

TITLE 4. CALIFORNIA STATE ATHLETIC COMMISSION

NOTICE IS HEREBY GIVEN that the California State Athletic Commission (hereinafter "commission") is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at:

**Department of Consumer Affairs
Evergreen Hearing Room
2005 Evergreen Street
Sacramento, California 95815
Monday, November 29, 2010, at 1:00 p.m.**

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the commission at its office **not later than 5:00 p.m. on November 29, 2010 or must be received by the commission at the hearing**. The commission, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Sections 18611 and 18817 of the Business and Professions Code, and to implement, interpret or make specific Sections 18640, 18641, 18653, 18706, 18714, 18725, 18728, 18817, and 18822 of said Code, the commission is considering changes to Division 2 of Title 4 of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

1. Amend section 208. Rule 208 currently requires anyone that submits an application for license to conduct or operate a professional boxing gymnasium to submit with the application an annual license application fee of \$10 and indicates that every such license expires on December 31, 2010.

This proposed amendment would increase the annual application fee to \$100 as well as reflect all such licenses will now expire one year from the date issued.

2. Amend section 323. Rule 323 currently describes the restrictions imposed on the materials used and includes guidelines that must be adhered to when applying bandages to the contestant's hands. Industry experts more commonly refer to the bandages placed on the hands of the combatants as hand wraps.

This proposed amendment would revise the language to meet the current industry standard in regards to reference (hand wraps); application technique guidelines; would increase the amount of adhesive tape that can be used from 10 yards to 20 yards for each hand; and change some of the language to eliminate confusion caused by the current language used to refer to the materials allowed from bandages, surgeons adhesive tape, soft surgical bandage, and tape to bandages, adhesive tape, gauze and tape. The proposed language would also indicate that the type of adhesive tape used to wrap hands is subject to the commissions prior written approval by the Executive Officer or his assigned commission representative if it is not included on the commission's list of approved types of adhesive tape that may be used.

3. Amend section 399. Currently, Rule 399 delineates procedures the commission must follow when a license is denied or revoked.

This proposed amendment would add language to clarify the requirements that must be used, on a case by case basis, to evaluate an applicant who has been denied an application for a license and states that such applicant may not file a similar application until one year from the date of the last previous denial by the commission.

4. Adopt section 511. Unlike Rule 264 that establishes a 26 round minimum and a 40 round maximum for any one boxing card, there is no rule that specifies the minimum and maximum number of rounds a promoter must adhere to when conducting a mixed martial arts or kickboxing event.

The adoption of the proposed Rule 511 would establish 21 rounds as the minimum and 36 rounds as the maximum number of rounds, except with the approval of the commission for any one program, that a promoter must adhere to when scheduling bouts for an arranged card; would require the promoter to provide a standby bout in the event the card breaks down and it is needed to meet the minimum 21 rounds established by the adoption of the proposed language of Rule 511. The proposed Rule 511 would also address the need to ensure commission staff and inspectors have minimum and maximum guidelines to follow and a written rule upon which to rely when approving the number of rounds for a mixed martial arts or kickboxing card.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Sections 17500 – 17630 Require Reimbursement: None

Business Impact:

The commission has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

and

The following studies/relevant data were relied upon in making the above determination: Industry Standards, and survey of selected trainers, managers and cut men that apply hand wraps and are considered some of the best in the industry.

Impact on Jobs/New Businesses:

The commission has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business:

The commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

The commission has determined that the proposed regulations may affect small businesses.

CONSIDERATION OF ALTERNATIVES

The commission must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

No reasonable alternative was identified.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

The commission has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the California State Athletic Commission, 2005 Evergreen Street, Suite 2010, Sacramento, California 95815.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below **or by accessing the website listed below.**

CONTACT PERSON

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Sal Barajas
Address: 2005 Evergreen Street
Sacramento, CA 95815
Telephone No.: (916) 263-2195
Fax No.: (916) 263-2197
E-Mail Address: Sal.Barajas@dca.ca.gov

The backup contact person is:

Name: Dale Chessey
Address: 2005 Evergreen Street
Sacramento, CA 95815
Telephone No.: (916) 263-2195
Fax No.: (916) 263-2197
E-Mail Address: Dale.Chessey@dca.ca.gov

Website Access: Materials regarding this proposal can be found at <http://www.dca.ca.gov/csac>.

