

RESOLUTION 2011-79

A RESOLUTION ADOPTING AN EMERGENCY RULE REGARDING AMATEUR MIXED MARTIAL ARTS

The Indiana Gaming Commission (“Commission”) adopts the following resolution pursuant to the authority granted under IC 4-33.

The Commission has considered the following factors:

1. Pursuant to IC 4-33-4 and IC 4-22-2-37.1, the Commission has the authority to adopt emergency rules.
2. IC 4-33-4-3(a)(8) authorizes the Commission to adopt emergency rules if the Commission determines that: (1) the need for a rule is so immediate and substantial that rulemaking procedures under IC 4-22-2-13 through IC 4-22-2-36 are inadequate to address the need; and (2) an emergency rule is likely to address the need.
3. House Enrolled Act 1086 transferred the powers and duties of the regulation of boxing, sparring, and unarmed combat from the State Athletic Commission (“Athletic Commission”) to the Gaming Commission, effective July 1, 2010. In 2010, the Commission adopted emergency rules regarding the regulation of amateur mixed martial arts.
4. The Commission has determined that substantive changes to those rules are necessary to allow the Gaming Commission to continue to regulate amateur mixed martial arts effectively; specifically, this emergency rule makes alterations to provisions regarding the licensure sanctioning bodies, pre-bout physicals, pregnancy tests, and appointment of sanctioning body representatives.
5. The Commission finds that the need for an emergency rule regarding the regulation of amateur mixed martial arts is immediate and substantial such that rulemaking procedures under IC 4-22-2-24 through IC 4-22-2-36 are inadequate to address the needs and that the attached emergency rule is likely to address the need.
6. While the emergency rule is in effect, the Commission will proceed with the non-emergency promulgation process, including IC 4-22-2-24 through 4-22-2-36.

**NOW, THEREFORE, BE IT RESOLVED BY THE INDIANA GAMING
COMMISSION, THAT THE FOLLOWING RESOLUTION IS ADOPTED:**

SECTION 1: SCOPE

This resolution applies to the Indiana Gaming Commission and all licensees, or applicants for a license, under IC 4-33-22.

SECTION 2: DEFINITIONS

The definitions set forth in IC 4-33-22 apply to this resolution.

SECTION 3: ADOPTION OF THE EMERGENCY RULE

Pursuant to IC 4-22-2-37.1, the Commission adopts the attached rule as an emergency rule for the initial ninety (90) day period as well as for the optional ninety (90) day extension period. The Commission further adopts any stylistic, grammatical, typographical, or other non-substantive changes that the Commission or the Legislative Services Agency may make to this emergency rule. The Commission shall file the proposed emergency rule and submit it for publication with the Legislative Services Agency.

SECTION 4: EFFECTIVE DATE

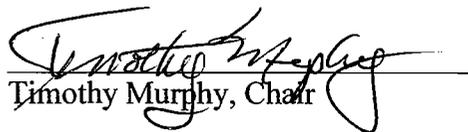
The emergency rule adopted in Section 3 of this resolution is to become effective in accordance with Ind. Code 4-22-2-37.1.

SECTION 5: EXPIRATION DATE

This resolution expires upon the final expiration of the emergency rule adopted herein.

ADOPTED, THIS THE 17th DAY OF MARCH, 2011.

THE INDIANA GAMING COMMISSION


Timothy Murphy, Chair

ATTEST:


Marc Fine, Secretary