjury. *The commission, in its discretion, may act on an applicant's request for a license before the form is submitted, but the license may not issue until the applicant complies with the requirement of this subsection.*

2. Each license issued is subject to the conditions and agreements set forth in the application.
3. Any false statement of a material matter in such an application is a ground:
 - (a) For denial of the application; or
 - (b) If the license has already been issued, for revocation of the license.
4. Before issuing a license, the commission or its staff may, when deemed appropriate, require an applicant to provide independent proof of his identity such as a photographic identification provided by a governmental authority.
5. The commission may require an applicant to appear before the commission to answer questions or provide documents in conjunction with an application for a license.
6. The fee for issuance or renewal of a license:
 - (a) For a boxer is \$25.

- (b) For a mixed martial artist is \$25.
- (c) For an elimination boxer is \$25.
- (d) For a wrestler is \$25.
- (e) For a kickboxer is \$25.
- (f) For any other unarmed combatant is \$25.
- (g) For a matchmaker is \$100.
- (h) For a manager is \$100.
- (i) For a second is \$50.
- (j) For an announcer is \$100.

7. Unless the commission limits the license to a shorter period, a license is valid for the remainder of the calendar year for which it is granted.

8. Except as otherwise provided in this subsection, a licensee must pay the full renewal fee for a license, regardless of whether his license is limited or conditioned by the commission. If the commission later removes the limitation or grants the licensee the same type of license for another period in the same calendar year, the licensee is not required to pay an additional renewal fee for a license within that same calendar year.

Sec. 5. NAC 467.017 is hereby amended to read as follows:

467.017 1. If an applicant for a license to engage in unarmed combat or an unarmed combatant has:

- (a) Not reached 18 years of age;
- (b) Reached 36 years of age or will reach 36 years of age during the current calendar year;

(c) Competed in more than ~~350~~ 425 rounds of unarmed combat in contests or exhibitions sanctioned by the commission or any other agency that regulates unarmed combat in another jurisdiction; or

(d) Not competed in unarmed combat for at least 36 consecutive months, the applicant or unarmed combatant must have his application for a license or for renewal of a license reviewed by the commission, *or if time does not permit and neither a commissioner nor the executive director has raised concerns about the application, by the chairman of the commission or the chairman of the board*, so that his experience and fitness may be considered before the license is issued or renewed.

2. The commission will not issue or renew a license to engage in unarmed combat to an applicant or unarmed combatant who is found to be blind in one eye or whose vision in one eye is so poor that a physician recommends that the license not be granted or renewed. This rule is effective regardless of how good the vision of the applicant or unarmed combatant may be in the other eye.

3. The commission will not issue or renew a license to engage in unarmed combat to an applicant or unarmed combatant who has suffered cerebral hemorrhage.

4. Except as otherwise provided in subsection 3, if an applicant for a license to engage in unarmed combat or an unarmed combatant has suffered a serious head injury, the applicant or unarmed combatant must have his application for a license or for renewal of a license reviewed by the commission before a license is issued or renewed.

Sec. 6. NAC 467.027 is hereby amended to read as follows:

467.027 1. An applicant who has applied for a license to engage in unarmed combat or an unarmed combatant who has applied for renewal of his license must:

(a) Be examined by a physician to establish the physical and mental fitness of the applicant or unarmed combatant for competition; ~~and~~

(b) Provide the commission with an original or certified copy of the result of a dilated ophthalmologic eye examination that must have been performed:

(1) By an ophthalmologist who holds an M.D. or D.O.; and

(2) At least 1 day before the date of the first bout in which the unarmed combatant plans to compete in the calendar year for which the license is valid; *and*

(c) Provide, or have previously provided, the commission with an original or certified copy of the result of both a brain MRI (magnetic resonance imaging) and cerebral MRA (magnetic resonance angiography). This requirement does not apply to an unarmed combatant who has had a brain MRI within five years of the date he applies for licensure if he submits the written results of that brain MRI to the commission with his application.

2. An applicant or an unarmed combatant licensed by the commission may be required to submit to any examination or testing ordered by the commission.

3. An applicant or an unarmed combatant must provide with his application for a license or for renewal of a license an original or certified copy of the results of medical tests which:

(a) Were performed by a laboratory *during the calendar year for which the license is being issued or* no earlier than 30 days before the date on which the application is submitted;

(b) Show that the applicant or unarmed combatant is not infected with the human immunodeficiency virus; and

(c) Show that the applicant or unarmed combatant is not infected with the hepatitis virus.

Sec. 7. NAC 467.057 is hereby amended to read as follows:

467.057 **1.** A manager licensed by the commission may act as a second without having a second's license.

2. *A referee licensed by the commission may act as a judge without having a judge's license.*

Sec. 8. NAC 467.087 is hereby amended to read as follows:

467.087 **1.** Any applicant who has been denied a license by the commission may not file a similar application until 1 year after denial by the commission *unless the commission specifies otherwise at the time of denial.*

2. A person who has had his license revoked may not petition for reinstatement or apply for a new license until 1 year after the revocation. If the petitioner files a petition for reinstatement after the 1-year period required pursuant to this subsection, and the commission denies the request, the petitioner may not petition again for reinstatement until 1 year after the denial.

3. A person who has had his license suspended for a period of 1 year or less may not file a petition for reinstatement or an application for a new license until the period of the suspension has expired.

4. A person who has had his license suspended for a period of more than 1 year may not file a petition for reinstatement or an application for a new license until 1 year after the suspension is ordered. If the petitioner or applicant files a petition for reinstatement or an application for a new license after the 1-year period required pursuant to this subsection, and the commission denies the request, the petitioner may not petition again for reinstatement or apply again for a new license until 1 year after the denial or until the suspension has expired, whichever is less.

5. The commission may deny a petition or application that is not filed in accordance with this section without a hearing.

Sec. 9. NAC 467.102 is hereby amended to read as follows:

467.102 1. The commission may refuse to honor a contract between a manager and an unarmed combatant unless it is filed with the commission at least 72 hours before a scheduled contest or exhibition and it complies with the requirements of this section. The commission will not honor a contract between a manager and an unarmed combatant if the term of the contract is for a period of more than 4 years.

2. A manager may not contract to receive the services of an unarmed combatant under his management for a contest or exhibition which is scheduled to take place after the expiration of the contract.

3. ~~Contracts between unarmed combatants and managers must be executed and notarized on forms provided by the commission.~~

~~4.]~~ A contract between an unarmed combatant and a manager *which is executed and notarized on a form provided by the commission* may provide for voluntary binding arbitration of disputes by the commission. The arbitration must be conducted by a representative of the commission appointed by the chairman. The arbitration must be conducted pursuant to the Uniform Arbitration Act, NRS 38.015 to 38.205, inclusive.

~~5.]~~ 4. The commission may ~~approve]~~ *honor* a contract *executed and notarized on a form provided by the commission if the* ~~entered into in another jurisdiction by a person who is not a resident of Nevada if:~~

~~(a) The contract is on file with and is approved by the body regulating unarmed combat in the other jurisdiction; and~~

~~—(b) The~~ terms of the contract comply with the requirements of this section. If the terms of the contract exceed the limitations contained in this section, the commission may honor the contract to the extent of those limitations.

~~6.]~~ 5. A manager may not negotiate or sign for contests or exhibitions for an unarmed combatant who is not under contract to him. An unarmed combatant who does not have a contract with a licensed manager must sign for his own contest or exhibition and sign the receipt for his own purse.

6. A manager or managers may not participate separately or collectively in more than 33 1/3 percent of the earnings of the unarmed combatant in the ring.

7. An interest, other than a monetary interest, which an unarmed combatant or a manager has in a contract may not be assigned unless:

(a) A written assignment, signed by the unarmed combatant and the manager, is submitted to the commission; and

(b) The commission approves the assignment.

Sec. 10. NAC 467.127 is hereby amended to read as follows:

467.127 1. A promoter licensed by the commission shall not directly or indirectly make any loan or advance to an unarmed combatant or a manager *without the express written permission of the chairman of the commission* except as otherwise provided in ~~[subsection 3 and]~~ NRS 467.130.

2. A promoter shall not, directly or indirectly, create any indebtedness that becomes the obligation of an unarmed combatant or a manager unless the promoter has the express written permission of the *chairman of the* commission for that action.

~~{3. A promoter may make an advance of money to an unarmed combatant in preparation for a contest or exhibition if:~~

~~—a) The amount of the advance does not exceed 10 percent of the share of the purse to which the unarmed combatant is entitled for the contest or exhibition, or \$5,000, whichever is greater; and~~

~~—b) Before making the advance, the promoter has the express written permission of the chairman of the commission to make the advance.]~~

Sec. 11. NAC 467.219 is hereby amended to read as follows:

467.219 1. A majority of the commission, *or if time does not permit, the chairman of the commission or the executive director*, will select the referee for the main event in *boxing* championship contests and for any other *boxing* contests or exhibitions which the commission considers to be special events.

2. The commission will set the fee which the referee is entitled to receive for a contest or exhibition.

3. If any licensee of the commission protests the assignment of a referee, the protesting licensee will be given a hearing by the commission if time permits. If time does not permit, the matter will be heard by two commissioners or a commissioner and the chief inspector or executive director in order to make such disposition of the protest as the facts may justify. Protests not made in a timely manner may be summarily rejected.

4. Each referee licensed by the commission must annually undergo a complete physical examination, including an eye examination conducted by an optometrist or ophthalmologist. The licensee must produce all records of the examination at the request of the commission.

Sec. 12. NAC 467.225 is hereby amended to read as follows:

467.225 1. A majority of the commission, *or if time does not permit, the chairman of the commission or the executive director*, will select the judges for the main event in *boxing* championship contests and for any other *boxing* contests or exhibitions which the commission considers to be special events.

2. If any licensee of the commission protests the assignment of a judge, the protesting licensee will be given a hearing by the commission if time permits. If time does not permit, the matter will be heard by two commissioners or a commissioner and the chief inspector or executive director in order to make such disposition of the protest as the facts may justify. Protests not made in a timely manner may be summarily rejected.

3. The commission will set the fee which the judges are entitled to receive for a contest or exhibition.

4. The judges must be stationed ringside at places designated by the commission's representative.

5. Each judge licensed by the commission may be required to submit to or provide proof of a complete physical examination, ~~including~~ *and must annually undergo* an eye examination.

Sec. 13. NAC 467.255 is hereby amended to read as follows:

467.255 1. The promoter of a program of unarmed combat shall, if possible:

(a) Notify the commission and the news media of any change or substitution involving a contest or exhibition that was announced or advertised as the main event of the program; and

(b) Provide such notice at least 24 hours before the first contest or exhibition of the program.

The promoter shall also conspicuously post the change or substitution at the box office of the premises where the program is to be held and cause the change or substitution to be announced

from the ring or, if the program is being held in a fenced area, from the fenced area, before the first contest or exhibition of the program.

2. If such a change or substitution occurs and any patron desires to have the price of his ticket refunded, the promoter must refund the patron's money if the patron presents his ticket or the ticket stub at the box office before the opening contest or exhibition of the program is scheduled to begin. The box office must remain open a reasonable length of time to redeem such tickets.

3. An unarmed combatant may not substitute for another unarmed combatant in a contest or exhibition that is the main event of a program of unarmed combat unless:

(a) The promoter notifies the commission before the unarmed combatant weighs in ~~on the day of~~ *for* the contest or exhibition; and

(b) The commission or the commission's representative approves the substitution.

Sec. 14. NAC 467.259 is hereby amended to read as follows:

467.259 If a promoter enters into a bout agreement with an unarmed combatant for a contest or exhibition in a program of unarmed combat but does not use him in that program, *without reasonable cause, [he] the unarmed combatant* must be used in the next program staged by the promoter or be reimbursed pursuant to the bout agreement.

Sec. 15. NAC 467.337 is hereby amended to read as follows:

467.337 1. ~~[Each promoter shall provide tickets without charge to:~~
~~—(a) The commission's members, executive director and representatives;~~
~~—(b) Principals and seconds who are engaged in a contest or exhibition which is part of the program of unarmed combat; and~~
~~—(c) Holders of lifetime passes issued by the commission.]~~ *Each promoter of a contest or exhibition of unarmed combat has charge of all seating arrangements but shall furnish to the*

commission a limited number of tickets as determined by the commission. The commission may use these tickets at its discretion, which may include for the promotion of unarmed combat or this state, or to assist the commission. Such tickets shall not be sold or otherwise exchanged for any monetary value. Persons who receive tickets pursuant to this subsection are not liable for the payment of any fees for those tickets.

2. Each promoter may provide tickets without charge or at a reduced rate to:

(a) Any of his employees, and if the promoter is a corporation, to a director or officer who is regularly employed or engaged in promoting programs of unarmed combat, whether or not his duties require him to be admitted to the particular program and whether or not he is on duty at the time of that program;

(b) ~~Employees of the commission other than those specified in subsection 1~~ *Principals and seconds who are engaged in a contest or exhibition which is part of the program of unarmed combat;*

(c) A journalist who is performing his duties as such; and

(d) A fireman or police officer who is performing his duties as such.

Any person other than a journalist, police officer or fireman who pays a reduced rate for admission is liable for payment of applicable fees on the amount paid.

3. Each promoter shall perform the following duties in relation to the issuance of complimentary tickets or those issued at a reduced price:

(a) Each ticket issued to a journalist must be clearly marked "PRESS." No more tickets may be issued to journalists than will permit comfortable seating in the press area.

(b) Seating at the press tables or in the press area must be limited to journalists who are actually covering the contest or exhibition and to other persons designated by the commission.

(c) A list of passes issued to journalists must be submitted to the commission.

(d) Only one ticket may be sold at a reduced price to any one manager, second, unarmed combatant or other person licensed by the commission.

(e) Any credential issued by the promoter which allows an admission to the program without a ticket must be approved in advance by a member of the commission or the executive director. Requests for the issuance of such credentials must be made at least 5 hours before the first contest or exhibition of the program.

4. Admission of any person who does not hold a ticket or who is not specifically exempted pursuant to this section is a ground for suspension or revocation of the promoter's license or the assessment of a penalty.

5. The commission's executive director shall collect all fees and taxes due on any ticket which is not specifically exempt pursuant to this section, and for any person who is admitted without a ticket in violation of this section.

Sec. 16. NAC 467.472 is hereby amended to read as follows:

467.472 **1.** Without the special permission of the commission, an unarmed combatant may not compete in this state unless:

~~{1}~~ **(a)** Four days have elapsed since his last contest or exhibition if the contest or exhibition lasted not more than 4 rounds.

~~{2}~~ **(b)** Seven days have elapsed since his last contest or exhibition if the contest or exhibition lasted 5 or 6 rounds.

~~{3}~~ **(c)** Fourteen days have elapsed since his last contest or exhibition if the contest or exhibition lasted 7 or 8 rounds.

~~[4.]~~ (d) Twenty-one days have elapsed since his last contest or exhibition if the contest or exhibition lasted 9 or 10 rounds.

~~[5.]~~ (e) Forty-five days have elapsed since his last contest or exhibition if the contest or exhibition lasted 11 or 12 rounds~~[-~~

~~—6. Sixty days have elapsed since his last contest or exhibition if the contest or exhibition lasted more than 12 rounds],~~

with respect to contests and exhibitions of boxing and kickboxing.

2. Without the special permission of the commission, an unarmed combatant may not compete in this state unless four days have elapsed for each round his last contest or exhibition of mixed martial arts lasted.

Sec. 17. NAC 467.698 is hereby amended to read as follows:

467.698 1. If the referee determines that a contest or exhibition may not continue because of an injury caused by an intentional foul, the unarmed combatant who committed the intentional foul loses by disqualification.

2. If the referee determines that a contest or exhibition may continue despite an injury caused by an intentional foul, the referee shall immediately inform the commission's representative and the judges and shall deduct two points from the score of the unarmed combatant who committed the intentional foul.

3. If an injury caused by an intentional foul results in the contest or exhibition being stopped in a later round:

(a) The injured unarmed combatant wins by technical decision, if he is ahead on the scorecards; or

(b) The contest or exhibition must be declared a ~~technical draw~~ *no decision*, if the injured unarmed combatant is behind or even on the scorecards.

4. If an unarmed combatant injures himself while attempting to foul his opponent, the referee shall not take any action in his favor and the injury must be treated the same as an injury produced by a fair blow.

Sec. 18. NAC 467.702 is hereby amended to read as follows:

467.702 1. If a contest or exhibition is stopped because of an accidental foul, the referee shall determine whether the unarmed combatant who has been fouled can continue or not. If the unarmed combatant's chance of winning has not been seriously jeopardized as a result of a foul and if the foul did not involve a concussive impact to the head of the unarmed combatant who was fouled, the referee may order the contest or exhibition continued after a reasonable interval. Before the contest or exhibition begins again, the referee shall inform the commission's representative of his determination that the foul was accidental.

2. If the referee determines that the contest or exhibition may not continue because of an injury suffered as the result of an accidental foul, the contest or exhibition must be declared a ~~technical draw~~ *no decision* if the foul occurs during the first 4 rounds of the contest or exhibition.

3. If an accidental foul renders an unarmed combatant unable to continue the contest or exhibition after the fourth round of the contest or exhibition, the outcome must be determined by scoring the completed rounds and the round during which the referee stops the contest or exhibition.

4. If an injury inflicted by an accidental foul later becomes aggravated by fair blows and the referee orders the contest or exhibition stopped because of the injury, the outcome must be

determined by scoring the completed rounds and the round during which the referee stops the contest or exhibition.

5. The provisions of this section do not apply to a contest or exhibition of mixed martial arts.

Sec. 19. NAC 467.7964 is hereby amended to read as follows:

467.7964 1. If an unarmed combatant fouls his opponent during a contest or exhibition of mixed martial arts, the referee may penalize him by deducting points from his score, whether or not the foul was intentional. Except as otherwise provided in subsection 2 of NAC 467.698, the referee may determine the number of points to be deducted in each instance and shall base his determination on the severity of the foul and its effect upon the opponent.

2. When the referee determines that it is necessary to deduct a point or points because of a foul, he shall warn the offender of the penalty to be assessed.

3. The referee shall, as soon as is practical after the foul, notify the judges and both unarmed combatants of the number of points, if any, to be deducted from the score of the offender.

4. Any point or points to be deducted for any foul must be deducted in the round in which the foul occurred and may not be deducted from the score of any subsequent round.

~~[5. An unarmed combatant may not be declared the winner of a contest or exhibition of mixed martial arts on the basis of his claim that his opponent fouled him by hitting him in the groin. If an unarmed combatant falls to the floor of the ring or fenced area or otherwise indicates that he is unwilling to continue because of a claim of being hit in the groin, the contest or exhibition must be declared to be a technical knockout in favor of the unarmed combatant who is willing to continue.]~~

Sec. 20. NAC 467.7966 is hereby amended to read as follows:

467. 7966 1. If a contest or exhibition of mixed martial arts is stopped because of an accidental foul, the referee shall determine whether the unarmed combatant who has been fouled can continue or not. If the unarmed combatant's chance of winning has not been seriously jeopardized as a result of the foul and if the foul did not involve a concussive impact to the head of the unarmed combatant who has been fouled, the referee may order the contest or exhibition continued after a recuperative interval of not more than 5 minutes. Immediately after separating the unarmed combatants, the referee shall inform the commission's representative of his determination that the foul was accidental.

2. If the referee determines that a contest or exhibition of mixed martial arts may not continue because of an injury suffered as the result of an accidental foul, the contest or exhibition must be declared a no contest if the foul occurs during:

(a) The first two rounds of a ~~[nonchampionship]~~ contest or exhibition *that is scheduled for three rounds or less*; or

(b) The first three rounds of a ~~[championship]~~ contest or exhibition *that is scheduled for more than three rounds*.

3. If an accidental foul renders an unarmed combatant unable to continue the contest or exhibition after:

(a) The completed second round of a ~~[nonchampionship]~~ contest or exhibition *that is scheduled for three rounds or less*; or

(b) The completed third round of a ~~[championship]~~ contest or exhibition *that is scheduled for more than three rounds*,

the outcome must be determined by scoring the completed rounds and the round during which the referee stops the contest or exhibition.

4. If an injury inflicted by an accidental foul later becomes aggravated by fair blows and the referee orders the contest or exhibition stopped because of the injury, the outcome must be determined by scoring the completed rounds and the round during which the referee stops the contest or exhibition.