

Notice of Public Hearing on Proposed Amendment to Administrative Regulation

The following is to provide notice of a public hearing held by the Kansas Athletic Commission at 1:30pm on Tuesday February 21, 2017 in conference room B at the Kansas Department of Commerce located at Curtis State Office Building, 1000 S.W. Jackson, Suite 100, Topeka, Kansas 66612.

The Kansas Athletic Commission is proposing permanent amendments to the mixed martial arts portion of the Commission's rules and regulations, (K.A.R. 128-6-4).

This notice shall also constitute the beginning of a sixty (60) day public comment period (12/22/2016-2/20/2017) for the purpose of allowing the Commission to receive written comments on the proposed regulation prior to the public hearing. The public is invited to submit written comments concerning the proposed regulation to the Kansas mixed martial arts rules in writing to Kansas Athletic Commission c/o Adam Roorbach, Boxing Commissioner, Curtis State Office Building, 1000 S.W. Jackson St. Suite 100, Topeka, Kansas 66612 or by email at adam.roorbach@ks.gov.

All interested parties will be given reasonable opportunity to present their views, orally, written, or both, concerning the adoption of the proposed permanent amendments to existing regulation. To give all parties an opportunity to present their views, it is necessary to request each participant limit an oral presentation to five minutes. All public comments submitted during this period will be made part of the regulation's written record.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the regulations and economic impact statement in an accessible format. Requests for accommodation should be made at least five (5) working days in advance of the hearing to Jordan Blair at the Kansas Department of Commerce, Curtis State Office Building, 1000 S.W. Jackson, Suite 100, Topeka, Kansas 66612, by email at jordan.blair@ks.gov or by phone at (785) 296-7874. Handicapped parking is not available around the Curtis State Office Building; however, all persons in a vehicle with a handicapped license plate may park in any metered space around the building, and there is no charge for parking. The curbs and all entrances on Jackson Street, 10th Street, and Kansas Avenue to the Curtis State Office Building are accessible to individuals with disabilities

Copies of the proposed amendments can be found on the Commission's website at <http://www.kansascommerce.com/AthleticCommission> . A summary of the regulation and economic impact follows:

K.A.R. 128-6-4. Professional mixed martial arts contests. This regulation provides the rules associated with professional mixed martial arts contests.

I. Purpose of Amendment. Recently the Association of Boxing Commissioners passed various changes to the unified rules of mixed martial arts to help ensure fighter safety. These rule changes are necessary to keep Kansas current with industry-wide standards. The main changes to the regulation alter the definition of a "grounded fighter" and restrict opponents from kicking or kneeing the fighter while grounded. Additionally, it will now be considered a foul to advance towards a fighter with fingers extended toward their opponent's face. This is a change from the unamended regulation which only calls for a foul if fingers contact the opponent's eye. Finally, there are some slight modifications to fighter attire.

II. Federal Requirements. There are no federal requirements implicated by this regulation.

III. Anticipated Economic Impact on Kansas Athletic Commission. There are no anticipated economic impacts on the Kansas Athletic Commission.

IV. Anticipated Financial Impact Upon Other Governmental Entities and Upon Private Businesses or Individuals. There are no anticipated economic impacts on individuals or governmental entities. Additionally, there are no increased expenses or economic ramifications anticipated by the enactment of these regulations.

V. Anticipated Economic Impact Upon Other Entities or Persons. There are no anticipated economic impacts on other entities or persons.

VI. Less costly or intrusive Methods that Were Considered, but Rejected, and the Reason for Rejection. Because the proposed amendments do not include any anticipated economic impact and are minimally intrusive, the Kansas Athletic Commission did not consider any alternatives.

128-6-4. Professional mixed martial arts contests. Except as otherwise specified in this regulation, each professional mixed martial arts contest shall be conducted in accordance with this regulation. If a contestant is a professional in boxing, kickboxing, or karate, the contestant shall compete only as a professional in any mixed martial arts contest.

(a) Each contest shall be limited to those forms of martial arts that consist of unarmed combat.

(b) Except with the prior approval of the commission, a nonchampionship bout shall not exceed three rounds in duration. Each championship bout shall be five rounds in duration. Each contest shall consist of at least four bouts.

(c) Each round during a bout of professional mixed martial arts shall be five minutes in duration. Each period of rest following a round of combat shall be one minute in duration.

(d) Each contestant shall be weighed by the commissioner or designee within 48 hours before the contest. If a contestant's weight does not fall within the range for the weight classification in which the contestant is scheduled to compete in that contest, the contestant shall be reweighed within two hours. If the contestant's weight does not then fall within the range for that weight classification, the contestant shall be disqualified by the boxing commissioner.

(e) A mixed martial arts contestant shall not participate in a boxing, kickboxing, full-contact karate, or professional mixed martial arts bout in Kansas for at least seven days following a previous bout in Kansas or in any other jurisdiction.

(f) Each contestant shall fight only opponents who are in the contestant's weight classification. A bout between two contestants in different weight classifications may be approved by the commission if the difference between the weights of the two contestants does not exceed nine pounds, except for heavyweights and super heavyweights.

(g) The schedule of weight classifications shall be as follows:

Classification	Weight
(1) Junior flyweight <u>Atomweight</u>	at least 96 but not more than 107 pounds <u>over 95 and through 105 pounds</u>
(2) <u>Strawweight</u>	<u>over 105 and through 115 pounds</u>
(3) <u>Flyweight</u>	over 107 <u>115</u> and through 125 pounds
(3) <u>(4)</u> <u>Bantamweight</u>	over 125 and through 135 pounds
(4) <u>(5)</u> <u>Featherweight</u>	over 135 and through 145 pounds
(5) <u>(6)</u> <u>Lightweight</u>	over 145 and through 155 pounds
(6) <u>(7)</u> <u>Welterweight</u>	over 155 and through 170 pounds
(7) <u>(8)</u> <u>Middleweight</u>	over 170 and through 185 pounds
(8) <u>(9)</u> <u>Light heavyweight</u>	over 185 and through 205 pounds
(9) <u>(10)</u> <u>Heavyweight</u>	over 205 and through 265 pounds
(10) <u>(11)</u> <u>Super heavyweight</u>	over 265 pounds

(h) If a substitute contestant is scheduled for a bout, the substitute contestant shall be subject to the same physical examination requirements as those for the original contestant, and the substitute contestant shall be approved by both the physician and the commission.

(i) Any contestant who fails to appear at the appointed place and at the specified time to be examined and weighed or who leaves the designated area without the permission of the commission before the weigh-in or the physical examination is complete may be subject to discipline by the commission.

(j) If a bout is deemed by the commission to be a mismatch that could expose one or both contestants to serious injury based on the record, experience, skill, or condition of each of the contestants, the bout shall be disapproved and cancelled by the boxing commissioner.

(k) The weight of each contestant or the classification in which the contestant will compete, or both, shall be announced at ringside.

(l) Each contestant's equipment shall meet the following requirements:

(1) Each contestant shall wear mixed martial arts-appropriate attire and protective devices, including a dental appliance or a mouthpiece approved by the commissioner. Each male contestant shall wear a protective cup. Each female contestant shall wear a protective pelvic girdle and either ~~a plastic breast protector or sport bra~~ a short-sleeved or sleeveless formfitting rash guard or a sports bra. Any female contestant may also wear a plastic breast protector.

Contestants shall not wear shoes or any padding on their feet during the contest.

(2) Only Vaseline[®] or a similar petroleum-based product may be lightly applied to the face, arms, or any other exposed part of a contestant's body.

(m) Only officials and members of the media may enter into the contestants' dressing rooms or area.

(n) Each contestant shall be ready to enter the ring immediately after the end of the preceding bout. Any contestant who is not ready to immediately proceed when called and, as a result, causes a delay may be subject to discipline by the commission.

(o) No person other than the contestants and the referee shall enter the ring during a bout. A second or manager shall not stand or engage in distracting actions while the bout is in progress. For each contestant's seconds and manager, a combined total of two warnings for

violating any requirement of this subsection shall result in the removal of the seconds and manager from the ringside area, all of whom shall be subject to discipline by the commission.

(p) Before starting a bout, the referee shall call together both of the contestants and the chief seconds for final instructions.

(q) Each of the following acts shall constitute an intentional foul in a contest:

- (1) Using a head butt;
- (2) gouging the opponent's eye in any manner;
- (3) biting the opponent;
- (4) pulling the opponent's hair;
- (5) attacking the opponent's groin in any manner;
- (6) putting a finger into any orifice of the opponent or into any cut or laceration on an opponent, including fishhooking;
- (7) manipulating any of the opponent's joints in the fingers or toes;
- (8) striking the opponent's spine or the back of the opponent's head;
- (9) striking downward using the point of the elbow;
- (10) striking the opponent's throat, including grabbing the trachea;
- (11) clawing, pinching, or twisting the opponent's flesh;
- (12) ~~grabbing the opponent's clavicle~~ in the standing position, moving the arm toward the opponent with an open hand and fingertips pointed at the opponent's face or eyes;
- (13) kicking or kneeing the head of a grounded opponent. An opponent shall be deemed grounded if ~~the opponent's back or torso is on the mat~~ any part of the body, other than a single hand and soles of the feet, is touching the fighting area floor;
- (14) stomping a grounded opponent;

- (15) ~~kicking the opponent's kidney with the heel;~~
- ~~(16)~~ thrusting an opponent to the canvas on the opponent's head or neck;
- ~~(17)~~(16) throwing an opponent out of the ring or fenced area;
- ~~(18)~~(17) holding the shorts or gloves of an opponent;
- ~~(19)~~(18) spitting at an opponent;
- ~~(20)~~(19) engaging in any unsportsmanlike conduct that causes an injury to an opponent;
- ~~(21)~~(20) using the ropes or fence to gain an advantage over the opponent;
- ~~(22)~~(21) using abusive language in the ring or fenced area;
- ~~(23)~~(22) attacking an opponent on or during a break, which is signaled by the referee's command or physical act to separate two contestants;
- ~~(24)~~(23) attacking an opponent who is under the care of the referee;
- ~~(25)~~(24) attacking an opponent after the bell has sounded the end of the round;
- ~~(26)~~(25) disregarding the instructions of the referee;
- ~~(27)~~(26) competing in a noncombative manner, including avoiding contact with an opponent, consistently dropping the mouthpiece, or faking an injury;
- ~~(28)~~(27) abandoning the contest during competition; and
- ~~(29)~~(28) engaging in any other action not described in this subsection that is deemed an intentional foul by the referee on the basis that the action poses a danger to the safety of either contestant, impedes fair and competitive play, or is unsportsmanlike.

(r)(1) If a contestant or the contestant's second commits any intentional foul, the contestant may have points deducted or be disqualified.

(2) The referee may penalize the contestant by directing the judges to deduct points from the contestant's score for that round, whether or not the foul was an intentional foul. Except as

otherwise provided by this regulation, the referee may determine the number of points to be deducted for each intentional foul and shall base that determination on the severity of the foul and its effect upon the opponent.

(3) If the referee determines that it is necessary to deduct one or more points because of an intentional foul or an accidental foul, the referee shall inform the offender of the penalty to be assessed and, as soon as it is practical after the foul, notify the judges and both contestants of the number of points to be deducted from the offender's score.

(4) All points deducted from a contestant's score for any intentional foul or any accidental foul shall be deducted in the round in which the foul occurred. These points shall not be deducted from the score of any subsequent round.

(s) If a contestant loses a mouthpiece during a bout, the referee may call a time-out. If the referee calls a time-out for this reason, the referee shall direct the contestant's second to replace the mouthpiece.

(t) If a contestant claims to be injured during the bout, the referee may request that the physician examine the contestant. If the physician decides that the contestant has been injured and should not continue, the physician shall so advise the referee.

(u)(1) If a round is interrupted because of an accidental foul, the physician shall determine whether the contestant who has been fouled can continue. If the physician determines that the injured contestant's chance of winning has not been seriously jeopardized as a result of the accidental foul and that the foul did not involve a concussive impact to the head of the injured contestant, the referee may order the contestants to continue the round after a recuperative interval of not more than five minutes. Immediately after separating the contestants,

the referee shall inform the inspector or other representative of the commission of the referee's determination that the foul was an accidental foul.

(2) If the physician determines that a contest cannot continue due to an injury caused by an accidental foul during the first two rounds of a contest that is scheduled for three rounds or less or during the first three rounds of a contest that is scheduled for more than three rounds, the referee shall declare a no-contest decision.

(3) If the physician determines that an accidental foul has rendered a contestant unable to continue the contest after completion of the second round of a contest that is scheduled for three rounds or less or after completion of the third round of a contest that is scheduled for more than three rounds, the outcome shall be determined by scoring both the completed rounds and the round during which the referee stops the contest. The contest shall be awarded to the contestant who has the higher score when the contest is stopped.

(4) If an injury inflicted by an accidental foul later becomes aggravated by any legal blow and the physician orders the contest stopped because of that injury, the outcome shall be determined by scoring both the completed rounds and the round during which the referee stops the contest. The contest shall be awarded to the contestant who has the higher score when the contest is stopped.

(v) Each contestant who fails to engage an opponent shall receive an immediate warning from the referee. If the contestant continues to fail to engage the opponent after a warning, the referee shall direct each of the judges to deduct a point from the contestant's score for that round.

(w) If a contestant fails to resume fighting when the bell sounds starting the next round, the referee shall award a technical knockout to the contestant's opponent.

(x) Each contest shall end with one of the following outcomes:

- (1) A technical knockout;
- (2) a decision by the judges consisting of one of the following:
 - (A) A unanimous decision;
 - (B) a split decision;
 - (C) a majority decision;
 - (D) a unanimous draw;
 - (E) a majority draw;
 - (F) a split draw;
 - (G) a technical decision; or
 - (H) a technical draw; or
- (3) a decision by the referee consisting of one of the following:
 - (A) A disqualification;
 - (B) a forfeit;
 - (C) a no-contest decision; or
 - (D) a submission, either verbally or by a tapout.

This regulation shall become effective on January 1, 2017. (Authorized by

K.S.A. ~~2007~~ 2016 Supp. 74-50,187; implementing K.S.A. ~~2007~~ 2016 Supp. 74-50,186 and 74-50,187; effective April 4, 2008; amended, T-_____, _____.)

Summary of Proposed Amendments to Regulation

Earlier this year, the Association of Boxing Commissions (ABC) passed various changes to the unified rules of mixed martial arts to help ensure fighter safety. These changes will be recognized nationally on January 1, 2017, requiring us to concurrently pursue temporary and permanent rule changes so our rules will be in accordance at the first of the year until the rules can be permanently changed. Many of the rule changes are to enhance fighter safety and to keep Kansas in line with industry-wide standards that will be in place by the first of the year.

While some of the rule changes are simply housekeeping issues (antiquated rules, fighter attire), some could have a profound impact on fighter safety and, in our and the ABC's opinion, are necessary for the advancement of the sport. The main changes to K.A.R. 128-6-4 are much needed updates to what is considered a grounded fighter, meaning a fighter may not be kicked or kned in the head while they meet the new criteria. In addition, there was an added foul for a fighter advancing toward their opponent with their fingers extended toward their opponents face. Previously, a foul was only called when the fighter made contact with their opponent's eye.

These much needed updates will help keep our rules and regulations in-line with the nationally recognized unified rules of mixed martial arts. These changes were passed 42-1 at the most recent ABC convention and, while increasing fighter safety, will also keep Kansas on the forefront of the industry and will help attract and keep national level promotions and events.

Economic Impact

Recently the Association of Boxing Commissions passed various changes to the unified rules of mixed martial arts to help ensure fighter safety. These rule changes are necessary to keep Kansas current with industry-wide standards. To that end, the Kansas Athletic Commission wishes to amend current regulation K.A.R. 128-6-4 to reflect the updated industry rules. Because these changes will be recognized nationally on January 1, 2017, the Kansas Athletic Commission is pursuing both temporary and permanent amendments so that we may make the rules changes at the same time. The temporary amendments and permanent amendments are identical and have the same effect.

The Kansas Athletic Commission supports the amendments and voted to adopt them with no dissent. The proposed amendments primarily enhance fighter safety by amending the definition of "grounded fighter" in K.A.R. 128-6-4(q)(13) to reflect a fighter touching the fighting area with anything other than a hand or the soles of the feet. With this new definition, K.A.R. 128-6-4(q)(13) and (14) prevents opponents from kicking or kneeing the head of a grounded fighter and

stomping on a grounded fighter. Another safety improvement is the implementation of a foul for a fighter approaching an opponent's face with fingers extended (K.A.R. 128-6-4(q)(12)). This would be a change from the unamended regulation which only made it a potential foul when the fighter made contact with the opponent's eyes. Other amendments include changes to fighter weight classification (K.A.R. 128-6-4(g)) and fighter attire (K.A.R. 128-6-4(l)(1)).

While these rules follow a nation scheme, each individual state is responsible for passing them and as such there is no federal mandate imposed or implicated by this regulation. Because these are only minor rules changes, the Kansas Athletic Commission and the Kansas Department of Commerce do not anticipate an economic impact on the Commission, individual citizens of the state of Kansas, or other governmental entities. The overall purpose of this regulation both amended and unamended is to insure fighter safety and as such the aim is to regulate fighter conduct which should not have an impact which would increase or decrease revenue. After reviewing the proposed amendments and carefully considering the people affected by said amendments, the Department of Commerce determined the affected parties would be referees, fighters, and fight promoters. With that determination, the only potential economic impact would be fighters having to adjust or purchase new attire in order to comply with the amended regulation. Because this is a minimal cost, the Department of Commerce did not consider any alternative methods that were less costly or intrusive.