

Athletic Division of the Indiana Gaming Commission

Laws and Regulations

A compilation of the Federal Law, Indiana Code, and Indiana Administrative Code for professional boxing, professional mixed martial arts, and amateur mixed martial arts in Indiana



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Indiana Gaming Commission
Attention: Athletic Division
101 West Washington Street
East Tower, Suite 1600
Indianapolis, Indiana 46204
Phone: (317) 234-7164
Fax: (317) 233-0047
Email: iac@igc.in.gov
Website: www.in.gov/igc/2635.htm

NOTICE: This compilation incorporates the most recent revisions of statutes and administrative rules governing professional boxing, professional mixed martial arts, and amateur mixed martial arts as of October 19, 2012. Note that this compilation is not an official version of the Indiana Code or Indiana Administrative Code. It is distributed as a general guide to individuals in the boxing and mixed martial arts professions regulated by the Athletic Division of the Indiana Gaming Commission. It is not intended to be offered as legal advice, and it may contain typographical errors. The Indiana Gaming Commission is prohibited from providing legal advice on issues contained herein. For legal advice, please consult an attorney. To obtain official copies of the Indiana Code or Indiana Administrative Code, please contact your nearest public library or visit the website of the Indiana General Assembly at www.in.gov/legislative.

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TITLE 4. STATE OFFICES AND ADMINISTRATION

ARTICLE 33. RIVERBOAT GAMBLING

CHAPTER 22. BOXING AND MIXED MARTIAL ARTS

IC 4-33-22-1 "Boxing"

Sec. 1. As used in this chapter, "boxing" means the art of attack and defense with the fists, or feet in the case of kickboxing, practiced as a sport.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-2 "Mixed martial arts"

Sec. 2. As used in this chapter, "mixed martial arts" means the unarmed physical confrontation of persons involving the use, subject to limitations as established by the commission, of a combination of techniques from different disciplines of the martial arts, including grappling, kicking, and striking.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-3 "Professional boxer"

Sec. 3. As used in this chapter, "professional boxer" means a person who competes for money, teaches, pursues, or assists in the practice of boxing as a means to obtain a livelihood or pecuniary gain.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-4 "Matchmaker"

Sec. 4. As used in this chapter, "matchmaker" means a person who, under contract, agreement, or other arrangement with a boxer, acts as a booker, an agent, a booking agent, or a representative to secure:

- (1) an engagement; or
- (2) a contract;

for the boxer.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-5 "Sparring"

Sec. 5. As used in this chapter, "sparring" means combat in which participants intend to and actually:

- (1) inflict kicks, punches, and blows; and
- (2) apply other techniques;

that may reasonably be expected to inflict injury on an opponent in a contest, exhibition, or performance.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-6 "Promoter"

Sec. 6. (a) As used in this chapter, and except as provided in section 18 of this chapter, "promoter" means the person primarily responsible for organizing, promoting, and producing a professional boxing or sparring, professional unarmed combat, or professional wrestling match, contest, or exhibition.

(b) The term does not include a hotel, casino, resort, or other commercial establishment hosting or sponsoring a professional boxing or sparring, professional unarmed combat, or professional wrestling match, contest, or exhibition, unless:

- (1) the hotel, casino, resort, or other commercial establishment is primarily responsible for organizing, promoting, and producing the match, contest, or exhibition; and
- (2) there is no other person primarily responsible for organizing, promoting, and producing the match, contest, or exhibition.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-7 "Unarmed combat"

Sec. 7. As used in this chapter, "unarmed combat" means the practice, or any related practice, of mixed martial arts or martial arts.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-8 "Unarmed competitor"

Sec. 8. As used in this chapter, "unarmed competitor" means a person who engages in an unarmed combat match, contest, exhibition, or performance.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-9 "Fund"

Sec. 9. (a) As used in this chapter, "fund" refers to the athletic fund created by this section.

(b) The athletic fund is created for purposes of administering this chapter. The fund shall be administered by the Indiana gaming commission.

(c) Expenses of administering the fund shall be paid from money in the fund.

(d) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the state general fund.

(e) The fund consists of:

- (1) appropriations made by the general assembly;
- (2) fees collected under this chapter; and
- (3) penalties collected under this chapter.

(f) An amount necessary to administer this chapter is continually appropriated from the fund to the Indiana gaming commission.

(g) If the balance in the fund at the end of a particular fiscal year exceeds one hundred thousand dollars (\$100,000), the amount that exceeds one hundred thousand dollars (\$100,000) reverts to the state general fund.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-10 Commission duties

Sec. 10. The commission shall ensure the:

- (1) safety of participants in;
- (2) fairness of; and
- (3) integrity of;

sparring, boxing, and unarmed combat matches or exhibitions in Indiana.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-11 Appointment of personnel; powers of secretary; issuance of legal documents

Sec. 11. (a) The executive director of the commission may appoint and remove deputies for use by the commission. The commission shall, when the commission considers it advisable, direct a deputy to be present at any place where sparring, boxing, or unarmed combat matches or exhibitions are to be held under this chapter. The deputies shall ascertain the exact conditions surrounding the match or exhibition and make a written report of the conditions in the manner and form prescribed by the commission.

(b) The executive director of the commission may appoint and remove a secretary for the commission, who shall:

- (1) keep a full and true record of all the commission's proceedings;
- (2) preserve at its general office all the commission's books, documents, and papers; and
- (3) prepare for service notices and other papers as may be required by the commission.

The executive director of the commission may employ only such clerical employees as are actually necessary and fix their salaries as provided by law.

(c) The executive director of the commission or a deputy appointed under subsection (a) may execute orders, subpoenas, continuances, and other legal documents on behalf of the commission.

(d) All expenses incurred in the administration of this chapter shall be paid from the fund upon appropriation being made for the expenses.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-12 Adoption of rules

Sec. 12. (a) In accordance with IC 35-45-18-1(b), the commission may adopt rules under IC 4-22-2 to regulate the conduct of the following:

- (1) Mixed martial arts.
- (2) Martial arts, including the following:
 - (A) Jujutsu.
 - (B) Karate.
 - (C) Kickboxing.
 - (D) Kung fu.
 - (E) Tae kwon do.
 - (F) Judo.
 - (G) Sambo.
 - (H) Pankration.
 - (I) Shootwrestling.
- (3) Professional wrestling.
- (4) Boxing.
- (5) Sparring.

(b) The commission may adopt emergency rules under IC 4-22-2-37.1 if the commission determines that:

- (1) the need for a rule is so immediate and substantial that the ordinary rulemaking procedures under IC 4-22-2 are inadequate to address the need; and
- (2) an emergency rule is likely to address the need.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-13 Authority of commission over matches and exhibitions; license and permit requirement

Sec. 13. (a) Boxing, sparring, and unarmed combat matches or exhibitions, whether or not for prizes or purses, may be held in Indiana.

(b) The commission:

- (1) has the sole direction, management, control, and jurisdiction over all boxing, sparring, and unarmed combat matches or exhibitions to be conducted, held, or given in Indiana; and
- (2) may issue licenses for those matches or exhibitions.

(c) A boxing, sparring, or unarmed combat match or an exhibition that is:

- (1) conducted by any school, college, or university within Indiana; or
- (2) sanctioned by United States Amateur Boxing, Inc.;

is not subject to the provisions of this chapter requiring a license. The term "school, college, or university" does not include a school or other institution for the principal purpose of furnishing instruction in boxing, or other athletics.

(d) Except as provided under section 18 of this chapter, no boxing, sparring, or unarmed combat match or exhibition, except as provided in this chapter, may be held or conducted within Indiana except under a license and permit issued by the commission in accordance with this chapter and the rules adopted under this chapter.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-14 Annual licenses; event permits; penalties

Sec. 14. (a) The commission may:

- (1) cause to be issued an annual license in writing for holding boxing, sparring, or unarmed combat matches or exhibitions to any person who is qualified under this chapter; and
- (2) adopt rules to establish the qualifications of the applicants.

(b) In addition to a general license, a person must, before conducting any particular boxing, sparring, or unarmed combat match or exhibition where one (1) or more contests are to be held, obtain a permit from the commission.

(c) Annual licenses may be revoked or suspended by the commission upon hearing and proof that any holder of an annual license has violated this chapter or any rule or order of the commission.

(d) A person who knowingly, recklessly, or intentionally conducts a boxing, sparring, or unarmed combat match or exhibition without first obtaining a license or permit commits a Class B misdemeanor.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-15 Applications

Sec. 15. (a) Applications for licenses or permits to conduct or participate in, either directly or indirectly, a boxing, sparring, or unarmed combat match or exhibition must be:

- (1) made in writing upon forms prescribed by the commission and shall be addressed to and filed with the gaming commission; and
- (2) verified by the applicant, if an individual, or by an officer of the club, corporation, or association in whose behalf the application is made.

(b) The application for a permit to conduct a particular boxing, sparring, or unarmed combat match or exhibition must, among other things, state:

- (1) the time and exact place at which the boxing, sparring, or unarmed combat match or exhibition is proposed to be held;
- (2) the names of the contestants who will participate and their seconds;
- (3) the seating capacity of the buildings or the hall in which such exhibition is proposed to be held;
- (4) the proposed admission charge;
- (5) the amount of the compensation percentage of gate receipts that is proposed to be paid to each of the participants;
- (6) the name and address of the applicant;
- (7) the names and addresses of all the officers if the applicant is a club, a corporation, or an association; and
- (8) the record of each contestant from a source approved by the commission.

(c) The commission shall keep records of the names and addresses of all persons receiving permits and licenses.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-16 Submission of fingerprints and financial information; criminal history checks

Sec. 16. (a) As used in this section, "applicant" means a person applying for a promoter's license or permit.

(b) The commission shall require an applicant to provide:

- (1) information, including fingerprints, that is needed to facilitate access to criminal history information; and
- (2) financial information, to the extent allowed by law.

(c) The state police department shall:

- (1) provide assistance in obtaining criminal history information of an applicant; and
- (2) forward fingerprints submitted by an applicant to the Federal Bureau of Investigation for the release of an applicant's criminal history information for the purposes of licensure under this chapter.

(d) The applicant shall pay any fees associated with the release of the criminal history information of the applicant.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-17 Licensing of promoters, participants, and other persons

Sec. 17. All promoters, either corporations or natural persons, physicians, referees, judges, timekeepers, matchmakers, professional boxers, unarmed competitors, managers of professional boxers or unarmed competitors, trainers and seconds, shall be licensed as provided in this chapter, and such a corporation or person may not be permitted to participate, either directly or indirectly, in any such boxing, sparring, or unarmed combat match or exhibition, or the holding thereof, unless the corporation and all such persons have first procured licenses. A contest conforming to the rules and requirements of this chapter is not considered to be a prizefight.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-18 Amateur mixed martial arts; requirements

Sec. 18. (a) As used in this section, "amateur mixed martial arts" refers to mixed martial arts that is:

(1) performed for training purposes in a school or other educational facility for no:

(A) purse; or

(B) prize with a value greater than one hundred dollars (\$100); or

(2) performed in a match, contest, exhibition, or performance for no:

(A) purse; or

(B) prize with a value greater than one hundred dollars (\$100).

(b) As used in this section, "promoter" means the person primarily responsible for organizing, promoting, and producing an amateur mixed martial arts match or exhibition. The term does not include a hotel, casino, resort, or other commercial establishment hosting or sponsoring an amateur mixed martial arts match unless:

(1) the hotel, casino, resort, or other commercial establishment is primarily responsible for organizing, promoting, and producing the match or exhibition; and

(2) there is no other person primarily responsible for organizing, promoting, and producing the match or exhibition.

(c) For amateur mixed martial arts matches or exhibitions, only:

(1) a body sanctioning the match or exhibition; and

(2) the promoter of the match or exhibition;

must procure licenses under this chapter. The commission shall develop procedures and standards governing application for licensure and license renewal of bodies sanctioning a match or exhibition and promoters under this section. The commission shall develop procedures for inspection and enforcement with respect to licenses issued under this subsection.

(d) The commission shall adopt rules under IC 4-22-2 to license sanctioning bodies and promoters required to be licensed under this chapter.

(e) The commission shall adopt rules under IC 4-22-2 that apply to each match or exhibition covered under this section and that determine requirements for the following:

(1) The presence of a medical doctor licensed under IC 25-22.5.

(2) The presence of an ambulance.

(3) Requirements for medical and life insurance to be carried for each participant.

(4) The need for medical tests, including:

(A) tests for HIV;

(B) pregnancy tests for women participants; and

(C) screening tests for illegal drugs.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-19 Eligibility for licenses and permits; nontransferability of licenses and permits

Sec. 19. A permit or license may not be issued to any person who has not complied with this chapter or who, before the applications, failed to obey a rule or order of the commission. In the case of a club, corporation, or association, a license or permit may not be issued to it

if, before its application, any of its officers have violated this chapter or any rule or order of the commission. A promoter, physician, referee, judge, timekeeper, matchmaker, professional boxer, unarmed competitor, manager of a professional boxer or unarmed competitor, trainer, or second may not be licensed if the person holds a federal gambling stamp. A license or permit when issued must recite that the person to whom it is granted has complied with this chapter and that a license or permit is not transferable.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-20 Authority to limit number of matches or exhibitions

Sec. 20. The commission has full power and authority to limit the number of boxing, sparring, or unarmed combat matches or exhibitions to be held or given by any person, club, organization, or corporation in any city or town in Indiana.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-21 Requirement to comply with terms of application

Sec. 21. (a) A person to whom a permit is issued may not:

(1) hold the match or exhibition at any other time or place;

(2) permit any other contestant to participate in the match or exhibition;

(3) charge a greater rate or rates of admission; or

(4) pay a greater fee, compensation, or percentage to contestants than that specified in the application filed before the issuance of the permit.

(b) Notwithstanding subsection (a), in case of emergency the commission may, upon application, allow a person to hold a boxing, sparring, or unarmed combat match or exhibition wherever and whenever it considers fit within the city in which the person is located and substitute contestants or seconds as circumstances may require.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-22 Denial of license or permit; violation of laws or rules; hearing

Sec. 22. In case the commission refuses to grant a license or permit to any applicant, the applicant, at the applicant's option, is entitled to a hearing in the manner provided by this chapter, but if the commission, before the refusal, after a hearing, makes a valid finding that the applicant has been guilty of disobeying any rule or order of the commission, or of any provision of this chapter, the applicant is not entitled to a license or permit; and in case any boxing, sparring, or unarmed combat match, or exhibition has been conducted by any person, club, corporation, or association under this chapter, the commission on its own motion, or on the petition of any resident of Indiana, may conduct a hearing to determine whether such person, club, corporation, or association has disobeyed any rule or order of the commission or has been guilty of any violation of this chapter.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-23 Procedures for hearings

Sec. 23. Any hearing by the commission must be in accordance with IC 4-21.5-3.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-24 Matches and exhibitions; site requirements

Sec. 24. All buildings or structures used, or in any way to be used for the purpose of holding or giving therein boxing, sparring, or unarmed combat matches or exhibitions, must be properly ventilated and provided with fire exits and fire escapes, if necessary, and in all manner must conform to the laws, ordinances, and regulations pertaining to buildings in the city or town where situated.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-25 Matches and exhibitions; age limits; gaming and other restrictions; penalties

Sec. 25. (a) A person shall not:

- (1) permit any person less than eighteen (18) years of age to participate in any boxing or sparring match or exhibition;
- (2) permit any gambling on the result of, or on any contingency in connection with, any boxing or sparring match or exhibition conducted by it; or
- (3) participate in or permit any sham or collusive boxing or sparring match or exhibition.

(b) A person who violates this section, in addition to any criminal penalty:

- (1) shall have the person's license or permit revoked, suspended, or restricted by the commission;
- (2) shall be placed on probation by the commission;
- (3) shall pay a civil penalty imposed by the commission not to exceed one thousand dollars (\$1,000);
- (4) is ineligible for a license or permit at any future time; or
- (5) is subject to the imposition by the commission of any combination of the penalties set forth in subdivisions (1) through (4).

As added by P.L.113-2010, SEC.11.

IC 4-33-22-26 Participation in violation; penalties

Sec. 26. (a) A person shall not:

- (1) participate in any sham or collusive boxing or sparring match or exhibition where the match or exhibition is conducted by a licensed person; or
- (2) being less than eighteen (18) years of age, participate in any boxing or sparring match or exhibition.

(b) For a first offense, in addition to the fine, a person who is a licensed contestant in Indiana and violates this section:

- (1) shall have the person's license or permit revoked, suspended, or restricted by the commission;
- (2) shall be placed on probation by the commission;
- (3) shall pay a civil penalty imposed by the commission not to exceed one thousand dollars (\$1,000);
- (4) is ineligible for a license or permit at any future time; or
- (5) is subject to the imposition by the commission of any combination of the penalties set forth in subdivisions (1) through (4).

For a second offense, a licensed contestant who violates this section may be forever barred from receiving any license or permit or participating in any boxing or sparring match or exhibition in Indiana.

(c) A person who gambles on the result of, or on any contingency in connection with, any boxing or sparring match or exhibition and is convicted under IC 35-45-5 shall, in addition to any criminal penalty imposed, be penalized as provided in subsection (b).

As added by P.L.113-2010, SEC.11.

IC 4-33-22-27 Contestants; examinations; limitations on length of match or exhibition; required personnel at matches or exhibitions; penalties

Sec. 27. (a) Each contestant for boxing, sparring, or unarmed combat shall be examined within two (2) hours before entering the ring by a competent physician licensed under IC 25-22.5 appointed by the commission. The physician shall certify in writing that each contestant is physically fit to engage in the contest if the physician so determines, and the physician's certificate shall be delivered to the commission before the contest. The physician shall mail the report of examination to the commission within twenty-four (24) hours after the contest. Blank forms of physicians' reports shall be furnished to physicians by the commission, and questions on blank forms must be answered in full. No match, contest, or exhibition shall be held unless a licensed physician is in attendance. Any boxer or unarmed

competitor who, in the opinion of the physician, is physically unfit to enter the match or exhibition shall be excused by the commission or its deputy. During the conduct of the match or exhibition, the physician may observe the physical condition of the boxers or unarmed competitors and if, in the opinion of the physician, any contestant in any match or exhibition is physically unfit to continue, the physician shall advise the referee.

(b) A boxing or sparring match or exhibition may not last more than twelve (12) rounds, and each round may not last more than three (3) minutes. There must not be less than a one (1) minute intermission between each round. The commission may for any bout or any class of contestants limit the number of rounds of the bout within the maximum of twelve (12) rounds.

(c) Any contestant in a boxing or sparring match or an exhibition must wear standard gloves, weighing at least eight (8) ounces, and the gloves worn by each of the contestants must be equal in weight.

(d) At each boxing, sparring, or unarmed combat match or exhibition there must be in attendance, at the expense of the person conducting the match or exhibition, a licensed referee who shall direct and control the match or exhibition. Before starting each contest, the referee shall ascertain from each contestant the name of the contestant's chief second, and shall hold the chief second responsible for the conduct of the chief second's assistant seconds during the contest. The referee may declare forfeited a part or all of any remuneration or purse belonging to the contestants, or one (1) of them, if, in the referee's judgment, the contestant or contestants are not honestly competing. Any forfeited amount shall be paid into the fund.

(e) There must also be in attendance at the expense of the person conducting the match or exhibition three (3) licensed judges who shall, at the termination of each boxing, sparring, or unarmed combat match or exhibition render their decisions as to the winner.

(f) A person who holds any boxing, sparring, or unarmed combat match or exhibition in violation of this section commits a Class A infraction.

(g) A physician who knowingly certifies falsely to the physical condition of any contestant commits a Class B infraction.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-28 Contestants; biennial licenses; fees

Sec. 28. (a) A contestant may not participate in any boxing, sparring, or unarmed combat match or exhibition unless registered and licensed with the commission, which license must be renewed biennially. The license fee and the renewal fee may not be less than five dollars (\$5), paid at the time of the application for the license or renewal.

(b) Any person who desires to be registered and licensed as a contestant shall file an application in writing with the executive director of the commission stating:

- (1) the correct name of the applicant;
- (2) the date and place of the applicant's birth;
- (3) the place of the applicant's residence; and
- (4) the applicant's employment, business, or occupation, if any.

The application must be verified under oath of the applicant. An application for a renewal license must be in similar form.

(c) No assumed or ring names shall be used in any application nor in any advertisement of any contest, unless the ring or assumed name has been registered with the commission with the correct name of the applicant.

(d) Each application for license by a contestant or for a license renewal must be accompanied by the certificate of a physician residing within Indiana who is licensed as provided in this article and has practiced in Indiana for not less than five (5) years, certifying that the physician has made a thorough physical examination of the applicant, and that the applicant is physically fit and qualified to

participate in boxing, sparring, or unarmed combat matches or exhibitions.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-29 Referees and judges; biennial licenses

Sec. 29. (a) The commission shall, upon proper application, grant licenses to competent referees and judges whose qualifications may be tested by the commission, and the commission may revoke any such license granted to any referee or judge upon cause as the commission finds sufficient. A referee's or judge's license must be renewed biennially. No person shall be permitted to act as referee or judge in Indiana without a license.

(b) The application for license as referee, or renewal thereof, shall be accompanied by a fee established by the commission.

(c) The commission shall appoint, from among licensed officials, all officials for all contests held under this chapter.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-30 Ineligibility for and revocation of license; conviction of offense related to controlled substances

Sec. 30. The commission may declare any person who has been convicted of an offense under IC 35-48 ineligible to participate in any boxing, sparring, or unarmed combat match or exhibition, or any other activity or event regulated by the commission, notwithstanding that the person may hold a valid license issued by the commission. The period of ineligibility shall be for not less than six (6) months nor more than three (3) years, as determined by the commission. If a convicted person is declared ineligible, the commission shall suspend the person and declare the person ineligible to participate in any boxing, sparring, or unarmed combat match or exhibition, or any other activity or event regulated by the commission, as soon as it discovers the conviction, but the period of ineligibility shall commence from the actual date of the conviction. During the period of ineligibility, the suspended person may reapply to the commission for a license.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-31 Revocation and suspension

Sec. 31. (a) Any license under this chapter may be revoked or suspended by the commission for reasons sufficient under this chapter.

(b) If a person displays to the public credentials issued by the commission that:

- (1) have been revoked or suspended under this chapter; or
- (2) have expired;

the commission may declare the person ineligible for a period to be determined by the commission to participate in any boxing, sparring, or unarmed combat match, exhibition, or other activity regulated by the commission.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-32 Match or exhibition; gross receipts tax; report

Sec. 32. (a) Every person, club, corporation, firm, or association that may conduct any match or exhibition under this chapter shall do the following within twenty-four (24) hours after the end of the match or exhibition:

- (1) Furnish to the commission, by mail, a written report duly verified by that person or, if a club, corporation, firm, or association, by one (1) of its officers, showing the amount of the gross proceeds for the match or exhibition and other related matters as the commission may prescribe.
- (2) Pay a tax of five percent (5%) of the price from the sale of each admission ticket to the match or exhibition, which price is a separate and distinct charge and may not include any tax imposed on and collected on account of the sale of the ticket.

Money derived from the tax shall be deposited in the fund.

- (3) Pay all fees established by the commission necessary to cover the administrative costs of its regulatory oversight function.

The commission may waive the tax on the price of admission for complimentary admissions.

(b) Before any license is granted for any boxing, sparring, or unarmed combat match or exhibition in Indiana, a bond or other instrument that provides financial recourse must be provided to the commission. The instrument must be:

- (1) in an amount determined by the commission;
- (2) approved as to form and sufficiency of the sureties by the commission;
- (3) payable to the state; and
- (4) conditioned for the payment of the tax imposed, the officials and contestants, and compliance with this chapter and the valid rules of the commission.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-33 Closed circuit telecast; pay per view telecast; subscription television; gross receipts tax; report

Sec. 33. Every promoter holding or showing any public boxing, sparring, mixed martial arts, or unarmed combat match or exhibition for viewing in Indiana on a closed circuit telecast, pay per view telecast, or subscription television that is viewed by subscribers who are not present at the venue shall furnish the executive director of the commission a written report, under oath, stating the amount of gross proceeds from the closed circuit telecast, pay per view telecast, or subscription television viewing in Indiana and any other matter as the commission may prescribe. The promoter shall, within seventy-two (72) hours after the determination of the outcome of the match or exhibition, pay a tax of three percent (3%) of the gross receipts from the viewing of the match or exhibition on a closed circuit telecast, pay per view telecast, or subscription television. However, the tax may not exceed fifty thousand dollars (\$50,000) for each event. Money derived from the tax shall be placed in the state general fund. The budget agency may augment appropriations from the fund to the Indiana gaming commission to regulate boxing, sparring, unarmed combat, and any other form of mixed martial arts.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-34 Unsatisfactory reports; examination of records; penalties

Sec. 34. Whenever a report under section 32 or 33 of this chapter is unsatisfactory to the state treasurer, the state treasurer may examine or cause to be examined the books and records of the person, club, corporation, or association and subpoena and examine, under oath, that person or officers and other persons as witnesses for the purpose of determining the total amount of the gross receipts derived from any contest, and the amount of tax due, under this chapter, which tax the state treasurer may upon examination, fix and determine. In case of default in the payment of any tax due, together with the expenses incurred in making the examination for a period of twenty (20) days after written notice to the delinquent person, club, corporation, or association of the amount fixed by the state treasurer as delinquent, the person, club, corporation, or association shall be disqualified from receiving any new license or permit, and the attorney general shall institute suit upon the bond filed under section 32 of this chapter, to recover the tax and penalties imposed by this chapter. In addition to the tax due from the delinquent person, club, corporation, or association, a penalty in the sum of not more than one thousand dollars (\$1,000) for each offense shall be recovered by the attorney general for the state.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-35 Appointment of inspectors

Sec. 35. The commission may appoint official representatives, designated as inspectors, each of whom shall receive from the commission a card authorizing the official representative to act as an inspector wherever the commission may designate the official representative to act. One (1) inspector or deputy shall:

- (1) be present at all boxing, sparring, or unarmed combat matches or exhibitions and ensure that the rules of the commission and this chapter are strictly observed; and
- (2) be present at the counting up of the gross receipts and immediately mail to the commission the final box office statement received by the inspector or deputy from the person or officers of the club, corporation, or association conducting the match or exhibition.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-36 Regulation of weights and classes of contestants; rules

Sec. 36. The commission shall determine the weights and classes of boxers and unarmed competitors and the rules and regulations of boxing and unarmed combat.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-37 Display of purchase price on tickets; maximum attendance limits

Sec. 37. All tickets of admission to any boxing, sparring, or unarmed combat match or exhibition must clearly show the purchase price. Tickets shall not be sold for more than the price printed on the tickets. It is unlawful for any person, club, corporation, or association to admit to a contest a number of people greater than the seating capacity of the place where the contest is held.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-38 Contestants; prohibition on prepayment of services; honest exhibition condition of payment

Sec. 38. A contestant shall not be paid for services before the contest, and the referee and judges must determine that if any contestant did not give an honest exhibition of the contestant's skill, the contestant's services shall not be paid for.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-39 Deposit of fees in fund

Sec. 39. All fees received by the executive director of the commission on behalf of the commission under this chapter shall be paid into the fund.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-40 Penalties

Sec. 40. A person who knowingly, recklessly, or intentionally violates this chapter commits a Class B misdemeanor.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-41 Adoption of rules

Sec. 41. The commission may adopt rules under IC 4-22-2 to administer this chapter.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-42 Grounds for disciplinary action

Sec. 42. A licensee shall comply with the standards established by the commission. A practitioner is subject to the disciplinary sanctions under section 43 of this chapter if, after a hearing, the commission finds any of the following concerning the practitioner:

- (1) Failure, without just cause, to observe the terms of any contract required to be on file with the commission.
- (2) Violation of any of the provisions of the statutes, rules, or orders of the commission.

(3) Interference with the official duties of other licensees, the commission, or any administrative officer or representative of the commission.

(4) Gambling that is otherwise prohibited by law on the result of any bout permitted by the commission.

(5) Noncompetitive boxing, sparring, or unarmed combat or the solicitation of noncompetitive boxers or unarmed competitors.

(6) Failure to appear at designated times and places as required by the commission.

(7) Bribery or attempted bribery of any licensee, employee, or member of the commission.

(8) Employing or knowingly cooperating in fraud or material deception in order to obtain any license or permit issued by the commission.

(9) Conviction for a crime that has a direct bearing on the applicant's or licensee's ability to perform acts that require a license or permit issued by the commission.

(10) Unlicensed or unpermitted participation in any activity in Indiana for which a license or permit issued by the commission is required.

(11) Participating, directly or indirectly, in any agreement to circumvent any rules or ruling of the commission.

(12) Any activity that undermines the integrity of boxing, sparring, or unarmed combat.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-43 Sanctions

Sec. 43. (a) The commission may impose any of the following sanctions, singly or in combination, if the commission finds that a licensee is subject to disciplinary sanctions under section 42 of this chapter:

- (1) Permanently revoke a licensee's license.
- (2) Suspend a licensee's license.
- (3) Censure a licensee.
- (4) Issue a letter of reprimand.
- (5) Place a licensee on probation status and require the licensee to:

(A) report regularly to the commission upon the matters that are the basis of probation;

(B) limit the licensee's participation at boxing, sparring, or unarmed combat events to those areas prescribed by the commission; or

(C) perform any acts, including community restitution or service without compensation, or refrain from performing any acts, that the commission considers appropriate to the public interest or to the rehabilitation or treatment of the licensee.

(6) Assess a civil penalty against the licensee for not more than one thousand dollars (\$1,000) for each violation listed in section 42 of this chapter.

(7) Order a licensee to pay consumer restitution to a person who suffered damages as a result of the conduct or omission that was the basis for the disciplinary sanctions under this chapter.

(b) When imposing a civil penalty under subsection (a)(6), the commission shall consider a licensee's ability to pay the amount assessed. If the licensee fails to pay the civil penalty within the time specified by the commission, the commission may suspend the licensee's license without additional proceedings. However, a suspension may not be imposed if the sole basis for the suspension is the licensee's inability to pay a civil penalty.

(c) The commission may withdraw or modify the probation under subsection (a)(5) if the commission finds after a hearing that the deficiency that required disciplinary action has been remedied or that changed circumstances warrant a modification of the order.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-44 Summary suspension

Sec. 44. (a) The commission may summarily suspend a licensee's license for ninety (90) days before a final adjudication or during the appeals process if the commission finds that a licensee represents a clear and immediate danger to the public's health, safety, or property if the licensee is allowed to continue to participate in boxing, sparring, or unarmed combat matches, contests, or exhibitions. The summary suspension may be renewed upon a hearing before the commission, and each renewal may be for not more than ninety (90) days.

(b) Before the commission may summarily suspend a license under this section, the commission shall make a reasonable attempt to notify the licensee of:

- (1) a hearing by the commission to suspend the licensee's license; and
- (2) information regarding the allegation against the licensee.

The commission shall also notify the licensee that the licensee may provide a written or an oral statement to the commission on the licensee's behalf before the commission issues an order for summary suspension. A reasonable attempt to notify the licensee is made if the commission attempts to notify the licensee by telephone or facsimile at the last telephone number or facsimile number of the licensee on file with the commission.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-45 Reinstatement

Sec. 45. The commission may reinstate a license that has been suspended under this chapter if, after a hearing, the commission is satisfied that the applicant is able to participate at a boxing, sparring, or unarmed combat match, contest, or exhibition in a professional manner and with reasonable skill. As a condition of reinstatement, the commission may impose disciplinary or corrective measures authorized under this chapter.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-46 Reinstatement not available for revoked license; waiting period before reapplying for license

Sec. 46. The commission may not reinstate a license that has been revoked under this chapter. An individual whose license has been revoked under this chapter may not apply for a new license until seven (7) years after the date of revocation.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-47 Surrender of license

Sec. 47. A licensee may petition the commission to accept the surrender of the licensee's license instead of having a hearing before the commission. The licensee may not surrender the licensee's license without the written approval of the commission, and the commission may impose any conditions appropriate to the surrender or reinstatement of a surrendered license.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-48 Costs of disciplinary proceeding

Sec. 48. A licensee who has been subjected to disciplinary sanctions may be required by the commission to pay the costs of the proceeding. The licensee's ability to pay shall be considered when costs are assessed. If the licensee fails to pay the costs, a suspension may not be imposed solely upon the licensee's inability to pay the amount assessed. These costs are limited to costs for the following:

- (1) Court reporters.
- (2) Transcripts.
- (3) Certification of documents.
- (4) Photo duplication.
- (5) Witness attendance and mileage fees.
- (6) Postage.
- (7) Expert witnesses.
- (8) Depositions.

(9) Notarizations.

(10) Administrative law judges.

As added by P.L.113-2010, SEC.11.

IC 4-33-22-49 Effect of disciplinary action by another state or jurisdiction; probationary licenses

Sec. 49. (a) The commission may refuse to issue a license or may issue a probationary license to an applicant for licensure if:

(1) the applicant has:

(A) been disciplined by a licensing entity of another state or jurisdiction; or

(B) committed an act that would have subjected the applicant to the disciplinary process if the applicant had been licensed in Indiana when the act occurred; and

(2) the violation for which the applicant was or could have been disciplined has a bearing on the applicant's ability to competently and professionally participate in a boxing, sparring, or unarmed combat match, contest, or exhibition in Indiana.

(b) The board may:

(1) refuse to issue a license; or

(2) issue a probationary license;

to an applicant for licensure if the applicant participated in a boxing, sparring, or unarmed combat match, contest, or exhibition in Indiana without a license in violation of the law.

(c) Whenever the commission issues a probationary license, the commission may require a licensee to do any of the following:

(1) Report regularly to the commission upon the matters that are the basis of the discipline of the other state or jurisdiction.

(2) Limit participation in a boxing, sparring, or unarmed combat match, contest, or exhibition to the areas prescribed by the commission.

(3) Engage in community restitution or service without compensation for the number of hours specified by the commission.

(4) Perform or refrain from performing an act that the commission considers appropriate to the public interest or to the rehabilitation or treatment of the applicant.

(d) The commission shall remove any limitations placed on a probationary license under this section if the commission finds after a public hearing that the deficiency that required disciplinary action has been remedied.

As added by P.L.113-2010, SEC.11.

TITLE 35. CRIMINAL LAW AND PROCEDURE

**ARTICLE 45. OFFENSES AGAINST PUBLIC HEALTH,
ORDER, AND DECENY**

CHAPTER 18. COMBATIVE FIGHTING

IC 35-45-18-0.1 Application of certain amendments to chapter

Sec. 0.1. The addition of sections 2 and 3 of this chapter by P.L.112-2007 applies only to crimes committed after June 30, 2007.
As added by P.L.220-2011, SEC.613.

IC 35-45-18-1 "Combative fighting"

Sec. 1. (a) As used in this chapter, "combative fighting" (also known as "toughman fighting", "badman fighting", and "extreme fighting") means a match, contest, or exhibition that involves at least (2) contestants, with or without gloves or protective headgear, in which the contestants:

(1) use their:

(A) hands;

(B) feet; or

(C) both hands and feet;

to strike each other; and

(2) compete for a financial prize or any item of pecuniary value.

(b) The term does not include:

(1) a boxing, sparring, or unarmed combat match regulated under IC 4-33-22;

(2) mixed martial arts (as defined by IC 4-33-22-2);

(3) martial arts, as regulated by the gaming commission in rules adopted under IC 4-33-22;

(4) professional wrestling, as regulated by the gaming commission in rules adopted under IC 4-33-22; or

(5) a match, contest, or game in which a fight breaks out among the participants as an unplanned, spontaneous event and not as an intended part of the match, contest, or game.

As added by P.L.112-2007, SEC.2. Amended by P.L.160-2009, SEC.49; P.L.113-2010, SEC.107.

IC 35-45-18-2 Combative fighting

Sec. 2. A person who knowingly or intentionally participates in combative fighting commits unlawful combative fighting, a Class C misdemeanor.

As added by P.L.112-2007, SEC.2.

IC 35-45-18-3 Unlawful promotion or organization of combative fighting

Sec. 3. A person who knowingly or intentionally promotes or organizes combative fighting commits unlawful promotion or organization of combative fighting, a Class A misdemeanor. However, the offense is a Class D felony if, within the five (5) years preceding the commission of the offense, the person had a prior unrelated conviction under this section.

As added by P.L.112-2007, SEC.2.

TITLE 4. STATE OFFICES AND ADMINISTRATION

ARTICLE 21.5. ADMINISTRATIVE ORDERS AND PROCEDURES

CHAPTER 3. ADJUDICATIVE PROCEEDINGS

IC 4-21.5-3-1 Version a

Service of process; notice by publication

Note: This version of section effective until 3-19-2012. See also following version of this section, effective 3-19-2012.

Sec. 1. (a) This section applies to:

- (1) the giving of any notice;
- (2) the service of any motion, ruling, order, or other filed item; or
- (3) the filing of any document with the ultimate authority; in an administrative proceeding under this article.

(b) Except as provided in subsection (c) or as otherwise provided by law, a person shall serve papers by:

- (1) United States mail;
- (2) personal service;
- (3) electronic mail; or
- (4) any other method approved by the Indiana Rules of Trial Procedure.

(c) The following shall be served by United States mail or personal service:

- (1) The initial notice of a determination under section 4, 5, or 6 of this chapter.
- (2) A petition for review of an agency action under section 7 of this chapter.
- (3) A complaint under section 8 of this chapter.

(d) The agency shall keep a record of the time, date, and circumstances of the service under subsection (b) or (c).

(e) Service shall be made on a person or on the person's counsel or other authorized representative of record in the proceeding. Service on an artificial person or a person incompetent to receive service shall be made on a person allowed to receive service under the rules governing civil actions in the courts. If an ultimate authority consists of more than one (1) individual, service on that ultimate authority must be made on the chairperson or secretary of the ultimate authority. A document to be filed with that ultimate authority must be filed with the chairperson or secretary of the ultimate authority.

(f) If the current address of a person is not ascertainable, service shall be mailed to the last known address where the person resides or has a principal place of business. If the identity, address, or existence of a person is not ascertainable, or a law other than a rule allows, service shall be made by a single publication in a newspaper of general circulation in:

- (1) the county in which the person resides, has a principal place of business, or has property that is the subject of the proceeding; or
- (2) Marion County, if the place described in subdivision (1) is not ascertainable or the place described in subdivision (1) is outside Indiana and the person does not have a resident agent or other representative of record in Indiana.

(g) A notice given by publication must include a statement advising a person how the person may receive written notice of the proceedings.

(h) The filing of a document with an ultimate authority is complete on the earliest of the following dates that apply to the filing:

- (1) The date on which the document is delivered to the ultimate authority:
 - (A) under subsection (b) or (c); and
 - (B) in compliance with subsection (e).

(2) The date of the postmark on the envelope containing the document, if the document is mailed to the ultimate authority by United States mail.

(3) The date on which the document is deposited with a private carrier, as shown by a receipt issued by the carrier, if the document is sent to the ultimate authority by private carrier.

As added by P.L.18-1986, SEC.1. Amended by P.L.35-1987, SEC.2; P.L.33-1989, SEC.2; P.L.35-1989, SEC.2; P.L.32-2011, SEC.1; P.L.6-2012, SEC.17.

IC 4-21.5-3-1 Version b

Service of process; notice by publication

Note: This version of section effective 3-19-2012. See also preceding version of this section, effective until 3-19-2012.

Sec. 1. (a) This section applies to:

- (1) the giving of any notice;
- (2) the service of any motion, ruling, order, or other filed item; or
- (3) the filing of any document with the ultimate authority; in an administrative proceeding under this article.

(b) Except as provided in subsection (c) or as otherwise provided by law, a person shall serve papers by:

- (1) United States mail;
- (2) personal service;
- (3) electronic mail; or
- (4) any other method approved by the Indiana Rules of Trial Procedure.

(c) The following shall be served by United States mail or personal service:

- (1) The initial notice of a determination under section 6 of this chapter.
- (2) A petition for review of an agency action under section 7 of this chapter.
- (3) A complaint under section 8 of this chapter.

(d) The agency shall keep a record of the time, date, and circumstances of the service under subsection (b) or (c).

(e) Service shall be made on a person or on the person's counsel or other authorized representative of record in the proceeding. Service on an artificial person or a person incompetent to receive service shall be made on a person allowed to receive service under the rules governing civil actions in the courts. If an ultimate authority consists of more than one (1) individual, service on that ultimate authority must be made on the chairperson or secretary of the ultimate authority. A document to be filed with that ultimate authority must be filed with the chairperson or secretary of the ultimate authority.

(f) If the current address of a person is not ascertainable, service shall be mailed to the last known address where the person resides or has a principal place of business. If the identity, address, or existence of a person is not ascertainable, or a law other than a rule allows, service shall be made by a single publication in a newspaper of general circulation in:

- (1) the county in which the person resides, has a principal place of business, or has property that is the subject of the proceeding; or
- (2) Marion County, if the place described in subdivision (1) is not ascertainable or the place described in subdivision (1) is outside Indiana and the person does not have a resident agent or other representative of record in Indiana.

(g) A notice given by publication must include a statement advising a person how the person may receive written notice of the proceedings.

(h) The filing of a document with an ultimate authority is complete on the earliest of the following dates that apply to the filing:

- (1) The date on which the document is delivered to the ultimate authority:
 - (A) under subsection (b) or (c); and

(B) in compliance with subsection (e).

(2) The date of the postmark on the envelope containing the document, if the document is mailed to the ultimate authority by United States mail.

(3) The date on which the document is deposited with a private carrier, as shown by a receipt issued by the carrier, if the document is sent to the ultimate authority by private carrier.

As added by P.L.18-1986, SEC.1. Amended by P.L.35-1987, SEC.2; P.L.33-1989, SEC.2; P.L.35-1989, SEC.2; P.L.32-2011, SEC.1; P.L.6-2012, SEC.17; P.L.152-2012, SEC.4.

IC 4-21.5-3-2 Time computation

Sec. 2. (a) In computing any period of time under this article, the day of the act, event, or default from which the designated period of time begins to run is not included. The last day of the computed period is to be included unless it is:

- (1) a Saturday;
- (2) a Sunday;
- (3) a legal holiday under a state statute; or
- (4) a day that the office in which the act is to be done is closed during regular business hours.

(b) A period runs until the end of the next day after a day described in subsection (a)(1) through (a)(4). If the period allowed is less than seven (7) days, intermediate Saturdays, Sundays, state holidays, and days on which the office in which the act is to be done is closed during regular business hours are excluded from the calculation.

(c) A period of time under this article that commences when a person is served with a paper, including the period in which a person may petition for judicial review, commences with respect to a particular person on the earlier of the date that:

- (1) the person is personally served with the notice; or
- (2) a notice for the person is deposited in the United States mail.

(d) If section 1(f) of this chapter applies, a period of time under this article commences when a notice for the person is published in a newspaper.

(e) If a notice is served through the United States mail, three (3) days must be added to a period that commences upon service of that notice.

As added by P.L.18-1986, SEC.1. Amended by P.L.32-2011, SEC.2.

IC 4-21.5-3-3 Notice of orders; additional proceedings; effectiveness; stays

Sec. 3. (a) An agency shall give notice concerning an order under section 4, 5, 6, or 8 of this chapter. An agency shall conduct additional proceedings under this chapter if required by section 7 or 8 of this chapter. However, IC 4-21.5-4 applies to the notice and proceedings necessary for emergency and other temporary orders.

(b) Notwithstanding IC 1-1-4-1, if:

- (1) a panel of individuals responsible for an agency action has a quorum of its members present, as specified by law; and
- (2) a statute other than IC 1-1-4-1 does not specify the number of votes necessary to take an agency action;

the panel may take the action by an affirmative vote of a majority of the members present and voting. For the purposes of this subsection, a member abstaining on a vote is not voting on the action.

(c) An order is effective when it is issued as a final order under this chapter, except to the extent that:

- (1) a different date is set by this article;
- (2) a later date is set by an agency in its order; or
- (3) an order is stayed.

(d) After an order becomes effective, an agency may suspend the effect of an order, in whole or in part, by staying the order under this chapter.

(e) A party to an order may be required to comply with an order only after the party has been served with the order or has actual knowledge of the order.

As added by P.L.18-1986, SEC.1. Amended by P.L.35-1987, SEC.3.

IC 4-21.5-3-4 Notice required; licenses and personnel decisions; persons who must be notified; contents

Sec. 4. (a) Notice must be given under this section concerning the following:

- (1) The grant, renewal, restoration, transfer, or denial of a license by the bureau of motor vehicles under IC 9.
- (2) The grant, renewal, restoration, transfer, or denial of a noncommercial fishing or hunting license by the department of natural resources under IC 14.
- (3) The grant, renewal, restoration, transfer, or denial of a license by a board described in IC 25-1-8-1.
- (4) The grant, renewal, suspension, revocation, or denial of a certificate of registration under IC 25-5.2.
- (5) A personnel decision by an agency.
- (6) The grant, renewal, restoration, transfer, or denial of a license by the department of environmental management or the commissioner of the department under the following:

(A) Environmental management laws (as defined in IC 13-11-2-71) for the construction, installation, or modification of:

- (i) sewers and appurtenant facilities, devices, or structures for the collection and transport of sewage (as defined in IC 13-11-2-200) or storm water to a storage or treatment facility or to a point of discharge into the environment; or
- (ii) pipes, pumps, and appurtenant facilities, devices, or structures that are part of a public water system (as defined in IC 13-11-2-177.3) and that are used to transport water to a storage or treatment facility or to distribute water to the users of the public water system;

where a federal, state, or local governmental body has given or will give public notice and has provided or will provide an opportunity for public participation concerning the activity that is the subject of the license.

(B) Environmental management laws (as defined in IC 13-11-2-71) for the registration of a device or a piece of equipment.

(C) IC 13-17-6-1 for a person to engage in the inspection, management, and abatement of asbestos containing material.

(D) IC 13-18-11 for a person to operate a wastewater treatment plant.

(E) IC 13-15-10 for a person to operate the following:

- (i) A solid waste incinerator or a waste to energy facility.
- (ii) A land disposal site.
- (iii) A facility described under IC 13-15-1-3 whose operation could have an adverse impact on the environment if not operated properly.

(F) IC 13-20-4 for a person to operate a municipal waste collection and transportation vehicle.

(b) When an agency issues an order described by subsection (a), the agency shall give a written notice of the order to the following persons:

- (1) Each person to whom the order is specifically directed.
- (2) Each person to whom a law requires notice to be given.

A person who is entitled to notice under this subsection is not a party to any proceeding resulting from the grant of a petition for review under section 7 of this chapter unless the person is designated as a party on the record of the proceeding.

(c) The notice must include the following:

- (1) A brief description of the order.
- (2) A brief explanation of the available procedures and the time limit for seeking administrative review of the order under section 7 of this chapter.
- (3) Any information required by law.

(d) An order under this section is effective when it is served. However, if a timely and sufficient application has been made for renewal of a license described by subsection (a)(3) and review is

granted under section 7 of this chapter, the existing license does not expire until the agency has disposed of the proceeding under this chapter concerning the renewal, unless a statute other than this article provides otherwise. This subsection does not preclude an agency from issuing under IC 4-21.5-4 an emergency or other temporary order with respect to the license.

(e) If a petition for review of an order described in subsection (a) is filed within the period set by section 7 of this chapter and a petition for stay of effectiveness of the order is filed by a party or another person who has a pending petition for intervention in the proceeding, an administrative law judge shall, as soon as practicable, conduct a preliminary hearing to determine whether the order should be stayed in whole or in part. The burden of proof in the preliminary hearing is on the person seeking the stay. The administrative law judge may stay the order in whole or in part. The order concerning the stay may be issued after an order described in subsection (a) becomes effective. The resulting order concerning the stay shall be served on the parties and any person who has a pending petition for intervention in the proceeding. It must include a statement of the facts and law on which it is based.

As added by P.L.18-1986, SEC.1. Amended by P.L.35-1989, SEC.3; P.L.25-1991, SEC.1; P.L.33-1993, SEC.1; P.L.1-1996, SEC.25; P.L.54-2001, SEC.2; P.L.184-2002, SEC.1.

IC 4-21.5-3-5 Notice required; certain licensing and other decisions; persons who must be notified; contents; effectiveness of order; stays

Sec. 5. (a) Notice shall be given under this section concerning the following:

- (1) The grant, renewal, restoration, transfer, or denial of a license not described by section 4 of this chapter.
- (2) The approval, renewal, or denial of a loan, grant of property or services, bond, financial guarantee, or tax incentive.
- (3) The grant or denial of a license in the nature of a variance or exemption from a law.
- (4) The determination of tax due or other liability.
- (5) A determination of status.
- (6) Any order that does not impose a sanction or terminate a legal right, duty, privilege, immunity, or other legal interest.

(b) When an agency issues an order described in subsection (a), the agency shall give a written notice of the order to the following persons:

- (1) Each person to whom the order is specifically directed.
- (2) Each person to whom a law requires notice to be given.
- (3) Each competitor who has applied to the agency for a mutually exclusive license, if issuance is the subject of the order and the competitor's application has not been denied in an order for which all rights to judicial review have been waived or exhausted.
- (4) Each person who has provided the agency with a written request for notification of the order, if the request:
 - (A) describes the subject of the order with reasonable particularity; and
 - (B) is delivered to the agency at least seven (7) days before the day that notice is given under this section.
- (5) Each person who has a substantial and direct proprietary interest in the subject of the order.
- (6) Each person whose absence as a party in the proceeding concerning the order would deny another party complete relief in the proceeding or who claims an interest related to the subject of the order and is so situated that the disposition of the matter, in the person's absence, may:
 - (A) as a practical matter impair or impede the person's ability to protect that interest; or
 - (B) leave any other person who is a party to a proceeding concerning the order subject to a substantial risk of incurring

multiple or otherwise inconsistent obligations by reason of the person's claimed interest.

A person who is entitled to notice under this subsection is not a party to any proceeding resulting from the grant of a petition for review under section 7 of this chapter unless the person is designated as a party in the record of the proceeding.

(c) The notice required by subsection (a) must include the following:

- (1) A brief description of the order.
 - (2) A brief explanation of the available procedures and the time limit for seeking administrative review of the order under section 7 of this chapter.
 - (3) A brief explanation of how the person may obtain notices of any prehearing conferences, preliminary hearings, hearings, stays, and any orders disposing of the proceedings without intervening in the proceeding, if a petition for review is granted under section 7 of this chapter.
 - (4) Any other information required by law.
- (d) An agency issuing an order under this section or conducting an administrative review of the order shall give notice of any:
- (1) prehearing conference;
 - (2) preliminary hearing;
 - (3) hearing;
 - (4) stay; or
 - (5) order disposing of all proceedings;

concerning the order to a person notified under subsection (b) who requests these notices in the manner specified under subsection (c)(3).

(e) If a statute requires an agency to solicit comments from the public in a nonevidentiary public hearing before issuing an order described by subsection (a), the agency shall announce at the opening and the close of the public hearing how a person may receive notice of the order under subsection (b)(4).

(f) If a petition for review and a petition for stay of effectiveness of an order described in subsection (a) has not been filed, the order is effective fifteen (15) days (or any longer period during which a person may, by statute, seek administrative review of the order) after the order is served. If both a petition for review and a petition for stay of effectiveness are filed before the order becomes effective, any part of the order that is within the scope of the petition for stay is stayed for an additional fifteen (15) days. Any part of the order that is not within the scope of the petition is not stayed. The order takes effect regardless of whether the persons described by subsection (b)(5) or (b)(6) have been served. An agency shall make a good faith effort to identify and notify these persons, and the agency has the burden of persuasion that it has done so. The agency may request that the applicant for the order assist in the identification of these persons. Failure to notify any of these persons is not grounds for invalidating an order, unless an unnotified person is substantially prejudiced by the lack of notice. The burden of persuasion as to substantial prejudice is on the unnotified person.

(g) If a timely and sufficient application has been made for renewal of a license with reference to any activity of a continuing nature and review is granted under section 7 of this chapter, the existing license does not expire until the agency has disposed of a proceeding under this chapter concerning the renewal, unless a statute other than this article provides otherwise. This subsection does not preclude an agency from issuing, under IC 4-21.5-4, an emergency or other temporary order with respect to the license.

(h) On the motion of any party or other person having a pending petition for intervention in the proceeding, an administrative law judge shall, as soon as practicable, conduct a preliminary hearing to determine whether the order should be stayed. The burden of proof in the preliminary hearing is on the person seeking the stay. The administrative law judge may stay the order in whole or in part. The order concerning the stay may be issued before or after the order

described in subsection (a) becomes effective. The resulting order concerning the stay shall be served on the parties, any person who has a pending petition for intervention in the proceeding, and any person who has requested notice under subsection (d). It must include a statement of the facts and law on which it is based.

As added by P.L.18-1986, SEC.1. Amended by P.L.35-1987, SEC.4.

IC 4-21.5-3-6 Notice required; persons who must receive notice; contents; effectiveness of order; stay, preliminary hearing, and resulting order

Sec. 6. (a) Notice shall be given under this section concerning the following:

- (1) A safety order under IC 22-8-1.1.
 - (2) Any order that:
 - (A) imposes a sanction on a person or terminates a legal right, duty, privilege, immunity, or other legal interest of a person;
 - (B) is not described in section 4 or 5 of this chapter or IC 4-21.5-4; and
 - (C) by statute becomes effective without a proceeding under this chapter if there is no request for a review of the order within a specified period after the order is issued or served.
 - (3) A notice of program reimbursement or equivalent determination or other notice regarding a hospital's reimbursement issued by the office of Medicaid policy and planning or by a contractor of the office of Medicaid policy and planning regarding a hospital's year end cost settlement.
 - (4) A determination of audit findings or an equivalent determination by the office of Medicaid policy and planning or by a contractor of the office of Medicaid policy and planning arising from a Medicaid postpayment or concurrent audit of a hospital's Medicaid claims.
 - (5) A license revocation under:
 - (A) IC 24-4.4-2;
 - (B) IC 24-4.5-3;
 - (C) IC 28-1-29;
 - (D) IC 28-7-5;
 - (E) IC 28-8-4; or
 - (F) IC 28-8-5.
 - (6) An order issued by the:
 - (A) division of aging or the bureau of aging services; or
 - (B) division of disability and rehabilitative services or the bureau of developmental disabilities services; against providers regulated by the division of aging or the bureau of developmental disabilities services and not licensed by the state department of health under IC 16-27 or IC 16-28.
- (b) When an agency issues an order described by subsection (a), the agency shall give notice to the following persons:
- (1) Each person to whom the order is specifically directed.
 - (2) Each person to whom a law requires notice to be given.

A person who is entitled to notice under this subsection is not a party to any proceeding resulting from the grant of a petition for review under section 7 of this chapter unless the person is designated as a party in the record of the proceeding.

(c) The notice must include the following:

- (1) A brief description of the order.
- (2) A brief explanation of the available procedures and the time limit for seeking administrative review of the order under section 7 of this chapter.
- (3) Any other information required by law.

(d) An order described in subsection (a) is effective fifteen (15) days after the order is served, unless a statute other than this article specifies a different date or the agency specifies a later date in its order. This subsection does not preclude an agency from issuing, under IC 4-21.5-4, an emergency or other temporary order concerning the subject of an order described in subsection (a).

(e) If a petition for review of an order described in subsection (a) is filed within the period set by section 7 of this chapter and a petition for stay of effectiveness of the order is filed by a party or another person who has a pending petition for intervention in the proceeding, an administrative law judge shall, as soon as practicable, conduct a preliminary hearing to determine whether the order should be stayed in whole or in part. The burden of proof in the preliminary hearing is on the person seeking the stay. The administrative law judge may stay the order in whole or in part. The order concerning the stay may be issued after an order described in subsection (a) becomes effective. The resulting order concerning the stay shall be served on the parties and any person who has a pending petition for intervention in the proceeding. It must include a statement of the facts and law on which it is based.

As added by P.L.18-1986, SEC.1. Amended by P.L.35-1987, SEC.5; P.L.42-1995, SEC.2; P.L.80-1998, SEC.1; P.L.35-2010, SEC.1; P.L.153-2011, SEC.1.

IC 4-21.5-3-7 Review; petition; denial of petition; preliminary hearing

Sec. 7. (a) To qualify for review of a personnel action to which IC 4-15-2.2 applies, a person must comply with IC 4-15-2.2-42. To qualify for review of any other order described in section 4, 5, or 6 of this chapter, a person must petition for review in a writing that does the following:

- (1) States facts demonstrating that:
 - (A) the petitioner is a person to whom the order is specifically directed;
 - (B) the petitioner is aggrieved or adversely affected by the order; or
 - (C) the petitioner is entitled to review under any law.
 - (2) Includes, with respect to determinations of notice of program reimbursement and audit findings described in section 6(a)(3) and 6(a)(4) of this chapter, a statement of issues that includes:
 - (A) the specific findings, action, or determination of the office of Medicaid policy and planning or of a contractor of the office of Medicaid policy and planning from which the provider is appealing;
 - (B) the reason the provider believes that the finding, action, or determination of the office of Medicaid policy and planning or of a contractor of the office of Medicaid policy and planning was in error; and
 - (C) with respect to each finding, action, or determination of the office of Medicaid policy and planning or of a contractor of the office of Medicaid policy and planning, the statutes or rules that support the provider's contentions of error.
- Not more than thirty (30) days after filing a petition for review under this section, and upon a finding of good cause by the administrative law judge, a person may amend the statement of issues contained in a petition for review to add one (1) or more additional issues.

(3) Is filed:

- (A) with respect to an order described in section 4, 5, 6(a)(1), 6(a)(2), or 6(a)(5) of this chapter, with the ultimate authority for the agency issuing the order within fifteen (15) days after the person is given notice of the order or any longer period set by statute; or
- (B) with respect to a determination described in section 6(a)(3) or 6(a)(4) of this chapter, with the office of Medicaid policy and planning not more than one hundred eighty (180) days after the hospital is provided notice of the determination.

The issuance of an amended notice of program reimbursement by the office of Medicaid policy and planning does not extend the time within which a hospital must file a petition for review from the original notice of program reimbursement under clause

(B), except for matters that are the subject of the amended notice of program reimbursement.

If the petition for review is denied, the petition shall be treated as a petition for intervention in any review initiated under subsection (d).

(b) If an agency denies a petition for review under subsection (a) and the petitioner is not allowed to intervene as a party in a proceeding resulting from the grant of the petition for review of another person, the agency shall serve a written notice on the petitioner that includes the following:

- (1) A statement that the petition for review is denied.
- (2) A brief explanation of the available procedures and the time limit for seeking administrative review of the denial under subsection (c).

(c) An agency shall assign an administrative law judge to conduct a preliminary hearing on the issue of whether a person is qualified under subsection (a) to obtain review of an order when a person requests reconsideration of the denial of review in a writing that:

- (1) states facts demonstrating that the person filed a petition for review of an order described in section 4, 5, or 6 of this chapter;
- (2) states facts demonstrating that the person was denied review without an evidentiary hearing; and
- (3) is filed with the ultimate authority for the agency denying the review within fifteen (15) days after the notice required by subsection (b) was served on the petitioner.

Notice of the preliminary hearing shall be given to the parties, each person who has a pending petition for intervention in the proceeding, and any other person described by section 5(d) of this chapter. The resulting order must be served on the persons to whom notice of the preliminary hearing must be given and include a statement of the facts and law on which it is based.

(d) If a petition for review is granted, the petitioner becomes a party to the proceeding and the agency shall assign the matter to an administrative law judge or certify the matter to another agency for the assignment of an administrative law judge (if a statute transfers responsibility for a hearing on the matter to another agency). The agency granting the administrative review or the agency to which the matter is transferred may conduct informal proceedings to settle the matter to the extent allowed by law.

As added by P.L.18-1986, SEC.1. Amended by P.L.35-1987, SEC.6; P.L.42-1995, SEC.3; P.L.2-1997, SEC.11; P.L.222-2005, SEC.22; P.L.213-2007, SEC.1; P.L.217-2007, SEC.1; P.L.6-2012, SEC.18.

IC 4-21.5-3-8 Sanctions; temporary orders

Sec. 8. (a) An agency may issue a sanction or terminate a legal right, duty, privilege, immunity, or other legal interest not described by section 4, 5, or 6 of this chapter only after conducting a proceeding under this chapter. However, this subsection does not preclude an agency from issuing, under IC 4-21.5-4, an emergency or other temporary order concerning the subject of the proceeding.

(b) When an agency seeks to issue an order that is described by subsection (a), the agency shall serve a complaint upon:

- (1) each person to whom any resulting order will be specifically directed; and
- (2) any other person required by law to be notified.

A person notified under this subsection is not a party to the proceeding unless the person is a person against whom any resulting order will be specifically directed or the person is designated by the agency as a party in the record of the proceeding.

(c) The complaint required by subsection (b) must include the following:

- (1) A short, plain statement showing that the pleader is entitled to an order.
- (2) A demand for the order that the pleader seeks.

As added by P.L.18-1986, SEC.1.

IC 4-21.5-3-9 Ultimate authority of agency; acting as or designating an administrative judge; disqualification; procedures

Sec. 9. (a) Except to the extent that a statute other than this article limits an agency's discretion to select an administrative law judge, the ultimate authority for an agency may:

- (1) act as an administrative law judge;
- (2) designate one (1) or more members of the ultimate authority (if the ultimate authority is a panel of individuals) to act as an administrative law judge; or
- (3) designate one (1) or more other individuals, not necessarily employees of the agency, to act as an administrative law judge.

A designation under subdivision (2) or (3) may be made in advance of the commencement of any particular proceeding for a generally described class of proceedings or may be made for a particular proceeding. A general designation may provide procedures for the assignment of designated individuals to particular proceedings.

(b) An agency may not knowingly assign an individual to serve alone or with others as an administrative law judge who is subject to disqualification under this chapter.

(c) If the judge believes that the judge's impartiality might reasonably be questioned, or believes that the judge's personal bias, prejudice, or knowledge of a disputed evidentiary fact might influence the decision, an individual assigned to serve alone or with others as an administrative law judge shall:

- (1) withdraw as the administrative law judge; or
- (2) inform the parties of the potential basis for disqualification, place a brief statement of this basis on the record of the proceeding, and allow the parties an opportunity to petition for disqualification under subsection (d).

(d) Any party to a proceeding may petition for the disqualification of an individual serving alone or with others as an administrative law judge upon discovering facts establishing grounds for disqualification under this chapter. The administrative law judge assigned to the proceeding shall determine whether to grant the petition, stating facts and reasons for the determination. If the administrative law judge ruling on the disqualification issue is not the ultimate authority for the agency, the party petitioning for disqualification may petition the ultimate authority in writing for review of the ruling within ten (10) days after notice of the ruling is served. The ultimate authority shall conduct proceedings described by section 28 of this chapter to review the petition and affirm, modify, or dissolve the ruling within thirty (30) days after the petition is filed. A determination by the ultimate authority under this subsection is a final order subject to judicial review under IC 4-21.5-5.

(e) If a substitute is required for an administrative law judge who is disqualified or becomes unavailable for any other reason, the substitute must be appointed in accordance with subsection (a).

(f) Any action taken by a duly appointed substitute for a disqualified or unavailable administrative law judge is as effective as if taken by the latter.

As added by P.L.18-1986, SEC.1. Amended by P.L.35-1987, SEC.7.

IC 4-21.5-3-10 Disqualification of administrative law judge

Sec. 10. (a) Any individual serving or designated to serve alone or with others as an administrative law judge is subject to disqualification for:

- (1) bias, prejudice, or interest in the outcome of a proceeding;
- (2) failure to dispose of the subject of a proceeding in an orderly and reasonably prompt manner after a written request by a party;
- (3) unless waived or extended with the written consent of all parties or for good cause shown, failure to issue an order not later than ninety (90) days after the latest of:

(A) the filing of a motion to dismiss or a motion for summary judgment under section 23 of this chapter that is filed after June 30, 2011;

(B) the conclusion of a hearing that begins after June 30, 2011; or

(C) the completion of any schedule set for briefing or for submission of proposed findings of fact and conclusions of law for a disposition under clauses (A) or (B); or

(4) any cause for which a judge of a court may be disqualified.

Nothing in this subsection prohibits an individual who is an employee of an agency from serving as an administrative law judge.

(b) This subsection does not apply to a proceeding concerning a regulated occupation (as defined in IC 25-1-7-1), except for a proceeding concerning a water well driller (as described in IC 25-39-3) or an out of state mobile health care entity regulated by the state department of health. An individual who is disqualified under subsection (a)(2) or (a)(3) shall provide the parties a list of at least three (3) special administrative law judges who meet the requirements of:

(1) IC 4-21.5-7-6, if the case is pending in the office of environmental adjudication;

(2) IC 14-10-2-2, if the case is pending before the division of hearings of the natural resources commission; or

(3) any other statute or rule governing qualification to serve an agency other than those described in subdivision (1) or (2).

Subject to subsection (c), the parties may agree to the selection of one (1) individual from the list.

(c) If the parties do not agree to the selection of an individual as provided in subsection (b) not later than ten (10) days after the parties are provided a list of judges under subsection (b), a special administrative law judge who meets the requirements of subsection (b) shall be selected under the procedure set forth in Trial Rule 79(D), 79(E), or 79(F).

As added by P.L.18-1986, SEC.1. Amended by P.L.32-2011, SEC.3.

IC 4-21.5-3-11 Ex parte communications; violations

Sec. 11. (a) Except as provided in subsection (b) or unless required for the disposition of ex parte matters specifically authorized by statute, an administrative law judge serving in a proceeding may not communicate, directly or indirectly, regarding any issue in the proceeding while the proceeding is pending, with:

(1) any party;

(2) any individual who has a direct or indirect interest in the outcome of the proceeding;

(3) any individual who presided at a previous stage of the proceeding; or

(4) any individual who is prohibited from assisting the administrative law judge under section 13 of this chapter;

without notice and opportunity for all parties to participate in the communication.

(b) A member of a multimember panel of administrative law judges may communicate with other members of the panel regarding a matter pending before the panel, and any administrative law judge may receive aid from staff assistants. However, a staff assistant may not communicate to an administrative law judge any:

(1) ex parte communications of a type that the administrative law judge would be prohibited from receiving under subsection (a); or

(2) information that would furnish, augment, diminish, or modify the evidence in the record.

(c) Unless required for the disposition of ex parte matters specifically authorized by statute, a person described by subsection (a)(1), (a)(2), (a)(3), or (a)(4) may not communicate, directly or indirectly, in connection with any issue in that proceeding while the proceeding is pending, with any person serving as administrative law judge without notice and opportunity for all parties to participate in the communication.

(d) If, before serving as administrative law judge in a proceeding, an individual receives an ex parte communication of a type that

would not properly be received while serving, the individual, promptly after starting to serve, shall disclose the communication in the manner prescribed in subsection (e).

(e) An administrative law judge who receives an ex parte communication in violation of this section shall:

(1) place on the record of the pending matter all written communications received, all written responses to the communications, and a memorandum stating the substance of all oral communications received, all responses made, and the identity of each individual from whom the administrative law judge received an ex parte communication; and

(2) advise all parties that these matters have been placed on the record.

Any person described by subsection (a)(1), (a)(2), (a)(3), or (a)(4) shall be allowed to rebut a charge of wrongful ex parte communication upon requesting the opportunity for rebuttal within fifteen (15) days after notice of the communication.

(f) If necessary to eliminate the effect of an ex parte communication received in violation of this section, an administrative law judge who receives the communication may be disqualified and the portions of the record pertaining to the communication may be corrected, modified, or preserved by protective order.

(g) A violation of this section is subject to the sanctions under sections 36 and 37 of this chapter.

As added by P.L.18-1986, SEC.1. Amended by P.L.35-1987, SEC.8.

IC 4-21.5-3-12 Administrative law judge; prohibited acts; disqualification

Sec. 12. An administrative law judge who:

(1) comments publicly, except as to hearing schedules or procedures, about pending or impending proceedings; or

(2) engages in financial or business dealings that tend to:

(A) reflect adversely on the administrative law judge's impartiality;

(B) interfere with the proper performance of the administrative law judge's duties;

(C) exploit the administrative law judge's position; or

(D) involve the administrative law judge in frequent financial or business dealings with attorneys or other persons who are likely to come before the administrative law judge;

is subject to disqualification. A violation of this section is subject to the sanctions under sections 36 and 37 of this chapter.

As added by P.L.18-1986, SEC.1.

IC 4-21.5-3-13 Disqualification; involvement in preadjudicative stage

Sec. 13. (a) An individual who has served as investigator, prosecutor, or advocate in a proceeding or in its preadjudicative stage may not serve as an administrative law judge or assist or advise the administrative law judge in the same proceeding.

(b) An individual who is subject to the authority, direction, or discretion of an individual who has served as investigator, prosecutor, or advocate in a proceeding or in its preadjudicative stage may not serve as an administrative law judge or assist or advise the administrative law judge in the same proceeding.

(c) An individual who has made a determination of probable cause or other equivalent preliminary determination in a proceeding may serve as an administrative law judge or assist or advise the administrative law judge in the same proceeding, unless a party demonstrates grounds for disqualification under section 10 of this chapter.

(d) An individual may serve as an administrative law judge or a person presiding under sections 28, 29, 30, and 31 of this chapter at successive stages of the same proceeding, unless a party demonstrates grounds for disqualification under section 10 of this chapter.

(e) A violation of this section is subject to the sanctions under sections 36 and 37 of this chapter.

As added by P.L.18-1986, SEC.1.

IC 4-21.5-3-14 Record; hearing on motion; burden of proof; standard of review

Sec. 14. (a) An administrative law judge conducting a proceeding shall keep a record of the administrative law judge's proceedings under this article.

(b) If a motion is based on facts not otherwise appearing in the record for the proceeding, the administrative law judge may hear the matter on affidavits presented by the respective parties or the administrative law judge may direct that the matter be heard wholly or partly on oral testimony or depositions.

(c) At each stage of the proceeding, the agency or other person requesting that an agency take action or asserting an affirmative defense specified by law has the burden of persuasion and the burden of going forward with the proof of the request or affirmative defense. Before the hearing on which the party intends to assert it, a party shall, to the extent possible, disclose any affirmative defense specified by law on which the party intends to rely. If a prehearing conference is held in the proceeding, a party notified of the conference shall disclose the party's affirmative defense in the conference.

(d) The proceedings before an administrative law judge are de novo.

As added by P.L.18-1986, SEC.1. Amended by P.L.35-1987, SEC.9; P.L.32-2011, SEC.4.

IC 4-21.5-3-15 Participation in proceeding

Sec. 15. (a) Any party may participate in a proceeding in person or, if the party is not an individual or is incompetent to participate, by a duly authorized representative.

(b) Whether or not participating in person, any party may be advised and represented at the party's own expense by counsel or, unless prohibited by law, by another representative.

As added by P.L.18-1986, SEC.1. Amended by P.L.33-1989, SEC.3.

IC 4-21.5-3-16 Interpreters

Sec. 16. (a) A person who:

(1) cannot speak or understand the English language or who because of hearing, speaking, or other impairment has difficulty in communicating with other persons; and

(2) is a party or witness in any proceeding under this article;

is entitled to an interpreter to assist the person throughout the proceeding under this article.

(b) The interpreter may be retained by the person or may be appointed by the agency before which the proceeding is pending. If an interpreter is appointed by the agency, the fee for the services of the interpreter shall be set by the agency. The fee shall be paid from any funds available to the agency or be paid in any other manner ordered by the agency.

(c) Any agency may inquire into the qualifications and integrity of any interpreter and may disqualify any person from serving as an interpreter.

(d) Every interpreter for another person in a proceeding shall take the following oath:

Do you affirm, under penalties of perjury, that you will justly, truly, and impartially interpret to _____ the oath about to be administered to him (her), the questions that may be asked him (her), and the answers that he (she) shall give to the questions, relative to the cause now under consideration before this agency?

(e) IC 35-44.1-2-1 concerning perjury applies to an interpreter.

As added by P.L.18-1986, SEC.1. Amended by P.L.126-2012, SEC.13.

IC 4-21.5-3-17 Opportunity to file documents; copies

Sec. 17. (a) The administrative law judge, at appropriate stages of a proceeding, shall give all parties full opportunity to file pleadings, motions, and objections and submit offers of settlement.

(b) The administrative law judge, at appropriate stages of a proceeding, may give all parties full opportunity to file briefs, proposed findings of fact, and proposed orders.

(c) A party shall serve copies of any filed item on all parties.

(d) The administrative law judge shall serve copies of all notices, orders, and other papers generated by the administrative law judge on all parties. The administrative law judge shall give notice of preliminary hearings, prehearing conferences, hearings, stays, and orders disposing of the proceeding to persons described by section 5(d) of this chapter.

As added by P.L.18-1986, SEC.1.

IC 4-21.5-3-18 Prehearing conference; notice

Sec. 18. (a) The administrative law judge for the hearing, subject to the agency's rules, may, on the administrative law judge's own motion, and shall, on the motion of a party, conduct a prehearing conference. The administrative law judge may deny a motion for a prehearing conference if the administrative law judge has previously conducted a prehearing conference in the proceeding.

(b) This section and section 19 of this chapter apply if the conference is conducted.

(c) The administrative law judge for the prehearing conference shall set the time and place of the conference and give reasonable written notice to the following:

(1) All parties.

(2) All persons who have filed written petitions to intervene in the matter.

(3) All persons entitled to notice under any law.

(d) The initial prehearing conference notice in a proceeding must include the following:

(1) The names and mailing addresses of all known parties and other persons to whom notice is being given by the administrative law judge.

(2) The names and mailing addresses of all publications used to provide notice under this section.

(3) The name, official title, and mailing address of any counsel or employee who has been designated to appear for the agency and a telephone number through which the counsel or employee can be reached.

(4) The official file or other reference number, the name of the proceeding, and a general description of the subject matter.

(5) A statement of the time, place, and nature of the prehearing conference.

(6) A statement of the legal authority and jurisdiction under which the prehearing conference and the hearing are to be held.

(7) The name, official title, and mailing address of the administrative law judge for the prehearing conference and a telephone number through which information concerning hearing schedules and procedures may be obtained.

(8) A statement that a party who fails to attend or participate in a prehearing conference, hearing, or other later stage of the proceeding may be held in default or have a proceeding dismissed under section 24 of this chapter.

(e) Any subsequent prehearing conference notice in the proceeding may omit the information described in subsections (d)(1), (d)(2), (d)(3), (d)(6), and (d)(8).

(f) Any notice under this section may include any other matters that the administrative law judge considers desirable to expedite the proceedings.

As added by P.L.18-1986, SEC.1. Amended by P.L.35-1987, SEC.10.

IC 4-21.5-3-19 Prehearing conference; electronic means; matters considered; prehearing order on pleadings

Sec. 19. (a) This section and section 18 of this chapter apply to prehearing conferences.

(b) To expedite a decision on pending motions and other issues, the administrative law judge may conduct all or part of the prehearing conference by telephone, television, or other electronic means if each participant in the conference has an opportunity:

- (1) to participate in;
- (2) to hear; and
- (3) if technically feasible, to see;

the entire proceeding while it is taking place.

(c) The administrative law judge shall conduct the prehearing conference, as may be appropriate, to deal with such matters as the following:

- (1) Resolution of the issues in the proceeding under section 23 of this chapter.
- (2) Exploration of settlement possibilities.
- (3) Preparation of stipulations.
- (4) Clarification of issues.
- (5) Rulings on identity and limitation of the number of witnesses.
- (6) Objections to proffers of evidence.
- (7) A determination of the extent to which direct evidence, rebuttal evidence, or cross-examination will be presented in written form.
- (8) The order of presentation of evidence and cross-examination.
- (9) Rulings regarding issuance of subpoenas, discovery orders, and protective orders.
- (10) Such other matters as will promote the orderly and prompt conduct of the hearing.

The administrative law judge shall issue a prehearing order incorporating the matters determined at the prehearing conference.

(d) If a prehearing conference is not held, the administrative law judge for the hearing may issue a prehearing order, based on the pleadings, to regulate the conduct of the proceedings.

As added by P.L.18-1986, SEC.1.

IC 4-21.5-3-20 Hearing; time and place; notice

Sec. 20. (a) The administrative law judge for the hearing shall set the time and place of the hearing and give reasonable written notice to all parties and to all persons who have filed written petitions to intervene in the matter. Unless a shorter notice is required to comply with any law or is stipulated by all parties and persons filing written requests for intervention, an agency shall give at least five (5) days notice of the hearing.

(b) The notice must include a copy of any prehearing order rendered in the matter.

(c) To the extent not included in a prehearing order accompanying it the initial hearing notice in a proceeding must include the following:

- (1) The names and mailing addresses of all parties and other persons to whom notice is being given by the administrative law judge.
- (2) The name, official title, and mailing address of any counsel or employee who has been designated to appear for the agency and a telephone number through which the counsel or employee can be reached.
- (3) The official file or other reference number, the name of the proceeding, and a general description of the subject matter.
- (4) A statement of the time, place, and nature of the hearing.
- (5) A statement of the legal authority and jurisdiction under which the hearing is to be held.
- (6) The name, official title, and mailing address of the administrative law judge and a telephone number through which

information concerning hearing schedules and procedures may be obtained.

(7) A statement of the issues involved and, to the extent known to the administrative law judge, of the matters asserted by the parties.

(8) A statement that a party who fails to attend or participate in a prehearing conference, hearing, or other later stage of the proceeding may be held in default or have a proceeding dismissed under section 24 of this chapter.

(d) Subsequent hearing notices in the proceeding may omit the information described in subsections (c)(1), (c)(2), (c)(5), and (c)(8).

(e) Any notice under this section may include any other matters the administrative law judge considers desirable to expedite the proceedings.

(f) The administrative law judge shall give notice to persons other than parties and petitioners for intervention who are entitled to notice under any law. Notice under this subsection may include all types of information provided in subsections (a) through (e) or may consist of a brief statement indicating:

- (1) the subject matter, parties, time, place, and nature of the hearing;
- (2) the manner in which copies of the notice to the parties may be inspected and copied;
- (3) the name of the administrative law judge; and
- (4) a telephone number through which information concerning proceeding hearing schedules and procedures may be obtained.

As added by P.L.18-1986, SEC.1. Amended by P.L.35-1987, SEC.11.

IC 4-21.5-3-21 Petition for intervention

Sec. 21. (a) Before the beginning of the hearing on the subject of the proceeding, the administrative law judge shall grant a petition for intervention in a proceeding and identify the petitioner in the record of the proceeding as a party if:

(1) the petition:

- (A) is submitted in writing to the administrative law judge, with copies mailed to all parties named in the record of the proceeding; and
- (B) states facts demonstrating that a statute gives the petitioner an unconditional right to intervene in the proceeding; or

(2) the petition:

- (A) is submitted in writing to the administrative law judge, with copies mailed to all parties named in the record of the proceeding, at least three (3) days before the hearing; and
- (B) states facts demonstrating that the petitioner is aggrieved or adversely affected by the order or a statute gives the petitioner a conditional right to intervene in the proceeding.

(b) The administrative law judge, at least twenty-four (24) hours before the beginning of the hearing, shall issue an order granting or denying each pending petition for intervention.

(c) After the beginning of the hearing on the subject of the proceeding, but before the close of evidence in the hearing, anyone may be permitted to intervene in the proceeding if:

- (1) a statute confers a conditional right to intervene or an applicant's claim or defense and the main action have a question of law or fact in common; and
- (2) the administrative law judge determines that the interests of justice and the orderly and prompt conduct of the proceedings will not be impaired by allowing the intervention.

In exercising its discretion, the administrative law judge shall consider whether the intervention will unduly delay or prejudice the adjudication of the legal interests of any of the parties.

(d) An order granting or denying a petition for intervention must specify any condition and briefly state the reasons for the order. The administrative law judge may modify the order at any time, stating the reasons for the modification. The administrative law judge shall

promptly give notice of an order granting, denying, or modifying intervention to the petitioner for intervention and to all parties.

As added by P.L.18-1986, SEC.1. Amended by P.L.35-1987, SEC.12.

IC 4-21.5-3-22 Administrative orders; enforcement

Sec. 22. (a) The administrative law judge at the request of any party or an agency shall, and upon the administrative law judge's own motion may, issue:

- (1) subpoenas;
- (2) discovery orders; and
- (3) protective orders;

in accordance with the rules of procedure governing discovery, depositions, and subpoenas in civil actions in the courts.

(b) The party seeking the order shall serve the order in accordance with these rules of procedure. If ordered by the administrative law judge, the sheriff in the county in which the order is to be served shall serve the subpoena, discovery order, or protective order.

(c) Subpoenas and orders issued under this section may be enforced under IC 4-21.5-6.

As added by P.L.18-1986, SEC.1.

IC 4-21.5-3-23 Summary judgment

Sec. 23. (a) A party may, at any time after a matter is assigned to an administrative law judge, move for a summary judgment in the party's favor as to all or any part of the issues in a proceeding.

(b) Except as otherwise provided in this section, an administrative law judge shall consider a motion filed under subsection (a) as would a court that is considering a motion for summary judgment filed under Trial Rule 56 of the Indiana Rules of Trial Procedure.

(c) Service of the motion and any response to the motion, including supporting affidavits, shall be performed as provided in this article.

(d) Sections 28 and 29 of this chapter apply to an order granting summary judgment that disposes of all issues in a proceeding.

As added by P.L.18-1986, SEC.1. Amended by P.L.35-1987, SEC.13; P.L.5-1988, SEC.27; P.L.32-2011, SEC.5.

IC 4-21.5-3-24 Default or dismissal

Sec. 24. (a) At any stage of a proceeding, if a party fails to:

- (1) file a responsive pleading required by statute or rule;
- (2) attend or participate in a prehearing conference, hearing, or other stage of the proceeding; or
- (3) take action on a matter for a period of sixty (60) days, if the party is responsible for taking the action;

the administrative law judge may serve upon all parties written notice of a proposed default or dismissal order, including a statement of the grounds.

(b) Within seven (7) days after service of a proposed default or dismissal order, the party against whom it was issued may file a written motion requesting that the proposed default order not be imposed and stating the grounds relied upon. During the time within which a party may file a written motion under this subsection, the administrative law judge may adjourn the proceedings or conduct them without the participation of the party against whom a proposed default order was issued, having due regard for the interest of justice and the orderly and prompt conduct of the proceedings.

(c) If the party has failed to file a written motion under subsection (b), the administrative law judge shall issue the default or dismissal order. If the party has filed a written motion under subsection (b), the administrative law judge may either enter the order or refuse to enter the order.

(d) After issuing a default order, the administrative law judge shall conduct any further proceedings necessary to complete the proceeding without the participation of the party in default and shall determine all issues in the adjudication, including those affecting the defaulting party. The administrative law judge may conduct

proceedings in accordance with section 23 of this chapter to resolve any issue of fact.

As added by P.L.18-1986, SEC.1.

IC 4-21.5-3-25 Conduct of hearing; procedure

Sec. 25. (a) This section and section 26 of this chapter govern the conduct of any hearing held by an administrative law judge.

(b) The administrative law judge shall regulate the course of the proceedings in conformity with any prehearing order and in an informal manner without recourse to the technical, common law rules of evidence applicable to civil actions in the courts.

(c) To the extent necessary for full disclosure of all relevant facts and issues, the administrative law judge shall afford to all parties the opportunity to respond, present evidence and argument, conduct cross-examination, and submit rebuttal evidence, except as restricted by a limitation under subsection (d) or by the prehearing order.

(d) The administrative law judge may, after a prehearing order is issued under section 19 of this chapter, impose conditions upon a party necessary to avoid unreasonably burdensome or repetitious presentations by the party, such as the following:

- (1) Limiting the party's participation to designated issues in which the party has a particular interest demonstrated by the petition.
- (2) Limiting the party's use of discovery, cross-examination, and other procedures so as to promote the orderly, prompt, and just conduct of the proceeding.
- (3) Requiring two (2) or more parties to combine their presentations of evidence and argument, cross-examination, discovery, and other participation in the proceedings.

If a person is allowed to intervene in the proceeding after the commencement of a hearing under this section, the administrative law judge may prohibit the intervener from recalling any witness who has been heard or reopening any matter that has been resolved, unless the intervener did not receive a notice required by this chapter or the intervener presents facts that demonstrate that fraud, perjury, or an abuse of discretion has occurred. Any proceedings conducted before the giving of a notice required by this chapter are voidable upon the motion of the party who failed to receive the notice.

(e) The administrative law judge may administer oaths and affirmations and rule on any offer of proof or other motion.

(f) The administrative law judge may give nonparties an opportunity to present oral or written statements. If the administrative law judge proposes to consider a statement by a nonparty, the judge shall give all parties an opportunity to challenge or rebut it and, on motion of any party, the judge shall require the statement to be given under oath or affirmation.

(g) The administrative law judge shall have the hearing recorded at the agency's expense. The agency is not required, at its expense, to prepare a transcript, unless required to do so by law. Any party, at the party's expense, may cause a reporter approved by the agency to prepare a transcript from the agency's record, or cause additional recordings to be made during the hearing if the making of the additional recordings does not cause distraction or disruption. Notwithstanding IC 5-14-3-8, an agency may charge a person who requests that an agency provide a transcript (other than for judicial review under IC 4-21.5-5-13) the reasonable costs of preparing the transcript.

As added by P.L.18-1986, SEC.1.

IC 4-21.5-3-26 Conduct of hearing; evidence

Sec. 26. (a) This section and section 25 of this chapter govern the conduct of any hearing conducted by an administrative law judge. Upon proper objection, the administrative law judge shall exclude evidence that is irrelevant, immaterial, unduly repetitious, or excludable on constitutional or statutory grounds or on the basis of evidentiary privilege recognized in the courts. In the absence of

proper objection, the administrative law judge may exclude objectionable evidence. The administrative law judge may admit hearsay evidence. If not objected to, the hearsay evidence may form the basis for an order. However, if the evidence is properly objected to and does not fall within a recognized exception to the hearsay rule, the resulting order may not be based solely upon the hearsay evidence.

(b) All testimony of parties and witnesses must be made under oath or affirmation.

(c) Statements presented by nonparties in accordance with section 25 of this chapter may be received as evidence.

(d) Any part of the evidence may be received in written form if doing so will expedite the hearing without substantial prejudice to the interests of any party.

(e) Documentary evidence may be received in the form of a copy or excerpt. Upon request, parties shall be given an opportunity to compare the copy with the original if available.

(f) Official notice may be taken of the following:

(1) Any fact that could be judicially noticed in the courts.

(2) The record of other proceedings before the agency.

(3) Technical or scientific matters within the agency's specialized knowledge.

(4) Codes or standards that have been adopted by an agency of the United States or this state.

(g) Parties must be:

(1) notified before or during the hearing, or before the issuance of any order that is based in whole or in part on facts or material noticed under subsection (f), of the specific facts or material noticed, and the source of the facts or material noticed, including any staff memoranda and data; and

(2) afforded an opportunity to contest and rebut the facts or material noticed under subsection (f).

As added by P.L.18-1986, SEC.1.

IC 4-21.5-3-27 Final orders; findings of fact and conclusions of law

Sec. 27. (a) If the administrative law judge is the ultimate authority for the agency, the ultimate authority's order disposing of a proceeding is a final order. If the administrative law judge is not the ultimate authority, the administrative law judge's order disposing of the proceeding becomes a final order when affirmed under section 29 of this chapter. Regardless of whether the order is final, it must comply with this section.

(b) This subsection applies only to an order not subject to subsection (c). The order must include, separately stated, findings of fact for all aspects of the order, including the remedy prescribed and, if applicable, the action taken on a petition for stay of effectiveness. Findings of ultimate fact must be accompanied by a concise statement of the underlying basic facts of record to support the findings. The order must also include a statement of the available procedures and time limit for seeking administrative review of the order (if administrative review is available).

(c) This subsection applies only to an order of the ultimate authority entered under IC 13, IC 14, or IC 25. The order must include separately stated findings of fact and, if a final order, conclusions of law for all aspects of the order, including the remedy prescribed and, if applicable, the action taken on a petition for stay of effectiveness. Findings of ultimate fact must be accompanied by a concise statement of the underlying basic facts of record to support the findings. Conclusions of law must consider prior final orders (other than negotiated orders) of the ultimate authority under the same or similar circumstances if those prior final orders are raised on the record in writing by a party and must state the reasons for deviations from those prior orders. The order must also include a statement of the available procedures and time limit for seeking

administrative review of the order (if administrative review is available).

(d) Findings must be based exclusively upon the evidence of record in the proceeding and on matters officially noticed in that proceeding. Findings must be based upon the kind of evidence that is substantial and reliable. The administrative law judge's experience, technical competence, and specialized knowledge may be used in evaluating evidence.

(e) A substitute administrative law judge may issue the order under this section upon the record that was generated by a previous administrative law judge.

(f) The administrative law judge may allow the parties a designated amount of time after conclusion of the hearing for the submission of proposed findings.

(g) An order under this section shall be issued in writing within ninety (90) days after conclusion of the hearing or after submission of proposed findings in accordance with subsection (f), unless this period is waived or extended with the written consent of all parties or for good cause shown.

(h) The administrative law judge shall have copies of the order under this section delivered to each party and to the ultimate authority for the agency (if it is not rendered by the ultimate authority).

As added by P.L.18-1986, SEC.1. Amended by P.L.25-1997, SEC.1; P.L.2-1998, SEC.10.

IC 4-21.5-3-28 Final order; authority to issue; proceedings

Sec. 28. (a) This section applies to proceedings under sections 29, 30, and 31 of this chapter.

(b) The ultimate authority or its designee shall conduct proceedings to issue a final order. A designee may be selected in advance of the commencement of any particular proceeding for a generally described class of proceedings or may be selected for a particular proceeding. A general designation may provide procedures for the assignment of designated individuals to particular proceedings.

(c) Any individual serving alone or with others in a proceeding may be disqualified for any of the reasons that an administrative law judge may be disqualified. The procedures in section 9 of this chapter apply to the disqualification and substitution of the individual.

(d) Motions and petitions submitted by a party to the ultimate authority shall be served on each party to the proceeding and to any person described by section 5(d) of this chapter.

(e) In the conduct of its proceedings, the ultimate authority or its designee shall afford each party an opportunity to present briefs. The ultimate authority or its designee may:

- (1) afford each party an opportunity to present oral argument;
- (2) have a transcript prepared, at the agency's expense, of any portion of the record of a proceeding that the ultimate authority or its designee considers necessary;
- (3) exercise the powers of an administrative law judge to hear additional evidence under sections 25 and 26 of this chapter; or
- (4) allow nonparties to participate in a proceeding in accordance with section 25 of this chapter.

Sections 15 and 16 of this chapter concerning representation and interpreters apply to the proceedings of the ultimate authority or its designee.

(f) Notices and orders of the ultimate authority or its designee shall be served on all parties and all other persons who have requested notice under section 5 of this chapter.

(g) The final order of the ultimate authority or its designee must:

- (1) identify any differences between the final order and the nonfinal order issued by the administrative law judge under section 27 of this chapter;
- (2) include findings of fact meeting the standards of section 27 of this chapter or incorporate the findings of fact in the

administrative law judge's order by express reference to the order; and

(3) briefly explain the available procedures and time limit for seeking administrative review of the final order by another agency under section 30 of this chapter (if any is available).

As added by P.L.18-1986, SEC.1.

IC 4-21.5-3-29 Orders from other than ultimate authority; review by ultimate authority; objections

Sec. 29. (a) This section does not apply if the administrative law judge issuing an order under section 27 of this chapter is the ultimate authority for the agency.

(b) After an administrative law judge issues an order under section 27 of this chapter, the ultimate authority or its designee shall issue a final order:

- (1) affirming;
- (2) modifying; or
- (3) dissolving;

the administrative law judge's order. The ultimate authority or its designee may remand the matter, with or without instructions, to an administrative law judge for further proceedings.

(c) In the absence of an objection or notice under subsection (d) or (e), the ultimate authority or its designee shall affirm the order.

(d) To preserve an objection to an order of an administrative law judge for judicial review, a party must not be in default under this chapter and must object to the order in a writing that:

- (1) identifies the basis of the objection with reasonable particularity; and
- (2) is filed with the ultimate authority responsible for reviewing the order within fifteen (15) days (or any longer period set by statute) after the order is served on the petitioner.

(e) Without an objection under subsection (d), the ultimate authority or its designee may serve written notice of its intent to review any issue related to the order. The notice shall be served on all parties and all other persons described by section 5(d) of this chapter. The notice must identify the issues that the ultimate authority or its designee intends to review.

(f) A final order disposing of a proceeding or an order remanding an order to an administrative law judge for further proceedings shall be issued within sixty (60) days after the latter of:

- (1) the date that the order was issued under section 27 of this chapter;
- (2) the receipt of briefs; or
- (3) the close of oral argument;

unless the period is waived or extended with the written consent of all parties or for good cause shown.

(g) After remand of an order under this section to an administrative law judge, the judge's order is also subject to review under this section.

As added by P.L.18-1986, SEC.1.

IC 4-21.5-3-30 Review by another agency

Sec. 30. If, under a statute, an agency may review the final order of another agency, the review shall be treated as if it was a continuous proceeding before a single agency. For the purposes of this review and the application of section 3 of this chapter concerning the effectiveness of an order, a final order of the first agency shall be treated as a nonfinal order of an administrative law judge, and the second agency shall review the order under section 29 of this chapter. To preserve an issue for judicial review, a party must comply with section 29(d) of this chapter before the second agency. The ultimate authority for the second agency or its designee may conduct proceedings under section 31 of this chapter.

As added by P.L.18-1986, SEC.1.

IC 4-21.5-3-31 Modification of final order

Sec. 31. (a) An agency has jurisdiction to modify a final order under this section before the earlier of the following:

- (1) Thirty (30) days after the agency has served the final order under section 27, 29, or 30 of this chapter.
- (2) Another agency assumes jurisdiction over the final order under section 30 of this chapter.
- (3) A court assumes jurisdiction over the final order under IC 4-21.5-5.

(b) A party may petition the ultimate authority for an agency for a stay of effectiveness of a final order. The ultimate authority or its designee may, before or after the order becomes effective, stay the final order in whole or in part.

(c) A party may petition the ultimate authority for an agency for a rehearing of a final order. The ultimate authority or its designee may grant a petition for rehearing only if the petitioning party demonstrates that:

- (1) the party is not in default under this chapter;
- (2) newly discovered material evidence exists; and
- (3) the evidence could not, by due diligence, have been discovered and produced at the hearing in the proceeding.

The rehearing may be limited to the issues directly affected by the newly discovered evidence. If the rehearing is conducted by a person other than the ultimate authority, section 29 of this chapter applies to review of the order resulting from the rehearing.

(d) Clerical mistakes and other errors resulting from oversight or omission in a final order or other part of the record of a proceeding may be corrected by an ultimate authority or its designee on the motion of any party or on the motion of the ultimate authority or its designee.

(e) An action of a petitioning party or an agency under this section neither tolls the period in which a party may object to a second agency under section 30 of this chapter nor tolls the period in which a party may petition for judicial review under IC 4-21.5-5. However, if a rehearing is granted under subsection (c), these periods are tolled and a new period begins on the date that a new final order is served.

As added by P.L.18-1986, SEC.1. Amended by P.L.35-1987, SEC.14.

IC 4-21.5-3-32 Final orders; public inspection; indexing; deletions; precedent

Sec. 32. (a) Each agency shall make all written final orders available for public inspection and copying under IC 5-14-3. The agency shall index final orders that are issued after June 30, 1987, by name and subject. An agency shall index an order issued before July 1, 1987, if a person submits a written request to the agency that the order be indexed. An agency shall delete from these orders identifying details to the extent required by IC 5-14-3 or other law. In each case, the justification for the deletion must be explained in writing and attached to the order.

(b) An agency may not rely on a written final order as precedent to the detriment of any person until the order has been made available for public inspection and indexed in the manner described in subsection (a). However, this subsection does not apply to any person who has actual timely knowledge of the order. The burden of proving that knowledge is on the agency.

As added by P.L.18-1986, SEC.1. Amended by P.L.35-1987, SEC.15.

IC 4-21.5-3-33 Records

Sec. 33. (a) An agency shall maintain an official record of each proceeding under this chapter.

(b) The agency record of the proceeding consists only of the following:

- (1) Notices of all proceedings.
- (2) Any prehearing order.
- (3) Any motions, pleadings, briefs, petitions, requests, and intermediate rulings.
- (4) Evidence received or considered.

- (5) A statement of matters officially noticed.
- (6) Proffers of proof and objections and rulings on them.
- (7) Proposed findings, requested orders, and exceptions.
- (8) The record prepared for the administrative law judge or for the ultimate authority or its designee under sections 28 through 31 of this chapter, at a hearing, and any transcript of the record considered before final disposition of the proceeding.
- (9) Any final order, nonfinal order, or order on rehearing.
- (10) Staff memoranda or data submitted to the administrative law judge or a person presiding in a proceeding under sections 28 through 31 of this chapter.
- (11) Matters placed on the record after an ex parte communication.

(c) Except to the extent that a statute provides otherwise, the agency record described by subsection (b) constitutes the exclusive basis for agency action in proceedings under this chapter and for judicial review of a proceeding under this chapter.

As added by P.L.18-1986, SEC.1.

IC 4-21.5-3-34 Informal procedures; rules; final orders

Sec. 34. (a) An agency is encouraged to develop informal procedures that are consistent with this article and make unnecessary more elaborate proceedings under this article.

(b) An agency may adopt rules, under IC 4-22-2, setting specific procedures to facilitate informal settlement of matters. The procedures must be consistent with this article.

(c) This section does not require any person to settle a matter under the agency's informal procedures.

(d) This subsection does not apply to a proceeding before the state ethics commission (created by IC 4-2-6-2) or a proceeding concerning a regulated occupation (as defined in IC 25-1-7-1), except for a proceeding concerning a water well driller (as described in IC 25-39-3) or an out of state mobile health care entity regulated by the state department of health. When a matter is settled without the need for more elaborate proceedings under this section, the ultimate authority or its designee shall issue the order agreed to by the parties as a final order under this article.

(e) When the final order referred to in subsection (d) involves the modification of a permit issued under IC 13, the administrative law judge:

- (1) shall remand the permit to the issuing agency with instructions to modify the permit in accordance with the final order; and
- (2) retains jurisdiction over any appeals of the modified permit.

Only those terms of the permit that are the subject of the final order shall be modified and subject to public notice and comment.

(f) Any petition for administrative review under this chapter concerning permit modification under subsection (e) is limited to only those terms of the permit modified in accordance with the final order issued under subsection (d).

As added by P.L.18-1986, SEC.1. Amended by P.L.35-1987, SEC.16; P.L.32-2011, SEC.6.

IC 4-21.5-3-35 Additional procedural rights; rules

Sec. 35. An agency may grant procedural rights to persons in addition to those conferred by this article so long as the rights conferred upon other persons by any law are not substantially prejudiced. The agency may adopt rules, under IC 4-22-2, concerning the nature and requirements of all procedures for requesting a proceeding or engaging in a proceeding, so long as the rules are not inconsistent with this article.

As added by P.L.18-1986, SEC.1.

IC 4-21.5-3-36 Persons presiding in proceedings; violations

Sec. 36. An individual who:

- (1) is serving alone or with others as an administrative law judge or as a person presiding in a proceeding under sections 28 through 31 of this chapter; and
- (2) knowingly or intentionally violates section 11, 12, or 13 of this chapter;

commits a Class A misdemeanor.
As added by P.L.18-1986, SEC.1.

IC 4-21.5-3-37 Aiding in violation

Sec. 37. A person who:

- (1) aids, induces, or causes an individual serving alone or with others as an administrative law judge or as a person presiding in a proceeding under sections 28 through 31 of this chapter to violate section 11, 12, or 13 of this chapter; and
- (2) acts with the intent to:
 - (A) have the individual described in subdivision (1) disqualified from serving in a proceeding; or
 - (B) influence the individual described in subdivision (1) with respect to any issue in a proceeding;

commits a Class A misdemeanor.
As added by P.L.18-1986, SEC.1.

TITLE 4. STATE OFFICES AND ADMINISTRATION

ARTICLE 21.5. ADMINISTRATIVE ORDERS AND PROCEDURES

CHAPTER 4. SPECIAL PROCEEDINGS; EMERGENCY AND OTHER TEMPORARY ORDERS

IC 4-21.5-4-1 Circumstances warranting special proceedings

Sec. 1. An agency may conduct proceedings under this chapter if:

- (1) an emergency exists; or
- (2) a statute authorizes the agency to issue a temporary order or otherwise take immediate agency action.

As added by P.L.18-1986, SEC.1.

IC 4-21.5-4-2 Procedures; orders

Sec. 2. (a) The agency shall issue the order under this chapter by one (1) of the following procedures:

- (1) Except as provided in IC 25-1-9-10, without notice or an evidentiary proceeding, by any authorized individual or panel of individuals.

- (2) After a hearing conducted by an administrative law judge.

(b) The resulting order must include a brief statement of the facts and the law that justifies the agency's decision to take the specific action under this chapter.

As added by P.L.18-1986, SEC.1. Amended by P.L.43-1995, SEC.1.

IC 4-21.5-4-3 Notice; effectiveness of order

Sec. 3. The agency shall give such notice as is practicable to persons who are required to comply with the order under this chapter. The order is effective when issued.

As added by P.L.18-1986, SEC.1.

IC 4-21.5-4-4 Hearings

Sec. 4. Upon a request by a party for a hearing on an order rendered under section 2(a)(1) of this chapter, the agency shall, as quickly as is practicable, set the matter for an evidentiary hearing. An administrative law judge shall determine whether the order under this chapter should be voided, terminated, modified, stayed, or continued.

As added by P.L.18-1986, SEC.1.

IC 4-21.5-4-5 Expiration of order; exception

Sec. 5. (a) Except as provided in subsection (c), an order issued under this chapter expires on the earliest of the following:

- (1) The date set in the order.
- (2) The date set by a statute other than this article.
- (3) The elapse of ninety (90) days.

(b) During the pendency of any related proceedings under IC 4-21.5-3, the agency responsible for the proceeding may renew the order for successive ninety (90) day periods unless a statute other than this article prohibits the renewal of the order.

(c) An order issued under this chapter and IC 15-17-6 does not expire.

As added by P.L.18-1986, SEC.1. Amended by P.L.26-1997, SEC.1; P.L.2-2008, SEC.16.

IC 4-21.5-4-6 Records

Sec. 6. The agency record in a proceeding under this chapter consists of any documents regarding the matter that were considered or prepared by the agency in a proceeding under section 2(a)(1) of this chapter and, if a hearing is conducted under section 2(a)(2) or 4 of this chapter, the items described in IC 4-21.5-3-33.

As added by P.L.18-1986, SEC.1.

UNITED STATES CODE

TITLE 15. COMMERCE AND TRADE

CHAPTER 89. PROFESSIONAL BOXING SAFETY

§ 6301. Definitions

For purposes of this chapter:

- (1) Boxer
The term “boxer” means an individual who fights in a professional boxing match.
- (2) Boxing commission
The term “boxing commission” means an entity authorized under State law to regulate professional boxing matches.
- (3) Boxer registry
The term “boxer registry” means any entity certified by the Association of Boxing Commissions for the purposes of maintaining records and identification of boxers.
- (4) Licensee
The term “licensee” means an individual who serves as a trainer, second, or cut man for a boxer.
- (5) Manager
The term “manager” means a person who receives compensation for service as an agent or representative of a boxer.
- (6) Matchmaker
The term “matchmaker” means a person that proposes, selects, and arranges the boxers to participate in a professional boxing match.
- (7) Physician
The term “physician” means a doctor of medicine legally authorized to practice medicine by the State in which the physician performs such function or action.
- (8) Professional boxing match
The term “professional boxing match” means a boxing contest held in the United States between individuals for financial compensation. Such term does not include a boxing contest that is regulated by an amateur sports organization.
- (9) Promoter
The term “promoter” means the person primarily responsible for organizing, promoting, and producing a professional boxing match. The term “promoter” does not include a hotel, casino, resort, or other commercial establishment hosting or sponsoring a professional boxing match unless—
 - (A) the hotel, casino, resort, or other commercial establishment is primarily responsible for organizing, promoting, and producing the match; and
 - (B) there is no other person primarily responsible for organizing, promoting, and producing the match.
- (10) State
The term “State” means each of the 50 States, Puerto Rico, the District of Columbia, and any territory or possession of the United States, including the Virgin Islands.
- (11) Effective date of the contract
The term “effective date of the contract” means the day upon which a boxer becomes legally bound by the contract.
- (12) Boxing service provider
The term “boxing service provider” means a promoter, manager, sanctioning body, licensee, or matchmaker.
- (13) Contract provision
The term “contract provision” means any legal obligation between a boxer and a boxing service provider.
- (14) Sanctioning organization
The term “sanctioning organization” means an organization that sanctions professional boxing matches in the United States—

- (A) between boxers who are residents of different States; or
 - (B) that are advertised, otherwise promoted, or broadcast (including closed circuit television) in interstate commerce.
- (15) Suspension
The term “suspension” includes within its meaning the revocation of a boxing license.

§ 6302. Purposes

The purposes of this chapter are—

- (1) to improve and expand the system of safety precautions that protects the welfare of professional boxers; and
- (2) to assist State boxing commissions to provide proper oversight for the professional boxing industry in the United States.

§ 6303. Boxing matches in States without boxing commissions

(a) No person may arrange, promote, organize, produce, or fight in a professional boxing match held in a State that does not have a boxing commission unless the match is supervised by a boxing commission from another State and subject to the most recent version of the recommended regulatory guidelines certified and published by the Association of Boxing Commissions as well as any additional relevant professional boxing regulations and requirements of such other State.

(b) For the purpose of this chapter, if no State commission is available to supervise a boxing match according to subsection (a) of this section, then—

- (1) the match may not be held unless it is supervised by an association of boxing commissions to which at least a majority of the States belong; and
- (2) any reporting or other requirement relating to a supervising commission allowed under this section shall be deemed to refer to the entity described in paragraph (1).

§ 6304. Safety standards

No person may arrange, promote, organize, produce, or fight in a professional boxing match without meeting each of the following requirements or an alternative requirement in effect under regulations of a boxing commission that provides equivalent protection of the health and safety of boxers:

- (1) A physical examination of each boxer by a physician certifying whether or not the boxer is physically fit to safely compete, copies of which must be provided to the boxing commission.
- (2) Except as otherwise expressly provided under regulation of a boxing commission promulgated subsequent to October 9, 1996, an ambulance or medical personnel with appropriate resuscitation equipment continuously present on site.
- (3) A physician continuously present at ringside.
- (4) Health insurance for each boxer to provide medical coverage for any injuries sustained in the match.

§ 6305. Registration

(a) Requirements

Each boxer shall register with—

- (1) the boxing commission of the State in which such boxer resides; or
- (2) in the case of a boxer who is a resident of a foreign country, or a State in which there is no boxing commission, the boxing commission of any State that has such a commission.

(b) Identification card

(1) Issuance

A boxing commission shall issue to each professional boxer who registers in accordance with subsection (a) of this section, an identification card that contains each of the following:

- (A) A recent photograph of the boxer.
- (B) The social security number of the boxer (or, in the case of a foreign boxer, any similar citizen identification number or professional boxer number from the country of residence of the boxer).
- (C) A personal identification number assigned to the boxer by a boxing registry.

(2) Renewal

Each professional boxer shall renew his or her identification card at least once every 4 years.

(3) Presentation

Each professional boxer shall present his or her identification card to the appropriate boxing commission not later than the time of the weigh-in for a professional boxing match.

(c) Health and safety disclosures

It is the sense of the Congress that a boxing commission should, upon issuing an identification card to a boxer under subsection (b)(1) of this section, make a health and safety disclosure to that boxer as that commission considers appropriate. The health and safety disclosure should include the health and safety risks associated with boxing, and, in particular, the risk and frequency of brain injury and the advisability that a boxer periodically undergo medical procedures designed to detect brain injury.

§ 6306. Review

(a) Procedures

Each boxing commission shall establish each of the following procedures:

(1) Procedures to evaluate the professional records and physician's certification of each boxer participating in a professional boxing match in the State, and to deny authorization for a boxer to fight where appropriate.

(2) Procedures to ensure that, except as provided in subsection (b) of this section, no boxer is permitted to box while under suspension from any boxing commission due to—

- (A) a recent knockout or series of consecutive losses;
- (B) an injury, requirement for a medical procedure, or physician denial of certification;
- (C) failure of a drug test;
- (D) the use of false aliases, or falsifying, or attempting to falsify, official identification cards or documents; or
- (E) unsportsmanlike conduct or other inappropriate behavior inconsistent with generally accepted methods of competition in a professional boxing match.

(3) Procedures to review a suspension where appealed by a boxer, licensee, manager, matchmaker, promoter, or other boxing service provider, including an opportunity for a boxer to present contradictory evidence.

(4) Procedures to revoke a suspension where a boxer—

- (A) was suspended under subparagraph (A) or (B) of paragraph (2) of this subsection, and has furnished further proof of a sufficiently improved medical or physical condition; or
- (B) furnishes proof under subparagraph (C) or (D) of paragraph (2) that a suspension was not, or is no longer, merited by the facts.

(b) Suspension in another State

A boxing commission may allow a boxer who is under suspension in any State to participate in a professional boxing match—

(1) for any reason other than those listed in subsection (a) of this section if such commission notifies in writing and consults with the designated official of the suspending State's boxing commission prior to the grant of approval for such individual to participate in that professional boxing match; or

(2) if the boxer appeals to the Association of Boxing Commissions, and the Association of Boxing Commissions

determines that the suspension of such boxer was without sufficient grounds, for an improper purpose, or not related to the health and safety of the boxer or the purposes of this chapter.

§ 6307. Reporting

Not later than 48 business hours after the conclusion of a professional boxing match, the supervising boxing commission shall report the results of such boxing match and any related suspensions to each boxer registry.

§ 6307a. Contract requirements

Within 2 years after May 26, 2000, the Association of Boxing Commissions (ABC) shall develop and shall approve by a vote of no less than a majority of its member State boxing commissioners, guidelines for minimum contractual provisions that should be included in bout agreements and boxing contracts. It is the sense of the Congress that State boxing commissions should follow these ABC guidelines.

§ 6307b. Protection from coercive contracts

(a) General rule

(1)

(A) A contract provision shall be considered to be in restraint of trade, contrary to public policy, and unenforceable against any boxer to the extent that it—

- (i) is a coercive provision described in subparagraph (B) and is for a period greater than 12 months; or
- (ii) is a coercive provision described in subparagraph (B) and the other boxer under contract to the promoter came under that contract pursuant to a coercive provision described in subparagraph (B).

(B) A coercive provision described in this subparagraph is a contract provision that grants any rights between a boxer and a promoter, or between promoters with respect to a boxer, if the boxer is required to grant such rights, or a boxer's promoter is required to grant such rights with respect to a boxer to another promoter, as a condition precedent to the boxer's participation in a professional boxing match against another boxer who is under contract to the promoter.

(2) This subsection shall only apply to contracts entered into after May 26, 2000.

(3) No subsequent contract provision extending any rights or compensation covered in paragraph (1) shall be enforceable against a boxer if the effective date of the contract containing such provision is earlier than 3 months before the expiration of the relevant time period set forth in paragraph (1).

(b) Promotional rights under mandatory bout contracts

No boxing service provider may require a boxer to grant any future promotional rights as a requirement of competing in a professional boxing match that is a mandatory bout under the rules of a sanctioning organization.

(c) Protection from coercive contracts with broadcasters

Subsection (a) of this section applies to any contract between a commercial broadcaster and a boxer, or granting any rights with respect to that boxer, involving a broadcast in or affecting interstate commerce, regardless of the broadcast medium. For the purpose of this subsection, any reference in subsection (a)(1)(B) of this section to "promoter" shall be considered a reference to "commercial broadcaster".

§ 6307c. Sanctioning organizations

(a) Objective criteria

Within 2 years after May 26, 2000, the Association of Boxing Commissions shall develop and shall approve by a vote of no less than a majority of its member State boxing commissioners,

guidelines for objective and consistent written criteria for the ratings of professional boxers. It is the sense of the Congress that sanctioning bodies and State boxing commissions should follow these ABC guidelines.

(b) Appeals process

A sanctioning organization shall not be entitled to receive any compensation, directly or indirectly, in connection with a boxing match, until it provides the boxers with notice that the sanctioning organization shall, within 7 days after receiving a request from a boxer questioning that organization's rating of the boxer—

- (1) provide to the boxer a written explanation of the organization's criteria, its rating of the boxer, and the rationale or basis for its rating (including a response to any specific questions submitted by the boxer); and
- (2) submit a copy of its explanation to the Association of Boxing Commissions.

(c) Notification of change in rating

A sanctioning organization shall not be entitled to receive any compensation, directly or indirectly, in connection with a boxing match, until, with respect to a change in the rating of a boxer previously rated by such organization in the top 10 boxers, the organization—

- (1) posts a copy, within 7 days of such change, on its Internet website or home page, if any, including an explanation of such change, for a period of not less than 30 days; and
- (2) provides a copy of the rating change and explanation to an association to which at least a majority of the State boxing commissions belong.

(d) Public disclosure

(1) Federal Trade Commission filing

A sanctioning organization shall not be entitled to receive any compensation directly or indirectly in connection with a boxing match unless, not later than January 31 of each year, it submits to the Federal Trade Commission and to the ABC—

- (A) a complete description of the organization's ratings criteria, policies, and general sanctioning fee schedule;
- (B) the bylaws of the organization;
- (C) the appeals procedure of the organization for a boxer's rating; and
- (D) a list and business address of the organization's officials who vote on the ratings of boxers.

(2) Format; updates

A sanctioning organization shall—

- (A) provide the information required under paragraph (1) in writing, and, for any document greater than 2 pages in length, also in electronic form; and
- (B) promptly notify the Federal Trade Commission of any material change in the information submitted.

(3) Federal Trade Commission to make information available to public

The Federal Trade Commission shall make information received under this subsection available to the public. The Commission may assess sanctioning organizations a fee to offset the costs it incurs in processing the information and making it available to the public.

(4) Internet alternative

In lieu of submitting the information required by paragraph (1) to the Federal Trade Commission, a sanctioning organization may provide the information to the public by maintaining a website on the Internet that—

- (A) is readily accessible by the general public using generally available search engines and does not require a password or payment of a fee for full access to all the information;

(B) contains all the information required to be submitted to the Federal Trade Commission by paragraph (1) in an easy to search and use format; and

(C) is updated whenever there is a material change in the information.

§ 6307d. Required disclosures to State boxing commissions by sanctioning organizations

A sanctioning organization shall not be entitled to receive any compensation directly or indirectly in connection with a boxing match until it provides to the boxing commission responsible for regulating the match in a State a statement of—

- (1) all charges, fees, and costs the organization will assess any boxer participating in that match;
- (2) all payments, benefits, complimentary benefits, and fees the organization will receive for its affiliation with the event, from the promoter, host of the event, and all other sources; and
- (3) such additional information as the commission may require.

§ 6307e. Required disclosures for promoters

(a) Disclosures to the boxing commissions

A promoter shall not be entitled to receive any compensation directly or indirectly in connection with a boxing match until it provides to the boxing commission responsible for regulating the match in a State a statement of—

- (1) a copy of any agreement in writing to which the promoter is a party with any boxer participating in the match;
- (2) a statement made under penalty of perjury that there are no other agreements, written or oral, between the promoter and the boxer with respect to that match; and
- (3)

(A) all fees, charges, and expenses that will be assessed by or through the promoter on the boxer pertaining to the event, including any portion of the boxer's purse that the promoter will receive, and training expenses;

(B) all payments, gifts, or benefits the promoter is providing to any sanctioning organization affiliated with the event; and

(C) any reduction in a boxer's purse contrary to a previous agreement between the promoter and the boxer or a purse bid held for the event.

(b) Disclosures to the boxer

A promoter shall not be entitled to receive any compensation directly or indirectly in connection with a boxing match until it provides to the boxer it promotes—

- (1) the amounts of any compensation or consideration that a promoter has contracted to receive from such match;
- (2) all fees, charges, and expenses that will be assessed by or through the promoter on the boxer pertaining to the event, including any portion of the boxer's purse that the promoter will receive, and training expenses; and
- (3) any reduction in a boxer's purse contrary to a previous agreement between the promoter and the boxer or a purse bid held for the event.

(c) Information to be available to State Attorney General

A promoter shall make information required to be disclosed under this section available to the chief law enforcement officer of the State in which the match is to be held upon request of such officer.

§ 6307f. Required disclosures for judges and referees

A judge or referee shall not be entitled to receive any compensation, directly or indirectly, in connection with a boxing match until it provides to the boxing commission responsible for regulating the match in a State a statement of all consideration, including reimbursement for expenses, that will be received from any source for participation in the match.

§ 6307g. Confidentiality

(a) In general

Neither a boxing commission or ^[1] an Attorney General may disclose to the public any matter furnished by a promoter under section 6307e of this title except to the extent required in a legal, administrative, or judicial proceeding.

(b) Effect of contrary State law

If a State law governing a boxing commission requires that information that would be furnished by a promoter under section 6307e of this title shall be made public, then a promoter is not required to file such information with such State if the promoter files such information with the ABC.

§ 6307h. Judges and referees

No person may arrange, promote, organize, produce, or fight in a professional boxing match unless all referees and judges participating in the match have been certified and approved by the boxing commission responsible for regulating the match in the State where the match is held.

§ 6308. Conflicts of interest

(a) Regulatory personnel

No member or employee of a boxing commission, no person who administers or enforces State boxing laws, and no member of the Association of Boxing Commissions may belong to, contract with, or receive any compensation from, any person who sanctions, arranges, or promotes professional boxing matches or who otherwise has a financial interest in an active boxer currently registered with a boxer registry. For purposes of this section, the term “compensation” does not include funds held in escrow for payment to another person in connection with a professional boxing match. The prohibition set forth in this section shall not apply to any contract entered into, or any reasonable compensation received, by a boxing commission to supervise a professional boxing match in another State as described in section 6303 of this title.

(b) Firewall between promoters and managers

(1) In general

It is unlawful for—

(A) a promoter to have a direct or indirect financial interest in the management of a boxer; or

(B) a manager—

(i) to have a direct or indirect financial interest in the promotion of a boxer; or

(ii) to be employed by or receive compensation or other benefits from a promoter, except for amounts received as consideration under the manager’s contract with the boxer.

(2) Exceptions

Paragraph (1)—

(A) does not prohibit a boxer from acting as his own promoter or manager; and

(B) only applies to boxers participating in a boxing match of 10 rounds or more.

(c) Sanctioning organizations

(1) Prohibition on receipts

Except as provided in paragraph (2), no officer or employee of a sanctioning organization may receive any compensation, gift, or benefit, directly or indirectly, from a promoter, boxer, or manager.

(2) Exceptions

Paragraph (1) does not apply to—

(A) the receipt of payment by a promoter, boxer, or manager of a sanctioning organization’s published fee for sanctioning a professional boxing match or reasonable

expenses in connection therewith if the payment is reported to the responsible boxing commission; or

(B) the receipt of a gift or benefit of de minimis value.

§ 6309. Enforcement

(a) Injunctions

Whenever the Attorney General of the United States has reasonable cause to believe that a person is engaged in a violation of this chapter, the Attorney General may bring a civil action in the appropriate district court of the United States requesting such relief, including a permanent or temporary injunction, restraining order, or other order, against the person, as the Attorney General determines to be necessary to restrain the person from continuing to engage in, sanction, promote, or otherwise participate in a professional boxing match in violation of this chapter.

(b) Criminal penalties

(1) Managers, promoters, matchmakers, and licensees

Any manager, promoter, matchmaker, and licensee who knowingly violates, or coerces or causes any other person to violate, any provision of this chapter, other than section 6307a (b), ^[1] 6307b, 6307c, 6307d, 6307e, 6307f, or 6307h of this title, shall, upon conviction, be imprisoned for not more than 1 year or fined not more than \$20,000, or both.

(2) Violation of antiexploitation, sanctioning organization, or disclosure provisions

Any person who knowingly violates any provision of section 6307a (b), ^[1] 6307b, 6307c, 6307d, 6307e, 6307f, or 6307h of this title shall, upon conviction, be imprisoned for not more than 1 year or fined not more than—

(A) \$100,000; and

(B) if a violation occurs in connection with a professional boxing match the gross revenues for which exceed \$2,000,000, an additional amount which bears the same ratio to \$100,000 as the amount of such revenues compared to \$2,000,000, or both.

(3) Conflict of interest

Any member or employee of a boxing commission, any person who administers or enforces State boxing laws, and any member of the Association of Boxing Commissions who knowingly violates section 6308 (a) of this title shall, upon conviction, be imprisoned for not more than 1 year or fined not more than \$20,000, or both.

(4) Boxers

Any boxer who knowingly violates any provision of this chapter shall, upon conviction, be fined not more than \$1,000.

(c) Actions by States

Whenever the chief law enforcement officer of any State has reason to believe that a person or organization is engaging in practices which violate any requirement of this chapter, the State, as parens patriae, may bring a civil action on behalf of its residents in an appropriate district court of the United States—

(1) to enjoin the holding of any professional boxing match which the practice involves;

(2) to enforce compliance with this chapter;

(3) to obtain the fines provided under subsection (b) of this section or appropriate restitution; or

(4) to obtain such other relief as the court may deem appropriate.

(d) Private right of action

Any boxer who suffers economic injury as a result of a violation of any provision of this chapter may bring an action in the appropriate Federal or State court and recover the damages suffered, court costs, and reasonable attorneys fees and expenses.

(e) Enforcement against Federal Trade Commission, State Attorneys General, etc.

Nothing in this chapter authorizes the enforcement of—

- (1) any provision of this chapter against the Federal Trade Commission, the United States Attorney General, or the chief legal officer of any State for acting or failing to act in an official capacity;
- (2) subsection (d) of this section against a State or political subdivision of a State, or any agency or instrumentality thereof; or
- (3) section 6307b of this title against a boxer acting in his capacity as a boxer.

§ 6310. Notification of supervising boxing commission

Each promoter who intends to hold a professional boxing match in a State that does not have a boxing commission shall, not later than 14 days before the intended date of that match, provide written notification to the supervising boxing commission designated under section 6303 of this title. Such notification shall contain each of the following:

- (1) Assurances that, with respect to that professional boxing match, all applicable requirements of this chapter will be met.
- (2) The name of any person who, at the time of the submission of the notification—
 - (A) is under suspension from a boxing commission; and
 - (B) will be involved in organizing or participating in the event.
- (3) For any individual listed under paragraph (2), the identity of the boxing commission that issued the suspension described in paragraph (2)(A).

§ 6311. Studies

(a) Pension

The Secretary of Labor shall conduct a study on the feasibility and cost of a national pension system for boxers, including potential funding sources.

(b) Health, safety, and equipment

The Secretary of Health and Human Services shall conduct a study to develop recommendations for health, safety, and equipment standards for boxers and for professional boxing matches.

(c) Reports

Not later than one year after October 9, 1996, the Secretary of Labor shall submit a report to the Congress on the findings of the study conducted pursuant to subsection (a) of this section. Not later than 180 days after October 9, 1996, the Secretary of Health and Human Services shall submit a report to the Congress on the findings of the study conducted pursuant to subsection (b) of this section.

§ 6312. Professional boxing matches conducted on Indian reservations

(a) Definitions

For purposes of this section, the following definitions shall apply:

(1) Indian tribe

The term “Indian tribe” has the same meaning as in section 450b (e) of title 25.

(2) Reservation

The term “reservation” means the geographically defined area over which a tribal organization exercises governmental jurisdiction.

(3) Tribal organization

The term “tribal organization” has the same meaning as in section 450b (l) of title 25.

(b) Requirements

(1) In general

Notwithstanding any other provision of law, a tribal organization of an Indian tribe may, upon the initiative of the tribal organization—

- (A) regulate professional boxing matches held within the reservation under the jurisdiction of that tribal organization; and
- (B) carry out that regulation or enter into a contract with a boxing commission to carry out that regulation.

(2) Standards and licensing

If a tribal organization regulates professional boxing matches pursuant to paragraph (1), the tribal organization shall, by tribal ordinance or resolution, establish and provide for the implementation of health and safety standards, licensing requirements, and other requirements relating to the conduct of professional boxing matches that are at least as restrictive as—

- (A) the otherwise applicable standards and requirements of a State in which the reservation is located; or
- (B) the most recently published version of the recommended regulatory guidelines certified and published by the Association of Boxing Commissions.

§ 6313. Relationship with State law

Nothing in this chapter shall prohibit a State from adopting or enforcing supplemental or more stringent laws or regulations not inconsistent with this chapter, or criminal, civil, or administrative fines for violations of such laws or regulations.

TITLE 68. INDIANA GAMING COMMISSION

ARTICLE 24. BOXING AND MIXED MARTIAL ARTS

RULE 1. DEFINITIONS FOR PROFESSIONAL BOXING AND MIXED MARTIAL ARTS

68 IAC 24-1-1 "Amateur boxer" defined

Sec. 1. "Amateur boxer" means an individual participating in boxing who:

- (1) has never received a purse for participating in boxing or mixed martial arts;
- (2) has never received a prize with a value greater than one hundred dollars (\$100) for participating in boxing or mixed martial arts; and
- (3) does not hold a license as a professional boxer or professional mixed martial artist issued by a state, country, or tribal nation.

(Indiana Gaming Commission; 68 IAC 24-1-1; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-2 "Amateur boxing bout" defined

Sec. 2. "Amateur boxing bout" means a bout in which only:

- (1) boxing is conducted; and
- (2) amateur boxers participate.

(Indiana Gaming Commission; 68 IAC 24-1-2; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-3 "Amateur mixed martial artist" defined

Sec. 3. "Amateur mixed martial artist" means an individual participating in mixed martial arts under IC 4-33-22-18 who:

- (1) has never received a purse for participating in boxing or mixed martial arts;
- (2) has never received a prize with a value greater than one hundred dollars (\$100) for participating in boxing or mixed martial arts; and
- (3) does not hold a license as a professional mixed martial artist or professional boxer issued by a state, country, or tribal nation.

(Indiana Gaming Commission; 68 IAC 24-1-3; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-4 "Amateur mixed martial arts bout" defined

Sec. 4. "Amateur mixed martial arts bout" means a bout in which only:

- (1) mixed martial arts is conducted; and
- (2) amateur mixed martial artists participate.

(Indiana Gaming Commission; 68 IAC 24-1-4; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-5 "Amateur mixed martial arts event" defined

Sec. 5. "Amateur mixed martial arts event" means an event in which only a series of amateur mixed martial arts bouts occur.

(Indiana Gaming Commission; 68 IAC 24-1-5; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-6 "Announcer" defined

Sec. 6. "Announcer" means an individual who has been:

- (1) retained by a promoter; and
- (2) approved by the executive director or the executive director's designee;

to serve as the announcer for an event.

(Indiana Gaming Commission; 68 IAC 24-1-6; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-7 "Association of Boxing Commissions" defined

Sec. 7. "Association of Boxing Commissions" means the association of state and tribal athletic commissions with a mission to standardize the regulation of combative sports.

(Indiana Gaming Commission; 68 IAC 24-1-7; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-8 "Bout" defined

Sec. 8. "Bout" means a series of rounds in which either boxing or mixed martial arts is conducted.

(Indiana Gaming Commission; 68 IAC 24-1-8; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-9 "Commission representative" defined

Sec. 9. "Commission representative" means an individual appointed by the executive director or the executive director's designee to attend an event for purposes of ensuring compliance with the requirements of IC 4-33-22 and this article.

(Indiana Gaming Commission; 68 IAC 24-1-9; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-10 "Company" defined

Sec. 10. "Company" means:

- (1) a sole proprietorship;
- (2) a general partnership;
- (3) a corporation;
- (4) a limited liability company;
- (5) a limited partnership;
- (6) a limited liability partnership;
- (7) a firm;
- (8) a club; or
- (9) an association.

(Indiana Gaming Commission; 68 IAC 24-1-10; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-11 "Complimentary ticket" defined

Sec. 11. "Complimentary ticket" means a ticket provided to an individual, in order for the individual to observe an event without direct compensation from the individual for the face value of the ticket.

(Indiana Gaming Commission; 68 IAC 24-1-11; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-12 "Confirmed positive test result" defined

Sec. 12. "Confirmed positive test result" means a result of a test, conducted in accordance with the procedures in this article, indicating the presence of a prohibited drug.

(Indiana Gaming Commission; 68 IAC 24-1-12; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-13 "Conflict of interest" defined

Sec. 13. "Conflict of interest" means a situation in which a private interest, usually of a financial nature, may influence a person's judgment in the performance of his or her duty. A conflict of interest includes, but is not limited to, the following:

- (1) Conduct or circumstances that would lead a reasonable person to conclude that the person is biased.
- (2) Acceptance of compensation, except as provided for in this article, for services rendered as part of the person's duties.
- (3) Participation in business being transacted by any person in which the person's spouse or child has a financial interest.
- (4) Use of the person's position, title, or authority associated with it in a manner designed for personal gain or benefit.
- (5) Demonstration, through work or action in the performance of the person's duties, of preferential attitude or treatment toward another person.

(Indiana Gaming Commission; 68 IAC 24-1-13; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-14 "Corner man" defined

Sec. 14. "Corner man" means a licensed:

- (1) manager;
- (2) second; or
- (3) trainer;

who assists a fighter during an event.

(Indiana Gaming Commission; 68 IAC 24-1-14; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-15 "Event" defined

Sec. 15. "Event" means:

- (1) professional boxing or mixed martial arts match, contest, exhibition, or performance; or
- (2) professional-amateur boxing or mixed martial arts match, contest, exhibition, or performance.

(Indiana Gaming Commission; 68 IAC 24-1-15; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-16 "Event physician" defined

Sec. 16. "Event physician" means an individual licensed as a physician under IC 25-22.5 who has been licensed and appointed by the executive director or the executive director's designee to serve as the physician for an event.

(Indiana Gaming Commission; 68 IAC 24-1-16; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-17 "Ex parte communication" defined

Sec. 17. "Ex parte communication" means communication, direct or indirect, regarding an issue the commission has or may have before it other than communication that takes place during a meeting or hearing conducted under IC 4-33 or this article.

(Indiana Gaming Commission; 68 IAC 24-1-17; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-18 "Federal identification card" defined

Sec. 18. "Federal identification card" means the card containing a personal identification number that is issued to professional boxers by the registry that is certified or operated by the Association of Boxing Commissions.

(Indiana Gaming Commission; 68 IAC 24-1-18; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-19 "Fighter" defined

Sec. 19. "Fighter" means a professional mixed martial artist or professional boxer.

(Indiana Gaming Commission; 68 IAC 24-1-19; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-20 "Fighting area" defined

Sec. 20. "Fighting area" means a:

- (1) roped area; or
- (2) caged area;

that is used for purposes of conducting a bout.

(Indiana Gaming Commission; 68 IAC 24-1-20; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-21 "Inspector" defined

Sec. 21. "Inspector" means an individual retained by the executive director or the executive director's designee for purposes of providing on-site regulation at an event.

(Indiana Gaming Commission; 68 IAC 24-1-21; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-22 "Judge" defined

Sec. 22. "Judge" means an individual appointed by the executive director or the executive director's designee who is responsible for scoring each round during a bout.

(Indiana Gaming Commission; 68 IAC 24-1-22; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-23 "Laboratory" defined

Sec. 23. "Laboratory" means a health care facility in the United States that possesses a certificate under the Clinical Laboratory Improvement Act of 1988 (42 U.S.C. 263a et seq.).

(Indiana Gaming Commission; 68 IAC 24-1-23; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-24 "Manager" defined

Sec. 24. "Manager" means an individual who receives compensation for service as an agent or representative of a fighter.

(Indiana Gaming Commission; 68 IAC 24-1-24; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-25 "National identification card" defined

Sec. 25. "National identification card" means the card containing a personal identification number that is issued to mixed martial artists by the registry that is certified or operated by the Association of Boxing Commissions.

(Indiana Gaming Commission; 68 IAC 24-1-25; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-26 "Officials" defined

Sec. 26. "Officials" means the judges, referees, and timekeepers who have been:

- (1) licensed under IC 4-33-22 and this article; and
- (2) appointed by the executive director or the executive director's designee to serve in an official capacity during an event.

(Indiana Gaming Commission; 68 IAC 24-1-26; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-27 "Prize" defined

Sec. 27. "Prize" means a material or immaterial item with pecuniary value fighters receive for participating in a bout.

(Indiana Gaming Commission; 68 IAC 24-1-27; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-28 "Professional-amateur boxing event" defined

Sec. 28. "Professional-amateur boxing event" means an event in which both amateur boxing bouts and professional boxing bouts occur and sanctioning and oversight of the event is provided by the following:

- (1) The executive director, the executive director's designee, or commission representatives for the professional boxing bouts.
- (2) USA Boxing, Inc. for the amateur boxing bouts.

(Indiana Gaming Commission; 68 IAC 24-1-28; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-29 "Professional-amateur mixed martial arts event" defined

Sec. 29. "Professional-amateur mixed martial arts event" means an event in which both amateur mixed martial arts bouts and professional mixed martial arts bouts occur.

(Indiana Gaming Commission; 68 IAC 24-1-29; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-30 "Professional boxer" defined

Sec. 30. "Professional boxer," as defined in IC 4-33-22-3, means a person who:

(1) has received a purse for participating in boxing or mixed martial arts;

(2) has received a prize with a value greater than one hundred dollars (\$100) for participating in boxing or mixed martial arts; or

(3) holds a license as a professional boxer or professional mixed martial artist issued by a state, country, or tribal nation.

(Indiana Gaming Commission; 68 IAC 24-1-30; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-31 "Professional boxing bout" defined

Sec. 31. "Professional boxing bout" means a boxing bout in which only professional boxers participate.

(Indiana Gaming Commission; 68 IAC 24-1-31; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-32 "Professional boxing event" defined

Sec. 32. "Professional boxing event" means an event in which only a series of professional boxing bouts occur.

(Indiana Gaming Commission; 68 IAC 24-1-32; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-33 "Professional mixed martial artist" defined

Sec. 33. "Professional mixed martial artist" means a person who:

(1) has received a purse for participating in mixed martial arts or boxing;

(2) has received a prize with a value greater than one hundred dollars (\$100) for participating in mixed martial arts or boxing; or

(3) holds a license as a professional mixed martial artist or professional boxer issued by a state, country, or tribal nation.

(Indiana Gaming Commission; 68 IAC 24-1-33; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-34 "Professional mixed martial arts bout" defined

Sec. 34. "Professional mixed martial arts bout" means a mixed martial arts bout in which only professional mixed martial artists participate.

(Indiana Gaming Commission; 68 IAC 24-1-34; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-35 "Professional mixed martial arts event" defined

Sec. 35. "Professional mixed martial arts event" means an event in which only a series of professional mixed martial arts bouts occur.

(Indiana Gaming Commission; 68 IAC 24-1-35; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-36 "Prohibited drugs" defined

Sec. 36. "Prohibited drugs" means a chemical substance that has not been legally obtained with a prescription from a licensed physician and that falls under one (1) of the following categories:

(1) Opiates.

(2) Barbiturates.

(3) Benzodiazepines.

(4) Propoxyphene.

(5) Phencyclidine.

(6) A prohibited substance identified by the World Anti-Doping Agency.

(Indiana Gaming Commission; 68 IAC 24-1-36; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-37 "Purse" defined

Sec. 37. "Purse" means the financial guarantee or other remuneration fighters receive for participating in a bout.

(Indiana Gaming Commission; 68 IAC 24-1-37; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-38 "Referee" defined

Sec. 38. "Referee" means an individual appointed by the executive director or the executive director's designee who is responsible for the general supervision of a bout.

(Indiana Gaming Commission; 68 IAC 24-1-38; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-39 "Second" defined

Sec. 39. "Second" means an individual who assists a fighter during an event.

(Indiana Gaming Commission; 68 IAC 24-1-39; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-40 "Timekeeper" defined

Sec. 40. "Timekeeper" means an individual appointed by the executive director or the executive director's designee who is responsible for keeping time during a bout.

(Indiana Gaming Commission; 68 IAC 24-1-40; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-41 "Trainer" defined

Sec. 41. "Trainer" means an individual who trains or coaches a fighter for more than thirty (30) days in a calendar year in the state of Indiana.

(Indiana Gaming Commission; 68 IAC 24-1-41; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-42 "Weigh-in witness" defined

Sec. 42. "Weigh-in witness" means an individual appointed by the executive director or the executive director's designee to oversee the official weigh-in for an event.

(Indiana Gaming Commission; 68 IAC 24-1-42; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-1-43 "World Anti-Doping Agency" defined

Sec. 43. "World Anti-Doping Agency" means the independent foundation created by the International Olympic Committee to promote, coordinate, and monitor the fight against drugs in sports through scientific research, education, and the development of anti-doping capacities.

(Indiana Gaming Commission; 68 IAC 24-1-43; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

INDIANA ADMINISTRATIVE CODE

TITLE 68. INDIANA GAMING COMMISSION

ARTICLE 24. BOXING AND MIXED MARTIAL ARTS

RULE 2. GENERAL ADMINISTRATIVE PROVISIONS

68 IAC 24-2-1 Papers

Sec. 1. Papers required to be filed with the commission shall become its property.

(Indiana Gaming Commission; 68 IAC 24-2-1; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-2-2 Examination

Sec. 2. Before acting upon an application for a license or permit under this article, the commission, the executive director, or the executive director's designee may, at its discretion:

- (1) examine, under oath, the applicant and other witnesses; and
- (2) require the submission of information necessary for the commission, the executive director, or the executive director's designee to determine the suitability of an applicant for licensure.

(Indiana Gaming Commission; 68 IAC 24-2-2; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-2-3 Ex parte communications

Sec. 3. (a) No licensee, permit holder, applicant for a license or permit, nor any affiliate or representative thereof, shall engage in ex parte communications with a member of the commission. No member of the commission shall engage in ex parte communications with a licensee, a permit holder, an applicant for any license or permit, or an affiliate or representative thereof.

(b) A person who receives any communication in violation of this article, or who is aware of an attempted communication in violation of this article, must report the matter to the commission through the executive director or the executive director's designee.

(c) A commission member who receives an ex parte communication must disclose the source and content of the communication to the executive director or the executive director's designee. The executive director or the executive director's designee may investigate or initiate an investigation of the matter to determine if the communication violates this article. Following an investigation, the executive director or the executive director's designee must advise the commission of the results of the investigation and may recommend such action as the executive director or the executive director's designee considers appropriate.

(Indiana Gaming Commission; 68 IAC 24-2-3; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-2-4 Deviations

Sec. 4. (a) The executive director, the executive director's designee, or the commission may approve deviations from the provisions of this article if the executive director, the executive director's designee, or the commission determines that the:

- (1) procedure or requirement is impractical or burdensome; and
- (2) alternative means of satisfying the procedure or requirement:
 - (A) fulfill the purpose of this article;
 - (B) are in the best interest of the public, boxing, or mixed martial arts in Indiana; and
 - (C) do not violate IC 4-33-22.

(b) If a licensee wishes to request a deviation from the provisions of this article, the licensee must do so in writing.

(Indiana Gaming Commission; 68 IAC 24-2-4; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-2-5 Denial and disciplinary action

Sec. 5. (a) The commission, the executive director, or the executive director's designee may take action, including, but not limited to, revocation, suspension, denial, disciplinary action, or restriction of a license, if the commission, the executive director, or the executive director's designee determines the licensee is in violation of IC 4-33-22, an order of the commission, or this article.

(b) If the commission, the executive director, or the executive director's designee determines that a licensee is in violation of IC 4-33-22 or this article, the commission, the executive director, or the executive director's designee may initiate a disciplinary proceeding to revoke, restrict, or take another disciplinary action with respect to the license under IC 4-21.5.

(c) The commission, the executive director, or the executive director's designee may deny a license for a professional boxer or a professional mixed martial artist if the commission, the executive director, or the executive director's designee determines the applicant does not have sufficient skills to fight in a professional boxing or professional mixed martial arts bout.

(d) The commission, the executive director, or the executive director's designee may deny, revoke, or suspend a license if directed to do so by a court of competent jurisdiction in the state of Indiana.

(Indiana Gaming Commission; 68 IAC 24-2-5; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-2-6 Restriction on licensee business relationship

Sec. 6. An individual who is licensed by the commission shall not have a business relationship related to professional boxing and mixed martial arts with any person whose license has been suspended, denied, or revoked by the commission.

(Indiana Gaming Commission; 68 IAC 24-2-6; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

INDIANA ADMINISTRATIVE CODE

TITLE 68. INDIANA GAMING COMMISSION

ARTICLE 24. BOXING AND MIXED MARTIAL ARTS

RULE 3. PROFESSIONAL BOXING AND PROFESSIONAL MIXED MARTIAL ARTS

68 IAC 24-3-1 Permit application fee

Sec. 1. (a) A promoter who seeks to promote an event must first obtain an event permit under IC 4-33-22 and this article.

(b) To obtain an event permit, the executive director or the executive director's designee must receive from the promoter the:

- (1) event permit application form; and
- (2) required application fee under this section;

not later than forty-five (45) calendar days prior to the date of the proposed event.

(c) The nonrefundable, nontransferable permit application fee is based on the seating capacity of the venue for that specific event, as follows:

- | | |
|--------------------------|-------|
| (1) 1 - 500 seats | \$50 |
| (2) 501 - 1,000 seats | \$100 |
| (3) 1,001 - 2,500 seats | \$150 |
| (4) 2,501 - 10,000 seats | \$300 |
| (5) 10,001 or more seats | \$500 |

(d) An event permit will not be issued until:

- (1) exhibits required by the permit application form have been submitted and received; and
- (2) the final fight card has been approved;

by the executive director or the executive director's designee.

(Indiana Gaming Commission; 68 IAC 24-3-1; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-2 License fees

Sec. 2. (a) Applications for licensure and renewal are subject to the following nonrefundable, nontransferable fees:

- | | |
|----------------------|------------------|
| (1) Promoter | \$300 |
| (2) Fighter | \$50 (biennial) |
| (3) Matchmaker | \$125 |
| (4) Referee | \$100 (biennial) |
| (5) Judge | \$75 (biennial) |
| (6) Timekeeper | \$30 |
| (7) Manager | \$50 |
| (8) Trainer | \$30 |
| (9) Second | \$25 |
| (10) Event physician | \$10 |

(b) To obtain or renew a federal or national identification card, an individual must pay a nonrefundable, nontransferable fee of ten dollars (\$10).

(c) An individual must pay a nonrefundable, nontransferable replacement fee of twenty dollars (\$20) for a replacement federal or national identification card.

(d) An application for a license is abandoned without an action by the commission if the applicant does not complete the requirements for obtaining the license within one (1) year after the date on which the application was filed. An application submitted after the abandonment of an application is considered a new application.

(e) Licensees must submit, in writing, to the executive director or the executive director's designee the following information, when applicable:

- (1) Name changes.
- (2) Changes in address.
- (3) Changes in telephone number.
- (4) Changes in e-mail address.

(f) The written document setting forth the information required by subsection (e) must:

- (1) set forth the name of the licensee; and
- (2) be submitted within ten (10) calendar days of the change.

(Indiana Gaming Commission; 68 IAC 24-3-2; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-3 License renewal

Sec. 3. (a) Except as provided in subsection (b), licenses issued by the executive director or the executive director's designee expire September 30 of each year.

(b) The following licenses expire September 30 of even-numbered years:

- (1) Judge.
- (2) Referee.
- (3) Professional boxer.
- (4) Professional mixed martial artist.

(c) Licenses must be renewed by paying the renewal fee and submitting the completed appropriate renewal form.

(d) If a licensee fails to pay the renewal fee and submit the completed renewal form on or before the expiration date of the license, the license becomes invalid.

(Indiana Gaming Commission; 68 IAC 24-3-3; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-4 Fighter's license

Sec. 4. (a) An individual who seeks to participate as a fighter at an event must first obtain a license as a professional boxer or professional mixed martial artist under IC 4-33-22 and this article.

(b) An applicant for a professional boxer or professional mixed martial artist's license must submit the following:

- (1) The appropriate completed application form.
- (2) A clear photocopy of the applicant's active federal or national identification card issued by another state, country, or tribal nation.
- (3) From a physician, a written statement, not more than one (1) year old from the date of the event in which the applicant seeks to participate, on a form prescribed by the commission, that affirms that the applicant has undergone a thorough medical examination and is physically fit and qualified to participate in the bout. The physician who conducts the medical examination and affirms the physical fitness of the applicant must have been licensed in the jurisdiction in which the medical examination occurred at the time the medical examination was conducted.
- (4) Laboratory results, not more than one (1) year old from the date of the event in which the applicant seeks to participate, affirming that the applicant has tested negative for the presence of the following:
 - (A) Antibodies to the human immunodeficiency virus (HIV).
 - (B) The surface antigen of the hepatitis B virus.
 - (C) Antibodies to the hepatitis C virus.
- (5) One (1) digital photograph of the applicant that shows head and shoulders only, without a hat, and in a natural pose.
- (6) The required application fee under this rule.

(c) The commission, the executive director, or the executive director's designee may consider the following to determine whether issuance of a professional license is appropriate:

- (1) For an individual seeking a professional boxing license, the applicant's previous fighting experience, including whether the applicant has:
 - (A) fought a minimum of:
 - (i) seven (7) amateur bouts; or
 - (ii) twenty-eight (28) amateur rounds; or
 - (B) already received a professional license in another state, country, or tribal nation.

(2) For an individual seeking a professional mixed martial artist license, the applicant's previous fighting experience, including whether the applicant has:

- (A) fought a minimum of five (5) sanctioned amateur bouts; or
- (B) already received a professional license in another state, country, or tribal nation.

(d) The application for initial licensure or renewal of licensure must be received by the executive director or the executive director's designee not less than forty-eight (48) hours prior to an event in which the applicant wants to participate as a fighter.

(Indiana Gaming Commission; 68 IAC 24-3-4; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-5 Second's license

Sec. 5. (a) An individual who seeks to act as a second at an event must first obtain a license as a second under IC 4-33-22 and this article.

(b) An applicant for a second's license must submit the following:

- (1) The completed second application form.
- (2) A clear photocopy of a current government issued photographic identification card that affirms that the applicant is at least eighteen (18) years of age.
- (3) One (1) digital photograph of the applicant that shows head and shoulders only, without a hat, and in a natural pose.
- (4) The required application fee under this rule.

(Indiana Gaming Commission; 68 IAC 24-3-5; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-6 Manager's license

Sec. 6. (a) An individual who seeks to act as a manager must first obtain a license as a manager under IC 4-33-22 and this article.

(b) An applicant for a manager's license must submit the following:

- (1) The completed manager application form.
- (2) A clear photocopy of a current government issued photographic identification card that affirms that the applicant is at least eighteen (18) years of age.
- (3) One (1) digital photograph of the applicant that shows head and shoulders only, without a hat, and in a natural pose.
- (4) The required application fee under this rule.

(Indiana Gaming Commission; 68 IAC 24-3-6; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-7 Trainer's license

Sec. 7. (a) An individual who seeks to act as a trainer must first obtain a license as a trainer under IC 4-33-22 and this article.

(b) An applicant for a trainer's license must submit the following:

- (1) The completed trainer application form.
- (2) A clear photocopy of a current government issued photographic identification card that affirms that the applicant is at least eighteen (18) years of age.
- (3) One (1) digital photograph of the applicant that shows head and shoulders only, without a hat, and in a natural pose.
- (4) The required application fee under this rule.

(Indiana Gaming Commission; 68 IAC 24-3-7; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-8 Matchmaker's license

Sec. 8. (a) An individual who seeks to act as a matchmaker for an event must first:

- (1) obtain a license as a matchmaker under IC 4-33-22 and this article; or
- (2) have a valid promoter's license, issued by the executive director or the executive director's designee.

(b) If a licensed promoter wishes to act as a matchmaker for an event in which the individual is not the promoter of record, the individual must still obtain a license as a matchmaker.

(c) An applicant for a matchmaker's license must submit the following:

- (1) The completed matchmaker application form.
- (2) A clear photocopy of a current government issued photographic identification card that affirms that the applicant is at least eighteen (18) years of age.
- (3) One (1) digital photograph of the applicant that shows head and shoulders only, without a hat, and in a natural pose.
- (4) The required application fee under this rule.
- (d) An individual licensed as a matchmaker in a state, country, or tribal nation is prohibited from obtaining a license as an official.
- (e) An individual who is licensed as a matchmaker under IC 4-33-22 and this article may not:

- (1) be the manager of a fighter for a bout in which that manager is also the matchmaker of record; or
- (2) serve as a corner man for a fighter at an event for which the individual is the matchmaker of record.

(Indiana Gaming Commission; 68 IAC 24-3-8; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-9 Referee's license

Sec. 9. (a) An individual who seeks to act as a referee at an event must first obtain a license as a referee under IC 4-33-22 and this article.

(b) An applicant for a referee's license must submit the following:

- (1) The completed referee application form.
- (2) Documentation regarding any certification the applicant has obtained from any organization that certifies boxing or mixed martial arts referees.
- (3) From a physician, a written statement, not more than one (1) year old from the date of the event in which the applicant seeks to participate, affirming that the applicant:
 - (A) has undergone a thorough medical examination; and
 - (B) is physically fit and qualified to participate as a referee.

The physician who conducts the medical examination and who affirms the physical fitness of the applicant must have been licensed in the jurisdiction in which the medical examination occurred at the time the examination was conducted.

- (4) A clear photocopy of a current government issued photographic identification card that affirms that the applicant is at least twenty-one (21) years of age.
- (5) One (1) digital photograph of the applicant that shows head and shoulders only, without a hat, and in a natural pose.
- (6) The required application fee under this rule.
- (7) The information necessary for the executive director or the executive director's designee to conduct a criminal history background check.

(c) No referee may have a direct or indirect conflict of interest with another licensee participating in any event for which the referee has been appointed to work.

(d) Failure of the referee to notify the executive director or the executive director's designee of a direct or indirect conflict of interest prior to the start of an event is grounds for disciplinary action under IC 4-33-22 and IC 4-21.5.

(e) A referee appointed by the executive director or the executive director's designee to work during an event who observes or becomes aware of activity that may violate IC 4-33-22 or this article must immediately report the activity to the executive director or the executive director's designee.

(Indiana Gaming Commission; 68 IAC 24-3-9; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-10 Judge's license

Sec. 10. (a) An individual who seeks to act as a judge at an event must first obtain a license as a judge under IC 4-33-22 and this article.

(b) An applicant for a judge's license must submit the following:

- (1) The completed judge application form.
- (2) Documentation regarding any certification the applicant has obtained from any organization that certifies boxing or mixed martial arts judges.
- (3) A clear photocopy of a current government issued photographic identification card that affirms that the applicant is at least twenty-one (21) years of age.
- (4) One (1) digital photograph of the applicant that shows head and shoulders only, without a hat, and in a natural pose.
- (5) The required application fee under this rule.
- (6) The information necessary for the executive director or the executive director's designee to conduct a criminal history background check.

(c) No judge may have a direct or indirect conflict of interest with another licensee participating in any event for which the judge has been appointed to work.

(d) Failure of the judge to notify the executive director or the executive director's designee of a direct or indirect conflict of interest prior to the start of an event is grounds for disciplinary action under IC 4-33-22 and IC 4-21.5.

(e) A judge appointed by the executive director or the executive director's designee to work during an event who observes or becomes aware of activity that may violate IC 4-33-22 or this article must immediately report the activity to the executive director or the executive director's designee.

(Indiana Gaming Commission; 68 IAC 24-3-10; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-11 Timekeeper's license

Sec. 11. (a) An individual who seeks to act as a timekeeper at an event must first obtain a license as a timekeeper under IC 4-33-22 and this article.

(b) An applicant for a timekeeper's license must submit the following:

- (1) The completed timekeeper application form.
- (2) A clear photocopy of a current government issued photographic identification card that affirms that the applicant is at least twenty-one (21) years of age.
- (3) One (1) digital photograph of the applicant that shows head and shoulders only, without a hat, and in a natural pose.
- (4) The required application fee under this rule.
- (5) The information necessary for the executive director or the executive director's designee to conduct a criminal history background check.

(c) No timekeeper may have a direct or indirect conflict of interest with another licensee participating in any event for which the timekeeper has been appointed to work.

(d) Failure of the timekeeper to notify the executive director or the executive director's designee of a direct or indirect conflict of interest prior to the start of an event is grounds for disciplinary action under IC 4-33-22 and IC 4-21.5.

(e) A timekeeper appointed by the executive director or the executive director's designee to work during an event who observes or becomes aware of activity that may violate IC 4-33-22 or this article must immediately report the activity to the executive director or the executive director's designee.

(Indiana Gaming Commission; 68 IAC 24-3-11; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-12 Event physician's license

Sec. 12. (a) An individual who seeks to act as an event physician must first obtain a license as an event physician under IC 4-33-22 and this article.

(b) An applicant for an event physician's license must submit the following:

- (1) The completed event physician application form.
- (2) A clear photocopy of a current government issued photographic identification.
- (3) One (1) digital photograph of the applicant that shows head and shoulders only, without a hat, and in a natural pose.
- (4) Proof that the applicant is:
 - (A) advanced cardiovascular life support; or
 - (B) advanced trauma life support;certified.
- (5) The required application fee under this rule.

(Indiana Gaming Commission; 68 IAC 24-3-12; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-13 Promoter's license

Sec. 13. (a) A company who seeks to act as a promoter for an event must first obtain a license as a promoter under IC 4-33-22 and this article.

(b) An applicant for a promoter's license must submit the following:

- (1) A completed promoter's application form.
- (2) Clear photocopies of current government issued photographic identification cards that affirm that:
 - (A) the principal owner;
 - (B) substantial owners; and
 - (C) key persons;are at least twenty-one (21) years of age.
- (3) One (1) digital photograph of:
 - (A) the principal owner;
 - (B) substantial owners; and
 - (C) key persons;that shows head and shoulders only, without a hat, and in a natural pose.
- (4) The required application fee under this rule.
- (5) The information necessary for the executive director or the executive director's designee to conduct a criminal history background check for:
 - (A) the principal owner;
 - (B) substantial owners; and
 - (C) key persons.
- (6) Additional information requested by the executive director or the executive director's designee that is necessary to determine the applicant's suitability to act as a promoter under IC 4-33-22 and this article.

(c) An applicant for a promoter's license must file a surety bond in an amount not less than ten thousand dollars (\$10,000) at the time of filing the application for licensure.

(d) Notwithstanding subsection (c), the executive director or the executive director's designee reserves the right to require an additional amount of surety bond, to be filed by the promoter, in an amount equal to a good faith estimation of a combination of the following:

- (1) The total gross gate receipt tax for the event.
- (2) The television broadcasting tax for the event.
- (3) The total estimated expenses for on-site regulation of the event.
- (4) The total amount of compensation to be paid to officials and the event physician.
- (5) The total contracted amount of compensation to be paid to the fighters for their participation at the event.

(e) The surety bonds are conditioned upon the promoter's faithful performance of the financial and tax obligations under IC 4-33-22 and this article.

(f) The following are prohibited from obtaining a license as an official:

(1) A promoter licensed in a state, country, or tribal nation.

(2) An:

(A) employee; or

(B) agent;

of a promoter licensed in a state, country, or tribal nation.

(g) A promoter who is licensed under IC 4-33-22 and this article may not:

(1) be the manager of a fighter for a bout in which that manager is also the promoter of record; or

(2) serve as a corner man for a fighter at an event for which the individual is the promoter of record.

(Indiana Gaming Commission; 68 IAC 24-3-13; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-14 Medical testing

Sec. 14. (a) Medical documents required to be on file under this article must be received by the executive director or the executive director's designee not less than forty-eight (48) hours prior to the start time of the event.

(b) The executive director or the executive director's designee may request additional medical testing to be conducted on a fighter for purposes of:

(1) determining the fighter's ability to participate in a bout; or

(2) confirming an injury or illness that prevented a fighter from participating in a previous bout.

(c) No female fighter may participate in a bout unless:

(1) laboratory results, not more than five (5) days old from the date of the event, affirming the negative test results for pregnancy, have been submitted to and received by the executive director or the executive director's designee; or

(2) two (2) negative over-the-counter pregnancy tests are taken by the fighter on-site at the event and approved by the event physician and a commission representative.

(Indiana Gaming Commission; 68 IAC 24-3-14; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-15 Fighter substitutions

Sec. 15. (a) Before approval of a fighter substitution, the executive director or the executive director's designee must receive the information required under this article regarding the substituting fighter not less than forty-eight (48) hours prior to the start time of the event.

(b) The executive director or the executive director's designee may deny a substitution under this article less than forty-eight (48) hours before the start time of an event if the substituting fighter has not been licensed as a professional fighter under IC 4-33-22 and this rule.

(Indiana Gaming Commission; 68 IAC 24-3-15; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-16 Payment of gross gate receipts tax

Sec. 16. (a) It shall be the responsibility of the promoter of an event to pay the gross gate receipts tax required by IC 4-33-22-32(a)(2).

(b) A promoter does not satisfy IC 4-33-22-32(a)(2) or this section until the promoter pays:

(1) five percent (5%) of the gross receipts from the face value of each ticket sold; and

(2) the required tax on complimentary tickets issued as prescribed in this rule.

(c) Within five (5) business days after the conclusion of an event, the promoter must submit to the executive director or the executive director's designee either:

(1) the ticket audit from the ticket brokerage company being utilized by the promoter, which indicates the final number of tickets printed and sold in each ticket price range; or

(2) unsold printed tickets and ticket stubs, if the promoter utilized a ticket printing company.

(d) Unaccounted for tickets will be subject to the five percent (5%) ticket tax required by IC 4-33-22-32(a)(2).

(e) Unsold tickets must have the ticket stubs attached or the tickets will be considered sold for purposes of IC 4-33-22-32(a)(2).

(f) The executive director or the executive director's designee shall serve the promoter with a financial reporting form detailing the total amount of the gross gate receipts tax to be paid.

(g) The service of the financial reporting form will be sent to the promoter's last known:

(1) mailing address;

(2) electronic mail address; or

(3) facsimile number.

(h) If a promoter fails to comply with the requirements in this section, the commission may seek:

(1) recovery of the tax revenue through the bond filed by the promoter under IC 4-33-22-32(b) and this rule; and

(2) disciplinary sanctions under IC 4-33-22 and IC 4-21.5.

(Indiana Gaming Commission; 68 IAC 24-3-16; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-17 Payment of television taxes

Sec. 17. (a) It shall be the responsibility of the promoter of an event to pay the taxes required by IC 4-33-22-33.

(b) A promoter does not satisfy IC 4-33-22-33 or this section until payment of the tax in full has been received by the executive director or the executive director's designee.

(c) Remittance of the tax required under IC 4-33-22-33 and this section must be accompanied by a financial reporting form.

(d) If a promoter fails to comply with the requirements in this section, the commission may seek:

(1) recovery of the tax revenue through the bond filed by the promoter under IC 4-33-22-32(b) and this rule; and

(2) disciplinary sanctions under IC 4-33-22 and IC 4-21.5.

(Indiana Gaming Commission; 68 IAC 24-3-17; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-18 Complimentary tickets

Sec. 18. Complimentary tickets issued by a promoter will be taxed as follows:

(1) One dollar (\$1) for a complimentary ticket issued on the first five percent (5%) of the total tickets issued within an individual ticket price range.

(2) For a complimentary ticket issued above five percent (5%) of the total tickets within an individual ticket price range, five percent (5%) of the face value of the ticket.

(Indiana Gaming Commission; 68 IAC 24-3-18; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-19 Tickets

Sec. 19. (a) At an event:

(1) tickets must have a:

(A) price and date of show printed plainly thereon; and

(B) ticket stub attached;

(2) both the ticket and the ticket stub must:

(A) show the:

(i) ticket price;

(ii) date of show;

(iii) seat number;

- (iv) row number; and
- (v) section number; and
- (B) be consecutively numbered;
- (3) the ticket must be held by the purchaser for identification;
- (4) the ticket stub must be held at the box office for audit by a commission representative;
- (5) in the case of general admission tickets, both the ticket and ticket stub must:

- (A) show the ticket price;
- (B) show the date of the event; and
- (C) be consecutively numbered; and

(6) the number on the ticket stub attached must correspond with the number on the ticket.

(b) Except by permission of the executive director or the executive director's designee, promoters are prohibited from:

- (1) selling tickets for any price greater than the price printed thereon; or
- (2) changing the:
 - (A) number of tickets made available to the public; or
 - (B) price of the tickets;

at any time for an event after the executive director or the executive director's designee has received the final ticket manifest from the promoter as required on the event permit application.

(Indiana Gaming Commission; 68 IAC 24-3-19; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-20 Admissions

Sec. 20. (a) Except as provided in this section, no individual may be admitted to an event unless the individual has:

- (1) purchased a ticket; or
- (2) been issued a complimentary ticket from the promoter.

(b) The following individuals must be admitted to an event, without the need to present a purchased or complimentary ticket, upon presentation of their credentials issued by a commission representative or the promoter, and may be admitted into the dressing rooms:

- (1) The officials appointed by the executive director or the executive director's designee to perform official duties.
- (2) An event physician appointed by the executive director or the executive director's designee to perform official duties.
- (3) Fighters participating in a bout.
- (4) Corner men who are assisting a fighter participating in a bout.
- (5) The announcer retained by the promoter to perform official duties.
- (6) Police and private security on-site for the protection of the event participants.
- (7) Advanced life support ambulance personnel hired by the promoter to be on-site.
- (8) Commission representatives and inspectors appointed by the executive director or the executive director's designee.
- (9) The promoter of record and the promoter's employees and staff.
- (10) The matchmaker of record.

(Indiana Gaming Commission; 68 IAC 24-3-20; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-21 Fighting area and apron seating

Sec. 21. (a) Fighting area apron seating is at the sole discretion of a commission representative during an event. No individual is permitted to sit in a fighting area apron seat unless expressly authorized by a commission representative.

(b) No fighting area apron seat may be sold as a ticketed seat at an event.

(c) A commission representative may rearrange fighting area apron seats at his or her discretion.

(d) The fighting area and fighting area apron seating must be separated with a partition or barricade from the ticketed seating by a distance of not less than six (6) feet.

(e) No persons other than the fighters and the referee may enter the fighting area during the progress of a round.

(Indiana Gaming Commission; 68 IAC 24-3-21; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-22 Fighter insurance coverage

Sec. 22. (a) The promoter of an event must obtain:

- (1) medical benefit coverage for each fighter participating in a bout in an amount not less than ten thousand dollars (\$10,000), which shall provide for medical, surgical, and hospital care for injuries sustained by the fighter while participating in the bout; and
- (2) accidental death benefit coverage for each fighter participating in a bout in an amount not less than ten thousand dollars (\$10,000), which shall be paid to the fighter's estate in the event of the fighter's death resulting from participation in the bout.

(b) Deductibles for the required medical and accidental death benefit coverage must be paid by the promoter.

(c) The promoter must have documentation on file with the executive director or the executive director's designee prior to the start of an event verifying the required medical and accidental death benefit coverage has been obtained.

(d) No event may be conducted in Indiana unless the promoter is in full compliance with the requirements of this section concerning medical and accidental death benefit coverage.

(Indiana Gaming Commission; 68 IAC 24-3-22; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-23 Bout contracts

Sec. 23. (a) A promoter must execute a contract with a fighter before the fighter may be allowed to participate in a bout.

(b) A contract between a promoter and a fighter must be:

- (1) executed on a form prescribed by the executive director or the executive director's designee;
- (2) signed by the parties thereto; and
- (3) filed with the executive director or the executive director's designee not later than forty-eight (48) hours prior to the event.

(Indiana Gaming Commission; 68 IAC 24-3-23; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-24 Ambulance

Sec. 24. (a) The following must be present on-site while a bout is in progress:

- (1) A minimum of one (1) advanced life support ambulance, fully equipped in accordance with 836 IAC 2.
- (2) Adequate medical personnel to staff said ambulance who are certified under IC 16-31-3 to provide advanced life support patient care.

(b) The medical personnel from the ambulance must be present directly outside the fighting area with the equipment required by the current protocols established by the medical director, as defined in 836 IAC 1, to provide immediate emergency medical care while a bout is in progress.

(c) The executive director or the executive director's designee may require the promoter to provide additional advanced life support ambulances.

(Indiana Gaming Commission; 68 IAC 24-3-24; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-25 Venue security

Sec. 25. (a) At an event, either the promoter or the venue must provide adequate police or private security forces for the protection of event participants and spectators.

(b) The promoter must have a final plan for providing adequate police or private security forces on file with the executive director or the executive director's designee prior to the start of the event.

(c) The executive director or the executive director's designee must approve the final plan for security, including the:

- (1) total number of security personnel; and
- (2) security personnel stations.

(d) Either the promoter or the venue must provide a commission representative with the name and emergency contact information for the chief of security before the commencement of the event.

(Indiana Gaming Commission; 68 IAC 24-3-25; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-26 Compensation for officials

Sec. 26. (a) The compensation for an official at an event held in a location with a seating capacity of less than five thousand (5,000) attendees for that specific event shall not be less than the following:

- | | |
|-----------------|--|
| (1) Timekeepers | \$75 |
| (2) Judges | \$125 or \$150, if the official judges a title fight |
| (3) Referees | \$175 or \$200, if the official referees a title fight |

(b) The compensation for an official at an event meeting either or both of the following conditions shall be agreed upon by the executive director or the executive director's designee and the promoter before the event:

- (1) Seating capacity for that specific event is five thousand (5,000) or more attendees.
- (2) The event is broadcast on:
 - (A) closed circuit telecast;
 - (B) pay-per-view telecast; or
 - (C) subscription television.

(c) An individual who is appointed to an event as more than one (1) type of official, alternating between individual bouts, must be compensated at the rate of the highest level at which the individual officiated.

(d) The promoter must compensate an event physician a minimum of three hundred dollars (\$300) for services performed at an event.

(e) The executive director or the executive director's designee reserves the right to require additional payments to the officials and event physicians for travel expenses incurred.

(f) The promoter shall remit compensation payments in full to a commission representative for the officials and event physicians prior to the start of the event.

(g) Failure of the promoter to remit the required compensation payments under this section may result in the cancellation of the event.

(Indiana Gaming Commission; 68 IAC 24-3-26; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-27 Reimbursement

Sec. 27. (a) The promoter of an event must reimburse the commission, in an amount not to exceed five hundred dollars (\$500), for its expenses incurred in the provision of on-site regulation, including:

- (1) compensation; and
- (2) travel expenses;

for commission representatives and inspectors appointed by the executive director or the executive director's designee.

(b) Notwithstanding subsection (a), the executive director or the executive director's designee reserves the right to require the actual amount owed, based on the:

- (1) location of event;
- (2) length of the event;
- (3) type of venue where the event will be held, including the:
 - (A) number and layout of the venue's dressing rooms; and
 - (B) seating capacity of the venue; or
- (4) live broadcast of the event on:
 - (A) basic channel television;
 - (B) premium channel television; or
 - (C) pay-per-view television.

(c) The promoter shall submit payment of the expense reimbursement in full within ten (10) business days from the date of the service of the invoice.

(d) If a promoter fails to comply with the requirements in this section, the commission may seek:

- (1) recovery of the expense reimbursement through the bond filed by the promoter under IC 4-33-22-32(b) and this rule; and
- (2) disciplinary sanctions under IC 4-33-22 and IC 4-21.5.

(Indiana Gaming Commission; 68 IAC 24-3-27; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-28 Items provided by the promoter

Sec. 28. (a) The promoter of an event must provide the following items:

- (1) Weight scales to be used for the official weigh-in of the fighters.
- (2) Gloves in various legal weight ranges to be worn by the fighter, which meet the specifications described in this article.
- (3) An adequate supply of disposable hygienic laboratory gloves of a type approved by a commission representative to be worn by:
 - (A) referees;
 - (B) the event physician; and
 - (C) the corner men while participating in a bout.
- (4) A cleaning solution approved by a commission representative used to clean blood and debris:
 - (A) in the fighting area; and
 - (B) on the gloves worn by fighters.
- (5) An acceptable means of disposal of items containing blood-borne pathogens.
- (6) An adequate supply of:
 - (A) bottled water; and
 - (B) ice;to be used by fighters.
- (7) The approved credentials to be issued to individuals under this rule.

(b) The promoter of a professional boxing event or professional-amateur boxing event must provide elevated stools to be used by the judges.

(c) The promoter of a professional mixed martial arts event or professional-amateur mixed martial arts event must provide the following:

- (1) Fingernail and toenail clippers.
- (2) Red and blue tape.

(Indiana Gaming Commission; 68 IAC 24-3-28; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-29 Weigh-ins

Sec. 29. (a) At the official weigh-in for an event, a:

- (1) commission representative; or
- (2) weigh-in witness appointed by the executive director or the executive director's designee;

must be present.

(b) The official weigh-in must be completed:

- (1) not more than thirty (30) hours; and
- (2) not less than two (2) hours;

before the commencement of the event at a time and location to be determined by the promoter and approved by the executive director or the executive director's designee.

(c) The promoter or an agent of the promoter must be present at the official weigh-in.

(d) A fighter must weigh-in stripped to undergarments.

(e) If a fighter is not present at the official weigh-in due to a verifiable emergency situation, the executive director or the executive director's designee may approve a later weigh-in for that fighter to be conducted not less than two (2) hours before the scheduled start time of the event.

(f) If a fighter whose weigh-in is rescheduled under subsection (e) does not weigh-in as outlined in subsection (e), the fighter may not participate in the bout for which he or she is scheduled.

(g) If a fighter is over his or her contract weight at the official weigh-in, other than the one (1) pound allowance permitted in nonchampionship bouts, the fighter is permitted to continue to attempt to make his or her contract weight for two (2) hours after the fighter's initial weigh-in.

(h) If a fighter is over his or her contract weight at the official weigh-in, the fighter may not be permitted to lose more than:

(1) four (4) pounds, if the official weigh-in occurred between thirty (30) hours and twelve (12) hours prior to the scheduled start time of event; or

(2) two (2) pounds, if the official weigh-in occurred less than twelve (12) hours prior to the scheduled start time of the event.

(i) If a fighter remains over his or her contract weight after the permitted two (2) hour time frame in subsection (g), the fighter may not participate in the bout for which he or she is scheduled unless the:

(1) promoter;

(2) fighter who has failed to weigh in at his or her contract weight; and

(3) fighter's opponent;

renegotiate their bout contracts and a commission representative approves of the renegotiated contracts.

(j) Weight scales of standard make must be:

(1) furnished by the promoter; and

(2) approved by a commission representative or the weigh-in witness.

(k) If more than one (1) weight scale is furnished by the promoter, a fighter must be weighed on the same weight scale as his or her opponent.

(l) The promoter must furnish the weight scale used at the official weigh-in in the dressing room area at the venue where the event is conducted.

(m) At his or her discretion, and at any time before or during an event, a commission representative may order a fighter to be weighed an additional time:

(1) if the commission representative believes the weight listed from the official weigh-in may be incorrect; or

(2) to ensure the maximum allowable weight differentials in this article are not being exceeded.

(Indiana Gaming Commission; 68 IAC 24-3-29; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-30 Fighter requirements

Sec. 30. (a) When participating in a bout, a fighter:

(1) may wear a mustache or beard, with the approval of a commission representative;

(2) must not have braided facial hair;

(3) must have hair trimmed or tied back in such a manner as not to interfere with the vision of either fighter and not covering all or part of his or her face;

(4) must not wear jewelry or piercing accessories; and

(5) must not wear facial cosmetics.

(b) Professional mixed martial artists must have trimmed fingernails and toenails.

(c) When participating in a bout, a fighter must wear an individually fitted mouthpiece.

(d) The mouthpiece is subject to examination and approval by:

(1) the event physician;

(2) the referee;

(3) a commission representative; or

(4) an inspector.

(e) A round may not begin unless the fighter's mouthpiece is in place.

(Indiana Gaming Commission; 68 IAC 24-3-30; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-31 Pre-bout fighter examination

Sec. 31. (a) A fighter who fails to obtain the event physician's certification of physical fitness to participate, as required by IC 4-33-22-27(a), may not be permitted to participate in the event.

(b) Once a fighter has been examined by the event physician before the event, he or she may not leave the dressing room area without the permission of a commission representative or inspector. *(Indiana Gaming Commission; 68 IAC 24-3-31; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)*

68 IAC 24-3-32 Approved beverages for fighters

Sec. 32. (a) A fighter is only allowed to consume water and electrolyte-replacement drinks once he or she has been examined by the event physician before the event.

(b) Water or electrolyte-replacement drinks must be approved by a commission representative or inspector and brought to the fighting area in unopened and sealed plastic containers.

(c) A commission representative or inspector may remove a disallowed drink from the dressing room or fighting area.

(Indiana Gaming Commission; 68 IAC 24-3-32; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-33 Judges

Sec. 33. (a) There must be present at an event a minimum of three (3) judges appointed by the executive director or the executive director's designee to fulfill official duties during the bouts.

(b) The executive director or the executive director's designee may appoint additional judges for an event.

(c) Failure of a judge to comply with IC 4-33-22 and this article may result in immediate removal from the fighting area by a commission representative.

(d) Each judge must be stationed directly outside of the fighting area as designated by a commission representative.

(e) Each judge must render an independent decision.

(Indiana Gaming Commission; 68 IAC 24-3-33; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-34 Announcer

Sec. 34. (a) There must be present at an event a minimum of one (1) announcer.

(b) Announcers are strictly forbidden from introducing a bout except when authorized to do so by a commission representative.

(c) It is the promoter's responsibility to ensure that the announcer at an event acts in accordance with IC 4-33-22 and this article. Failure to do so may result in disciplinary action taken against the promoter's license, including license suspension, revocation, or denial under IC 4-33-22 and IC 4-21.5.

(Indiana Gaming Commission; 68 IAC 24-3-34; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-35 Event physician

Sec. 35. (a) The executive director or the executive director's designee must appoint to an event a minimum of one (1) event physician licensed under IC 4-33-22 and this article.

(b) The event physician must be present directly outside the fighting area to provide immediate emergency medical care while the bout is in progress.

(c) The event physician must:

- (1) enter the fighting area immediately after the conclusion of a bout to examine the fighters; and
- (2) recommend a medical suspension for a fighter that the event physician determines appropriate.

(d) The executive director or the executive director's designee may appoint additional licensed physicians.

(Indiana Gaming Commission; 68 IAC 24-3-35; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-36 Medical suspensions

Sec. 36. (a) The executive director, the executive director's designee, or a commission representative may issue an order for a medical suspension under IC 4-21.5-4.

(b) The following medical suspensions must be issued to a fighter participating in a bout as follows:

- (1) For a technical knockout (TKO), a minimum of thirty (30) days suspension.
- (2) For a knockout (KO), a minimum of sixty (60) days suspension.

(c) A commission representative may:

- (1) lengthen and impose additional conditions upon an existing medical suspension; and
- (2) issue additional medical suspensions;

as necessary.

(d) If a medical suspension is issued and specific medical procedures or testing are required, the fighter must be examined and cleared for that specific condition by a physician licensed in the state in which the examination occurred before the medical suspension may be lifted.

(e) A fighter subject to an order levying a medical suspension may appeal the medical suspension by requesting a hearing under IC 4-21.5-4.

(Indiana Gaming Commission; 68 IAC 24-3-36; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-37 Testing for prohibited drugs

Sec. 37. (a) A fighter is not permitted to participate in a bout if the fighter has a prohibited drug in his or her:

- (1) possession;
- (2) control; or
- (3) system.

(b) A commission representative may order a fighter scheduled to participate in a bout to submit to a test for the detection of prohibited drugs.

(c) A fighter participating in a championship bout must submit to a test for the detection of prohibited drugs.

(d) On the day of the event, a commission representative will inform the fighter that he or she has been selected for a test for the detection of prohibited drugs. The fighter must submit to the test at the conclusion of the fighter's bout.

(e) A fighter may not refuse to submit to a test ordered under this section. A fighter will be found to have failed the test if he or she refuses to submit to the testing procedures under this section.

(f) The promoter must ensure that the costs of obtaining a test for the detection of prohibited drugs are paid.

(g) The following may result in disciplinary action against a fighter's license:

- (1) A confirmed positive prohibited drug test result.

(2) Failure to submit to a test for the detection of prohibited drugs upon request.

(h) If a fighter:

- (1) has a confirmed positive prohibited drug test result from a sample taken immediately following the fighter's bout; or
- (2) failed to submit to a test;

and was declared the winner of the bout, the official bout result shall be changed to a no decision in a boxing bout and a no contest in a mixed martial arts bout.

(Indiana Gaming Commission; 68 IAC 24-3-37; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-38 Commission representatives and inspectors

Sec. 38. (a) There must be present at an event at least one (1) commission representative or inspector appointed by the executive director or the executive director's designee for the purpose of providing on-site regulation.

(b) The executive director or the executive director's designee may assign a chief commission representative and as many additional commission representatives or inspectors as is necessary for the oversight of the event.

(c) Each commission representative or inspector assigned under this section is responsible for ensuring that the provisions of IC 4-33-22 and this article are observed.

(Indiana Gaming Commission; 68 IAC 24-3-38; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-39 Changing bout results

Sec. 39. (a) The executive director or the executive director's designee will not change a decision rendered at the end of any bout unless the:

- (1) executive director or the executive director's designee determines that a fraudulent act or corruption took place during the bout;
- (2) compilation of the score cards of the judges discloses a clerical error that shows that the decision was given to the wrong fighter; or
- (3) referee or a commission representative has rendered an incorrect decision based on the misinterpretation of a bout result in this article.

(b) A petition to change a bout result may only be filed by the:

- (1) fighter participating in the bout; or
- (2) fighter's manager.

(c) The petition to change a bout result must:

- (1) be filed, in writing, with the executive director or the executive director's designee not later than ten (10) business days after the conclusion of the bout in question;
- (2) state the specific reason or reasons the bout result should be changed; and
- (3) include videotape, if any, of the entire bout in question.

(Indiana Gaming Commission; 68 IAC 24-3-39; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-3-40 Failure to comply

Sec. 40. Failure of a licensee to comply with the provisions of IC 4-33-22 and this article may result in:

- (1) the cancellation of a bout;
- (2) the cancellation of an event; and
- (3) disciplinary action, including license suspension, revocation, or denial under IC 4-33-22 and IC 4-21.5.

(Indiana Gaming Commission; 68 IAC 24-3-40; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

INDIANA ADMINISTRATIVE CODE

TITLE 68. INDIANA GAMING COMMISSION

ARTICLE 24. BOXING AND MIXED MARTIAL ARTS

RULE 4. PROFESSIONAL BOXING

68 IAC 24-4-1 Weight classes

Sec. 1. (a) Professional boxers shall compete against each other based on the following weight categories:

- (1) Mini flyweight up to 105 pounds
- (2) Light flyweight over 105 to 108 pounds
- (3) Flyweight over 108 to 112 pounds
- (4) Super flyweight over 112 to 115 pounds
- (5) Bantamweight over 115 to 118 pounds
- (6) Super bantamweight over 118 to 122 pounds
- (7) Featherweight over 122 to 126 pounds
- (8) Super featherweight over 126 to 130 pounds
- (9) Lightweight over 130 to 135 pounds
- (10) Super lightweight over 135 to 140 pounds
- (11) Welterweight over 140 to 147 pounds
- (12) Super welterweight over 147 to 154 pounds
- (13) Middleweight over 154 to 160 pounds
- (14) Super middleweight over 160 to 168 pounds
- (15) Light heavyweight over 168 to 175 pounds
- (16) Cruiserweight over 175 to 200 pounds
- (17) Heavyweight over 200 pounds

(b) A bout may take place between professional boxers in different weight categories if the difference in weight between the professional boxers does not exceed the allowance shown in the following schedule:

- (1) Up to 118 pounds not more than 3 pounds
- (2) Over 118 to 130 pounds not more than 4 pounds
- (3) Over 130 to 140 pounds not more than 5 pounds
- (4) Over 140 to 175 pounds not more than 7 pounds
- (5) Over 175 to 200 pounds not more than 12 pounds
- (6) Over 200 pounds no limit

(c) Notwithstanding subsection (b), a bout may be held, in which the professional boxers in different weight categories have a weight differential exceeding the maximum amount, if the:

- (1) executive director or the executive director's designee approves the bout; and
- (2) professional boxer who weighs less signs a liability waiver form.

(d) For nonchampionship bouts, a one (1) pound weight allowance is permissible for weights that are agreed upon in the bout contract. *(Indiana Gaming Commission; 68 IAC 24-4-1; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)*

68 IAC 24-4-2 Length of bouts

Sec. 2. (a) Bouts with male professional boxers may not be more than twelve (12) rounds of three (3) minutes duration per round.

(b) Bouts with female professional boxers may not be more than ten (10) rounds of two (2) minutes duration per round.

(c) In the bouts, each round must be separated by an intermission lasting one (1) minute in duration. *(Indiana Gaming Commission; 68 IAC 24-4-2; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)*

68 IAC 24-4-3 Fighting area requirements

Sec. 3. (a) Bouts must be held in a ringed fighting area.

(b) A ringed fighting area must meet the following requirements:

- (1) The fighting area floor must:
 - (A) be:
 - (i) not less than sixteen (16) feet by sixteen (16) feet; and

- (ii) not more than twenty (20) feet by twenty (20) feet; when measured inside the line of the ropes;
- (B) extend at least two (2) feet beyond the ropes;
- (C) be not more than four (4) feet above the floor of the building;
- (D) be padded with ensolite or similar closed-cell foam, with at least one (1) inch layer of foam padding; and
- (E) be clear of obstructions or objects.

(2) The fighting area must have three (3) sets of suitable steps, with one (1) set located in each of the following:

- (A) the red corner;
- (B) the blue corner; and
- (C) one (1) neutral corner.

(3) One (1) of the corners must have a blue designation, and the corner directly across must have a red designation.

(4) Ring posts must be:

- (A) made of metal, extending from the floor of the building to a minimum height of fifty-eight (58) inches above the fighting area floor;
- (B) padded in a manner approved by a commission representative; and
- (C) a minimum of twenty-four (24) inches away from the ring ropes.

(5) There must be four (4) ring ropes:

- (A) wrapped in a soft material;
- (B) not less than one (1) inch in diameter; and
- (C) with spacing of:
 - (i) not less than twelve (12) inches apart; and
 - (ii) not more than fourteen (14) inches apart.

(c) Fighting area specifications:

- (1) must be approved; and
- (2) may be altered;

by a commission representative.

(Indiana Gaming Commission; 68 IAC 24-4-3; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-4-4 Uniform and equipment

Sec. 4. (a) When participating in a bout, a male professional boxer must wear:

- (1) boxing shorts;
- (2) soft-soled boxing shoes;
- (3) a foul-proof cup; and
- (4) an abdominal guard.

(b) When participating in a bout, a female professional boxer:

- (1) must wear:
 - (A) boxing shorts;
 - (B) a body shirt;
 - (C) soft-soled boxing shoes; and
 - (D) an abdominal guard; and
- (2) has the option of wearing a breast protector.

(c) A professional boxer may not wear equipment or clothing that has not been approved by a commission representative or inspector.

(Indiana Gaming Commission; 68 IAC 24-4-4; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-4-5 Hand wraps

Sec. 5. (a) Before participating in a bout, a professional boxer is required to wrap his or her hands in soft gauze cloth and white adhesive tape that has been approved by a commission representative or inspector prior to the hands being wrapped.

(b) The hand wraps on a professional boxer's hand must be:

- (1) soft gauze cloth not more than:
 - (A) twenty (20) yards in length; and
 - (B) two (2) inches in width;
- (2) held in place by white adhesive tape that is not more than:
 - (A) eight (8) feet in length; and

(B) one and one-half (1.5) inches in width; and

(3) evenly distributed across the hand.

(c) The white adhesive tape must not cover any part of the knuckles when the hand is clenched to make a fist.

(d) The use of liquid or substance on the soft gauze cloth or white adhesive tape is strictly prohibited.

(e) The soft gauze cloth and white adhesive tape must be placed on the professional boxer's hands in the dressing room area.

(f) The completed hand wrap must be approved by a commission representative or inspector by signing the hand wrap using a permanent marker.

(g) No adjustments are allowed to be made to a hand wrap once it has been signed by a commission representative or inspector.

(h) The manager or chief corner man of the professional boxer's opponent may be present to witness the hand wrapping of a professional boxer.

(Indiana Gaming Commission; 68 IAC 24-4-5; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-4-6 Boxing gloves

Sec. 6. (a) When participating in a bout, a professional boxer must wear boxing gloves that are in good condition or the boxing gloves must be replaced.

(b) Boxing gloves must be at least:

(1) eight (8) ounces for the mini flyweight class through the welterweight class; and

(2) ten (10) ounces for the super welterweight class through the heavyweight class.

(c) Both professional boxers participating in a bout must wear boxing gloves of equal weight.

(d) The distal portion of the thumb of a boxing glove must be attached to the body of the glove.

(e) No professional boxer may supply his or her own boxing gloves for participation in a bout unless expressly authorized by a commission representative.

(f) The boxing gloves:

(1) must be placed on the professional boxer's hands in the dressing room in the presence of a commission representative or inspector; and

(2) are not allowed to be placed on the hands of a professional boxer unless the professional boxer has his or her hands wrapped in accordance with the requirements in section 5 of this rule.

(g) Once the boxing gloves have been placed on the professional boxer's hands, adhesive tape must be put on the boxing gloves to adequately cover the laces.

(h) A commission representative or inspector must approve the boxing gloves by signing the adhesive tape using a permanent marker.

(i) No adjustments are allowed to be made to the boxing gloves once they have been signed by a commission representative or inspector.

(Indiana Gaming Commission; 68 IAC 24-4-6; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-4-7 Corner men

Sec. 7. (a) An individual who wishes to participate as a corner man for a professional boxer at an event must hold a valid license as a:

(1) second;

(2) manager; or

(3) trainer.

(b) There may be not more than three (3) corner men allowed to assist one (1) professional boxer in a bout.

(c) Notwithstanding subsection (b), there may be not more than four (4) corner men allowed to assist one (1) professional boxer in championship or main event bouts.

(d) Between rounds, one (1) corner man may be inside the fighting area and two (2) corner men may be on the fighting area apron.

(e) If a professional boxer has an open cut, a second corner man may also enter the fighting area if the second corner man is the individual who will be treating the open cut.

(f) No corner man may work during a bout unless wearing hygienic gloves.

(g) Corner men may not apply:

(1) body grease;

(2) gels;

(3) balms;

(4) lotions;

(5) oils; or

(6) another substance that gives one (1) fighter an unfair advantage over his or her opponent;

to the hair, face, or body of a professional boxer at any time before or during an event.

(h) Notwithstanding subsection (g), corner men may apply petroleum jelly to the face, arms, or another part of the professional boxer's body only in the presence of:

(1) a commission representative;

(2) an inspector; or

(3) a referee.

(i) During a round, corner men must:

(1) remain seated;

(2) refrain from excessively coaching in a disruptive manner;

(3) not mount the fighting area apron or enter the fighting area until the sound device has signaled the end of the round unless the corner man is signaling to the referee to stop the bout; and

(4) not throw an item into the fighting area.

(j) At the conclusion of a round, no corner men may:

(1) enter the fighting area enclosure to assist a professional boxer; or

(2) place an item in the fighting area enclosure;

until the sound device has signaled the end of a round.

(k) During the one (1) minute rest period, corner men:

(1) may coach;

(2) may treat:

(A) cuts;

(B) abrasions; or

(C) swelling;

(3) may provide water or electrolyte-replacement drinks to the professional boxer;

(4) must not pour water or electrolyte-replacement drinks onto a professional boxer;

(5) in the case of a cut sustained by a professional boxer, may topically apply, under the supervision of the referee, a commission representative, or an inspector, only:

(A) a solution of adrenaline 1/1000;

(B) avetine;

(C) thrombin; or

(D) petroleum jelly; and

(6) must remove themselves and items from the fighting area enclosure at the sound of the timekeeper's sound device signaling the ten (10) second warning before the beginning of the next round.

(l) Corner men may not enter the fighting area enclosure to assist or move a professional boxer who has been knocked out or has otherwise sustained an injury until the event physician or other medical personnel have instructed the corner men to enter the fighting area.

(m) Violations of this rule may result in the following:

(1) Ejection of offenders from the fighting area corner.

(2) A point deduction assessed against or a disqualification of the offending corner man's affiliated professional boxer by the referee.

(n) Corner men are responsible for reporting to a commission representative an injury or illness sustained by a professional boxer that the corner men are assisting, before, during, or after a bout. (*Indiana Gaming Commission; 68 IAC 24-4-7; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA*)

68 IAC 24-4-8 Referees

Sec. 8. (a) There must be present at an event a minimum of one (1) referee appointed by the executive director or the executive director's designee to fulfill official duties during the event.

(b) The executive director or the executive director's designee may appoint additional referees for an event.

(c) Failure of a referee to comply with IC 4-33-22 and this article may result in immediate removal from the fighting area by a commission representative.

(d) The referee is the chief official who:

- (1) has general supervision over the bout; and
- (2) must be located in the fighting area.

(e) The referee is the:

- (1) sole arbiter of a bout; and
- (2) only individual authorized to stop a bout.

(f) The referee may stop the bout if an unauthorized person enters the fighting area during the progress of a round.

(g) Before the start of an event, the referee must meet with each professional boxer and his or her chief corner man in the professional boxer's dressing room and:

(1) explain to both the professional boxer and his or her chief corner man:

- (A) the violations described in this article, and the repercussions of committing such violations, including disqualification of the professional boxer; and
- (B) his or her expectation regarding the chief corner man's responsibility to:

- (i) clean up water spills from the fighting area;
- (ii) wipe off excess petroleum jelly from the professional boxer; and
- (iii) ensure that the professional boxer has his or her mouthpiece in place before the start of each round;

(2) identify the belt/hip line and clarify that the equipment shall not extend above this imaginary line;

(3) explain what he or she will do when the timekeeper signals the:

- (A) ten (10) second warning for the end of a round; and
- (B) end of the round;

(4) demonstrate how he or she will direct the professional boxers to break; and

(5) review fouls and how he or she will issue warnings or deduct points for fouls committed by the professional boxers.

(h) Before the start of an event, the referee must:

(1) consult with the event physician to communicate the correct protocol that the event physician should adhere to during a bout; and

(2) check the condition of the fighting area to ensure it is ready and safe for use.

(i) When the professional boxers have entered the fighting area, the referee must:

- (1) inspect the boxing gloves of the professional boxers;
- (2) ensure that no foreign substances that could be detrimental to an opponent have been applied to the gloves or bodies of the professional boxers;
- (3) call the professional boxers to the center of the fighting area;
- (4) give final instructions; and
- (5) direct the professional boxers to their corners in preparation for the commencement of the bout.

(j) Before signaling the timekeeper to signal the commencement of a bout, the referee must:

(1) ensure that the fighting area has been cleared of unauthorized individuals and items; and

(2) check with the:

- (A) judges;
- (B) timekeepers;
- (C) event physician; and
- (D) chief commission representative;

to determine if each individual is ready for the commencement of the bout.

(k) During a bout, the referee:

(1) must ensure the safety of the professional boxers, including stopping the bout if, in the referee's opinion:

- (A) either professional boxer shows marked superiority; and
- (B) the continuation of the same would:
 - (i) result in unnecessary and useless punishment; and
 - (ii) eventually result in a knockout;

(2) must enforce the provisions of IC 4-33-22 and this article that apply to the:

- (A) execution of performance and conduct of the professional boxers; and
 - (B) conduct of the professional boxer's corner men;
- (3) must maintain control of the bout;

(4) must issue warnings and deduct points for committed fouls, as appropriate;

(5) must not touch the professional boxers unless one (1) or both of the professional boxers are refusing to obey the referee's command to break; and

(6) may call time-out to:

- (A) consult with the event physician to determine if an injured professional boxer is able to continue participation in a bout; or
- (B) allow the event physician to examine a professional boxer if the event physician has signaled a desire to conduct the examination by signaling the referee.

(l) At the conclusion of a bout, the referee must maintain control of:

- (1) the fighting area;
- (2) both professional boxers;
- (3) both professional boxer's corner men; and
- (4) other individuals who enter the fighting area;

until the winner has been announced and individuals have exited the fighting area.

(m) The referee may not enter the fighting area unless wearing hygienic gloves.

(*Indiana Gaming Commission; 68 IAC 24-4-8; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA*)

68 IAC 24-4-9 Timekeepers

Sec. 9. (a) There must be present at an event a minimum of one (1) timekeeper appointed by the executive director or the executive director's designee to fulfill official duties during the bouts.

(b) The executive director or the executive director's designee may appoint an additional timekeeper for an event.

(c) Failure of the timekeeper to comply with IC 4-33-22 and this article may result in immediate removal from the fighting area by a commission representative.

(d) At the event, the timekeeper must provide:

- (1) sound devices, unless acceptable sound devices are being provided by the venue; and
- (2) two (2) stopwatches;

that a commission representative has examined and approved.

(e) The timekeeper must:

- (1) ten (10) seconds before the beginning of each round, give warning to the corner men of professional boxers by utilizing a sound device, which is the signal for the corner men to leave the fighting area;

- (2) ten (10) seconds prior to the end of a round, use a sound device sufficient to provide notice that the end of the round is approaching;
- (3) at the end of a round, use a sound device sufficient to provide notice of the end of the round;
- (4) if a bout terminates before the scheduled limit of rounds, inform the announcer and the chief commission representative of the exact duration of the bout; and
- (5) not use a sound device during a round, except as provided in subdivisions (1) through (3).

(Indiana Gaming Commission; 68 IAC 24-4-9; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-4-10 Fouls

Sec. 10. (a) The following are fouls, whether intentional or accidental in nature, and may result in point deductions issued by the referee if committed during a bout:

- (1) Hitting an opponent below the navel or behind the ear.
- (2) Hitting an opponent who is down.
- (3) Holding an opponent with one (1) hand and hitting with the other.
- (4) Holding or deliberately maintaining a clinch.
- (5) Wrestling, kicking, or roughing.
- (6) Pushing an opponent about the fighting area or into the ropes.
- (7) Butting with the head, shoulder, knee, or elbow.
- (8) Hitting with the open glove, the butt or inside of the hand, or back of the hand, elbow, or wrist.
- (9) Purposely falling down onto the fighting area floor without being hit or for the purpose of avoiding a blow.
- (10) Striking deliberately at the part of the body over the kidneys.
- (11) Pivoting while throwing a punch.
- (12) Punches to the back of the head or neck area.
- (13) Jabbing the eyes with the thumb of the glove.
- (14) Use of abusive language or profanity.
- (15) Unsportsmanlike conduct that causes an injury to an opponent that does not meet the standard of a fair blow.
- (16) Hitting on the break.
- (17) Intentionally spitting out the mouthpiece.
- (18) Hitting out of the ropes.
- (19) Holding the ropes and hitting.
- (20) Biting or spitting.
- (21) Failure to follow referee's instructions.
- (22) Stepping on an opponent.
- (23) Crouching below opponent's belt.
- (24) Leaving the neutral corner.
- (25) Corner man shouting.

(b) Only a referee may assess a foul and issue point deductions for committed fouls.

(Indiana Gaming Commission; 68 IAC 24-4-10; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-4-11 Foul procedures

Sec. 11. (a) If a foul is committed, the referee must:

- (1) call time-out;
- (2) check the fouled professional boxer's condition;
- (3) issue an appropriate point deduction for the committed foul to the offending professional boxer by immediately notifying:
 - (A) both professional boxers;
 - (B) both professional boxers' corner men;
 - (C) the judges; and
 - (D) the chief commission representative; and
- (4) restart the bout as soon as practical.

(b) If a bout is temporarily stopped because a professional boxer has been injured as a result of an intentional foul, the referee or the

event physician must determine whether the professional boxer who was fouled is able to continue.

(c) If the referee or event physician determines the professional boxer is unable to continue, the:

- (1) bout shall immediately end; and
- (2) offending professional boxer shall lose by disqualification under this rule.

(d) If the referee or event physician determines that the professional boxer is able to continue to fight, the referee shall:

- (1) issue a mandatory two (2) point deduction to the offending professional boxer; and
- (2) restart the bout as soon as practical.

(e) If the injury sustained by a professional boxer as a result of an intentional foul causes the professional boxer to be unable to continue at a subsequent point in the bout, the rules governing the type of bout results in this rule will apply.

(f) A professional boxer who is injured as a result of an intentional low blow foul has not more than a five (5) minute recuperative period to recover at the professional boxer's own discretion. If the referee or event physician determines that the professional boxer is unable to continue after a five (5) minute recuperative period, the offending professional boxer shall lose by disqualification under this rule.

(g) If a bout is temporarily stopped because a professional boxer has been injured as a result of an accidental foul, the referee or the event physician must determine whether the professional boxer who was fouled is able to continue.

(h) If the referee or event physician determines the professional boxer is unable to continue, the:

- (1) bout shall immediately end; and
- (2) rules governing the type of bout results in this rule shall apply.

(i) If the referee or event physician determines that the professional boxer is able to continue to fight, the referee:

- (1) may issue an appropriate point deduction for the committed accidental foul to the offending professional boxer; and
- (2) shall restart the bout as soon as practical.

(j) If the injury sustained by a professional boxer as a result of an accidental foul causes the professional boxer to be unable to continue at a subsequent point in the bout, the rules governing the type of bout results in this rule will apply.

(k) A professional boxer who is injured as a result of an accidental low blow foul has not more than a five (5) minute recuperative period to recover at the professional boxer's own discretion. If the injured professional boxer is unable to continue after a five (5) minute recuperative period, the injured professional boxer shall lose by technical knockout under this rule.

(Indiana Gaming Commission; 68 IAC 24-4-11; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-4-12 Procedures for dislodged mouthpiece

Sec. 12. (a) If the referee believes that the mouthpiece has been ejected from a professional boxer's mouth as a result of a natural fight action, the referee must, at the first opportune moment and without interfering with the immediate action, do the following:

- (1) Call time-out.
- (2) Direct the professional boxer whose mouthpiece remains in place to retire to the furthest neutral corner.
- (3) Take the other professional boxer to his or her corner.
- (4) Direct the professional boxer's chief corner man to rinse the mouthpiece and place the mouthpiece back into the professional boxer's mouth.
- (5) Direct that the round immediately continue without deducting points from the professional boxer who had his or her mouthpiece dislodged.

(b) If the referee believes that the professional boxer spit out or allowed the mouthpiece to fall out of his or her mouth, the referee

must, at the first opportune moment and without interfering with the immediate action, do the following:

- (1) Call time-out.
- (2) Direct the professional boxer whose mouthpiece remains in place to retire to a neutral corner.
- (3) Take the other professional boxer to his or her corner.
- (4) Direct the professional boxer's chief corner man to rinse the mouthpiece and place the mouthpiece back into the professional boxer's mouth.
- (5) Issue any appropriate point deductions to the offending professional boxer.
- (6) Direct that the round immediately continue.

(Indiana Gaming Commission; 68 IAC 24-4-12; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-4-13 Scoring system

Sec. 13. (a) Bouts will be evaluated and scored by three (3) judges in accordance with the ten (10) point must scoring system, using the following criteria:

- (1) Clean punching.
- (2) Effective aggressiveness.
- (3) Fighting area generalship.
- (4) Defense.

(b) Judges must use the following basic scoring concepts:

- (1) A round is to be scored as a 10-10 round when the round ends with no clear winner.
- (2) A round is to be scored as a 10-9 round when a professional boxer wins a round by a close margin.
- (3) A round is to be scored as a 10-8 round when a professional boxer wins a round:
 - (A) by a close margin and by knocking down his or her opponent one (1) time, as ruled by the referee; or
 - (B) in a dominating manner without rulings of a knockdown.
- (4) A round is to be scored as a 10-7 round when a professional boxer wins a round by knocking down his or her opponent two (2) times, as ruled by the referee.
- (5) A round is to be scored as a 10-6 round when a professional boxer wins a round by knocking down their opponent more than two (2) times, as ruled by the referee.

(c) A round scored 10-10 should be very rare.

(d) There shall be scoring of an incomplete round.

(e) If the referee penalizes either professional boxer, then the appropriate points shall be deducted when the chief commission representative calculates the final score for the round.

(Indiana Gaming Commission; 68 IAC 24-4-13; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-4-14 Knockdown procedures

Sec. 14. (a) A referee may declare a professional boxer down when:

- (1) a body part other than his or her feet is on the fighting area floor;
- (2) he or she is being held up by the fighting area ropes; or
- (3) he or she is hanging on, through, or over the fighting area ropes without the ability to protect himself or herself and cannot fall to the fighting area floor.

(b) If a professional boxer is down by:

- (1) an accidental loss of footing, the professional boxer must arise instantly or be subject to a point deduction; or
- (2) a blow or weakness, the professional boxer must arise before the count of ten (10) or be subject to a loss by knockout.

(c) When a knockdown occurs, the following procedure shall be implemented:

- (1) The referee shall first immediately require the standing professional boxer to retire to the furthest neutral corner of the fighting area, where the professional boxer must stay until the:

(A) downed professional boxer has risen and the referee commences the round; or

(B) referee has officially stopped the bout.

(2) The timekeeper shall:

(A) immediately arise and begin the count;

(B) announce the seconds audibly as they elapse; and

(C) signal the seconds physically by using his or her fingers.

(3) Once the referee has ensured the standing professional boxer has retired to the furthest neutral corner of the fighting area, the referee shall turn to the timekeeper and commence the counting at the same count as the timekeeper.

(4) Once the referee has commenced the counting at the same count as the timekeeper, the timekeeper shall cease counting.

(5) The referee shall count to ten (10) and declare the bout stopped by knockout if the downed professional boxer does not arise by the end of the ten (10) count.

(d) A professional boxer who:

(1) refuses to immediately obey a referee's command to retire to a neutral corner; or

(2) leaves the neutral corner before receiving a command to do so by the referee;

may be issued a point deduction or be disqualified by the referee.

(e) When a professional boxer is down from a legal blow or weakness, the professional boxer must take a minimum count of eight (8), whether or not the professional boxer has regained his or her feet before the count of eight (8) has been reached.

(f) When a round ends before a professional boxer, who was knocked down during the progress of the round, arises:

(1) the sound device shall not sound, and the count shall continue; and

(2) if the professional boxer arises before the count of ten (10), the timekeeper must then signal the end the round using the sound device.

(g) Should a professional boxer who is knocked down arise before the count of ten (10) is reached and again go back down immediately without being struck by his or her opponent, the referee must resume the count where he or she left off.

(h) If a professional boxer has been knocked out of or has fallen out of the fighting area, the referee must declare the professional boxer down, the same as if the professional boxer were down on the fighting area floor, and commence a count to twenty (20). The professional boxer must:

(1) return to a standing and ready position, unassisted by anyone, before the count elapses;

(2) lose by knockout if he or she has failed to be on his or her feet in the fighting area before the expiration of the twenty (20) count; or

(3) have points deducted or lose by disqualification, at the sole discretion of the referee, if he or she is assisted by anyone that causes an unfair advantage to the opponent.

(i) No professional boxer shall leave the fighting area during the one (1) minute rest period between rounds.

(Indiana Gaming Commission; 68 IAC 24-4-14; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-4-15 Bout results

Sec. 15. The following are the types of bout results:

(1) Technical knockout (TKO): When a bout ends by referee stoppage due to an:

(A) instance where the referee believes a professional boxer is entering a state of unconsciousness and is therefore unable to defend himself or herself; or

(B) injury as a result of a legal blow that is severe enough to prematurely stop the bout.

(2) Knockout (KO): When a bout ends as a result of the failure of a professional boxer, after being deemed down due to legal

blows or weakness, to rise from the fighting area floor by the end of the referee's ten (10) count.

(3) Decisions via scorecards, as follows:

(A) Unanimous decision (UD): When the three (3) judges score the bout in favor of the same professional boxer.

(B) Majority decision (MD): When two (2) judges score the bout in favor of the same professional boxer and one (1) judge scores a draw.

(C) Split decision (SD): When two (2) judges score the bout in favor of one (1) professional boxer and one (1) judge scores in favor of the opponent.

(4) Draws via scorecards, as follows:

(A) Unanimous draw (UDR): When the three (3) judges score the bout a draw.

(B) Majority draw (MDR): When two (2) judges score the bout a draw.

(C) Split draw (SDR): When the three (3) judges score the bout differently and the score total results in a draw.

(5) Disqualification (DQ): When a bout ends due to:

(A) an injury sustained during a bout as a result of an intentional foul and the injured professional boxer is immediately unable to continue as a result of the injury; or

(B) a combination of fouls defined in this rule that the referee determines is severe enough to warrant the immediate stoppage of the bout.

(6) Forfeit (FT): When a professional boxer:

(A) fails to begin a bout; or

(B) prematurely ends a bout;

for reasons other than injury.

(7) Technical draw (TDR): When a bout is prematurely stopped, due to:

(A) an injury as a result of an intentional foul that was committed at an earlier point in the bout and the injured professional boxer is even or behind on the score cards;

(B) an injury as a result of an accidental foul and at least:

(i) three (3) of four (4) scheduled rounds; or

(ii) four (4) of five (5) or more scheduled rounds;

have been completed at the time of stoppage and the professional boxers are tied on the score cards;

(C) the referee's determination that both professional boxers are in a condition that might subject the professional boxers to serious injury if the bout were allowed to continue; or

(D) the failure of both professional boxers, after being deemed down by the referee due to legal blows or weakness, to rise from the fighting area floor by the end of the referee's ten (10) count.

(8) Technical decision (TD): When a bout is prematurely stopped due to an injury as a result of an:

(A) intentional foul that was committed at an earlier point in the bout and the injured professional boxer is leading on the score cards; or

(B) accidental foul and at least:

(i) three (3) of four (4) scheduled rounds; or

(ii) four (4) of five (5) or more scheduled rounds;

have been completed at the time of stoppage;

in which case the decision goes to the professional boxer who is ahead on the score cards.

(9) No decision (ND): When a bout is prematurely stopped, due to an injury as a result of an accidental foul, before the completion of at least:

(A) three (3) of four (4) scheduled rounds; or

(B) four (4) of five (5) or more scheduled rounds;

at the time of stoppage.

(Indiana Gaming Commission; 68 IAC 24-4-15; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-4-16 Exhibition bout

Sec. 16. (a) In an exhibition bout, a professional boxer must wear boxing gloves at least sixteen (16) ounces in weight and headgear approved by a commission representative.

(b) Both professional boxers must sign contracts stipulating that the bout will be an exhibition and a no decision shall be rendered.

(c) The executive director, the executive director's designee, or a commission representative may issue medical suspensions in accordance with this article for an exhibition bout.

(Indiana Gaming Commission; 68 IAC 24-4-16; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-4-17 Rest period

Sec. 17. A professional boxer who participates in a bout in any jurisdiction of:

(1) ten (10) rounds or more may not be permitted to participate in another bout until seven (7) days have elapsed, starting with the first full calendar day after the previous bout; or

(2) less than ten (10) rounds may not be permitted to participate in another bout until three (3) days have elapsed, starting with the first full calendar day after the previous bout.

(Indiana Gaming Commission; 68 IAC 24-4-17; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

INDIANA ADMINISTRATIVE CODE

TITLE 68. INDIANA GAMING COMMISSION

ARTICLE 24. BOXING AND MIXED MARTIAL ARTS

RULE 5. PROFESSIONAL MIXED MARTIAL ARTS

68 IAC 24-5-1 Weight classes

Sec. 1. (a) Professional mixed martial artists shall compete against each other based on the following weight categories:

- (1) Flyweight up to 125 pounds
- (2) Bantamweight over 125 to 135 pounds
- (3) Featherweight over 135 to 145 pounds
- (4) Lightweight over 145 to 155 pounds
- (5) Welterweight over 155 to 170 pounds
- (6) Middleweight over 170 to 185 pounds
- (7) Light heavyweight over 185 to 205 pounds
- (8) Heavyweight over 205 to 265 pounds
- (9) Super heavyweight over 265 pounds

(b) A bout may take place between professional mixed martial artists in different weight categories if the difference in weight between the professional mixed martial artists does not exceed the allowance shown in the following schedule:

- (1) Up to 135 pounds not more than 3 pounds
- (2) Over 135 to 170 pounds not more than 5 pounds
- (3) Over 170 to 265 pounds not more than 7 pounds
- (4) Over 265 pounds no limit

(c) Notwithstanding subsection (b), a bout may be held, in which the professional mixed martial artists in different weight categories have a weight differential exceeding the maximum amount, if the:

- (1) executive director or the executive director's designee approves the bout; and
- (2) professional mixed martial artist who weighs less signs a liability waiver form.

(Indiana Gaming Commission; 68 IAC 24-5-1; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-5-2 Length of bouts

Sec. 2. (a) A nonchampionship bout may not be more than three (3) rounds of five (5) minutes duration per round.

(b) A championship bout may not be more than five (5) rounds of five (5) minutes duration per round.

(c) In the bouts, each round must be separated by an intermission lasting one (1) minute in duration.

(Indiana Gaming Commission; 68 IAC 24-5-2; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-5-3 Fighting area requirements

Sec. 3. (a) Bouts must be held in a caged or ringed fighting area.

(b) A caged fighting area must meet the following requirements:

- (1) The fighting area floor must:
 - (A) be not less than eighteen (18) feet by eighteen (18) feet;
 - (B) be not more than thirty-two (32) feet by thirty-two (32) feet;
 - (C) be padded in a manner as approved by a commission representative, with at least one (1) inch layer of foam padding;
 - (D) not be more than four (4) feet above the floor of the building;
 - (E) have at least one (1) set of suitable steps or a ramp to provide entry onto the fighting area floor; and
 - (F) be enclosed by a fence made of such material as will not allow a professional mixed martial artist to fall out or break through it onto the venue floor or spectators, such as vinyl-coated chain link fencing.

(2) Padding must extend beyond the fighting area and over the edge of the platform.

(3) Posts must be:

(A) made of metal, extending from the floor of the building to a minimum height of fifty-eight (58) inches above the fighting area floor; and

(B) padded in a manner approved by a commission representative.

(4) Metal parts must:

(A) be covered and padded in a manner approved by a commission representative; and

(B) not be abrasive to the professional mixed martial artists.

(c) A ringed fighting area without a fence must meet the following requirements:

(1) The fighting area floor must:

(A) be not smaller than twenty (20) feet by twenty (20) feet within the ropes;

(B) extend at least eighteen (18) inches beyond the ropes;

(C) not be more than four (4) feet above the floor of the building;

(D) be padded with ensolite or similar closed-cell foam, with at least one (1) inch layer of foam padding; and

(E) be clear of obstructions or objects.

(2) The fighting area must have three (3) sets of suitable steps, with one (1) set located in each of the following:

(A) the red corner;

(B) the blue corner; and

(C) one (1) neutral corner.

(3) One (1) of the corners must have a blue designation, and the corner directly across must have a red designation.

(4) Ring posts must be:

(A) made of metal, not more than three (3) inches in diameter, extending from the floor of the building to a minimum height of fifty-eight (58) inches above the fighting area floor;

(B) padded in a manner approved by a commission representative; and

(C) a minimum of twenty-four (24) inches away from the ring ropes.

(5) There must be five (5) ring ropes:

(A) wrapped in a soft material;

(B) not less than one (1) inch in diameter; and

(C) with spacing of:

(i) not less than twelve (12) inches apart; and

(ii) not more than fourteen (14) inches apart.

(d) Fighting area specifications:

(1) must be approved; and

(2) may be altered;

by a commission representative.

(Indiana Gaming Commission; 68 IAC 24-5-3; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-5-4 Uniform and equipment

Sec. 4. (a) When participating in a bout, a male professional mixed martial artist must wear:

(1) shorts that have been approved by a commission representative or inspector; and

(2) a foul-proof cup.

(b) When participating in a bout, a female professional mixed martial artist must wear:

(1) shorts that have been approved by a commission representative or inspector; and

(2) a body shirt.

(c) The following are prohibited during a bout:

(1) Karate gis or gis.

(2) Shoes.

(3) Headgear.

- (4) Grappling shin guards.
- (5) Padded groin protectors.
- (6) Metal joint supports.

(d) A professional mixed martial artist may not wear equipment or clothing that has not been approved by a commission representative or inspector.

(Indiana Gaming Commission; 68 IAC 24-5-4; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-5-5 Hand wraps

Sec. 5. (a) Before participating in a bout, a professional mixed martial artist is required to wrap his or her hands in soft gauze cloth and white adhesive tape that has been approved by a commission representative or inspector prior to the hands being wrapped.

(b) The hand wraps on a professional mixed martial artist's hand must be:

- (1) soft gauze cloth not more than:
 - (A) fifteen (15) yards in length; and
 - (B) two (2) inches in width;
- (2) held in place by white adhesive tape that is not more than:
 - (A) ten (10) feet in length; and
 - (B) one (1) inch in width; and
- (3) evenly distributed across the hand.

(c) The white adhesive tape must only cross the back of the hand twice in the same one (1) spot.

(d) Notwithstanding subsection (c), only one (1) strip of adhesive tape is permitted to go over the knuckles when the hand is clenched to make a fist.

(e) The use of liquid or substance on the soft gauze cloth or white adhesive tape is strictly prohibited.

(f) The soft gauze cloth and white adhesive tape must be placed on the professional mixed martial artist's hands in the dressing room area.

(g) The completed hand wrap must:

- (1) not pass the wrist end of the glove; and
- (2) be approved by a commission representative or inspector by signing the hand wrap using a permanent marker.

(h) No adjustments are allowed to be made to a hand wrap once it has been signed by a commission representative or inspector.

(i) The manager or chief corner man of the professional mixed martial artist's opponent may be present to witness the hand wrapping of a professional mixed martial artist.

(Indiana Gaming Commission; 68 IAC 24-5-5; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-5-6 Mixed martial arts gloves

Sec. 6. (a) When participating in a bout, a professional mixed martial artist must wear mixed martial arts gloves that are in good condition or the gloves must be replaced.

(b) Professional mixed martial artists must wear mixed martial arts gloves approved by the commission ranging in:

- (1) weight between four (4) ounces and eight (8) ounces; and
- (2) size between small and 5X-large.

(c) Both professional mixed martial artists participating in a bout must wear mixed martial arts gloves of equal weight.

(d) No professional mixed martial artist may supply his or her own gloves for participation in a bout unless expressly authorized by a commission representative.

(e) The mixed martial arts gloves:

- (1) must be placed on the professional mixed martial artist's hands in the dressing room in the presence of a commission representative or inspector; and
- (2) are not allowed to be placed on the hands of a professional mixed martial artist unless the professional mixed martial artist has his or her hands wrapped in accordance with the requirements in section 5 of this rule.

(f) Red or blue tape must be taped onto the professional mixed martial artist's gloves, with the tape color being coordinated with his or her corner assignment.

(g) A commission representative or inspector must approve the mixed martial arts gloves by signing the red or blue tape using a permanent marker.

(h) No adjustments are allowed to be made to the mixed martial arts gloves once they have been signed by a commission representative or inspector.

(Indiana Gaming Commission; 68 IAC 24-5-6; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-5-7 Corner men

Sec. 7. (a) An individual who wishes to participate as a corner man for a professional mixed martial artist at an event must hold a valid license as a:

- (1) second;
- (2) manager; or
- (3) trainer.

(b) There may be not more than three (3) corner men allowed to assist one (1) professional mixed martial artist in a bout.

(c) Notwithstanding subsection (b), there may be not more than four (4) corner men allowed to assist one (1) professional mixed martial artist in championship or main event bouts.

(d) Two (2) corner men may enter the fighting area between rounds unless the professional mixed martial artist requires the services of a cut man, in which case one (1) of the corner men shall remain outside of the fighting area and one (1) corner man and the cut man shall be allowed to enter the fighting area.

(e) No corner man may work during a bout unless wearing hygienic gloves.

(f) Corner men may not apply:

- (1) body grease;
- (2) gels;
- (3) balms;
- (4) lotions;
- (5) oils; or
- (6) another substance that gives one (1) fighter an unfair advantage over his or her opponent;

to the hair, face, or body of a professional mixed martial artist at any time before or during an event.

(g) Notwithstanding subsection (f), corner men may apply petroleum jelly to the mask area of the face of a professional mixed martial artist:

- (1) before the start of the bout;
- (2) while the professional mixed martial artist is directly outside of the fighting area; and
- (3) in the presence of:
 - (A) a commission representative;
 - (B) an inspector; or
 - (C) a referee.

(h) During a round, corner men must:

- (1) remain seated;
- (2) refrain from excessively coaching in a disruptive manner;
- (3) not mount the fighting area apron or enter the fighting area until the sound device has signaled the end of the round unless the corner man is signaling to the referee to stop the bout; and
- (4) not throw an item into the fighting area.

(i) At the conclusion of a round, no corner men may:

- (1) enter the fighting area enclosure to assist a professional mixed martial artist; or
- (2) place an item in the fighting area enclosure; until the sound device has signaled the end of a round.

(j) During the one (1) minute rest period, corner men:

- (1) may coach;
- (2) may treat:

- (A) cuts;
- (B) abrasions; or
- (C) swelling;
- (3) may provide water or electrolyte-replacement drinks to the professional mixed martial artist;
- (4) must not pour water or electrolyte-replacement drinks onto a professional mixed martial artist;
- (5) in the case of a cut sustained by a professional mixed martial artist, may topically apply, under the supervision of the referee, a commission representative, or an inspector, only:
 - (A) a solution of adrenaline 1/1000;
 - (B) avetine;
 - (C) thrombin; and
 - (D) petroleum jelly; and
- (6) must remove themselves and items from the fighting area enclosure at the sound of the timekeeper's sound device signaling the ten (10) second warning before the beginning of the next round.
- (k) Corner men may not enter the fighting area enclosure to assist or move a professional mixed martial artist who has been knocked out or has otherwise sustained an injury until the event physician or other medical personnel have instructed the corner men to enter the fighting area.
- (l) Violations of this rule may result in:
 - (1) ejection of offenders from the fighting area corner; and
 - (2) a point deduction assessed against or a disqualification of the offending corner man's affiliated professional mixed martial artist;
 by the referee.
- (m) Corner men are responsible for reporting to a commission representative an injury or illness sustained by a professional mixed martial artist that the corner men are assisting, before, during, or after any bout.

(Indiana Gaming Commission; 68 IAC 24-5-7; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-5-8 Referees

- Sec. 8. (a) There must be present at an event a minimum of one (1) referee appointed by the executive director or the executive director's designee to fulfill official duties during the event.
- (b) The executive director or the executive director's designee may appoint additional referees for an event.
- (c) Failure of a referee to comply with IC 4-33-22 and this article may result in immediate removal from the fighting area by a commission representative.
- (d) The referee is the chief official who:
 - (1) has general supervision over the bout; and
 - (2) must be located in the fighting area.
- (e) The referee may stop a bout if an unauthorized person enters the fighting area during the progress of a round.
- (f) Before the start of an event, the referee must meet with each professional mixed martial artist and his or her chief corner man in the professional mixed martial artist's dressing room and:
 - (1) explain to both the professional mixed martial artist and his or her chief corner man:
 - (A) the violations described in this article, and the repercussions of committing such violations, including disqualification of the professional mixed martial artist; and
 - (B) his or her expectation regarding the chief corner man's responsibility to:
 - (i) clean up water spills from the fighting area;
 - (ii) wipe off excess petroleum jelly from the professional mixed martial artist; and
 - (iii) ensure that the professional mixed martial artist has his or her mouthpiece in place before the start of each round;

- (2) explain what he or she will do when the timekeeper signals the:
 - (A) ten (10) second warning for the end of a round; and
 - (B) end of the round; and
- (3) review fouls and how he or she will issue warnings or deduct points for fouls committed by the professional mixed martial artists.
- (g) Before the start of an event, the referee must:
 - (1) consult with the event physician to communicate the correct protocol that the event physician should adhere to during a bout; and
 - (2) check the condition of the fighting area to ensure it is ready and safe for use.
- (h) When the professional mixed martial artists are prepared to enter the fighting area, the referee must:
 - (1) inspect the gloves of the professional mixed martial artists; and
 - (2) ensure that no foreign substances that could be detrimental to the opponent have been applied to the gloves or bodies of the professional mixed martial artists.
- (i) When the professional mixed martial artists have entered the fighting area and been introduced by the announcer, the referee may:
 - (1) call the professional mixed martial artists to the center of the fighting area;
 - (2) give final instructions; and
 - (3) direct the professional mixed martial artists to their corners in preparation for the commencement of the bout.
- (j) Before signaling the timekeeper to signal the commencement of a bout, the referee must:
 - (1) ensure that the fighting area has been cleared of unauthorized individuals and items; and
 - (2) check with the:
 - (A) judges;
 - (B) timekeeper;
 - (C) event physician; and
 - (D) chief commission representative;
 to determine if each individual is ready for the commencement of the bout.
- (k) During a bout, the referee:
 - (1) must ensure the safety of the professional mixed martial artists;
 - (2) must enforce the provisions of IC 4-33-22 and this article that apply to the:
 - (A) execution of performance and conduct of the professional mixed martial artists; and
 - (B) conduct of the professional mixed martial artist's corner men;
 - (3) must maintain control of the bout;
 - (4) must issue warnings and deduct points for committed fouls, as appropriate; and
 - (5) may call time-out to:
 - (A) consult with the event physician to determine if an injured professional mixed martial artist is able to continue participation in a bout; or
 - (B) allow the event physician to examine a professional mixed martial artist if the event physician has signaled a desire to conduct the examination by signaling the referee.
- (l) At the conclusion of a bout, the referee must maintain control of:
 - (1) the fighting area;
 - (2) both professional mixed martial artists;
 - (3) both professional mixed martial artist's corner men; and
 - (4) other individuals who enter the fighting area;
 until the winner has been announced and individuals have exited the fighting area.

(m) The referee is not permitted to enter the fighting area unless wearing hygienic gloves.

(Indiana Gaming Commission; 68 IAC 24-5-8; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-5-9 Timekeepers

Sec. 9. (a) There must be present at each event a minimum of one (1) timekeeper appointed by the executive director or the executive director's designee to fulfill official duties during the bouts.

(b) The executive director or the executive director's designee may appoint an additional timekeeper for an event.

(c) Failure of the timekeeper to comply with IC 4-33-22 and this article may result in immediate removal from the fighting area by a commission representative.

(d) At the event, the timekeeper must provide:

(1) sound devices, unless acceptable sound devices are being provided by the venue; and

(2) two (2) stopwatches;

that a commission representative has examined and approved.

(e) The timekeeper must:

(1) ten (10) seconds before the beginning of each round, give warning to the corner men of professional mixed martial artists by utilizing a sound device, which is the signal for the corner men to leave the fighting area;

(2) ten (10) seconds prior to the end of a round, use a sound device sufficient to provide notice that the end of the round is approaching;

(3) at the end of a round, use a sound device sufficient to provide notice of the end of the round;

(4) if a bout terminates before the scheduled limit of rounds, inform the announcer and the chief commission representative of the exact duration of the bout; and

(5) not use a sound device during a round, except as provided in subdivisions (1) through (3).

(Indiana Gaming Commission; 68 IAC 24-5-9; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-5-10 Fouls

Sec. 10. (a) The following are fouls, whether intentional or accidental in nature, and may result in point deductions issued by the referee if committed during a bout:

(1) Holding or grabbing the fence or ropes with either the:

(A) fingers; or

(B) toes.

(2) Holding the opponent's shorts or gloves.

(3) Butting or striking with the head.

(4) Eye gouging of any kind.

(5) Biting or spitting at an opponent.

(6) Hair pulling.

(7) Fish hooking.

(8) Groin attacks of any kind.

(9) Intentionally placing a finger into any:

(A) orifice;

(B) cut; or

(C) laceration;

of an opponent.

(10) Downward pointing, or 12 to 6, elbow strikes.

(11) Small joint manipulation.

(12) Strikes to the:

(A) spine; or

(B) back of the head.

(13) Heel kicks to the kidney.

(14) Throat strikes of any kind, including, but not limited to, grabbing the trachea.

(15) Clawing, pinching, or twisting the flesh.

(16) Grabbing the clavicle.

(17) Kicking the head of a grounded opponent.

(18) Kneeing the head of a grounded opponent.

(19) Stomping a grounded fighter.

(20) The use of abusive language in the fighting area.

(21) Unsportsmanlike conduct that causes an injury to an opponent.

(22) Attacking an opponent on or during the break.

(23) Attacking an opponent who is under the care of the referee.

(24) Timidity including, but not limited to:

(A) avoiding contact with an opponent;

(B) intentionally or consistently dropping the mouthpiece; or

(C) faking an injury.

(25) Interference from a professional mixed martial artist's corner man.

(26) Throwing an opponent out of the fighting area.

(27) Flagrant disregard of the referee's instructions.

(28) Spiking the opponent to the fighting area floor onto the head or neck or pile-driving, except in the case of:

(A) an armbar; or

(B) a triangle choke;

where the person applying the hold has the option of letting go.

(29) Attacking an opponent after the sound device has signaled the end of the round or bout.

(b) Strikes are not permissible in the nape of the neck area up until the top of the ears.

(c) Above the ears, permissible strikes do not include the Mohawk area from the top of the ears to the crown of the head, or the area where the head begins to curve.

(d) Only a referee may assess a foul and issue a point deduction for committed fouls.

(Indiana Gaming Commission; 68 IAC 24-5-10; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-5-11 Foul procedures

Sec. 11. (a) If a foul is committed that causes injury to the fouled professional mixed martial artist, the referee must:

(1) call time-out;

(2) check the fouled professional mixed martial artist's condition;

(3) direct the offending professional mixed martial artist to the neutral corner furthest away from his or her designated corner;

(4) issue any appropriate point deduction for the committed foul to the offending professional mixed martial artist by immediately notifying:

(A) both professional mixed martial artists;

(B) both professional mixed martial artist's corner men;

(C) the judges; and

(D) the chief commission representative; and

(5) restart the bout so that both professional mixed martial artists assume the same position as the one prior to the time-out being called.

(b) If a foul is committed that causes the offending professional mixed martial artist to gain a superior position due to the foul, the referee must:

(1) call time-out;

(2) direct the professional mixed martial artists to neutral corners furthest away from their designated corners;

(3) issue any appropriate point deduction for the foul to the offending professional mixed martial artist by immediately notifying:

(A) both professional mixed martial artists;

(B) both professional mixed martial artist's corner men;

(C) the judges; and

(D) the chief commission representative; and

(4) restart the bout in the middle of the fighting area so that both professional mixed martial artists are standing in a neutral position.

(c) If a professional mixed martial artist commits a foul which, in the referee's discretion, warrants a point deduction, the referee:

- (1) must call time-out;
- (2) must direct the professional mixed martial artists to neutral corners furthest away from their designated corners;
- (3) must issue the appropriate point deduction for the foul to the offending professional mixed martial artist by notifying:
 - (A) both professional mixed martial artists;
 - (B) both professional mixed martial artist's corner men;
 - (C) the judges; and
 - (D) the chief commission representative;
- (4) may terminate the bout based on the severity of the foul committed by the offending professional mixed martial artist, in which instance the offending professional mixed martial artist must lose by disqualification under this rule; and
- (5) must restart the bout if a disqualification was not warranted.

(d) If a bout is temporarily stopped because a professional mixed martial artist has been injured as a result of an intentional foul, the referee or the event physician has not more than five (5) minutes to determine whether the professional mixed martial artist who was fouled is able continue.

(e) If the referee or event physician determines the professional mixed martial artist is unable to continue at any time during the five (5) minute interval, the:

- (1) bout shall immediately end; and
- (2) offending professional mixed martial artist shall lose by disqualification under this rule.

(f) If the referee or event physician determines that the professional mixed martial artist is able to continue to fight, the referee shall:

- (1) issue the appropriate point deduction to the offending professional mixed martial artist; and
- (2) restart the bout as soon as practical.

(g) A professional mixed martial artist who is injured as a result of an intentional low blow foul has not more than a five (5) minute recuperative period to recover at the professional mixed martial artist's own discretion. If the referee or event physician determines that the professional mixed martial artist is unable to continue after a five (5) minute recuperative period, the offending professional mixed martial artist shall lose by disqualification under this rule.

(h) If a bout is temporarily stopped because a professional mixed martial artist has been injured as a result of an accidental foul, the referee or the event physician has not more than five (5) minutes to determine whether the professional mixed martial artist who was fouled is able to continue.

(i) If the referee or event physician determines the professional mixed martial artist is unable to continue at any time during the five (5) minute interval, the:

- (1) bout shall immediately end; and
- (2) rules governing the bout results in this rule shall apply.

(j) If the referee or event physician determines that the professional mixed martial artist is able to continue to fight, the referee:

- (1) may issue an appropriate point deduction for the committed accidental foul to the offending professional mixed martial artist; and
- (2) shall restart the bout as soon as practical.

(k) A professional mixed martial artist who is injured as a result of an accidental low blow foul has not more than a five (5) minute recuperative period to recover at his or her own discretion. If the injured professional mixed martial artist is unable to continue after the five (5) minute recuperative period, the rules governing bout results in this rule shall apply.

(Indiana Gaming Commission; 68 IAC 24-5-11; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-5-12 Procedures for dislodged mouthpiece

Sec. 12. (a) If the referee believes that the mouthpiece has been ejected from a professional mixed martial artist's mouth as a result of a natural fight action, the referee must, at the first opportune moment and without interfering with the immediate action, do the following:

- (1) Call time-out.
- (2) Direct both of the professional mixed martial artists to remain in their current position.
- (3) Either:
 - (A) immediately give the mouthpiece to the professional mixed martial artist to reinsert;
 - (B) clean the mouthpiece and then give the mouthpiece to the professional mixed martial artist to reinsert; or
 - (C) order the professional mixed martial artist's chief corner man to clean and reinsert the mouthpiece.
- (4) Direct that the round immediately continue without deducting points from the professional mixed martial artist who had his or her mouthpiece dislodged.

(b) If the referee believes that the professional mixed martial artist spit out or allowed the mouthpiece to fall out of his or her mouth, the referee must, at the first opportune moment and without interfering with the immediate action, do the following:

- (1) Call time-out.
- (2) Direct the professional mixed martial artists to remain in their current position.
- (3) Either:
 - (A) immediately give the mouthpiece to the professional mixed martial artist to reinsert;
 - (B) clean the mouthpiece and then give the mouthpiece to the professional mixed martial artist to reinsert; or
 - (C) order the professional mixed martial artist's chief corner man to clean and reinsert the mouthpiece.
- (4) Issue any appropriate point deduction to the offending professional mixed martial artist.
- (5) Direct that the round immediately continue.

(Indiana Gaming Commission; 68 IAC 24-5-12; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-5-13 Legal fighting techniques

Sec. 13. Legal fighting techniques that may be used by professional mixed martial artists during a bout include, but are not limited to, the following:

- (1) Strikes with the following:
 - (A) Hands.
 - (B) Feet.
 - (C) Knees.
 - (D) Elbows.
 - (E) Forearms.
 - (F) Shoulders.
- (2) Grappling maneuvers, such as the following:
 - (A) Submissions.
 - (B) Choke holds.
 - (C) Throws.
 - (D) Takedowns.

(Indiana Gaming Commission; 68 IAC 24-5-13; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-5-14 Scoring system

Sec. 14. (a) Bouts will be evaluated and scored by three (3) judges in accordance with the ten (10) point must scoring system.

(b) A judge must evaluate mixed martial arts techniques in the following order of importance:

- (1) Effective striking and grappling.
- (2) Control of the fighting area.
- (3) Effective aggressiveness.

- (4) Effective defense.
- (c) Effective striking is judged by determining the:
 - (1) number of legal strikes landed by a professional mixed martial artist; and
 - (2) significance of such legal strikes.
- (d) Effective grappling is judged by considering the amount of successful executions of:
 - (1) legal takedowns;
 - (2) reversals;
 - (3) solid submission attempts; and
 - (4) near catches.
- (e) Fighting area control is judged by determining which professional mixed martial artist is dictating the pace, location, and position of the bout, such as the following:
 - (1) Countering a professional mixed martial artist's attempt at takedown by remaining standing and legally striking.
 - (2) Taking down an opponent to force a ground fight.
 - (3) Creating threatening submission attempts.
 - (4) Passing the guard to achieve mount.
 - (5) Creating striking opportunities.
- (f) Effective aggressiveness means moving forward and landing a legal strike or takedown.
- (g) Effective defense means avoiding being struck, taken down, or reversed while countering with offensive attacks.
- (h) A judge must use the following objective scoring criteria when scoring a round:
 - (1) A round is to be scored as a 10-10 round when:
 - (A) both professional mixed martial artists appear to be fighting evenly; and
 - (B) neither professional mixed martial artist shows clear dominance in a round.
 - (2) A round is to be scored as a 10-9 round when a professional mixed martial artist wins the round by a close margin.
 - (3) A round is to be scored as a 10-8 round when a professional mixed martial artist wins by having overwhelmingly dominated the round.
 - (4) A round is to be scored as a 10-7 round when a professional mixed martial artist wins by having totally dominated the round.
- (i) A round scored 10-10 should be very rare.
- (j) There shall be scoring of an incomplete round.
- (k) If the referee penalizes either professional mixed martial artist, then the appropriate points shall be deducted when the chief commission representative calculates the final score for the round.

(Indiana Gaming Commission; 68 IAC 24-5-14; filed Aug 28, 2012, 1:57 p.m.; 20120926-IR-068110385FRA)

68 IAC 24-5-15 Bout results

Sec. 15. The following are the types of bout results:

- (1) Submission (SM): When a bout ends as a result of a professional mixed martial artist physically tapping out or verbally quitting as a result of a legal submission hold or another legal attack.
- (2) Technical knockout (TKO): When a bout ends due to a professional mixed martial artist being unable to intelligently defend himself or herself after taking excessive punishment during a bout.
- (3) Knockout (KO): When a bout ends as the result of a professional mixed martial artist being rendered unconscious due to his or her opponent's legal attack.
- (4) Referee stops contest (RSC): When a bout ends as the result of a professional mixed martial artist taking punishment and cannot escape or will not submit or quit. The referee may stop the bout prior to excessive damage with no chance of the defending professional mixed martial artist improving his or her position.

- (5) Doctor stoppage (DS): When a bout ends as the result of the event physician's determination that the safety of the professional mixed martial artist is in question or an injury will lessen the professional mixed martial artist's ability to perform.
- (6) Technical submission (TS): When a bout ends as the result of a legal submission hold that may:
 - (A) render a professional mixed martial artist unconscious; or
 - (B) dislodge a joint;
 and the professional mixed martial artist does not or cannot tap out.
- (7) Quit (Q): When a bout ends as the result of a professional mixed martial artist refusing to continue by not engaging in the bout.
- (8) Corner man stoppage (CS): When a bout ends as the result of the chief corner man deciding that his or her professional mixed martial artist has absorbed enough damage.
- (9) Decision via scorecards, as follows:
 - (A) Unanimous decision (UD): When the three (3) judges score the bout in favor of the same professional mixed martial artist.
 - (B) Majority decision (MD): When two (2) judges score the bout in favor of the same professional mixed martial artist and one (1) judge scores a draw.
 - (C) Split decision (SD): When two (2) judges score the bout in favor of one (1) professional mixed martial artist and one (1) judge scores in favor of the opponent.
- (10) Draws via scorecards, as follows:
 - (A) Unanimous draw (UDR): When the three (3) judges score the bout a draw.
 - (B) Majority draw (MDR): When two (2) judges score the bout a draw.
 - (C) Split draw (SDR): When the three (3) judges score differently and the score total results in a draw.
- (11) Disqualification (DQ): When a bout ends due to:
 - (A) an injury sustained as a result of an intentional foul and the injured professional mixed martial artist is immediately unable to continue as a result of the injury;
 - (B) flagrant disregard for the rules; or
 - (C) a combination of the fouls defined in this rule that the referee determines is severe enough to warrant the immediate stoppage of the bout.
- (12) Forfeit (FT): When a professional mixed martial artist:
 - (A) does not show; or
 - (B) chooses not to compete;
 for a bout.
- (13) Technical draw (TDR): When a bout is prematurely stopped, due to:
 - (A) an injury as a result of an accidental foul and at least:
 - (i) two (2) of three (3) scheduled rounds; or
 - (ii) three (3) of five (5) scheduled rounds;
 have been completed at the time of stoppage and the professional mixed martial artists are even on the score cards; or
 - (B) the referee's determination that both professional mixed martial artists are in a condition that might subject the professional mixed martial artists to serious injury if the bout were allowed to continue.
- (14) Technical decision (TD): When a bout is prematurely stopped due to an injury as a result of an accidental foul and at least:
 - (A) two (2) of three (3) scheduled rounds; or
 - (B) three (3) of five (5) scheduled rounds;
 have been completed at the time of stoppage, in which case the professional mixed martial artist who is ahead on the score cards wins.

(15) No contest (NC): When a bout is prematurely stopped, due to an injury as a result of an accidental foul, before the completion of at least:

- (A) two (2) of three (3) scheduled rounds; or
- (B) three (3) of five (5) scheduled rounds;

at the time of stoppage.

(Indiana Gaming Commission; 68 IAC 24-5-15; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-5-16 Rest period

Sec. 16. (a) A professional mixed martial artist who participates in a bout at a sanctioned event in any jurisdiction may not participate in another bout until not less than seven (7) days have elapsed starting with the first full calendar day after the previous bout.

(b) A professional mixed martial artist who participates in a bout at a nonsanctioned event in any jurisdiction may not participate in another bout until not less than sixty (60) days have elapsed starting with the first full calendar day after the previous bout.

(Indiana Gaming Commission; 68 IAC 24-5-16; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

INDIANA ADMINISTRATIVE CODE

TITLE 68. INDIANA GAMING COMMISSION

ARTICLE 24. BOXING AND MIXED MARTIAL ARTS

RULE 6. AMATEUR MIXED MARTIAL ARTS

68 IAC 24-6-1 Definitions for amateur mixed martial arts

Sec. 1. (a) The following definitions apply only to amateur mixed martial arts conducted under IC 4-33-22-18.

(b) "Event" means:

- (1) a professional-amateur mixed martial arts; or
- (2) an amateur mixed martial arts;

match, contest, exhibition, or performance.

(c) "Event physician" means an individual licensed as a physician under IC 25-22.5 who has been:

- (1) retained by a promoter; and
- (2) approved by the sanctioning body;

to serve as the physician at an event.

(d) "Officials" means the judges, referees, and timekeepers serving in an official capacity during an event.

(e) "Sanctioning body" means a company licensed by the commission, the executive director, or the executive director's designee under IC 4-33-22-18 and this rule, and selected by a promoter, to provide oversight of:

- (1) the amateur mixed martial arts bouts at a professional-amateur mixed martial arts event; or
- (2) an amateur mixed martial arts event.

(f) "Unified Amateur Rules" means the rules for amateur mixed martial arts adopted by the Association of Boxing Commissions on August 3, 2011, which is hereby incorporated by reference. The incorporated document is available for public view at www.abcboxing.com, and copies may be obtained by request mailed to the offices of the Indiana Gaming Commission at 101 West Washington St., East Tower-Suite 1600, Indianapolis, IN 46204. (*Indiana Gaming Commission; 68 IAC 24-6-1; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA*)

68 IAC 24-6-2 License fees

Sec. 2. (a) Applications for licensure and renewal are subject to the following nonrefundable and nontransferable fees:

- (1) Mixed martial arts promoter \$300
- (2) Amateur mixed martial arts sanctioning body \$500

(b) The licenses listed in subsection (a) expire on September 30 of each year.

(c) Licenses must be renewed by paying the renewal fee and submitting the completed appropriate renewal form.

(d) If a licensee fails to pay the renewal fee and submit the completed renewal form on or before the expiration date of the license, the license becomes invalid.

(e) For an amateur mixed martial artist to obtain or renew a mixed martial arts national identification card, he or she must pay a nonrefundable, nontransferable fee of ten dollars (\$10).

(f) An amateur mixed martial artist must pay a nonrefundable, nontransferable replacement fee of twenty dollars (\$20) for a replacement mixed martial arts national identification card.

(g) An application for a license is abandoned without an action by the commission if the applicant does not complete the requirements for obtaining the license within one (1) year after the date on which the application was filed. An application submitted after the abandonment of an application is considered a new application.

(h) Licensees must submit, in writing, to the executive director or the executive director's designee the following information, when applicable:

- (1) Name changes.

- (2) Changes in address.
- (3) Changes in telephone number.
- (4) Changes in e-mail address.

(i) The written document setting forth the information required by subsection (h) must:

- (1) set forth the name of the licensee; and
- (2) be submitted within ten (10) calendar days of the change. (*Indiana Gaming Commission; 68 IAC 24-6-2; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA*)

68 IAC 24-6-3 Promoter's license

Sec. 3. (a) A company that seeks to act as a promoter for an event must first obtain a license as a promoter under IC 4-33-22-18 and this rule.

(b) An applicant for a promoter's license must submit the following:

- (1) A completed promoter's application form.
- (2) Clear photocopies of current government issued photographic identification cards that affirm that:
 - (A) the principal owner;
 - (B) substantial owners; and
 - (C) key persons;are at least twenty-one (21) years of age.

(3) One (1) digital photograph of:

- (A) the principal owner;
- (B) substantial owners; and
- (C) key persons;

that shows head and shoulders only, without a hat, and in a natural pose.

(4) The required application fee under this rule.

(5) The information necessary for the executive director or the executive director's designee to conduct a criminal history background check for:

- (A) the principal owner;
- (B) substantial owners; and
- (C) key persons.

(6) Additional information requested by the executive director or the executive director's designee that is necessary to determine the applicant's suitability to act as a promoter under IC 4-33-22-18 and this rule.

(c) The following are prohibited from acting as an official for an amateur mixed martial arts bout:

- (1) A promoter licensed in a state, country, or tribal nation.
- (2) An:
 - (A) employee; or
 - (B) agent;of a promoter licensed in any state, country, or tribal nation.

(*Indiana Gaming Commission; 68 IAC 24-6-3; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA*)

68 IAC 24-6-4 Sanctioning body license

Sec. 4. (a) A company that seeks to act as a sanctioning body for an event must first obtain a license as a sanctioning body under IC 4-33-22-18 and this rule.

(b) An applicant for a sanctioning body license must submit the following:

- (1) A completed sanctioning body application form.
- (2) Clear photocopies of current government issued photographic identification cards that affirm that:
 - (A) the principal owner;
 - (B) substantial owners; and
 - (C) key persons;are at least twenty-one (21) years of age.

(3) One (1) digital photograph of:

- (A) the principal owner;
- (B) substantial owners; and

(C) key persons;
that shows head and shoulders only, without a hat, and in a natural pose.

(4) The application fee required under this rule.

(5) Information necessary for the executive director or the executive director's designee to conduct a criminal history background check for:

- (A) the principal owner;
- (B) substantial owners; and
- (C) key persons.

(6) Additional information requested by the executive director or the executive director's designee that is necessary to determine the applicant's suitability to act as a sanctioning body under IC 4-33-22-18 and this rule.

(c) The following are prohibited from obtaining a license as a sanctioning body:

- (1) A promoter licensed in any state, country, or tribal nation.
- (2) An:
 - (A) employee; or
 - (B) agent;

of a promoter licensed in a state, country, or tribal nation.

(Indiana Gaming Commission; 68 IAC 24-6-4; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-6-5 Sanctioning body rule requirements

Sec. 5. (a) In addition to the other items required under this rule, an applicant for a license as a sanctioning body must provide its proposed rules and regulations for providing oversight of an event.

(b) The proposed rules and regulations must include the following:

- (1) The fees to be charged by the applicant for providing oversight at an event.
- (2) Identification of the types of actions that will be considered a foul during an amateur mixed martial arts bout, consistent with the Unified Amateur Rules.
- (3) The weight classes of amateur mixed martial artists, consistent with the Unified Amateur Rules.
- (4) Information regarding the:
 - (A) maximum weight differentials between opponents in different weight classes; and
 - (B) official weigh-in requirements;

for amateur mixed martial artists at an event.

(5) A requirement that professional mixed martial artists do not participate in amateur mixed martial arts bouts.

(6) A requirement that bouts are three (3) rounds of not more than three (3) minutes duration per round.

(7) A requirement that substances other than adhesive tape and soft gauze cloth are not permitted for hand wraps.

(8) A requirement that a:

- (A) representative of the sanctioning body; or
- (B) referee;

must witness the gloves being placed on the hands of amateur mixed martial artists.

(9) A requirement that the gloves are:

- (A) at least six (6) ounces;
- (B) provided by the promoter; and
- (C) approved by the sanctioning body.

(10) A requirement enforcing the novice and advanced divisions, consistent with the Unified Amateur Rules.

(11) A requirement that an amateur mixed martial artist may only consume water and approved electrolyte-replacement drinks during a bout.

(12) A requirement that an amateur mixed martial artist must take a mandatory rest period between competing in each mixed martial arts bout, which shall be not less than seven (7) days, starting with the first full calendar day after the previous bout.

(13) The proposed scoring system to be used by judges of an amateur mixed martial arts bout, consistent with the Unified Amateur Rules.

(14) A requirement that an amateur mixed martial artist competing in an event has obtained a mixed martial arts national identification card from a state, country, or tribal nation recognized by the Association of Boxing Commissions.

(15) A requirement that no amateur mixed martial artist participating in an event is less than eighteen (18) years of age.

(16) A requirement that no amateur mixed martial artist is permitted to participate in an event while under medical suspension in the website registry certified and operated by the Association of Boxing Commissions.

(17) A requirement that the applicant will uphold administrative suspensions issued by another actively licensed sanctioning body in Indiana.

(18) The information necessary for the commission, the executive director, or the executive director's designee to determine that the sanctioning body is suitable to ensure the integrity of amateur mixed martial arts and the safety of amateur mixed martial artists.

(c) The commission, the executive director, or the executive director's designee may deny a license to an applicant if the rules and regulations submitted under this rule are insufficient to ensure the safety of amateur mixed martial artists or the integrity of amateur mixed martial arts.

(d) In determining the sufficiency of an applicant's proposed rules and regulations, paramount consideration will be given to whether the rules and regulations are likely to adequately ensure the:

- (1) integrity of amateur mixed martial arts; and
- (2) safety of the amateur mixed martial artists.

(e) A sanctioning body must submit amendments of the rules and regulations to the executive director or the executive director's designee for approval.

(f) Failure of a sanctioning body to enforce the rules and regulations submitted to and approved by the executive director or the executive director's designee may result in disciplinary action against the sanctioning body under IC 4-33-22, IC 4-21.5, and this article.

(Indiana Gaming Commission; 68 IAC 24-6-5; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-6-6 Sanctioning body policies and internal controls

Sec. 6. (a) In addition to the other items required under this rule, an applicant for a license as a sanctioning body must provide its policies and internal controls used to ensure the enforcement of its rules and regulations when providing oversight of an event.

(b) The proposed policies and internal controls required must include the following:

- (1) The criteria for assigning officials at an event.
- (2) Information concerning training programs or certifications the applicant requires of officials it assigns to an event.
- (3) A procedure for approving or denying bouts.
- (4) A procedure for ensuring that the amateur mixed martial artists have the required medical documents required under this rule.
- (5) A procedure for ensuring that hand wraps and gloves have been approved by the sanctioning body before amateur mixed martial artist participates in a bout.
- (6) A procedure regarding the determination of the:
 - (A) medical; and
 - (B) administrative;

suspensions that a sanctioning body may issue against an amateur mixed martial artist.

(7) A procedure for the administration of drug tests after an amateur mixed martial artist's bout.

(c) The commission, the executive director, or the executive director's designee may deny a license to an applicant if the policies and internal controls submitted under this rule are insufficient to ensure the safety of amateur mixed martial artists or the integrity of amateur mixed martial arts.

(d) In determining the sufficiency of an applicant's policies and internal controls, paramount consideration will be given to whether the policies and internal controls are likely to adequately ensure the:

- (1) integrity of amateur mixed martial arts; and
- (2) safety of the amateur mixed martial artists.

(e) A sanctioning body must submit amendments of the policies and internal controls to the executive director or the executive director's designee for approval.

(f) Failure of a sanctioning body to follow the policies and internal controls submitted to and approved by the executive director or the executive director's designee may result in disciplinary action against the sanctioning body under IC 4-33-22, IC 4-21.5, and this article. *(Indiana Gaming Commission; 68 IAC 24-6-6; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)*

68 IAC 24-6-7 Reporting requirements

Sec. 7. (a) A promoter who wishes to promote an event must provide to the executive director or the executive director's designee the following information not less than fourteen (14) days before the proposed event:

- (1) The date and starting time of the event.
- (2) The name of the venue, including the address, where the event will take place.
- (3) The name of the sanctioning body that will be providing regulatory oversight of the event.

(b) A promoter must register an event with the website registry certified or operated by the Association of Boxing Commissions prior to the start of the event.

(c) A sanctioning body must submit the:

- (1) official results for amateur mixed martial arts bouts; and
- (2) recommended medical and administrative suspensions of an amateur mixed martial artist;

to the executive director or the executive director's designee one (1) business day after the event for entry into the website registry certified or operated by the Association of Boxing Commissions.

(d) For an event at which a sanctioning body is responsible for providing on-site regulation, the sanctioning body must file with the executive director or the executive director's designee a completed event report form within five (5) business days of the conclusion of the event.

(Indiana Gaming Commission; 68 IAC 24-6-7; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-6-8 Medical requirements for amateur mixed martial artists

Sec. 8. (a) An amateur mixed martial artist is not permitted to participate in an amateur mixed martial arts bout without the following:

- (1) A mixed martial arts national identification card.
- (2) Laboratory results, not more than one (1) year old from the date of the event, affirming the negative test results of the amateur mixed martial artist for the following:
 - (A) Antibodies to the human immunodeficiency virus (HIV).
 - (B) The surface antigen of the hepatitis B virus.
 - (C) Antibodies to the hepatitis C virus.
- (3) From a licensed physician, a written statement, not more than one (1) year old from the date of the event the amateur mixed martial artist seeks to participate in, affirming that the amateur mixed martial artist:
 - (A) has undergone a thorough medical examination; and

(B) is physically fit and qualified to participate in amateur mixed martial arts.

Pre-bout physicals required under section 10 of this rule do not satisfy this requirement.

(4) For female amateur mixed martial artists:

(A) laboratory results, not more than five (5) days old from the date of the event, affirming the negative test results for pregnancy; or

(B) two (2) negative over-the-counter pregnancy tests, taken by the amateur mixed martial artist, and verified by the sanctioning body and the event physician, on-site at the event.

(b) It is the responsibility of the sanctioning body of an event to ensure that no amateur mixed martial artist participates in an amateur mixed martial arts bout without the information required in subsection (a).

(Indiana Gaming Commission; 68 IAC 24-6-8; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-6-9 Event physicians

Sec. 9. (a) There must be present at an event a minimum of one (1) event physician licensed under IC 25-22.5 who has been:

- (1) selected by the promoter; and
- (2) approved by the sanctioning body.

(b) The sanctioning body, at its discretion, may require the promoter to provide additional physicians for the event.

(c) An event physician must be present directly outside the fighting area to provide immediate emergency medical care while a bout is in progress.

(d) An event physician must:

- (1) enter the fighting area immediately after the conclusion of a bout to examine the amateur mixed martial artists; and
- (2) recommend to the sanctioning body medical suspensions for the amateur mixed martial artists that the physician determines appropriate.

(Indiana Gaming Commission; 68 IAC 24-6-9; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-6-10 Pre-bout physical examination

Sec. 10. (a) When scheduled to participate in an amateur mixed martial arts bout, an amateur mixed martial artist must be examined by the event physician not more than two (2) hours prior to the scheduled start time of the event.

(b) If the event physician so finds, he or she must certify, in writing, over his or her signature, that the amateur mixed martial artist is physically fit to participate in the event. The event physician's certification of physical fitness to participate must be delivered to a sanctioning body representative before the event.

(c) An amateur mixed martial artist who fails to obtain the event physician's certification of physical fitness required under this section shall not be permitted to participate in an amateur mixed martial arts bout.

(Indiana Gaming Commission; 68 IAC 24-6-10; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-6-11 Medical personnel

Sec. 11. (a) The following must be present on-site while a bout is in progress:

- (1) A minimum of one (1) advanced life support ambulance, fully equipped in accordance with 836 IAC 2.
- (2) Adequate medical personnel to staff said ambulance who are certified under IC 16-31-3 to provide advanced life support patient care.

(b) The medical personnel from the ambulance must be present directly outside the fighting area with the equipment required by the current protocols established by the medical director, as defined in

836 IAC 1, to provide immediate emergency medical care while a bout is in progress.

(Indiana Gaming Commission; 68 IAC 24-6-11; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-6-12 Amateur mixed martial artist insurance coverage

Sec. 12. (a) The promoter of an event must obtain:

(1) medical benefit coverage for each amateur mixed martial artist participating in a bout in an amount not less than ten thousand dollars (\$10,000), which shall provide for medical, surgical, and hospital care for injuries sustained by the amateur mixed martial artist while participating in the bout; and

(2) accidental death benefit coverage for each amateur mixed martial artist participating in a bout in an amount not less than ten thousand dollars (\$10,000), which shall be paid to the amateur mixed martial artist's estate in the event of the amateur mixed martial artist's death resulting from participation in the bout.

(b) Deductibles for the required medical and accidental death benefit coverage must be paid by the promoter.

(c) The promoter must submit proof to the sanctioning body, by the deadline established by the sanctioning body, that the required medical and accidental death benefit coverage required under this section has been obtained for each amateur mixed martial artist participating in a bout.

(Indiana Gaming Commission; 68 IAC 24-6-12; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-6-13 On-site oversight

Sec. 13. (a) There must be present at an event at least two (2) representatives from the sanctioning body to provide for the on-site regulation of the event.

(b) The sanctioning body may send as many representatives as it determines is necessary.

(c) The sanctioning body responsible for providing oversight of an event must:

(1) ensure the provisions of IC 4-33-22-18 and this article are enforced; and

(2) immediately advise the executive director or the executive director's designee in the event the sanctioning body or a promoter violates a provision of IC 4-33-22-18 or this article.

(d) The executive director or the executive director's designee may appoint a commission representative to be present at an event for purposes of ensuring compliance with IC 4-33-22 and this article.

(e) Commission representatives must be admitted free of charge, upon presentation of credentials, to an event.

(f) Fighting area apron seats must be provided to commission representatives who have been appointed to observe the event.

(g) Failure of the sanctioning body or promoter to comply with the provisions of IC 4-33-22-18 and this article may result in the following:

(1) Cancellation of:

(A) the amateur bouts at a professional-amateur mixed martial arts event; or

(B) an amateur mixed martial arts event.

(2) Disciplinary action, including license suspension, revocation, or denial under IC 4-33-22 and IC 4-21.5.

(Indiana Gaming Commission; 68 IAC 24-6-13; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)

68 IAC 24-6-14 Testing for prohibited drugs

Sec. 14. (a) An amateur mixed martial artist is not permitted to participate in a bout if the amateur mixed martial artist has a prohibited drug in his or her:

(1) possession;

(2) control; or

(3) system.

(b) The sanctioning body may order an amateur mixed martial artist scheduled to participate in a bout to submit to a test for the detection of prohibited drugs.

(c) An amateur mixed martial artist participating in a championship amateur mixed martial arts bout must submit to a test for the detection of prohibited drugs.

(d) On the day of the event, a representative of the sanctioning body will inform the amateur mixed martial artist that he or she has been selected for a test for the detection of prohibited drugs. The amateur mixed martial artist must submit to the test at the conclusion of the amateur mixed martial artist's bout.

(e) An amateur mixed martial artist may not refuse to submit to a test ordered by the sanctioning body. An amateur mixed martial artist will be found to have failed the test if he or she refuses to submit to the testing procedures under this section and required by the sanctioning body.

(Indiana Gaming Commission; 68 IAC 24-6-14; filed Aug 28, 2012, 1:57 p.m.: 20120926-IR-068110385FRA)