

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control _____ Department or Agency Alabama Athletic Commission

Rule No. 165-X-5

Rule Title: Pro Wrestling

_____ New Amend _____ Repeal _____ Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? No

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer 

Date: April 20, 2022

REC'D & FILED

(DATE FILED)

APR 20 2022

LEGISLATIVE SVC AGENCY

APA-2
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Alabama Athletic Commission

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Athletic Commission

RULE NO. & TITLE: 165-X-5 Pro Wrestling

INTENDED ACTION: Amend

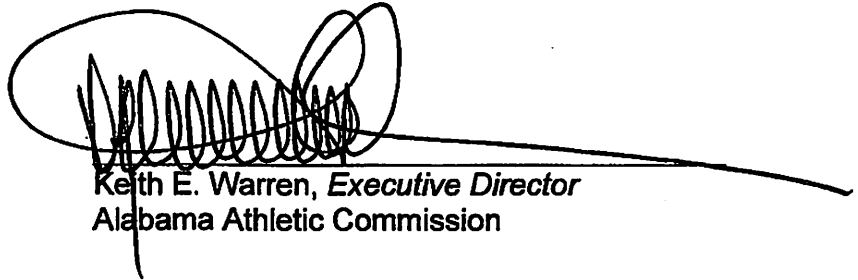
SUBSTANCE OF PROPOSED ACTION: The Commission proposes to increase license and official fees as well as make certain corrections throughout the chapter.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Written comments will be received by the Board until 4:00 p.m. on Friday, June 3, 2022. Comments should be directed to Keith E. Warren, *Executive Director*, 2777 Zelda Road, Montgomery, AL 36106 or via electronic mail at keith@alstateboard.com or via telephone at 334-420-7231.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:
Friday, June 30, 2022.

CONTACT PERSON AT AGENCY:

Keith E. Warren
Executive Director
2777 Zelda Road
Montgomery, AL 36106
(334) 420-7231



Keith E. Warren, *Executive Director*
Alabama Athletic Commission

STATE OF ALABAMA
ALABAMA ATHLETIC COMMISSION
ADMINISTRATIVE CODE

CHAPTER 165-X-5
PRO WRESTLING

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165-X-5-.01 Definitions.

(1) "Official" - Unless otherwise indicated is an exclusive term collectively meaning "Inspectors."

(2) "Participants" - Everyone serving inside the ring area is a participant. This includes, but is not limited to, wrestlers, announcers, managers, referees, timekeepers, valets, trainers, seconds, and judges.

(3) "Event fees" - Match permit fees plus broadcasting fees. All other fees are excluded.

Author: Matt Bledsoe; Brandon Owens

Authority: Code of Ala. 1975, §41-9-1020.

History: **New Rule:** Filed February 10, 2012; effective March 16, 2012. **Repealed and New Rule:** Filed December 27, 2013; effective January 31, 2014.

165-X-5-.02 Licenses.

(1) Participants. No person under the age of eighteen (18) shall be licensed by the Commission.

(a) Anyone serving inside the ring area must be licensed as a participant. This includes, but is not limited to,

wrestlers, managers, referees, timekeepers, valets, trainers, seconds, and judges.

(b) Licensure for participants shall be thirty dollars (\$30) and must accompany an application and photo identification for the participant. Licenses for participants shall expire December 31 of each year.

(c) Participants who have physical contact with other participants of simulated violence must be properly trained and in good physical condition. If it is deemed by a doctor, medical personnel, or promoter that a participant is not physically fit to perform, an official shall be notified and the participant shall not be allowed to perform.

(d) Participants shall not have physical contact with any spectator involving simulated violence, unless the "spectator" is a planted, licensed participant, imitating a spectator.

(e) Participants must be properly clothed in attire that would be appropriate for a Parental TV Rating of TV PG.

(f) Issuing of temporary license. When an application is made in front of the Commission, a temporary license shall be issued to the applicant in the form of a receipt. The issued temporary ID shall expire ninety (90) days from the date it was issued.

(2) Wrestling Sanctioning Organizations, Promoters and Promotions.

(a) All Wrestling Sanctioning organizations must submit applications to the Commission for licensure and these applications must be approved by the Commission.

1. Application and license fee for Wrestling Sanctioning Organizations and Promoters shall be one hundred dollars (\$100) and shall expire December 31 each year.

2. Before each event, Wrestling Sanctioning Organizations or Promoters must submit an Event Permit application and a twenty-five (\$25) fee at least thirty (30) days before the event is to commence. After each event, Wrestling Sanctioning Organizations or Promoters must submit to the Commission a completed promoters ticket account form along with six ~~five~~ percent (65%) gate fee to all compensated tickets

~~less the twenty five dollar (\$25) fee for the event permit.~~ No refunds will be given for any difference.

3. Live and taped broadcasts are subject to a three percent (3%) broadcasting fee.

4. Combined event fees for professional wrestling are not to exceed \$50,000.

5. All fees are due thirty (30) days after the event.

(b) Promoters must:

1. Provide an event area meeting the requirements of the Commission.

2. Be present at all events, or shall designate a representative to be present at the event.

3. Abide by the rules of the Commission.

4. Make sure each participant is licensed by the Commission.

5. Provide the Commission with written notice of all events at least 30 days before the event date.

(3) **Schedule of Fees.** Annual fees for participant licenses, promoter's licenses, and match permits are as follow:

(i) Participant \$ 30.00

(ii) Promoters \$100.00

(iii) Application for Match Permit \$ 25.00

(iv) Returned Check \$ 30.00

Authors: Matt Bledsoe, Brandon Owens, Joseph B. McCormick

Authority: Code of Ala. 1975, §41-9-1020.

History: New Rule: Filed February 10, 2012; effective March 16, 2012. **Repealed and New Rule:** Filed December 27, 2013; effective January 31, 2014. **Amended:** Filed May 5, 2015; effective June 9, 2015. **Amended:** Filed June 20, 2018; effective August 4, 2018. **Amended:** Filed April 20, 2022;

165-X-5-.03 Medical Requirements.

(1) The promoter shall ensure that all participants are physically fit and properly trained to participate.

~~(2) Blood Work.~~

~~1. Blood testing results shall be provided for all participants who are to intentionally bleed (blade, juice, etc.) during a match.~~

~~2. Blood testing shall test for the presence of Hepatitis B, Hepatitis C, and the Human Immunodeficiency Virus (HIV).~~

~~3. If blood is unintentionally drawn in the course of a match, the referee is to call a fall at the most immediate opportunity.~~

Authors: Matt Bledsoe, Brandon Owens, Joseph B. McCormick

Authority: Code of Ala. 1975, §41-9-1020.

History: **New Rule:** Filed February 10, 2012; effective March 16, 2012. **Repealed and New Rule:** Filed December 27, 2013; effective January 31, 2014. **Amended:** Filed June 20, 2018; effective August 4, 2018. **Amended:** Filed April 20, 2022;

165-X-5-.04 Conduct Of Promotion.

(1) **General Safety.** It shall be the promoter's responsibility to insure the safety for the Contestants, officials, media and fans and to comply with all safety standards required by the Ceommission.

(a) **Arena Security.** Arena security is the responsibility of the promoter and such security measures provided by the promoter shall be sufficient to maintain order.

(b) **Obtain Ring.** The promoter will provide a ring for the show and that the ring or cage must pass the certification requirements established by the Ceommission.

(c) **Advanced Advertising.** In addition to the requirements in this Chapter, no contestant or celebrity shall

be advertised by any promoter before said promoter has in his or her possession a written commitment from said contestant or celebrity and before said promoter has filed a copy of such written commitment with the Commission.

(d) **Suggesting Benefits for Charitable Organization.**
No promoter may advertise, hold out, or suggest in any fashion that a portion of the proceeds of any proposed professional wrestling show will be donated to a charitable organization without first complying with the Commission's rules governing "Programs for Charity."

1. A person who wishes to promote an event for charitable purposes must file with the Commission a letter of intent to present the match, contest or exhibition as benefiting a charitable organization. The letter of intent must contain the name of the charity, charitable fund, or organization which is to benefit from the match, contest or exhibition and the amount expected to be to be paid to the charity. The letter of intent must be signed by the promoter and co-signed by an authorized representative of the charity to benefit from the match, contest or exhibition. No match permit shall be issued for a charitable match, contest, or exhibition without full financial disclosure of all promoters and charitable organizations involved, including all contracts and proposals between all licensees, officials, and parties involved.

2. Within three (3) business days after an event benefiting a charitable organization is held, the promoter(s) and benefiting charitable organization(s) shall furnish to the Commission:

(i) A certified copy of the ticket manifest showing the number of tickets sold. The manifest shall give a breakdown disclosing the number of tickets sold in each price range and the number of complimentary tickets given for the match, contest, or exhibition;

(ii) A certified and itemized statement of the event's gross receipts from sponsorships, ticket sales, advertisements, or any other source;

(iii) A statement disclosing the itemized and total gross expenditures in connection with the event;

(iv) A statement co-signed by the promoter and the authorized representative of the Charitable organization,

disclosing the net amount paid to the charitable fund or organization.

3. If the promoter or charitable organization fails to file any of these statements within the prescribed time, the Commission:

(i) Shall notify the promoter that his or her license is summarily suspended.

(ii) Shall notify the charity of the suspension.

(iii) Decline to issue a match permit to the promoter for the holding of any events until the statements are provided.

(iv) Decline to issue a match permit to any promoter to hold any future event for the benefit of the charitable organization, until the statements are provided.

(2) **Required Medical Professionals.**

(a) **Providing an Emergency Medical Technician.** It shall be the responsibility of the promoter to have a state-certified Emergency Medical Technician at all shows.

(3) **Arena.**

(a) **Drinks.** No professional wrestling event will be allowed to commence or continue, without specific authorization from the Commission, in any arena where concessionaires dispense or serve beverages in containers other than plastic or paper cups, or aluminum cans.

(b) **Arena safety.** No professional wrestling exhibition will be allowed to commence or continue in any arena which appears to the Commission appointed supervisor to be unsafe or where the Commission appointed supervisor has reason to believe that such building or location does not conform to any applicable laws, ordinances and regulations in the city or unincorporated county area.

(4) **Show.**

(1) **Pyrotechnics.**

(a) No pyrotechnics will be allowed without the approval of the local fire marshall.

(5) **Violation: Penalties.**

(a) Violation of any article within this chapter may, for the first offense, be grounds for an administrative suspension of not less than thirty (30) days. Violations shall be referred to an investigative hearing of the Ceommission for disciplinary action.

(b) The second and/or any subsequent violation of any rule within this chapter may result in suspension or revocation. Violations shall be referred to an investigative hearing by the Ceommission for disciplinary action. Additional disciplinary fines may be imposed.

Authors: Matt Bledsoe, Brandon Owens, Joseph B. McCormick

Authority: Code of Ala. 1975, §41-9-1020.

History: New Rule: Filed February 10, 2012; effective March 16, 2012. **Repealed and New Rule:** Filed December 27, 2013; effective January 31, 2014. **Amended:** Filed June 20, 2018; effective August 4, 2018. **Amended:** Filed April 20, 2022;

165-X-5-.05 Ring And Equipment.

(1) Ring.

(a) The ring for professional wrestling must have at least three (3) ropes and provide ample padding for the participants.

(b) There shall be a visible border at least six (6) feet from the ring separating spectators from the ring. Security shall be responsible for ensuring participants and spectators remain on their respective side of the barrier line.

(c) A non-slip padding must line the venue floor immediately outside the ring, between the ring and the spectator barrier.

Authors: Matt Bledsoe, Brandon Owens, Joseph B. McCormick

Authority: Code of Ala. 1975, §41-9-1020.

History: New Rule: Filed February 10, 2012; effective March 16, 2012. **Repealed and New Rule:** Filed December 27, 2013; effective January 31, 2014. **Amended:** Filed June 20, 2018; effective August 4, 2018. **Amended:** Filed April 20, 2022;

165-X-5-.06 Officials

(1) Inspectors shall be appointed by the commission to monitor all participants, promoters, and sanctioning bodies in obeying the rules.

Author: Matt Bledsoe; Brandon Owens

Authority: Code of Ala. 1975, §41-9-1020.

History: New Rule: Filed February 10, 2012; effective March 16, 2012. **Repealed and New Rule:** Filed December 27, 2013; effective January 31, 2014.

165-X-5-.07 Conduct Of Contest.

(1) No exhibition shall have any act that creates intentional bleeding without the approval of the Commission and submission of the required bloodwork.

(2) No foreign objects shall be allowed in an exhibition without the approval of the Commission. No foreign object will be allowed that can pierce the skin or shatter with the possibility of spectators being injured. Objects containing glass are strictly prohibited.

(a) Only properly trained participants shall be allowed to use foreign objects.

(3) Compliance.

(a) Spot Checks. To ensure compliance with these rules, Pro Wrestling events with less than 1,000 spectators will be subject to compliance checks from Commission Inspectors.

(b) At least one Alabama Athletic Commission inspector must be present at all events that have more than 1,000 spectators in attendance.

(c) Promoters and participants not in compliance with the Commission rules shall be subject to fines, probation, suspension and/or revocation.

(d) Reports of unsanctioned events shall be logged on a complaint database and given a claim number. The Executive Director or other Commission appointed representative(s) may

work with the Attorney General's Office and federal, state, and/or local law enforcement agencies to terminate illegal event.

Author: Matt Bledsoe, Brandon Owens, Joseph B. McCormick

Authority: Code of Ala. 1975, §41-9-1020.

History: New Rule: Filed February 10, 2012; effective March 16, 2012. **Repealed and New Rule:** Filed December 27, 2013; effective January 31, 2014. **Amended:** Filed June 20, 2018; effective August 4, 2018.

Ed. Note: As per certification filed December 27, 2013 effective January 31, 2014. The following rules were repealed:

165-X-5-.08 Contracts.

Author: Casey C. Sears

Authority: Code of Ala. 1975, §41-9-1024.

History: New Rule: Filed February 10, 2012; effective March 16, 2012. **Repealed:** Filed December 27, 2013; effective January 31, 2014.

165-X-5-.09 Failure To Perform.

Author: Casey C. Sears

Statutory Authority: Code of Ala. 1975, §§41-9-1024.

History: New Rule: Filed February 10, 2012; effective March 16, 2012. **Repealed:** Filed December 27, 2013; effective January 31, 2014.