

## 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:

**September 26, 2016 – 10:00 a.m.**  
Department of Consumer Affairs  
Donner Lake Room - 2nd Floor  
2005 Evergreen Street  
Sacramento, CA 95815

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., **September 26, 2016**, 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 of the Business and Professions Code, and to implement, interpret or make specific Sections 18640 of said Code, the commission is considering changes to Division 2 of Title 4 of the California Code of Regulations as follows:

### INFORMATIVE DIGEST

#### A. Informative Digest

Amend Section 232. The Commission was initially established because of the increasing number of boxer injuries/deaths occurring in the ring; and the involvement of unethical persons, management and promoters in the sport. Prior to the Commission's establishment, no government agency existed to provide oversight of managers, promoters, event officiating; or to protect the health and ensure the safety of the participants. Today, the Commission oversees the licensing, prohibited substance testing, and event regulation throughout the state with a seven member Commission. This rulemaking package mainly addresses that Athletes are not provided a minimum purse for fighting. This has allowed some promoters to exploit athletes by paying them \$1.00 instead of an industry minimum. This regulation would set a minimum purse amount of one hundred dollars (\$100) per round.

B. Policy Statement Overview/Anticipated Benefits of Proposal

Existing law (Section 18611 of the Business and Professions Code) authorizes the commission to adopt, amend, or repeal, in accordance with the Administrative Procedure Act, rules and regulations as may be necessary to enable it to carry out the laws relating to boxing and the martial arts. By amending section 232, the commission will be in compliance with the law.

The benefits of the proposed regulatory package will allow the Commission to carry out its mission of protecting athletes. It will also prevent Promoters from exploiting athletes by receiving only \$1.00 for a purse.

C. Consistency and Compatibility with Existing State Regulations

The commission has conducted an evaluation for any other regulations on this area and has concluded that these are the only regulations concerning minimum payment to contestants. Therefore, the proposed regulations are neither inconsistent nor incompatible with any other existing state regulations.

D. Document Incorporated by Reference: **None**

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**

Significant, statewide adverse economic impact directly affecting businesses and individuals: Although the proposed action *will* directly affect businesses statewide, including small businesses, the Commission concludes that the adverse economic impact, including the ability of California businesses to compete with businesses in other states, *will not* be significant.

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 unnecessarily incur in reasonable compliance with the proposed action.

EFFECT ON HOUSING COSTS: **None**

EFFECT ON SMALL BUSINESS: The Commission has initially determined that this

regulatory proposal may affect small business; however, the Commission does not anticipate that it will be a significant impact.

## RESULTS OF THE ECONOMIC IMPACT ANALYSIS

The Commission concludes that this proposal will affect the State of California business environment as follows:

- Unlikely to eliminate any jobs, including promoters
- Unlikely to create jobs, including promoters
- Unlikely to create new businesses
- Unlikely to eliminate any existing businesses
- Unlikely to expand current business

**Benefits of the Proposed Action:** This rulemaking package mainly addresses that athletes are not provided a minimum purse for fighting. This has allowed some promoters to exploit athletes by paying them \$1.00 instead of an industry minimum. This regulation would set a minimum purse amount of one hundred dollars (\$100) per round.

## CONSIDERATION OF ALTERNATIVES

The Commission must determine that no reasonable alternative it considered or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to private persons and equally effective in implementing the statutory policy or other provision of law.

## 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, 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 at 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: Heather Jackson  
Address: 2005 Evergreen Street, Suite 2010  
Sacramento, CA95815  
Telephone No.: (916) 263-2195  
Fax No.: (916) 263-2197  
E-Mail Address: heather.jackson@dca.ca.gov

The backup contact person is:

Name: Sophia Cornejo  
Address: 2005 Evergreen Street, Suite 2010  
Sacramento, CA95815  
Telephone No.: (916) 263-2195  
Fax No.: (916) 263-2197  
E-Mail Address: Sophia.Cornejo@dca.ca.gov

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