

# Regulatory Analysis Form

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INDEPENDENT REGULATORY  
REVIEW COMMISSION

4:20 pm

IRRC Number: # 2694

(1) Agency

Department of State  
State Athletic Commission

(2) I.D. Number (Governor's Office Use)

16-41

(3) Short Title

Mixed Martial Arts

(4) PA Code Cite

58 Pa. Code Chapter 29

(5) Agency Contacts & Telephone Numbers

Primary Contact: Gregory P. Sirb, Executive Director,  
State Athletic Commission 717-787-5720  
Secondary Contact: Martha H. Brown, Counsel  
State Athletic Commission 717-783-2804

(6) Type of Rulemaking (check one)

- Proposed Rulemaking  
 Final Order Adopting Regulation  
 Final Order, Proposed Rulemaking Omitted

(7) Is a 120-Day Emergency Certification Attached?

- No  
 Yes: By the Attorney General  
 Yes: By the Governor

(8) Briefly explain the regulation in clear and nontechnical language.

The Commission proposes to add Chapter 29 (relating to professional and amateur mixed martial arts) to its regulations found at 58 PA Code Part I, Subpart B, in order to regulate the sport of mixed martial arts. Mixed martial arts (MMA) is defined as competition involving the use of a combination of techniques from different disciplines of the martial arts, including grappling, kicking and striking. While rules vary with the individual organizations and associations, a unified set of MMA rules is emerging, which increasingly has been adopted by other state athletic commissions. The intent of the regulation is to regulate a sport which has actively sought regulation across the nation and in the Commonwealth.

(9) State the statutory authority for the regulation and any relevant state or federal court decisions.

The proposed amendments are authorized under sections 103(b)(1) and 302 of the State Athletic Code, 5 Pa. C.S. §§ 103(b)(1) and 302, which authorize the Commission to establish policy and promulgate rules and regulations regarding professional and amateur boxing contests and exhibitions and all matters pertaining thereto. The Athletic Code broadly defines boxing to include all variations of the sport permitting or using other parts of the human body, including, but not limited to, the foot, knee, leg, elbow or head.

## Regulatory Analysis Form

(10) Is the regulation mandated by any federal or state law or court order, or federal regulation? If yes, cite the specific law, case or regulation, and any deadlines for action.

No.

(11) Explain the compelling public interest that justifies the regulation. What is the problem it addresses?

The popularity of mixed martial arts has surged in recent years, both nationwide and in Pennsylvania, particularly in the southeastern part of the state. National clubs and associations such as Ultimate Fighting Championships, PRIDE Fighting Championships and International Fight League have approached the Commission to permit the sport in Pennsylvania. The Commission estimates that over 200 contestants train in Pennsylvania, but cannot legally compete in the Commonwealth. There is no one sanctioning body for the sport and rules vary with the individual organizations and associations which practice mixed martial arts. A unified set of MMA rules is emerging, which increasingly has been adopted by other state athletic commissions. The intent of the instant regulation is to regulate a sport which has actively sought regulation across the nation and in the Commonwealth and which otherwise would remain unregulated and underground. Failure to recognize and regulate the sport may result in unregulated, unsupervised "bootleg" MMA shows, where participant and spectator safety is not assured.

(12) State the public health, safety, environmental or general welfare risks associated with nonregulation.

Nonregulation will result in unsupervised MMA shows, where participant and spectator safety is not assured. Regulation of the sport will assure licensure and testing of participants for communicable diseases, as well as emergency medical care and insurance required for participants. Regulation of the sport will ensure that events are orderly and crowd control is maintained.

(13) Describe who will benefit from the regulation. (Quantify the benefits as completely as possible and approximate the number of people who will benefit.)

Members of the public who are fans of and follow the sport will benefit by being able to attend mixed martial arts contests and exhibitions in the Commonwealth. Mixed martial arts contestants will directly benefit from the proposed regulation through the ability to compete in Pennsylvania under a unified set of MMA rules. Licensing and bonding of MMA promoters will also ensure that contestants are treated fairly.

(14) Describe who will be adversely affected by the regulation. (Quantify the adverse effects as completely as possible and approximate the number of people who will be adversely affected.)

The Commission has not identified any particular groups that will be adversely affected by the regulation.

## Regulatory Analysis Form

(15) List the persons, groups or entities that will be required to comply with the regulation.

(Approximate the number of people who will be required to comply.)

All licensed professional and amateur mixed martial arts contestants would have to comply with the regulation, as well as mixed martial arts promoters, referees, judges and timekeepers. The Commission anticipates that 100 professional mixed martial arts contestants, 180 amateur mixed martial arts contestants and 20 mixed martial arts promoters will seek licensure with the Commission. The Commission anticipates that, while some licensed boxing referees, judges and timekeepers will crossover to mixed martial arts events, the regulation will add approximately 5-6 new referees, 6-10 judges and 2-3 timekeepers.

(16) Describe the communications with and input from the public in the development and drafting of the regulation. List the persons and/or groups who were involved, if applicable.

The Commission requested and received input from mixed martial arts clubs, associations and practitioners in the development of this proposed rulemaking. At the Commission's regularly-scheduled meeting on February 26, 2007, testimony from the interested public was received on mixed martial arts. Five organizations appeared to testify before the Commission and one sent information which was viewed by the Commission on digital video disc. The Commission forwarded an exposure draft of the regulations to MMA clubs and promoters both in Pennsylvania and in other states, who had expressed interest in the rulemaking. The Commission also forwarded an exposure draft of the regulations to the Association of Boxing Commissions (ABC) and the athletic commissions of New Jersey, Ohio, Maryland and Nevada.

(17) Provide a specific estimate of the costs and/or savings to the regulated community associated with compliance, including any legal, accounting or consulting procedures that may be required.

Mixed martial arts licensees (contestants, promoters, referees, judges and timekeepers) will pay annual licensing fees the same as that of boxing licensees. However, no legal, accounting or consulting procedures will be implicated in complying with the regulations and therefore, no other additional costs are estimated.

(18) Provide a specific estimate of the costs and/or savings to local governments associated with compliance, including any legal, accounting or consulting procedures that may be required.

There are no costs or savings to local governments associated with complying with the regulation.

(19) Provide a specific estimate of the costs and/or savings to state government associated with the implementation of the regulation, including any legal, accounting, or consulting procedures that may be required.

There are no costs or savings to state government associated with the implementation of the rulemaking, because the State Athletic Commission is self-supporting and uses no General Fund monies. The Commission generated over \$350,000 in net revenue in 2007, which is deposited into the Athletic Commission Augmentation Account. The Commission will incur additional costs in enforcing the regulation. However, the Commission expects there will be 15-20 MMA events per year, which has the potential to increase Commission revenues by \$50,000 to \$80,000, generated through the Commission's 5% tax on gross gate receipts.

## Regulatory Analysis Form

(20) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

	Current FY Year	FY +1 Year	FY +2 Year	FY +3 Year	FY +4 Year	FY +5 Year
<b>SAVINGS:</b>	0	0	0	0	0	0
<b>Regulated Community</b>	N/A	N/A	N/A	N/A	N/A	N/A
<b>Local Government</b>	0	0	0	0	0	0
<b>State Government</b>	0	0	0	0	0	0
<b>Total Savings</b>	0	0	0	0	0	0
<b>COSTS:</b>	0	0	0	0	0	0
<b>Regulated Community</b>	\$6,435- \$6,635	\$6,435- \$6,635	\$6,435- \$6,635	\$6,435- \$6,635	\$6,435- \$6,635	\$6,435- \$6,635
<b>Local Government</b>	0	0	0	0	0	0
<b>State Government</b>	0	0	0	0	0	0
<b>Total Costs</b>	\$6,435- \$6,635	\$6,435- \$6,635	\$6,435- \$6,635	\$6,435- \$6,635	\$6,435- \$6,635	\$6,435- \$6,635
<b>REVENUE LOSSES:</b>	0	0	0	0	0	0
<b>Regulated Community</b>	N/A	N/A	N/A	N/A	N/A	N/A
<b>Local Government</b>	0	0	0	0	0	0
<b>State Government</b>	0	0	0	0	0	0
<b>Total Revenue Losses</b>	0	0	0	0	0	0

(20a) Explain how the cost estimates listed above were derived.

100 professional mixed martial arts contestants x \$22 = \$2,200/year

180 amateur mixed martial arts contestants x \$10 = \$1,800/year

20 mixed martial arts promoters x \$100 = \$2,000/year

5-6 new referees x \$35 = \$175 - \$210/year

6-10 new judges x \$35 = \$210 - \$350/year

2-3 new timekeepers x \$25 = \$50 - \$75/year

Total estimate = \$6,435 - \$6,635/year

## Regulatory Analysis Form

(20b) Provide the past three-year expenditure history for programs affected by the regulation.

Program	FY 2004-2005	FY 2005-2006	FY 2006-2007 (projected)	FY 2007-2008 (budgeted)
State Athletic Commission	\$ 375,061.50	\$ 360,852.17	\$ 375,000.00	\$ 480,000.00

(21) Using the cost-benefit information provided above, explain how the benefits of the regulation outweigh the adverse effects and costs.

There are annual licensure costs to the regulated community, but these minimal costs are outweighed by the benefits described in (11), (12) and (13) above.

(22) Describe the nonregulatory alternatives considered and the costs associated with those alternatives. Provide the reasons for their dismissal.

No nonregulatory alternatives were considered, because a variety of clubs and associations practice the sport and there is not one national organization which controls the sport.

(23) Describe alternative regulatory schemes considered and the costs associated with those schemes. Provide the reasons for their dismissal.

No alternative regulatory schemes were considered because there are no other governmental organizations which regulate the sport.

(24) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulation.

There are no federal standards.

(25) How does this regulation compare with those of other states? Will the regulation put Pennsylvania at a competitive disadvantage with other states?

Presently, 38 states and tribal organizations permit and/or regulate professional mixed martial arts. Many of the larger and traditionally active boxing states have adopted unified regulations on MMA within the past five years, including California, Nevada and Florida. Of the six states surrounding the Commonwealth, the boxing commissions of two states (Ohio and New Jersey) affirmatively regulate mixed martial arts and have adopted similar requirements. The commissions of three states (Maryland, New York and West Virginia) do not permit mixed martial arts. Delaware has no boxing commission. The rulemaking will not put Pennsylvania at a competitive disadvantage.

## Regulatory Analysis Form

(26) Will the regulation affect existing or proposed regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

This regulation will have no impact on the regulations of other state agencies.

(27) Will any public hearings or informational meetings be scheduled? Please provide the dates, times, and locations, if available.

The Commission provides an opportunity for public input into its activities, including its rulemaking proposals, at its regularly scheduled meetings. The dates, times and places of the Commission's meetings are available from the State Athletic Commission, 2601 North 3rd Street, Harrisburg, PA 17110; phone (717) 787-5720.

(28) Will the regulation change existing reporting, record keeping, or other paperwork requirements? Describe the changes and attach copies of forms or reports, which will be required as a result of implementation, if available.

No change to existing reporting, record keeping, or other paperwork is required by this proposed regulation, as the sport of mixed martial arts is currently unregulated.

(29) Please list any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, elderly, small businesses, and farmers.

The Commission and the Department have perceived no special needs of any subset of groups or persons affected for which special accommodations should be made.

(30) What is the anticipated effective date of the regulation; the date by which compliance with the regulation will be required; and the date by which any required permits, licenses or other approvals must be obtained?

The regulation will be effective upon publication as final rulemaking in the *Pennsylvania Bulletin*.

(31) Provide the schedule for continual review of the regulation.

The Department will review the proposed regulations promulgated under this section yearly to determine whether new requirements should be promulgated.

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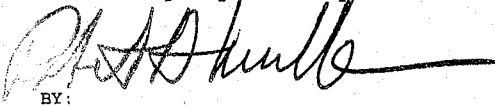
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FACE SHEET  
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(Pursuant to Commonwealth Documents Law)

#2694

Copy below is hereby approved as to  
form and legality, Attorney General



BY: \_\_\_\_\_  
(DEPUTY ATTORNEY GENERAL)

APR 23 2008

DATE OF APPROVAL

Copy below is hereby certified to be a true and correct  
copy of a document issued, prescribed or promulgated by:

State Athletic Commission  
(AGENCY)

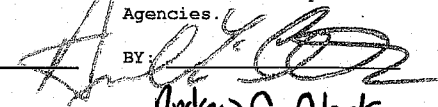
DOCUMENT/FISCAL NOTE NO. 16-41

DATE OF ADOPTION:

BY:   
Charles P. Bednarik

TITLE: Chairman, State Athletic Commission  
(EXECUTIVE OFFICER, CHAIRMAN OR SECRETARY)

Copy below is approved as  
to form and legality.  
Executive or Independent  
Agencies.



BY: \_\_\_\_\_  
Andrew C. Clark

MAR 13 2008

DATE OF APPROVAL

(Deputy General Counsel  
(~~Chief Counsel,~~  
Independent Agency  
~~Strike inapplicable~~  
title)

- Check if applicable  
Copy not approved.  
Objections attached.
- Check if applicable. No Attorney  
General approval or  
objection within 30 day  
after submission.

PROPOSED RULEMAKING  
COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
STATE ATHLETIC COMMISSION  
58 Pa. Code Chapter 29  
MIXED MARTIAL ARTS

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE

**DATE:** January 14, 2008

**SUBJECT:** Proposed Rulemaking:  
State Athletic Commission  
Mixed Martial Arts (16-41)

**TO:** Andrew C. Clark, Deputy General Counsel  
Office of General Counsel

**FROM:** Martha H. Brown, Assistant Counsel *MHB*

There are no significant legal and policy issues presented by this regulation, which adds chapter 29 (relating to professional and amateur mixed martial arts) to the regulations of the State Athletic Commission found at 58 PA Code Part I, Subpart B, in order to regulate the sport of mixed martial arts. The amendments are authorized under sections 103(b)(1) and 302 of the State Athletic Code, 5 Pa. C.S. §§ 103(b)(1) and 302.

I certify that I have reviewed this regulation for form and legality, that I have discussed any legal and policy issues with the administrative officers responsible for the program, and that all information contained in the Preamble and Annex is correct and accurate.

MHB:mab



The State Athletic Commission (Commission) proposes to amend its regulations to add Chapter 29 (relating to professional and amateur mixed martial arts), to read as set forth in Annex A.

**A. Effective Date**

The amendments would be effective upon publication of the final-form rulemaking in the Pennsylvania Bulletin.

**B. Statutory Authority**

The amendments are authorized under section 103(b)(1) of the State Athletic Code (Code) (5 Pa.C.S. § 103(b)(1)), which authorizes the Commission to establish policy and promulgate rules and regulations regarding professional and amateur boxing contests and exhibitions and all matters pertaining thereto. The amendments are further authorized by section 302 of the Code (5 Pa.C.S. §302), which defines boxing as “the act of attack and defense with the fists, practiced as a sport. The term includes all variations of the sport permitting or using other parts of the human body, including, but not limited to, the foot, knee, leg, elbow or head.”

**C. Background and Purpose**

Mixed martial arts (MMA) is a sport using a combination of boxing, kickboxing, wrestling, karate, taekwondo, jujitsu, muay thai and other martial arts techniques, including grappling, kicking and striking. Since its inception in the early 1990s, the sport has changed considerably, with formalized rules and the banning of the most dangerous techniques. There is presently no single general sanctioning body for the sport. While rules vary with the individual organizations and associations, a unified set of MMA rules is emerging, which increasingly has been adopted by other state athletic commissions. Presently, 38 states and tribal organizations permit and/or regulate professional mixed martial arts. Many of the larger and traditionally active boxing states have adopted unified regulations on MMA within the past 5 years, including California, Nevada and Florida. Additionally, MMA clubs and practitioners, such as Ultimate Fight Championship, PRIDE Fighting Championships and International Fight League, have actively sought the regulation of MMA in Pennsylvania by the Commission. Because of the growing popularity of mixed martial arts competition, the failure to legalize the sport may result in unregulated, unsupervised “bootleg” MMA shows, where participant and spectator safety is not assured. Therefore, the Commission voted unanimously at its February 26, 2007, meeting to explore regulations on amateur and professional mixed martial arts.

The proposed regulation would regulate all mixed martial arts competition in the Commonwealth of Pennsylvania. The regulation is based on the unified regulations in effect in other states which regulate mixed martial arts. Chapter 29 would be divided into two subchapters: Subchapter A sets forth proposed regulations for professional mixed martial arts. Subchapter B sets forth proposed regulations for amateur mixed martial arts. The proposed regulations were approved by the Commission at its meeting on June 25, 2007.

**D. Description of the Proposed Amendments**

***Subchapter A. Professional Mixed Martial Arts***

Proposed § 29.1 (relating to general provisions) provides that Chapter 21 (relating to professional boxing) is generally applicable to professional mixed martial arts.

Proposed § 29.2 (relating to definitions) sets forth definitions to be utilized in Chapter 29.

Proposed § 29.3 (relating to general requirements) sets out the general requirements for professional mixed martial arts contests and exhibitions, including the requirement that debut contestants inform the Commission of their experience and training. As in boxing, all professional contestants must obtain insurance coverage through the Commission.

Proposed § 29.4 (relating to ring or fenced area requirements) details the requirements for the ring or fenced area in which contest or exhibitions must be held. The Commission permits the use of a modified boxing ring or an octagon-shaped caged area, the latter which is in use by the major mixed martial arts promoters, such as Ultimate Fight Championship (UFC).

Proposed § 29.5 (relating to duration of rounds) provides specifics on the conduct of professional mixed martial arts contests, specifically the duration of rounds.

Proposed § 29.6 (relating to weight classes of contestants) sets forth the weight classes for mixed martial arts contestants.

Proposed § 29.7 (relating to proper attire of contestants) sets forth the attire for contestants. Unlike boxing, no footwear is permitted for contestants.

Proposed § 29.8 (relating to physical appearance of contestants) provides specific rules on the physical appearance of contestants, for the health and safety of all competitors. Most notably, contestants may not use greasy grooming creams, lotions or sprays, wear jewelry or piercing, and may not have head or facial hair which interferes with the conduct of the contest.

Proposed § 29.9 (relating to equipment) sets forth the equipment to be worn by mixed martial arts competitors. This section provides that specific equipment and gloves must be utilized.

Proposed § 29.10 (relating to method of judging) provides that Chapter 21 is generally applicable to the judging of professional mixed martial arts. This entails the use of the same ringside officials as for boxing contests and exhibitions: one referee, three judges, a timekeeper, an announcer and a physician.

Proposed § 29.11 (relating to scoring) sets forth the scoring system for mixed martial arts competition. Judges will evaluate competitors on four distinct techniques: striking, grappling, area control and aggressiveness/defense.

Proposed §§ 29.12 and 29.13 (relating to acts constituting fouls; and deduction of points for fouls; effect of low blow) set forth acts which constitute fouls and how a contestant using foul tactics in a contest or exhibition will be disqualified or have points deducted from his score. Proposed § 29.14 (relating to accidental fouls) sets forth how accidental fouls will be assessed and handled.

Proposed § 29.15 (relating to results of contests) specifies how a mixed martial arts contest may end and that the referee and ringside physician are the only individuals authorized to stop a contest.

Proposed § 29.16 (relating to use of prohibited substances; detection and penalties) prohibits the use of any illegal drug, narcotic, stimulant, depressant, analgesic or alcohol substance by competitors.

Proposed § 29.17 (relating to promoter licensing and bonding requirements) sets forth requirements for mixed martial arts promoters, who will be licensed and bonded by the Commission in the same manner as boxing promoters. Because of the newness of mixed martial arts competition and regulation in the Commonwealth, the Commission will initially require mixed martial arts promoters to provide information in writing about event specifics to the Commission. As with boxing events, the Commission reserves the right to limit the number of mixed martial arts events per month and the number of mixed martial arts bouts scheduled for each event to ensure the proper oversight of each event.

### ***Subchapter B. Amateur Mixed Martial Arts***

Proposed § 29.21 (relating to general provisions) provides that the rules regarding professional mixed martial arts apply to amateur mixed martial arts events except where otherwise provided.

Proposed § 29.22 (relating to general requirements) sets out the general requirements for amateur mixed martial arts contests and exhibitions, including the requirement that all amateur contestants be licensed by the Commission. Like professional contestants, debut contestants must inform the Commission of their experience and training. All amateur contestants must obtain insurance coverage.

Proposed § 29.23 (relating to amateur mixed martial arts license fee) sets out the license application fee of \$10 for each amateur contestant.

Proposed § 29.24 (relating to conduct of contests) provides that amateur events must have at least two professional mixed martial arts bouts. Proposed § 29.25 (relating to duration of rounds) provides specifics on the conduct of amateur mixed martial arts contests, specifically the duration of rounds, which is shorter than that for professional mixed martial arts competitors.

Proposed § 29.26 (relating to proper attire for contestants) sets forth the attire for contestants and specifies that amateur contestants may wear rash guards.

Proposed § 29.27 (relating to equipment) sets forth the equipment to be worn by amateur mixed martial arts contestants. This section provides that heavier gloves must be utilized for amateur competition, as well as mouth guards, shin pads and instep pads.

Proposed § 29.28 (relating to legal techniques) enumerates the legal techniques which may be used in amateur mixed martial arts competition. Proposed § 29.29 (relating to acts constituting fouls) sets forth the acts which constitute fouls in amateur competition and how a contestant using foul tactics in a contest or exhibition will be disqualified or have points deducted from his score. Fouls include any act prohibited by proposed § 29.12, as well as additional specified techniques.

#### **E. Compliance with Executive Order 1996-1**

The Commission reviewed this rulemaking and considered its purpose and likely impact upon the public and regulated population under the directives of Executive Order 1996-1, Regulatory Review and Promulgation (February 6, 1996). The proposed amendment addresses a compelling public interest as described in this Preamble and otherwise complies with Executive Order 1996-1.

The Commission requested and received input from mixed martial arts clubs, associations and practitioners in the development of this proposed rulemaking. At the Commission's regularly-scheduled meeting on February 26, 2007, testimony from the interested public was received on mixed martial arts. Five organizations appeared to testify before the Commission and one sent information which was viewed by the Commission on digital video disc.

As part of its review, the Commission also afforded the opportunity for predraft comment by forwarding an exposure draft of Annex A to MMA clubs and promoters both in Pennsylvania and in other states, who had expressed interest in the rulemaking. The Commission also forwarded an exposure draft of the regulations to the Association of Boxing Commissions (ABC) and the athletic commissions of New Jersey, Ohio, Maryland and Nevada. The Commission received several comments on the draft, all of which were considered in drafting the proposed rulemaking.

**F. Fiscal Impact and Paperwork Requirements**

The proposed amendment will have no adverse fiscal impact on the Department of State or the Commission, because the Commission is self-supporting and uses no General Fund monies. While the Commission will incur additional costs in enforcing the regulations, the Commission expects revenues generated from the 5% tax on gross gate receipts will pay for such enforcement. The proposed amendment will also have no adverse fiscal impact on the Commonwealth or its political subdivisions. Any additional paperwork requirements upon the Commonwealth or the private sector will be limited to applying for and maintaining licensure for mixed martial arts licensees (contestants, promoters, referees, judges and timekeepers). The proposed amendment will have no adverse fiscal impact on the boxers, boxing and wrestling promoters, referees, judges and timekeepers which the Commission currently regulates.

**G. Sunset Date**

The Commission and the Department monitor the regulations of the Commission on a continuing basis. Therefore, no sunset date has been assigned.

**H. Regulatory Review**

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), the Commission submitted a copy of this proposed regulation on April 24, 2008, to the Independent Regulatory Review Commission (IRRC), the Senate State Government Committee and the House State Government Committee. In addition to submitting the proposed rulemaking, the Commission has provided IRRC and the committees with a copy of a detailed Regulatory Analysis Form prepared by the Department. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)), if IRRC has comments, recommendations or objections regarding any portion of the proposed rulemaking, it will notify the Commission within 30 days of the close of the public comment period. The notification will specify the regulatory review criteria that have not been met. The Regulatory Review Act

specifies detailed procedures for review of comments, recommendations and objections by the Commission, the General Assembly, and the Governor prior to publication of the regulations.

**I. Public Comment**

Interested persons are invited to submit written comments, recommendations or objections regarding this proposed rulemaking to Gregory P. Sirb, Executive Director of the State Athletic Commission, 2601 North 3rd Street, Harrisburg, PA 17110, within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Please reference No. 16-41 (Mixed Martial Arts), when submitting comments.

CHARLES BEDNARIK  
Chairman of the State Athletic Commission

ANNEX

TITLE 58. RECREATION

PART I. STATE ATHLETIC COMMISSION

SUBPART B. BOXING

CHAPTER 29. MIXED MARTIAL ARTS

Subchapter A. PROFESSIONAL MIXED MARTIAL ARTS

**§ 29.1. General provisions.**

The Boxing Act, 5 Pa.C.S. Part I, Subpart B (§§ 301 – 1701), as it relates to professional boxers, and Chapter 21 (relating to professional boxing) are applicable to professional mixed martial arts competitors, promoters and other licensees, except if otherwise provided in this chapter.

**§ 29.2. Definitions.**

(a) The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

Contestant—Any person who engages in mixed martial arts competition, either as a professional or as an amateur.

Mixed martial arts—Competition involving the use, subject to any applicable limitations set forth in this chapter, of a combination of techniques from different disciplines of the martial arts, including, without limitation, grappling, kicking and striking.

(b) The definitions in sections 101 and 302 of the Athletic Code (relating to definitions) are incorporated for the regulatory provisions relating to professional boxing.

**§ 29.3. General requirements.**

(a) All professional contests and exhibitions of mixed martial arts must be conducted under the supervision and authority of the Commission.

(b) All professional contestants shall be licensed by the Commission.

(c) All debut contestants shall complete a Commission-approved form detailing the contestant's experience and training in mixed martial arts competitions.

(d) The Commission may review the applicant's experience, qualifications, medical records, win-loss record and training record as part of its determination whether to issue or renew any professional mixed martial arts license.

(e) All professional mixed martial arts contestants shall be covered by insurance which shall be set by Commission policy and paid for by the promoter or sponsor of the event.

**§ 29.4. Ring or fenced area requirements.**

(a) All mixed martial arts contests and exhibitions must be held in a ring or in a fenced area.

(b) A ring used in a contest or exhibition of mixed martial arts must meet the following requirements:

(1) The ring must be no smaller than 20 feet square and no larger than 32 feet square within the ropes.



(2) The ring floor must extend at least 18 inches beyond the ropes and must be padded with Ensolite, vinyl or similar closed-cell foam, with at least a 1-inch layer of foam padding. Padding must extend beyond the ring ropes and over the edge of the platform, with a top covering of canvas, duck or similar material tightly stretched and laced to the ring platform. Material that gathers in lumps or ridges may not be used.

(3) The ring platform must not be more than 4 feet above the floor of the building and must have suitable steps for the use of the contestants.

(4) Ring posts must be four in number and made of metal, extending from the floor of the building to a minimum height of 58 inches above the ring floor, and must be properly padded in a manner approved by the Commission. Ring posts must be at least 18 inches away from the ring ropes.

(5) There must be 5 ring ropes, not less than 1 inch in diameter and wrapped in soft material. The lowest ring rope must be 12 inches above the ring floor.

(6) There may not be any obstruction or object, including, without limitation, a triangular border, on any part of the ring floor.

(c) A fenced area used in a contest or exhibition of mixed martial arts must meet the following requirements:

(1) The fenced area must be circular or have at least six equal sides and must be no smaller than 20 feet wide and no larger than 32 feet wide.

(2) The floor of the fenced area must be padded with Ensolite, vinyl or another similar closed-cell foam, with at least a 1-inch layer of foam padding, with a top covering of canvas,

duck or similar material tightly stretched and laced to the platform of the fenced area. Material that gathers in lumps or ridges may not be used.

(3) The platform of the fenced area must not be more than 4 feet above the floor of the building and must have suitable steps for the use of the contestants.

(4) Fence posts must be at least six in number and made of metal, extending from the floor of the building to between 6 and 7 feet above the floor of the fenced area, and must be properly padded in a manner approved by the Commission.

(5) The fencing used to enclose the fenced area must be made of a material that will prevent a contestant from falling out of the fenced area or breaking through the fenced area onto the floor of the building or onto the spectators, including, without limitation, chain link fence coated with vinyl.

(6) Any metal portion of the fenced area must be covered and padded in a manner approved by the Commission and may not be abrasive to the contestants.

(7) The fenced area must have at least two entrances.

(8) No obstruction may be placed on a part of the fence which surrounds the area where contestants compete.

(d) The promoter of the event shall be responsible to thoroughly clean the ring area after each match.

**§ 29.5. Duration of rounds.**

(a) A non-championship contest of professional mixed martial arts may not exceed three rounds of 5 minutes per round with a 1 minute rest period following each round, except with the permission of the Commission or the Executive Director.

(b) A championship contest of professional mixed martial arts may not exceed five rounds of 5 minutes per round with a 1 minute rest period following each round, except with the permission of the Commission or the Executive Director.

**§ 29.6. Weight classes of contestants.**

(a) The weight classes for contestants competing in professional mixed martial arts contest or exhibitions are as follows:

<u>Flyweight.....</u>	<u>up to 125 lbs.</u>
<u>Bantamweight.....</u>	<u>over 125 to 135 lbs.</u>
<u>Featherweight.....</u>	<u>over 135 to 145 lbs.</u>
<u>Lightweight.....</u>	<u>over 145 to 155 lbs.</u>
<u>Welterweight.....</u>	<u>over 155 to 170 lbs.</u>
<u>Middleweight.....</u>	<u>over 170 to 185 lbs.</u>
<u>Light Heavyweight.....</u>	<u>over 185 to 205 lbs.</u>
<u>Heavyweight.....</u>	<u>over 205 to 265 lbs.</u>
<u>Super Heavyweight.....</u>	<u>over 265 lbs.</u>



(b) Sections 710 and 711 of the Athletic Code (relating to weights and classes; and limitation on difference in weights) are incorporated by reference.

**§ 29.7. Proper attire of contestants.**

a) Trunks—Each contestant shall wear mixed martial arts shorts, biker shorts, boxing or kickboxing shorts during competition as approved by the commission.

b) Shirt or Gi—Male contestants may not wear a shirt or gi during competition. Female contestants shall wear a body shirt and blouse during competition.

c) Shoes—Contestants may not wear shoes or padding on their feet during competition.

**§ 29.8. Physical appearance of contestants.**

(a) Each contestant shall present a clean appearance.

(b) The excessive use of grease or any other foreign substance, including, without limitation, grooming creams, lotions or sprays, may not be used on the hair or any portion of the body of a contestant. The referee or the Commission shall cause any excessive grease or foreign substance to be removed. A light coating of petroleum jelly is permitted on the face only and must be applied at cage side or ring side in the presence of the referee or the Commission. This coating is at the discretion of the referee.

(c) The Commission will determine whether head or facial hair presents any hazard to the safety of the contestant or his opponent or will interfere with the supervision and conduct of the contest or exhibition. If the head or facial hair of a contestant presents such a hazard or will interfere with the

supervision and conduct of the contest or exhibition, the contestant may not participate in the contest or exhibition unless the circumstances creating the hazard or potential interference are corrected to the satisfaction of the Commission. Without limiting the foregoing standard, head hair must be trimmed or tied back in such a manner that it will not interfere with the vision of either contestant or cover any part of a contestant's face.

(d) Contestants may not wear any jewelry or other piercing accessories while competing.

(e) Taping of the hands, wrists and ankles are permitted at the discretion of the Commission.

(f) Finger and toe nails must be trimmed.

#### **§ 29.9. Equipment.**

(a) The gloves used in professional mixed martial arts contests and exhibitions must be new for all main events. The gloves used for all undercard events must be in good condition and approved by the Commission or they must be replaced.

(b) All contestants shall wear open finger gloves weighing between 4 to 8 ounces, which must be supplied by the promoter and approved by the Commission. Contestants are not permitted to supply their own gloves.

(c) All male contestants shall provide and wear a foul-proof groin protector during competition. The groin protector is subject to examination and approval by the Commission.

(d) All female contestants shall provide and wear a chest protector during competition. The chest protector is subject to examination and approval by the Commission. Female contestants may provide and wear a foul-proof groin protector during competition. The groin protector is subject to

examination and approval by the Commission.

(e) For each contest or exhibition, the licensed promoter shall provide each contestant's corner with a clean water bucket and a stool.

**§ 29.10. Method of judging.**

The method of judging professional mixed martial contests or exhibitions must comply with requirements in the Boxing Act of the Athletic Code, 5 Pa.C.S. Part I, Subpart B (§§ 301 – 1701), as it relates to professional boxers and Chapter 21 (relating to professional boxing).

**§ 29.11. Scoring.**

(a) Professional mixed martial arts techniques are defined as:

(1) Effective Striking—The total number of legal heavy strikes landed.

(2) Effective Grappling—The successful execution of a legal takedown and/or reversal

including the following maneuvers:

(i) Takedowns from standing position to mount position.

(ii) Passing the guard to mount position.

(iii) Bottom position fighters using an active, threatening guard.

(3) Fighting Area Control—Dictating the pace, location and position of the contestant using the following maneuvers:

(i) Countering an opponent's attempt at takedown to remain standing and legally striking effectively.

(ii) Taking down an opponent to force a ground fight.

(iii) Creating threatening submission attempts pass the guard to achieve mount, while on the ground.

(iv) Creating striking opportunities.

(4) Effective Aggressiveness/Defense—Moving forward and landing a legal strike, while avoiding being struck, taken down and/or reversed, while performing the maneuvers described above.

(b) Judges shall evaluate professional mixed martial arts techniques in the following order:

(1) Effective Striking.

(2) Effective Grappling.

(3) Fighting Area Control.

(4) Effective Aggressiveness/Defense.

**§ 29.12. Acts constituting fouls.**

(a) Disqualification from a mixed martial arts contest or exhibition occurs after any combination of 3 fouls or after a flagrant foul as determined by the referee.

(b) The following acts constitute fouls in a professional mixed martial arts contest or exhibition:

(1) Butting with the head.

(2) Eye gouging of any kind.

(3) Biting.

(4) Hair pulling.



- (5) Fishhooking.
- (6) Groin attacks of any kind.
- (7) Putting a finger into any orifice or into any cut or laceration on an opponent.
- (8) Small joint manipulation.
- (9) Striking to the spine or the back of the head.
- (10) Striking downward using the point of the elbow.
- (11) Throat strikes of any kind, including, without limitation, grabbing the trachea.
- (12) Clawing, pinching or twisting the flesh.
- (13) Grabbing the clavicle.
- (14) Kicking the head of a grounded opponent.
- (15) Kneeing the head of a grounded opponent.
- (16) Stomping a grounded opponent.
- (17) Kicking to the kidney with the heel.
- (18) Spiking an opponent to the floor surface on his head or neck.
- (19) Throwing an opponent out of the ring or fenced area.
- (20) Holding the shorts or gloves of an opponent.
- (21) Spitting at an opponent.
- (22) Engaging in any type unsportsmanlike conduct, especially that which may cause an injury to an opponent.
- (23) Holding the ropes or the fence.
- (24) Using abusive language in the ring or fenced area.

(25) Attacking an opponent on or during the break.

(26) Attacking an opponent who is under the care of the referee.

(27) Attacking an opponent after the bell has sounded the end of the period of competition.

(28) Disregarding the instructions of the referee.

(29) Timidity, including, without limitation, avoiding contact with an opponent, intentionally or consistently dropping the mouthpiece or faking an injury.

(30) Interference by the corner. All team members including cornermen and trainers must stay in their designated area at all times during an event.

**§ 29.13. Deduction of points for fouls; effect of low blow.**

(a) If a contestant fouls his opponent during a contest or exhibition of professional mixed martial arts, the referee may penalize him by deducting points from his score, whether or not the foul was intentional. Except as otherwise provided in Chapter 21 (relating to professional boxing), the referee may determine the number of points to be deducted in each instance and shall base his determination on the severity of the foul and its effect upon the opponent.

(b) When the referee determines that it is necessary to deduct a point or points because of a foul, he shall warn the offender of the penalty to be assessed.

(c) The referee shall, as soon as is practical after the foul, notify the judges and both contestants of the number of points, if any, to be deducted from the score of the offender.

(d) Any point or points to be deducted for any foul shall be deducted in the round in which the foul occurred and may not be deducted from the score of any subsequent round.

(e) A contestant may not be declared the winner of a contest or exhibition of professional mixed martial arts on the basis of his claim that his opponent accidentally fouled him by hitting him in the groin. If a contestant falls to the floor of the ring or fenced area or otherwise indicates that he is unwilling to continue after a maximum of a 5-minute rest period, because of a claim of being hit in the groin, the contest or exhibition shall be declared to be a technical knockout in favor of the contestant who is willing to continue.

**§ 29.14. Accidental fouls.**

(a) If a contest or exhibition of professional mixed martial arts is stopped because of an accidental foul, the referee, with advice from the ringside physician, shall determine whether the contestant who has been fouled can continue or not. If the contestant's chance of winning has not been seriously jeopardized as a result of the foul, the referee may order that the contest or exhibition continue after a recuperative interval of not more than 5 minutes. Immediately after separating the contestants, the referee shall inform the Commission's representative of a determination that the foul was accidental.

(b) If the referee determines that a contest or exhibition of professional mixed martial arts may not continue because of an injury suffered as the result of an accidental foul, the contest or exhibition shall be declared a no contest if the foul occurs during either of the following:

- (1) The first two rounds of a non-championship contest or exhibition.
- (2) The first three rounds of a championship contest or exhibition.

(c) If an accidental foul renders a contestant unable to continue the contest or exhibition after the completed second round of a non-championship contest or exhibition, or after the completed third round of a championship contest or exhibition, the outcome shall be determined by scoring the completed rounds and the round during which the referee stops the contest or exhibition.

(d) If an injury inflicted by an accidental foul later becomes aggravated by fair blows and the referee orders the contest or exhibition stopped because of the injury, the outcome shall be determined by scoring the completed rounds and the round during which the referee stops the contest or exhibition.

**§ 29.15. Results of contests.**

(a) A mixed martial arts contest may end under the following results:

(1) Through submission by:

(i) Physical tap out.

(ii) Verbal tap out.

(2) Technical knockout by the referee stopping the contest.

(3) Decision via the scorecards, including unanimous decision, split decision or majority decision.

(4) Draw.

(5) Technical decision.

(6) Technical draw.

(7) Disqualification.

(8) Forfeit.

(9) No contest.

(b) The referee and ringside physician are the sole arbiters of a contest and are the only individuals authorized to enter the ring or fenced area at any time during competition and to stop a contest.

**§ 29.16. Use of prohibited substances; detection and penalties.**

The use of any illegal drug, narcotic, stimulant, depressant, analgesic of any description, or alcohol substance, by a contestant either before or during a match, will result in the immediate disqualification of the contestant from the match and may result in disciplinary action in accordance with 5 Pa.C.S. §1304.

**§ 29.17. Promoter licensing and bonding requirements.**

All mixed martial arts promoters shall:

(a) Be licensed by the Commission.

(b) Be required to execute and file a surety bond with the Commission of not less than \$10,000.

(c) Notify the Commission in writing, at least 10 days in advance of the event, of the time, date and location of the event. Promoters must receive written approval from the Commission to hold the event on the specified date. The Commission reserves the right to limit the number of mixed martial arts events per month so as to ensure the proper regulation of each event.

(d) Submit a written list of all the scheduled match-ups which must include the full names, records and scheduled rounds for all contestants. The Commission reserves the right to limit the number of mixed martial arts bouts scheduled for each event.

(e) Submit a list of all officials that may be working that event, including but not limited to all referees, judges and timekeepers. All officials must be approved by the Commission. All officials for professional events must also be licensed by the Commission.

### **Subchapter B. AMATEUR MIXED MARTIAL ARTS**

#### **§ 29.21. General provisions.**

The Boxing Act, 5 Pa.C.S. Part I, Subpart B (§§ 301 – 1701), as it relates to professional boxers and Chapter 21 (relating to professional boxing) are applicable to amateur mixed martial arts competitors, promoters and other licensees, except as otherwise provided in this chapter. Subchapter A (relating to professional mixed martial arts) applies to amateur mixed martial arts, except as otherwise provided in this subchapter.

#### **§ 29.22. General requirements.**

- (a) Amateur contestants shall be at least 18 years of age.
- (b) All amateur contests and exhibitions of mixed martial arts must be conducted under the supervision and authority of the Commission.
- (c) All amateur contestants shall be licensed by the Commission.

(d) All debut amateur contestants shall complete a Commission-approved form detailing the contestant's experience and training in mixed martial arts competitions. The trainer of the debut contestant shall certify that the contestant is skilled enough to compete and has never engaged in any type of professional mixed martial arts event. A professional boxer may compete as an amateur in a mixed martial arts event only with the approval of the Commission.

(e) The Commission may review the applicant's experience, qualifications, medical records, win-loss record and training record as part of its determination whether to issue or renew any amateur mixed martial arts license.

(f) All amateur mixed martial arts contestants shall be covered by insurance which will be set by Commission policy and paid for by the promoter or sponsor of the event.

(g) All amateur contestants shall attend the pre-bout meeting with a designee of the Commission to review all rules and regulations of the Commission pertaining to amateur mixed martial arts.

**§ 29.23. Amateur mixed martial arts license fee.**

A nonrefundable annual license fee of \$10 shall accompany each application for a license or renewal of a license as an amateur mixed martial arts contestant.

**§ 29.24. Conduct of contests.**

All amateur events must have at least two professional bouts.

**§ 29.25. Duration of rounds.**

(a) A contest of amateur mixed martial arts with a contestant with three or less amateur bouts may not exceed three rounds of 2 minutes per round with a 1 minute rest period between rounds, except with the permission of the Commission or the Executive Director.

(b) A contest of amateur mixed martial arts with a contestant with more than three amateur bouts may not exceed three rounds of 3 minutes per round with a 1 minute rest period between rounds, except with the permission of the Commission or the Executive Director.

**§ 29.26. Proper attire for contestants.**

a) Trunks—Each amateur contestant shall wear mixed martial arts shorts, biker shorts, boxing or kickboxing shorts during competition as approved by the Commission.

b) Shirt or Gi—Male contestants may not wear a shirt or gi during competition, other than a close-fitting rash guard. Any rash guard must be approved by the Commission. Female contestants shall wear a body shirt and blouse during competition.

c) Shoes—Contestants may not wear shoes or padding on their feet during competition.

**§ 29.27. Equipment.**

(a) The gloves used in amateur mixed martial arts contests and exhibitions must be new for all main events. The gloves used for all undercard events must be in good condition and approved by the Commission or they must be replaced.

(b) All amateur contestants shall wear open finger gloves weighing at least 7 ounces, which must



be supplied by the promoter and approved by the Commission. Contestants are not permitted to supply their own gloves.

(c) All contestants shall wear a mouth guard, shin pads and instep pads during competition.

(d) Ankle wraps may be used during competition. Ankle wraps are subject to examination and approval by the Commission.

(e) All male contestants shall provide and wear a foul-proof groin protector during competition. The groin protector is subject to examination and approval by the Commission.

(f) All female contestants shall provide and wear a chest protector during competition. The chest protector is subject to examination and approval by the Commission. Female contestants may provide and wear a foul-proof groin protector during competition. The groin protector is subject to examination and approval by the Commission.

(g) For each contest or exhibition, the licensed promoter shall provide each contestant's corner with a clean water bucket and a stool.

**§ 29.28. Legal techniques.**

(a) The following acts constitute legal techniques while standing in any amateur mixed martial arts contest or exhibition:

(1) Closed hand strikes to head and body.

(2) Kicking to body and legs.

(3) Knees to body and legs.

(4) Throws.

(5) Take downs.

(6) Sweeps.

(7) Standing submissions.

(8) Chokes.

(9) Armbars.

(10) Shouldering.

(b) The following acts constitute legal techniques while on the ground in any amateur mixed martial arts contest or exhibition:

(1) Closed hand strikes to body and legs.

(2) Submissions (chokes, armbars, straight leg locks only).

**§ 29.29. Acts constituting fouls.**

(a) Disqualification from an amateur mixed martial arts contest and exhibition occurs after any combination of 3 fouls or after a flagrant foul as determined by the referee.

(b) The following acts constitute fouls in a contest or exhibition of amateur mixed martial arts:

(1) Any act prohibited by § 29.12 (relating to acts constituting fouls).

(2) Any of the following illegal techniques while standing:

(A) Elbows of any kind.

(B) Knees to head.

(C) Kicks to knees or head.

(D) Stomps on feet.

- (E) Slamming – All throws should be completed in a controlled manner.
  - (F) Throws against a joint.
  - (G) Neck cranks.
  - (H) Pinching, biting, gouging.
- (2) Any of the following illegal techniques while on the ground:
- (A) Any striking to the head.
  - (B) Neck cranks.
  - (C) Heel hooks.
  - (D) Finger locks.
  - (E) Toe locks.
  - (F) Choking with hand on throat.
  - (G) Smothering (hand over mouth).
  - (H) Spine locks.
  - (I) Hammer locks.
  - (J) Slamming.
  - (K) Pinching, biting, gouging.



**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
STATE ATHLETIC COMMISSION  
2601 NORTH THIRD STREET  
HARRISBURG, PA 17110  
(717) 787-5720**

April 24, 2008

The Honorable Arthur Coccodrilli  
Chairman  
Independent Regulatory Review Commission  
14<sup>th</sup> Floor, Harristown 2  
333 Market Street  
Harrisburg, PA 17101

Re: Proposed Rulemaking of the State Athletic Commission  
Mixed Martial Arts (16-41)

Dear Chairman Coccodrilli:

Enclosed is a copy of the proposed regulation of the State Athletic Commission pertaining to mixed martial arts.

The State Athletic Commission, as always, will be pleased to provide your committee with any assistance it may require during the course of its review of this regulation.

Sincerely,

A handwritten signature in black ink that reads "Martha H. Brown".

Martha H. Brown  
Counsel, State Athletic Commission

MHB/kmh  
Enclosures

cc: Albert H. Masland, Chief Counsel  
Department of State  
Joyce McKeever, Deputy Chief Counsel  
Department of State  
Cynthia Montgomery, Regulatory Counsel  
Department of State  
Gregory Sirb, State Athletic Commission

**TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO THE  
REGULATORY REVIEW ACT**

I.D. NUMBER: 16-41  
 SUBJECT: MIXED MARTIAL ARTS  
 AGENCY: DEPARTMENT OF STATE

<p>X Proposed Regulation</p> <p>Final Regulation</p> <p>Final Regulation with Notice of Proposed Rulemaking Omitted</p> <p>120-day Emergency Certification of the Attorney General</p> <p>120-day Emergency Certification of the Governor</p> <p>Delivery of Tolled Regulation</p> <p>a. With Revisions                      b. Without Revisions</p>	<p><b>RECEIVED</b></p> <p><b>APR 24 REC'D</b></p> <p>INDEPENDENT REGULATORY REVIEW COMMISSION</p> <p><i>4:20 pm</i></p>
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FILING OF REGULATION		
DATE	SIGNATURE	DESIGNATION
<u>4/24/08</u>	<u><i>[Signature]</i></u>	HOUSE COMMITTEE ON STATE GOVERNMENT
	<u><i>[Signature]</i></u>	MAJORITY CHAIRMAN <u>JOSEPHS</u>
<u>4/24/08</u>	<u><i>[Signature]</i></u>	SENATE COMMITTEE ON STATE GOVERNMENT
	<u><i>[Signature]</i></u>	MAJORITY CHAIRMAN <u>PICCOLA</u>
<u>4/24/08</u>	<u><i>[Signature]</i></u>	INDEPENDENT REGULATORY REVIEW COMMISSION
		ATTORNEY GENERAL (for Final Omitted only)
<u>4/24/08</u>	<u><i>[Signature]</i></u>	LEGISLATIVE REFERENCE BUREAU (for Proposed only)

April 24, 2008