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STATE OF NEVADA
ATHLETIC COMMISSION

Chairman: Stephen J. Cloobek

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February 16, 2022

INFORMATIONAL STATEMENT
REGARDING LCB FILE NO. R123-21
(NRS 233B.066)

Pursuant to NRS 233B.066, the Nevada Athletic Commission (“Commission”) hereby submits the following Information Statement regarding its adopted regulation identified in LCB File No. R123-21:

- a. A clear and concise explanation of the need for the adopted regulation.

The need and purpose of the proposed permanent regulation identified in LCB File No. R123-21 are to ensure the health and safety of unarmed combatants who participate in contests or exhibitions of unarmed combat that fall outside the jurisdiction of the Nevada Athletic Commission pursuant to the exemption found in NRS 467.170. This permanent regulation establishes a process for the Nevada Athletic Commission to vet any person seeking an exemption under NRS 467.170 to ensure that the applicable contest or exhibition meets all of the requirements to qualify for the exemption and to ensure the contest or exhibition has been organized and will be conducted in a manner that protects the health and safety of all participants thereof.

- b. A description of how public comment was solicited, a summary of the public response, and an explanation of how other interested persons may obtain a copy of the summary.

The Commission solicited written and oral public comment by distributing the proposed permanent regulation identified in LCB File No. R123-21 to its interested parties listserv, as well as posting it on its public website. The Commission also notified the public of the opportunity to offer comment in its Notice for the public workshop it held on January 24, 2022, and its Notice of the public hearing and adoption hearing held on February 15, 2022.

The public comments received in response to the proposed regulations included the following: (1) general comment expressing support for the permanent

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regulation; and (2) statement stating that the lists of organizations found under paragraph (a) of subsection 1 of section 4 and subsection 3 of section 5 were not entirely reflective of common practice in the industry.

Other interested persons may obtain a copy of the summary of public response, including written and oral comment, by submitting a written request to the Commission at boxing@boxing.nv.gov.

c. The Commission recorded the following data regarding public participation in the public workshop and public hearing on the proposed permanent regulation:

1. Persons who attended the public workshop held on January 24, 2022: 2
2. Persons who testified at the public workshop held on January 24, 2022: 1
3. Persons who attended the public hearing and adoption hearing held on February 15, 2022: 2
4. Persons who testified at the public hearing and adoption hearing held on February 15, 2022: 0
5. Persons who submitted written statements to the Commission regarding the proposed permanent regulation: 1

d. For each person identified in subsections (2), (3), and (5) of section c above, the following information was obtained by the Commission:

Workshop held on January 24, 2022

Name:	Mike McAtee
Title:	Executive Director/CEO
Organization:	USA Boxing
Business Address:	1 Olympic Plaza Colorado Springs, CO 80909
Business Telephone Number:	(719) 866-2323
Email Address:	mmcatee@usaboxing.org

Written Comment:

Name:	Stephen A. Hess, P.C.
Title:	[Not Provided]
Organization:	USA Boxing

Business Address: Law Offices of Stephen A. Hess, P.C.
111 South Tejon, Suite 102
Colorado Springs, CO 80903

Business Telephone Number: (719) 471-4516

Email Address: Stephen@StephenAHess.com

- e. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation of how other interested parties may obtain a copy of the summary.

On January 7, 2022, the Commission emailed notice of the workshop for the proposed permanent regulation identified as LCB File No. R123-21 that was scheduled for January 24, 2022, to its interested party listserv, which includes affected businesses such as licensed promoters, unarmed combatants, and promotional groups to elicit comment. None of the affected businesses provided comment.

On January 12, 2022, the Commission emailed notice of the public hearing and adoption hearing for the proposed permanent regulation identified as LCB File No. R123-21 that was scheduled for February 15, 2022, to its interested party listserv, which includes affected businesses such as licensed promoters, unarmed combatants, and promotional groups to elicit comment. None of the affected businesses provided comment.

Other interested parties may obtain a copy of the summary by submitting a written request to the Commission at boxing@boxing.nv.gov.

- f. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

After review of the provided comments, Commission staff determined that none warranted amending the regulation. The specific reasons are as follows:

1. Comment regarding the lists of organizations found under paragraph (a) of subsection 1 of section 4 and subsection 3 of section 5. This comment stated that the referenced lists do not accurately reflect the organizations that would currently be involved in such events. Commission staff determined that the list is intended to provide examples of the types of organizations that would meet the requirements, and it was not intended to be an exact or exhaustive list. Therefore, it was determined that there was no need to amend the draft regulation. Any adjustment to the list can be made through future regulation amendments.

- g. The estimated economic effect of the regulation on the business which it is to regulate and on the public as required by NRS 233B.066(1)(g).

Business:

The anticipated adverse effect for business will be the cost of obtaining and submitting the required materials necessary to establish that the applicable contest or exhibition has met the criteria necessary to qualify for the exemption provided in NRS 467.170. This cost should be minimal as no fees are attached to the submission of the request.

The anticipated beneficial effect for business will be that it will ensure the applicable events or contests are planned and conducted in a manner that will protect the health and safety of all participants.

Public:

There is no anticipated adverse effect for the public.

The anticipated beneficial effect for the public is the implementation of additional controls and procedures to help ensure the health and safety of unarmed combatants in this State.

- h. The estimated cost to the agency for enforcement of the proposed regulation as required by NRS 233B.066(1)(h).

The agency will experience increase costs in having to review and process the requests for determination submitted pursuant to the emergency regulation. However, given the relative infrequency of the occurrence of such contests or exhibitions, it is anticipated that these costs will be minimal. Existing agency staff will be able to handle any extra burden imposed by the emergency regulation.

- i. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, name the regulating federal agency. This is required by NRS 233B.066(1)(i).

None known.

- j. If the regulation included provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions as required by NRS 233b.066(1)(j).

None known.

- k. If the regulation provides a new fee or increases an existing fee, a statement indicating the total annual amount the agency expects to collect and the manner in which the money will be used as required by NRS 233b.066(1)(k).

Not applicable. The regulation does not provide a new fee or increase an existing fee.