

LAW AND PUBLIC SAFETY

STATE ATHLETIC CONTROL BOARD

Rules Governing Boxing, Extreme Wrestling and Sparring Exhibitions and Performances

Proposed Readoption: N.J.A.C. 13:46

Authorized By: State Athletic Control Board, Tony Orlando, Chairman; Aaron M. Davis,
Commissioner.

Authority: N.J.S.A. 5:2A-4 and 7c and g, 8b, 9, 14b, 14.1, 15e and f and 21.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2010-216.

Submit written comments by November 19, 2010 to:

Nicholas Lembo, Counsel

State Athletic Control Board

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The agency proposal follows:

Summary

Pursuant to N.J.A.C. 52:14B-5.1c, N.J.A.C. 13:46 will expire on July 3, 2011. The State Athletic Control Board (SACB) has reviewed these rules and has determined that all the rules continue to be necessary, reasonable and proper for the purpose for which they were originally

promulgated. N.J.A.C. 13:46 contains the rules governing boxing, extreme wrestling, sparring exhibitions and combative sporting events. Subchapter 1 contains definitions used in the chapter. Subchapter 1A lists the different weight classes for boxers and when boxers are to be weighed in. Subchapter 2 addresses ring equipment and premises safety requirements. Subchapter 3 details the safety requirements with regard to boxing equipment or apparel to be worn by the boxer. Subchapter 4 outlines the licensing procedures and requirements for boxers. Subchapter 5 addresses boxer contracts and possible disciplinary action that can be taken against a boxer. Subchapter 6 covers the licensing requirements for managers. Subchapter 7 addresses licensing and other requirements imposed on seconds. Subchapter 8 addresses how a referee should oversee a bout and how judges should score a bout. Subchapter 8A addresses special rules that must be applied when a championship bout is held. Subchapter 9 details the duties and responsibilities of the inspectors assigned to work a bout. Subchapter 10 addresses licensing requirements and duties of ringside announcers. Subchapter 11 concerns the licensing requirements and duties of timekeepers. Subchapter 12 is reserved. Subchapter 12A addresses medical requirements such as pre-fight physical examinations, HIV testing, post-fight examinations and post-knockout suspensions. Subchapter 12B also addresses medical requirements. This subchapter addresses duties of the ringside physicians and medical examinations required of judges and referees. Subchapter 13 addresses television taxes. Subchapter 14 addresses insurance requirements to be carried by the promoter. Subchapter 15 addresses the use of an approved printer and other details with regard to tickets for an event. Subchapter 16 addresses requirements for doormen and box office employees. Subchapter 17 addresses amateur boxing. Subchapter 18 details the duties and licensing requirements imposed upon a promoter. Subchapter 19 sets forth requirements for matchmakers. Subchapters 20 and

21 address extreme wrestling and extreme wrestling referees. Subchapter 22 details the functions of the Commissioner and his or her ability to conduct investigations. Subchapter 23 and 23A impose standards of conduct on SACB employees and agents. Subchapter 24 is reserved. Subchapter 24A contains uniform rules for mixed martial arts events. Subchapter 24B contains additional rules on mixed martial arts.

This notice of proposal is excepted from the rulemaking calendar requirement of N.J.A.C. 1:30-3.3 because the Board has provided a 60-day comment period pursuant to N.J.A.C. 1:30-3.3(a)5.

Social Impact

The New Jersey Legislature has determined that boxing, extreme wrestling, kick boxing and combative sports contests and exhibitions should be subject to an effective and efficient system of strict control and regulation by the State. Under the Boxing, Extreme Wrestling and Combative Sports Act, N.J.S.A. 5:2A-1 et seq., the State Athletic Control Board is charged with the responsibility to protect the safety and well-being of the participants in these activities and to promote the public confidence and trust in the regulatory process and the conduct of such contests and exhibitions.

Readoption of N.J.A.C. 13:46 will enable the State to continue its effective regulation with respect to the licensing of contestants, promoters, referees, judges and all others involved in the conduct of such contests or exhibitions. Readoption will also enable the State to ensure that

all health and safety, insurance and tax requirements are followed for each event. Failure to readopt these rules will result in the loss of an administrative scheme that effectively regulates the conduct of boxing, extreme wrestling, kick boxing and all other combative sports contests and exhibitions in the State.

Economic Impact

The readoption of N.J.A.C. 13:46 will continue to have an economic impact in the form of licensing fees to be borne by boxers, managers, seconds, announcers, ticket printers, matchmakers and promoters. A boxer shall continue to be required to undergo various medical examinations, which usually have an associated cost. The promoter shall still be required to carry accident insurance for all competing boxers at each event. The promoter shall continue to be responsible for obtaining a bond, which shall be conditioned for the payment of all State taxes due. These State taxes normally include a ticket tax and sometimes also include a broadcast tax.

The State Athletic Control Board is required to make expenditures for the oversight of all events within its jurisdiction. These costs are generally borne by the promoter. Such costs include payments to inspectors, judges, referees, timekeepers and physicians. Additionally, an ambulance and emergency medical technicians must be present at all times during each event.

Failure to readopt these rules could have a negative impact on New Jersey's casino industry. The majority of high profile bouts are hosted by casinos and frequently attract patrons who patronize casino hotels and restaurants and also gamble before and after viewing bouts.

Federal Standards Statement

A Federal standards analysis is not required because the rules proposed for readoption do not exceed Federal standards.

The rules proposed for readoption comply with Federal standards imposed by the Professional Boxing Safety Act of 1996, 15 U.S.C. §§6301 et seq. This Act, among other things, requires boxers to undergo pre-fight physical examinations, to be issued a license and identification card, to have an ambulance and medical personnel present at each event and for health insurance to be provided for each boxer for injuries sustained in a bout.

Jobs Impact

The Board does not anticipate that the rules proposed for readoption will result in the generation or loss of any jobs in New Jersey.

Agriculture Industry Impact

The rules proposed for readoption shall have no impact on the agriculture industry.

Regulatory Flexibility Analysis

The rules for re adoption impose reporting, recordkeeping, and other compliance requirements on small businesses as defined under the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. Certain promoters, matchmakers and boxers are small businesses within the meaning of the Act. Depending on the terms of a particular bout contract, the rules impose on one or more of these entities licensing fees, medical requirements, insurance minimums and minimum State Athletic Control Board event staffing requirements. The Board has determined that these requirements are the minimum necessary to ensure that the health and safety of event participants and to maintain the public trust and confidence in the integrity of the sporting events subject to this chapter. The need for these requirements does not vary depending upon the size of the businesses involved. Therefore, the Board has provided no lesser or differing standards based upon business size. Professional services are not required for compliance with these rules, except for required medical examinations.

Smart Growth Impact

The rules proposed for re adoption shall have no impact on the achievement of smart growth and the implementation of the State Development and Redevelopment Plan.

Housing Affordability Impact

The rules proposed for re adoption will have an insignificant impact on affordable housing in New Jersey and there is an extreme unlikelihood that the rules would evoke a change in the average costs associated with housing because the rules concern the business of boxing, extreme wrestling, sparring exhibitions and combative sporting events.

Smart Growth Development Impact

The rules proposed for re adoption will have an insignificant impact on smart growth and there is an extreme unlikelihood that the rules would evoke a change in housing production in Planning Areas 1 or 2 or within designated centers under the State Development and Redevelopment Plan in New Jersey because the rules concern the business of boxing, extreme wrestling, sparring exhibitions and combative sporting events.

Full text of the rules proposed for re adoption may be found in the New Jersey Administrative Code at N.J.A.C. 13:46.