

3773-3-01 **Conditions for promoting contests.**

No person shall promote any public or private competition that involves the sports of boxing, kick boxing, mixed martial arts, karate, tough man contests or tough person contests, professional wrestling, or any other form of boxing or martial arts unless:

- (A) That person is licensed in accordance with the rules bearing agency-level designation 3773 of the Administrative Code;
- (B) A permit is secured in accordance with the rules bearing agency-level designation 3773 of the Administrative Code;
- (C) That person complies with the rules bearing agency-level designation 3773 of the Administrative Code.

Conditions and bond requirements for issuing a promoter's license.

- (A) Any person who wishes to promote any public or private competition that involves the sports of boxing, kick boxing, karate, tough person contests, or any other form of boxing or martial arts shall apply to the commission for a promoter's license. Each application shall be filed with the commission on forms provided by the commission, and shall be accompanied by the appropriate license fee required by rules bearing agency level 3773 of the Administrative Code. In addition, a surety bond of not less than twenty thousand dollars must be submitted with the application. The applicant shall verify the application under oath. The application shall be signed by the applicant. The commission shall determine the form of the application for the promoter's license. The application shall include the name of the applicant, a passport size photo, the address, zip code and telephone number of the applicant, and a reference confirming the applicant's financial responsibility, and any other information the commission requires.
- (B) The purpose of the twenty thousand dollars surety is to insure the payment of the participants of any public or private competition that involves the sports of boxing, kick boxing, karate, tough person contests, or any other form of boxing or martial arts. These participants include but are not limited to: inspectors, physicians, judges, referees, timekeepers, contestants and anyone assigned by the Ohio athletic commission.
- (C) Upon the proper filing of an application to promote any public or private competition that involves the sports of boxing, kick boxing, karate, tough man contests or tough person contests, professional wrestling, or any other form of boxing or martial arts., the commission shall issue a promoter's license to the applicant if:
- (1) The applicant is not in default on any payment, obligation, or debt payable to the state under rules bearing agency-level 3773 of the Administrative Code;
 - (2) The applicant is knowledgeable in the proper conduct of competition that involves the sports of boxing, kick boxing, karate, tough man contests or tough person contests, professional wrestling, or any other form of boxing or martial arts, in accordance with rules bearing agency level 3773 of the Administrative Code;
 - (3) The applicant for a promoter's license for any public or private competition that involves the sports of boxing, kick boxing, karate, tough person contests, or any other form of boxing or martial arts has filed a twenty-five hundred-dollar bond made payable to the treasurer of state in accordance with rules bearing agency level 3773 of the Administrative Code; and a copy of the certificate verifying the approval and the filing of that bond is submitted to the executive director or commission.

(D) A promoter's license shall expire twelve months after its date of issuance and shall become invalid on that date unless renewed thirty days prior to the expiration date. A promoter's license may be renewed upon application to the commission and upon payment of the renewal fee prescribed by rules bearing agency level 3773 of the Administrative Code. The commission shall renew the license unless it denies the application for renewal for one or more reasons stated in rules bearing agency level 3773 of the Administrative Code.

Conditions for applying for and issuing a permit.

- (A) Any licensed promoter who desires to promote any public or private competition that involves the sports of boxing, kick boxing, mixed martial arts, karate, tough man contests or tough person contests, professional wrestling, or any other form of boxing or martial arts contests, shall obtain a permit from the commission. Application for such a permit shall be made in writing and on forms prescribed by the commission and shall be accompanied by the permit fee specified in rules bearing agency level 3773 of the Administrative Code.
- (1) The application for a permit issued under this rule shall include the date and starting time of the match or exhibition, the address, name and phone number of the place where the event is to be held, the seating capacity of the building or hall where the event is to be held, the admission charge, the name and weight of the contestants and their federal ID or national ID, the amount of compensation or the percentage of gate receipts to be paid to each contestant, the number of rounds to be contested, the name, address and phone number of the promoter, and the license number of the promoter's license. Mixed martial arts events information may be submitted after a permit has been authorized.
 - (2) The commission or executive director may require the applicant to deposit with the commission before the match or exhibition, money order, a cash bond, certified check, or bank draft in an amount equal to five per cent of the estimated gross receipts from the match or exhibition.
 - (3) The applicant shall satisfy the bonding requirements of rules bearing agency level 3773 of the Administrative Code and able to pay to each contestant the compensation or percentage of the gate receipts named in the application.
- (B) If the executive director or commission determines that the applicant has met all of the requirements specified in this rule, a permit shall be issued to the applicant to conduct the event.
- (C) A permit issued under this rule shall allow the permit holder to conduct only the event named in the permit. A permit is not transferable. The promoter, whose name appears on the permit, or their designated representative with prior approval of the commission, must be physically present at the weigh-ins and at the event until the conclusion of the final bout unless excused by the commission.
- (D) The commission will establish guidelines and requirements for conducting any public or private competition that involves the sports of boxing, kick boxing, mixed martial arts, karate, tough man contests or tough person contests, professional wrestling, or any other form of boxing or martial arts.

- (E) The commission or the executive director shall determine if the contestants are evenly and fairly matched according to skill level, experience, and weight so as to produce a fair and sportsmanlike contest.
- (F) The executive director has the authority to approve any match changes or to complete additional bouts for contests previously approved at the commission meeting.
- (G) When an application for a permit to conduct any public or private competition that involves the sports of boxing, kick boxing, mixed martial arts karate, tough man contests or tough person contests, or any other form of boxing or martial arts, is requested by a licensed promoter, the application and the verification of insurance coverage, as well as the permit fee, as specified in paragraph (A) of this rule, shall be in the commission office ten days prior to the scheduled business meeting at which the application for permit will be considered by the commission.
- (H) Exceptions to this rule will only be considered in the case the event is a world - championship, state championship, any other championship event recognized by the commission or in the case of a televised event. The time period for all necessary paperwork as stated in this rule, shall then be determined by the commission or executive director, but in no case shall such promoter be exempt from such paperwork.

3773-3-04 **Limitations and restrictions of promoters.**

No person who holds a promoter's license to conduct any public or private competition that involves the sports of boxing, kick boxing, mixed martial arts, karate, tough man contests or tough person contests, professional wrestling, or any other form of boxing or martial arts, under rules bearing agency level 3773 of the Administrative Code shall:

- (A) Hold any event at any time or place other than that stated on a permit issued under rules bearing agency level 3773 of the Administrative Code;
- (B) Allow any contestant to participate in the event unless they are the licensed contestant named in the application for such permit or a licensed contestant authorized to compete as a substitute for such a contestant by the executive director or the inspector assigned to the event;
- (C) Charge a higher admission price for event than that stated in the permit application;
- (D) Pay a greater compensation or percentage of the gate receipts to any contestant than that stated in the permit application;
- (E) Knowingly permit a person less than eighteen years of age to participate in any public or private competition that involves the sports of boxing, kick boxing, mixed martial arts, karate, tough man contests or tough person contests, professional wrestling, or any other form of boxing or martial arts unless neither contestant is a professional boxer, mixed martial arts fighter or any other striking sport professional; The commission may regulate events that do not comply with those exempted in section 3773-1-04 of the administrative code for contestants under age eighteen. These contestants will not be issued licenses.
- (F) Knowingly permit gambling, betting, or wagering on the results of a bout conducted at the event;
- (G) Knowingly conduct or allow to be conducted a sham or fake bout at the event. This does not apply to professional wrestling.

3773-3-05 **Medical and life insurance.**

- (A) No holder of a promoter's license issued under rules bearing agency level designation 3773 of the administrative code shall fail to provide medical and life insurance for each contestant in an event they conduct. The amount of medical insurance shall not be less than ten thousand dollars and shall be paid to or for the use of any contestant for injuries sustained in a contest. The amount of life insurance shall not be less than ten thousand dollars per contestant and shall be paid to the contestant's estate if they would die as a result of participation in the event. Verification of such insurance coverage shall be given to the commission a minimum of seven days prior to the start of the event.

- (B) Deductible payments for medical insurance are the responsibility of the promoter or whoever purchases the medical insurance policy. There shall be no waiver forms issued to any contestant to sign making them responsible for any deductible payment or any portion of the deductible payment.

3773-3-06 **Tickets and complimentary tickets.**

- (A) Each advertisement of the match or exhibition shall include the price of admission. Each ticket of admission to any event shall clearly bear the purchase price. No person shall sell a ticket for a price greater than that printed on the ticket.

- (B) No person licensed and issued a permit bearing agency-level designation 3773 of the Administrative Code shall sell more tickets or invitations of admission to any public or private competition that involves the sports of boxing, kick boxing, mixed martial arts, karate, tough man contests or tough person contests, professional wrestling, or any other form of boxing or martial arts, or admit a number of persons that exceeds the authorized capacity of the facility or part of the facility used for the match or exhibition. This limitation on the number of tickets includes the issuance of complimentary tickets and free passes. The total amount of complimentary tickets may not exceed five per cent of the total seats in the venue or listed on the permit, without authorization from the Ohio athletic commission or executive director. Any complimentary ticket over that total, tax will be charged on the lowest advertised ticket price. Promoters must have the word "complimentary" printed on tickets and stubs by the printer. Tickets that are written or hand-stamped "complimentary" will be charged a tax on the face value. The promoter shall furnish to the commission a certified invoice from the printer of all tickets printed showing amounts printed in each category including tickets printed in excess, i.e., overprints. The promoter shall notify the printer of this rule. The promoter must submit all sold ticket stubs and unsold tickets to the inspector or commission representative upon request. Any unaccounted-for tickets will be charged tax at face value of the tickets missing. All unsold tickets must have the stubs attached; otherwise they will be taxed.

3773-3-07 **Posting of permit in box office.**

The permit issued to the licensed promoter shall be posted in the box office of the premises where any public or private competition that involves the sports of boxing, kick boxing, mixed martial arts, karate, tough man contests or tough person contests, professional wrestling, or any other form of boxing or martial arts is held.

Tax and ticket sold report requirements of promoter.

- (A) No promoter who conducts an event to which rules bearing agency-level designation 3773 of the Administrative Code apply, shall fail to submit to the commission, executive director, or a commission representative a written report that shows the number of tickets sold for the match or exhibition and the amount of gross proceeds, no later than seventy-two hours after the determination of the outcome of the bouts at the event. The promoter shall pay to the commission a tax of five per cent of the gross proceeds from the sale of tickets to the event. The tax must be paid to the inspector or commission representative no later than seventy-two hours after the contest ends.
- (B) If a promoter fails to make a report relating to the event, or files a report that the commission finds unsatisfactory under paragraph (A) of this rule, the commission may examine or cause to be examined the books and records of such person. Failure to comply and cooperate with the commission with regard to the examination of books and records may result in the revocation or suspension of the promoter's license.

3773-3-09 **Tax penalties.**

If a promoter who conducts any public or private competition that involves the sports of boxing, kick boxing, mixed martial arts, karate, tough man contests or tough person contests, professional wrestling, or any other form of boxing or martial arts, under rules bearing agency level 3773 of the Administrative Code does not pay the tax due on the night of the contest or no later than seventy-two hours after the event; shall pay interest on the amount of tax compounded at the rate of five per cent per month, up to a maximum of twenty-five per cent. The five per cent penalty shall start from the date the event ended. The commission shall send a notice of delinquency to the promoter, if the promoter is delinquent in paying the tax and interest due prior to the next scheduled meeting of the commission. The promoter's license may be suspended and disqualified from any license renewal if they are delinquent in paying the amount due to the commission under rules bearing agency-level 3773 of the Administrative Code. Any expenses incurred by the commission in making examinations of the books and records shall be paid by the promoter.