

**WEST VIRGINIA**  
**SECRETARY OF STATE**  
**KEN HECHLER**  
**ADMINISTRATIVE LAW DIVISION**

Form #3

Do Not Mark In this Box

32 5 2 25 PM '99  
OFFICE OF THE SECRETARY OF STATE

**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE  
AND  
FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**

AGENCY: WEST VIRGINIA STATE ATHLETIC COMMISSION TITLE NUMBER: 177

CITE AUTHORITY 29-5A-24

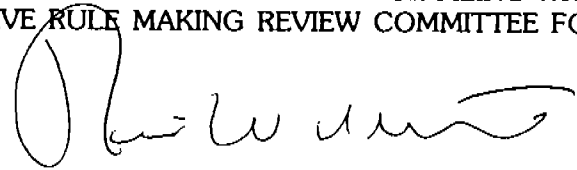
AMENDMENT TO AN EXISTING RULE: YES  NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: ADMINISTRATIVE SERIES 1  
RULES AND REGULATIONS OF COMMISSION  
TITLE OF RULE BEING AMENDED: SEE ATTACHED LIST

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: \_\_\_\_\_

TITLE OF RULE BEING PROPOSED: \_\_\_\_\_

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE FOR THEIR REVIEW.



RICK W. MODESITT, CHAIRMAN  
WV STATE ATHLETIC COMMISSION

\$7.60

**QUESTIONNAIRE**

*(Please include a copy of this form with each filing of your rule: Notice of Public Hearing or Comment Period; Proposed Rule, and if needed, Emergency and Modified Rule.)*

DATE: 7/2/99

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: (Agency Name, Address & Phone No.) WEST VIRGINIA STATE ATHLETIC COMMISSION

PO BOX 2206 PARKERSBURG WV 26102

PHONE 304-422-4035  
RICK MODESITT, CHAIRMAN

LEGISLATIVE RULE TITLE: STATE ATHLETIC COMMISSION

ADMINISTRATIVE RULES AND REGULATIONS

1. Authorizing statute(s) citation WV CODE 29-5A-24

2. a. Date filed in State Register with Notice of Hearing or Public Comment Period:

MAY 19 1999

b. What other notice, including advertising, did you give of the hearing?

NONE

c. Date of Public Hearing(s) *or* Public Comment Period ended:

JUNE 21 1999

d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.

Attached \_\_\_\_\_

No comments received NONE

- e. Date you filed in State Register the agency approved proposed Legislative Rule following public hearing: (be exact)

JULY 8 1999

- f. **Name, title, address and phone/fax/e-mail numbers** of agency person(s) to receive all *written correspondence* regarding this rule: (Please type)

RICK W. MODESITT, CHAIRMAN

WEST VIRGINIA STATE ATHLETIC COMMISSION  
PO BOX 2206 PARKERSBURG WV 26102-2206

PHONE

304-422-4035

FAX 304-428-7240

- g. **IF DIFFERENT FROM ITEM 'f'**, please give **Name, title, address and phone number(s)** of agency person(s) who wrote and/or has responsibility for the contents of this rule: (Please type)

SAME

3. If the statute under which you promulgated the submitted rules requires certain findings and determinations to be made as a condition precedent to their promulgation:

- a. Give the date upon which you filed in the State Register a notice of the time and place of a hearing for the taking of evidence and a general description of the issues to be decided.

N/A

b. Date of hearing or comment period:

MAY 19 1999 TO JUNE 21 1999

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c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor?

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d. Attach findings and determinations and reasons:

Attached       NONE      

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STATE OF WEST VIRGINIA  
**ATHLETIC COMMISSION**

RICK W. MODESITT, COMMISSIONER  
CHAIRMAN

FRANKLIN HARTENSTEIN, COMMISSIONER

ANTHONY TORCHIO, COMMISSIONER  
SECRETARY

May 7 1999

To Whom It May Concern:

You will find attached TITLE 177 LEGISLATIVE RULES  
STATE ATHLETIC COMMISSION, ADMINISTRATIVE RULES AND  
REGULATIONS OF THE COMMISSION, as approved by the  
West Virginia State Athletic Commission.

A handwritten signature in black ink, appearing to read "Rick W. Modesitt".

Rick W. Modesitt  
Commissioner  
CHAIRMAN

A handwritten signature in black ink, appearing to read "Anthony Torchio".

Anthony Torchio  
Commissioner  
SECRETARY

A handwritten signature in black ink, appearing to read "Frank Hartenstein".

Frank Hartenstein  
Commissioner  
VICE CHAIRMAN



**HOUSE OF DELEGATES  
WEST VIRGINIA LEGISLATURE**

BUILDING 1, ROOM M-212  
1900 KANAWHA BLVD., EAST  
CHARLESTON, WV 25305-0470  
PHONE (304) 340-3200

RICK MODESITT  
P.O. BOX 2206  
PARKERSBURG, WV 26102-2206  
PHONE: (304) 422-4035

Committees:  
Government Organization  
Industry and Labor  
Veterans' Affairs

May 18, 1999

The Honorable Ken Hechler  
Secretary of State  
State of West Virginia  
Building 1, Room 157K  
Charleston, West Virginia 25305

Dear Mr. Secretary:

Listed below you will find revised Legislative Rules for the West Virginia State Athletic Commission to be placed on file for a thirty day comment period.

Changes are as follows:

**177-1-1. General.**

1.5 revised October 24, 1998, effective June 1, 1998. ~~99~~

**177-1-2. Definitions.**

Adding 2.5B Semi-Professional Fighter.

Amending Section 4.5. License fees as set by the 1999 legislative session.

**177-1-5. Bond.**

Setting minimum bond at \$10,000.00.

**177-1-7. Insurance.**

Amending minimum amounts.

**177-1-8. Promoter report.**

Amended to set time limit on report.

The Honorable Ken Hechler  
May 18, 1999  
Page Two

**177-1-16. Weight classes.**

16.1 and 16.2 amending and adding weight classes.

**177-1-31/31.1. Judge.**

Reduced from five to three.

**177-1-45.**

Amend entire section and rename Semi Professional Event.

**177-1-46.**

Amend amateur boxing rules

**177-1-48.**

Add prohibit ultimate fighting events.

**177-1-49.**

Add official fees to be paid.

**177-1-50.**

Add required medical staff.

**177-1-51.**

Add event permits to be submitted to commission.

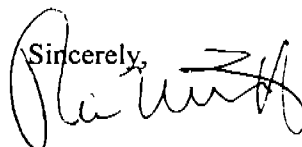
**177-1-52.**

Add gym wraps -- prohibited.

**177-1-53.**

Add promoter report to be filed within 48 hours.

If you have any questions, please feel free to contact me at 422-4035.

Sincerely,  


Rick Modesitt, Delegate -- 10th District  
WV State Athletic Commission, Chairman

TITLE 177  
LEGISLATIVE RULE  
STATE ATHLETIC COMMISSION

SERIES 1  
ADMINISTRATIVE RULES AND REGULATIONS OF THE  
WEST VIRGINIA STATE ATHLETIC COMMISSION

§177-1-1. General.

1.1. Scope. -- These legislative rules and regulations establish the procedures to be followed for all events under the jurisdiction of the State Athletic Commission.

1.2. Authority. -- W. Va. Code §29-5A-24.

1.3. Filing Date. -- June 12, 1985.

1.4. Effective Date. -- June 12, 1985.

1.5 Revised October 24, 1998; effective June 1, 1999.

WEST VIRGINIA STATE ATHLETIC COMMISSION  
JUN 12 2 12 PM '85

§177-1-2. Definitions.

In the interpretation of the regulations, unless the content indicates a different meaning:

2.1. Commission. -- The word "Commission" means the West Virginia Athletic Commission of the State of West Virginia.

2.2. Promoter. -- The word "Promoter" means any individual, club, corporation or association incorporated if necessary under the laws of the State of West Virginia engaged in the promotion of regularly scheduled or individual boxing shows or contests.

2.3. Deputy. -- "Deputy" means an individual appointed by the Commission to represent the Commission in its absence.

2.4. Professional. -- A professional boxer is one who competes for money.

2.5A. Amateur. -- An amateur boxer is one who competes for other than a money prize.

2.5B. Semi Professional. -- An amateur boxer who competes in elimination style tournament.

2.6. Amateur contests and exhibitions. -- Within the meaning of these rules, amateur contests or exhibitions in which the participants are bona fide amateurs and receive no named compensation or reward for their participation in any contest or exhibition, except that watches, medals, articles of jewelry, silverware, trophies or ornaments suitably inscribed to show that it is given for participation in an amateur boxing contest or exhibition, may be given. No other prize or reward

shall be given or rewarded or accepted by any amateur boxer unless authorized in writing by the Commission.

**§177-1-3. Press Relations.**

The Commission may, in its discretion, after each meeting, issue a bulletin to the press of news items of interest to the public, and may, in its discretion, invite members of the press to attend meetings or hearings of the Commission.

**§177-1-4. Licenses.**

4.1. General. -- The Commission at its discretion may issue a license to promote, conduct or hold professional boxing or sparring matches and exhibitions to any individual, club, corporation or association eligible for a license under this chapter.

4.2. Application requirements.

(a) Each application for license of professional boxer, manager, second and promoter shall be accompanied by two (2) passport size photographs of the applicant. The application for such license shall be signed by the applicant and such signature verified by the official of the Commission. In making application for such license, the applicant shall set forth such facts as the rules and regulations of the Commission may require.

4.3. Requirements for granting or renewing license.

Before being granted a license or renewal of such license, the applicant must establish to the satisfaction of the Commission that he:

(a) Is skilled in the profession of boxing.

(b) Is of good moral character.

(c) Is physically fit and mentally sound.

(d) Has not been convicted of a felony or any misdemeanor involving moral turpitude.

(e) Will conduct his business in the best interest and welfare of the public, preserving the safety and health of participants and the best interest of professional boxing.

(f) Will adhere to and comply with all the Rules and Regulations of the Commission pertaining to such license.

(g) In the case of a corporated applicant, these factors shall pertain to its officers, directors, principal stockholders and employees.

(h) Every license and licensee shall be subject to the provisions of the Code of West Virginia

and amendments thereof and to the other provisions of the chapter.

4.4. Suspensions, revocation or probation of license or licensee. -- The Commission shall have the additional authority and power to suspend, revoke or place on probation the license of any licensee licensed under this chapter, who in the discretion of the Commission:

- (a) Is guilty of failure to obey any lawful order of the Commission or any inspector thereof.
- (b) Is guilty of gross immorality.
- (c) Is unfit or incompetent by reason of negligence.
- (d) Is insolent or disrespectful to any member of the Commission or representative thereof.
- (e) Is guilty of violating any provision of this act or Rules and Regulations of the Commission.
- (f) Has committed fraud or deceit in securing a license for himself or another, or by falsifying application.
- (g) Has been convicted of a felony or misdemeanor involving moral turpitude in any jurisdiction within ten (10) years preceding the suspension or revocation and such conviction was not previously reported to the Commission by said licensee.
- (h) Is an habitual drunkard or addicted to the use of narcotics.
- (i) Is or has become mentally incompetent.
- (j) Is or has been guilty of unprofessional or unethical conduct or such conduct as to require a suspension or revocation of license in the best interest of the public.
- (k) Has failed to furnish the proper party a copy of any contract or agreement required by this act or Rules and Regulations promulgated hereunder or has breached such contract.
- (l) Has loaned or permitted another person to use his license or has borrowed or used the license of another.
- (m) Has failed to maintain in force the bond required by this chapter.
- (n) Has by act or omission conducted himself in a manner which would tend to be detrimental to the best interests of boxing or to the public interest and general welfare.
- (o) Has been disciplined in any manner by the Athletic Commission or similar agency or body of any jurisdiction.
- (p) Has failed to pay a fine or forfeiture imposed by this chapter.

(q) Has either within or without this State by any act, threat, statement or otherwise, restrained, hindered, interfered with or prevented another applicant or promoter, club, corporation, association or booking agent from presenting any professional boxing or amateur boxing within the State of West Virginia.

(r) Has either within or without this State engaged directly or indirectly in restraints or monopolies, or taken any action tending to create or establish restraints or monopolies, or conspired with others to restrain any person or persons from participating or competing in any professional boxing or amateur boxing for any promoter, club, corporation, association or booking agent.

4.5. License fees.

Promoters (1 year) . . . . . \$125.00

Professional Boxer  
(1 year) . . . . . 10.00

Semi-Professional Boxer . . . 10.00

Seconds, Professional  
(no charge amateur) . . . . . 10.00

Managers, Professional  
(no charge amateur) . . . . . 10.00

Referees and other Officials . 10.00

Amateur Boxers . . . . . No charge  
but they must register.

Required registrants. -- Each amateur club must register one (1) manager and two (2) seconds, however, there will be no fees required from amateur managers or seconds. There will only be two (2) people at ringside during a boxing match.

**§177-1-5. Bond Required.**

Before any license is issued to any promoter regularly conducting boxing contests, he shall execute and file with the Commission a surety bond in the sum of which shall be at the discretion of said Commission. Such bond shall be sufficient to cover all purses, awards and payments to be paid by the promoter. Bond minimum is \$10,000.

**§177-1-6. Individual Sanction and Permits for Professionals and Amateurs.**

6.1. Scope. -- This rule applies to any professional boxing match or event, any amateur boxing match or event or any showing or exhibiting of any simultaneous telecast of any live, current or spontaneous boxing or sparring match or a closed circuit telecast subscription television viewed

within this State or any other state and for which an admission charge is made.

6.2. Application for sanction. -- Before any professional boxing or amateur boxing performance shall be stated in the State of West Virginia, the promoter shall first be required to obtain an individual sanction and permit for the Commission at least fifteen (15) days before the date of any such contest or exhibition.

(a) Requirements of applicants. -- Each applicant for such sanction shall name all contestants, the number of rounds and the date and place of the contest, except for amateur events.

(b) Contracts made must be filed. -- All contracts made by the promoter with contestants who are to appear on the card must be filed at the same time.

(c) Books open for inspection. -- As a condition for issuance of a sanction, each applicant must agree to accord the Commission the right to examine the books, accounts and other records for which such sanction is issued.

6.3. Permits. -- Permits will be issued by the Commission five (5) days in advance of all contests. This permit must be exhibited in a conspicuous place at the box office.

6.4. Minimum round. -- The minimum number of rounds on a card shall not be less than thirty (30) rounds unless a special written permission is obtained from the Commission at the time of granting the sanction to have a fewer number of rounds.

6.5. Prepermit publicity. -- Under no conditions are the promoters permitted to give publicity to a card until the card has been approved by the Commission.

6.6. Changes or substitutions. -- All changes and substitutions must be sanctioned in writing by the chairman of the Commission.

(a) Notice. -- Notice of any change in the announced or advertised programs for any contest must be filed with the Commission and with the press at least four (4) hours previous to the contest; conspicuously posted at the box office and announced from the ring before the opening contest.

(b) Forfeitures. -- Where a boxer is under contract to appear at a club, appears at the weighing time and is ready to fulfill his contract and his opponent does not appear nor is a substitute provided the club must pay the boxer his contract price unless a forfeit is provided.

(c) Refunds. -- Whenever a substitution is made in an advertised contest, the official announcer shall advise the audience of such substitution prior to the opening bout. If any of the patrons desire to have the price of the ticket refunded, the same will be done if the tickets are presented at the box office at that time. The box office must remain open for at least twenty (20) minutes to redeem such tickets.

6.7. Substitutions -Main bout. -- Substitutions will not be permitted in the main bout unless made forty-eight (48) hours before weighing time of the day of the contest and then only when the

substitution has been approved by the Commission. Public notice must then be made in the local press of such substitutions.

**§177-1-7. Insurance for Boxers.**

7.1. General. -- All promoters, clubs, associations and corporations engaged in the presentation of boxing events, amateur or professional, will provide insurance for the protection of boxers appearing and participating in such events. The minimum amount is \$5,000 and AD&D is at \$10,000.

7.2. Coverage. -- Insurance coverage shall provide for reimbursement to the athlete for medical, surgical and hospital care with a maximum limit of five hundred dollars (\$500) for injuries sustained while participating in any sanctioned boxing event under the control of such promoter, club, corporation or association and for payment of two thousand five hundred dollars (\$2,500) to the estate of any deceased athlete where such death is occasioned by injuries received during the course of an event in which such licensed athlete participated under the promotion of any licensed promoter, club, corporation or association.

7.3. Commission authorized to collect premium. -- The Commission may enter into the policy with the insurance company and collect the premium as set forth and sanctioned by the Commission.

7.4. Penalty for nonpayment of premium. -- Failure to pay premiums on such insurance as is required by these Rules and Regulations, or by law, shall be cause for suspension or revocation of the license of such promoter, club, corporation or association.

**§177-1-8. Promoters Report.**

Every promoter, club, association or corporation holding a boxing event both professional and amateur must complete and file the promoter's report provided by the Commission. Within forty-eight (48) hours of the date of show, the report must be to the chairman of the State Athletic Commission.

**§177-1-9. Inspectors or Deputies.**

9.1. General. -- The Commission shall appoint such number of inspectors as in the discretion of the Commission may be necessary. At least one (1) inspector shall be at all contests. The compensation of the inspector shall be fixed by the Commission.

9.2. Inspector's report. -- At each boxing performance where an admission fee is charged, an official or inspector of the Commission shall attend and upon its conclusion, shall sign a detailed report showing the results of bouts and the physician's report.

9.3. Duties of chief inspector or chief deputy. -- The deputy in charge of a show shall have complete charge of the licenses and it will be his duty to see that the Rules and Regulations of the Commission are carried out. The chief inspector or deputy in charge of a show shall be held accountable for the actions of every other deputy assigned to that particular show. The deputy in

charge shall file, in addition to the official report, a detailed account of any violations of the Rules and Regulations and the law governing boxing particularly where a purse or gate has been ordered held.

9.4. Cooperation with law-enforcement agencies. -- The inspectors shall work in cooperation and in conjunction with such police officers as may be detailed for this duty of boxing contests.

9.5. Official reports -Other officials. -- The inspector shall be responsible for all details of the contest which do not come under the jurisdiction of the other officials and shall file all necessary reports within forty-eight (48) hours after the event with the chairman of the Commission. The inspector may choose other inspectors to assist him with his duties with the approval of the Commission.

9.6. Equipment. -- The inspector shall see that all necessary equipment is provided, that the contestants are ready on time, that the seconds are properly instructed in their duties, that the doctor's report and the statement of weights are delivered to the Commission and that all regulations pertaining to the proper conduct of the bouts are enforced.

9.7. Participants.

(a) Gloves. -- Boxers shall not be permitted to put on their gloves until the bandages are examined by a representative of the Commission.

(b) Weights. -- Boxers will be suspended if they come in over the weight contracted for unless authorized by the Commission.

(c) Miscellaneous. -- Ring equipment must be approved by the Commission's inspector. Clubs must have dressing rooms set aside for the use of contestants and no person, unless a representative of the Commission, is to be permitted in the room.

#### **§177-1-10. Failure to Submit Report to Contests.**

10.1. General. -- Whenever any promoter, corporation, club or association shall fail to make a report of any contest within forty-eight (48) hours or whenever such report is unsatisfactory to the Commission, it shall be liable to the penalties as set forth and prescribed by this act.

10.2. Report requirements. -- The promoter must file within forty-eight (48) hours after any bout or bouts a list of all matches of the bouts, and the list shall include: The weight and address of each participant and the decisions rendered (whether unanimous, split, knockout or technical knockout).

#### **§177-1-11. Minimum Age Limit.**

11.1. Professional boxers. -- No professional boxer shall be licensed who is under eighteen (18) years of age.

11.2. Managers. -- No manager shall be licensed who is under twenty (20) years of age.

11.3. Seconds. -- No second shall be licensed who is under eighteen (18) years of age.

**§177-1-12. Assumed Names.**

In applying for a license, a contestant shall give his correct name, any ring name, his address, his social security number and date of birth, and any other names appearing on any license held by him under other boxing Commissions.

**§177-1-13. Designation of Officials.**

For all professional contests, the referee or referees, judges and timekeeper shall be designated by the Commission and only the officials so designated shall have authority to perform their respective functions. Examining physicians must be furnished by the promoter and approved by the Boxing Commission.

**§177-1-14. Failure to Appear.**

14.1. Automatic suspension. -- Any contestant absenting himself from a show for which he had signed or has been signed by his duly licensed manager to appear, without a valid excuse or furnishing a doctor's certificate in case of physical disability, shall be automatically suspended for a period of sixty (60) days.

14.2. Reporting requirements. -- Whenever a licensed contestant, because of injuries or illness, is unable to take part in a contest for which he is under contract, he (or his manager) must immediately report that fact to the Commission and submit to an examination by a physician designated by the Commission.

14.3. Investigation and final penalty. -- Such contestant shall submit to the Commission, in person or in writing his reasons for nonappearance, and if such reasons are not satisfactory to the Commission, he shall lose his appearance forfeit, his license shall be canceled and notification of the Commission's action shall be forwarded to other boxing Commissions. His manager shall be held accountable in the same manner as the contestant, with the same penalty, unless he satisfies the Commission that he had no part in the contestant's nonappearance.

**§177-1-15. Weighing.**

15.1. General. -- Contestants shall be weighed on the Commission's scales in the presence of each other and an official of the Commission at such time and place prior to the bout as may be designated by the Commission. At the weighing-in of all contestants, duly accredited newspaper representatives shall, upon request, be admitted. Boxers performing at outdoor shows are required to weigh-in on the day they contract for their services. In the event of a twenty-four (24) hour postponement due to weather conditions, weights and physical examinations of original date of contract are to hold. In the event of a postponement requiring the show to be held later than twenty-four (24) hours after original date, new weights and physical examinations will be required.

15.2. Time of completion. -- Weigh-in ceremonies must be completed at or before two thirty p.m. on the day of the contest. Commission inspectors in charge have been instructed to the effect that boxers appearing late are not to be weighed-in and in addition to being denied the opportunity to box, will be indefinitely suspended.

15.3. Who must be present. -- Promoters or matchmakers must personally attend weighing-in ceremonies and are not permitted to delegate their duties to an assistant. Inspectors will not weigh-in boxers until the arrival of the promoters or matchmakers staging the contest. All equipment of contestants shall be approved by the inspector at weighing-in time.

**§177-1-16. Weights and Classes.**

16.1. General. -- Championship fights shall be a minimum of 10 rounds. Championships will be recognized in the following classes:

Flyweights	.....	112 pounds
Bantamweights	.....	118 pounds
Featherweights	.....	125 pounds
Junior Lightweights	.....	130 pounds
Welterweights	.....	140 pounds
Middleweights	.....	160 pounds
Light Heavyweights	.....	175 pounds
Heavy Weights Over	.....	175 pounds

16.2. Limitations. -- The following limitations of weights are placed on all boxing bouts. No exception shall be made to this rule except by written permission of the Commission.

Between Flyweights	
(112 lbs.)	..... 3 pounds
Between Bantamweights	
(118 lbs.)	..... 4 pounds
Between Featherweights	
(126 lbs.)	..... 5 pounds
Between Junior Lightweights	
(130 lbs.)	..... 6 pounds
Between Lightweights	
(135 lbs)	..... 7 pounds
Between Junior Welterweights	
(140 lbs.)	..... 8 pounds
Between Welterweights	
(147 lbs.)	..... 9 pounds
Between Middleweights	
(160 lbs.)	..... 10 pounds
Super-Middle Weights	
(168 lbs.)	..... 10 pounds

Between Light Heavyweights  
(175 lbs.) . . . . . 11 pounds  
Cruiser Weights  
(190 lbs.) . . . . . 11 pounds  
Between Heavyweights  
(Over 190 lbs.) . . . . No limitations

**§177-1-17. Contracts.**

17.1. Contracts must be filed. -- The Commission shall be furnished with certified copies of all contracts between promoting corporations and contestants or managers or contestants. A copy of all contracts and agreements between a promoter, club, association or corporation, licensed under this act and any person or persons not named in said license, who by virtue of said contract or agreement might gain financial benefit from the promotion and presentation of boxing events in West Virginia by said promoter, club, associations or corporation, must be placed on file with the Commission for approval.

17.2. When filed. -- An original copy of every contract between a manager and a boxer licensed in West Virginia must be filed in the archives of the State Boxing Commission and this contract must be filed when application for license is made.

**§177-1-18. Fake Contests.**

Any promoting corporation, referee, second or contestant, who in the judgment of the Commission, is guilty of intentional conniving or participation in any prearranged or "Fake" contest shall be liable to suspension and other penalties provided in this Act.

**§177-1-19. No Pay Before Contest.**

No contestant shall be paid for his services before a contest.

**§177-1-20. Wagering.**

Wagering on the contest is prohibited in any area under the jurisdiction of the Commission.

**§177-1-21. Length of Rounds.**

Rounds for professional boxing contests shall be of three (3) minutes' duration with a rest period of one (1) minute between rounds. The Commission in its discretion may limit the duration of rounds to two (2) minutes' duration with a rest period of one (1) minute between rounds.

**§177-1-22. Reporting In.**

Contestants shall report to the inspector in the dressing room at least one (1) hour before they are due in the ring.

**§177-1-23. Interval Between Bouts.**

When a contestant competes in a bout of more than four (4) rounds, he will not be allowed to compete again until six (6) days have elapsed. When a contestant competes in a bout of four (4) rounds or less, he will not compete again until four (4) days have elapsed. The sole exception to this rule shall be in the case of amateur tournaments or competition, where the customary regulations of the amateurs shall govern, or semi-professional elimination tournaments.

**§177-1-24. Dressing Room.**

A Commission inspector shall be in charge of and supervise the conduct of the dressing room, see that contestants and seconds are dressed in accordance with the rules, that tape, gloves and accouterments are as required and there is no delay between bouts. He shall see to it, that one (1) set of boxers is ready to enter the ring while the preceding bout is in progress.

No one shall be allowed in the contestant's dressing room except managers, seconds and the Commission or promoter's representatives.

**§177-1-25. Managers.**

25.1. General. -- No manager shall attempt to select or insist upon the selection of any designated referee in a bout in which a boxer under his management is to appear, nor shall he have the name of any referee written into the official contract covering such bouts. Managers shall not pay or contribute to the act as seconds for their own boxers exclusively shall not be required to obtain a second's license, provided he holds a manager's license.

25.2. Assignments of interest. -- No assignment of a boxer's or manager's interest in a contract, or of any part thereof, shall be made without the written approval and consent of the Commission.

25.3. Contracts to be filed. -- All copies of the contracts entered into between managers and boxers must be placed on file with the Commission for approval. A contract, however, becomes null and void if any time during his term the manager is not duly licensed by the Commission.

25.4. Limitation on earnings. -- A boxer is permitted to have one (1) manager. That manager is not allowed to receive more than thirty-three and a third percent (33 1/3%) of the ring earnings of a boxer.

25.5. Limitation on supervision. -- Managers shall not have more than two (2) boxers under their management in any one (1) show without special permission from the Commission.

**§177-1-26. Boxers with No Managers.**

Any boxer not under contract to a manager may make his own matches and sign contracts and need not apply for a manager's license to handle his own affairs.

**§177-1-27. Seconds.**

27.1. Dress. -- Seconds and managers acting as seconds, must be neatly attired when in the ring and wear jerseys or shirts of plain colors and with sleeves.

27.2. Demeanor. -- Seconds shall not coach or in any way assist a principal during a round, or by word or action attempt to heckle or annoy his principal's opponent. They shall remain seated in place and silent.

27.3. Conduct. -- Seconds shall not enter a ring until the bell indicates the end of the round and are prohibited from spraying or forcefully throwing water on a contestant, they shall leave the ring at the sound of the timer's whistle ten (10) seconds before a round is to begin, removing all obstructions, buckets, stools, etc., promptly at the sounding of the gong.

27.4. Throwing in the towel. -- Seconds are prohibited from throwing a towel in the ring as a token of defeat, however, the second may step upon the ring apron and indicate to the referee that his fighter should not continue, otherwise, the referee is the sole judge as to the ability of a boxer to continue.

27.5. Administerings. -- No second will be permitted to use grease or any other substances on the body of a contestant. The use of Vaseline in corners is not allowed except in the use of stopping blood and on cuts. The use during a boxing match of Monsel's Solution or any similar drug or compound for the stopping of hemorrhage in the ring is prohibited. The use of drugs, alcohols or stimulants during a match by any contestant is adequate cause for revoking his license.

#### **§177-1-28. Timekeepers.**

28.1. Qualifications. -- Timekeepers shall be appointed by the Commission and shall be bona fide residents of the State of West Virginia of recognized good standing and character.

28.2. Duties. -- The timekeeper shall be seated at the ringside close to the gong. He shall indicate the beginning and ending of each round by striking the gong with a hammer.

28.3. Equipment. -- He shall provide himself with a whistle and an accurate stop watch that shall have been properly examined and certified by an inspector of the Commission before it is used.

28.4. Warnings. -- Ten (10) seconds before the beginning of each round the timekeeper shall give warning to the seconds of the contestants by blowing the whistle.

28.5. Gong. -- The gong shall not be less than 10 inches in diameter, adjusted securely on a level with the ring platform. The timekeeper is to use a metal hammer in indicating the beginning and end of a round so that the contestant can hear the sound of the bell.

#### **§177-1-29. The Announcer.**

29.1. Responsibilities. -- The announcer shall be approved by the Commission and must be a bona fide resident of the State of West Virginia, except when specifically approved for any one performance by the Commission.

(a) Announcing contestants. -- After contestants and their chief seconds are in the ring, the announcer shall announce the names of the contestants, their correct weights and such other matters as may be approved by the Commission. Promoters shall make provisions for the announcement of rounds.

(b) Decisions. -- The announcer must get the judges' verdicts on paper and he must not reveal a judge's decision to another prior to the announcement. The announcer shall immediately after each bout turn these tally slips over to a representative of the Commission at the ringside and this official shall check the slips and inform the announcer of the decisions. The announcer shall then announce it to the crowd. He may announce whether or not the decision is unanimous.

29.2. Conduct. -- The announcer in boxing contests shall be neatly dressed and his conduct is subject to the supervision of the Commission.

### **§177-1-30. Physician.**

30.1. Physical examination required. -- Every contestant shall, at weighing-in time or at such other time on the day of the contest that may be designated by the Commission, be subjected to a physical examination by a duly licensed physician approved by the Commission.

30.2. Inspectors to enforce. -- Inspectors are charged with the duty of seeing that this provision is, in every case, complied with.

30.3. Fitness certification required. -- No contestant shall take part in a contest until pronounced fit to do so by the physician approved by the Commission and the facts of physical examinations and of the physical fitness of contestants shall be certified over the signature of the said physician as a part of the inspector's report submitted after each set of bouts.

30.4. Attendant required. -- A physician shall attend at the ringside until the conclusion of the final bout.

### **§177-1-31. Decisions.**

31.1. By judges. -- Three (3) judges, appointed by the Commission, shall render a decision at the termination of each boxing contest. Judges shall be bona fide residents of the State of West Virginia and of recognized good standing and character.

31.2. Special judges. -- Licensed referees, members of the Commission, or designated officials of the Commission, may in an emergency, act as judge.

31.3. Location of judges. -- The three (3) judges shall be stationed at opposite sides of the ring.

31.4. Basis of decision. -- The decision of the judges shall be based primarily on effectiveness, taking into account the following points:

(a) A clean, forceful hit, landed on any vulnerable part of the body above the belt should be

credited in proportion to its damaging effects.

(b) Aggressiveness is next in importance and points should be awarded to the contestant who sustains the action or a round by the greatest number of skilled attacks.

(c) Defensive work is relatively important and points should be given for cleverly avoiding or blocking a blow.

(d) Points should be awarded where ring generalship is conspicuous. This comprises such points as the ability to quickly grasp the advantage of every opportunity offered; the capacity to cope with all kinds of situations which may arise; to foresee and neutralize an opponent's methods of attack; and to force an opponent to adopt a style of boxing at which he is not particularly skillful.

(e) It is advisable to deduct points when a contestant persistently delays the action of a contest by clinching and lack of aggressiveness.

(f) A contestant should be given credit for sportsmanlike actions in the ring, close adherence to the spirit as well as the letter of the rules and for refraining from taking technical advantage of a situation unfair to an opponent.

(g) A boxer will be charged with the loss of a round in which the referee gives him a third (3rd) warning for a minor foul. Any such penalty, however, shall not be imposed by the judges on their cards until they are advised by the referee.

(h) In scoring a contest the elements of offense, defense, clean hitting, ring generalship and sportsmanship shall be carefully considered. Minor fouls shall count against an opponent. Foul blows, no matter how damaging, count against the contestant responsible for their delivery.

31.5. Scoring. -- Scoring shall be by the "5 Point" system in professional bouts and the "20 Point System" in amateur bouts (unless approved or changed by the Commission). The winner of any round is marked "5." The loser of any round is marked "0" to "4." There will be no even rounds.

31.6. Mandatory eight (8) count. -- When a contestant is knocked down he shall be required to take a count of eight (8) seconds, whether or not he rises before the count of eight (8) has been reached. The count is for the benefit of the fallen contestant. The knockdown is scored against him regardless of the length of the count. Taking the "8" count is regarded as a display of ring generalship.

**§177-1-32. Fouls.**

(a) Hitting below the belt.

(b) Hitting an opponent who is down or rising after being down.

(c) Holding an opponent with one (1) hand and hitting with the other.

(d) Holding or deliberately maintaining a clinch.

(e) Wrestling or roughing at the ropes.

(f) Pushing an opponent about the ring or into the ropes or striking an opponent who is helpless as a result of blows and so supported by the ropes that he does not fall.

(g) Butting with the head or shoulder or using the knees or elbows.

(h) Hitting with the open glove, with the butt or inside of the hand, the elbow, the wrist and all backhand blows.

(i) Purposely going down without being hit.

(j) Striking deliberately at the part of the body over the kidneys.

(k) The use of the pivot blow or the rabbit punch.

(l) Jabbing opponent's eyes with the thumb of the gloves.

(m) The use of abusive language in the ring.

(n) Any unsportsmanlike trick or action causing injury to an opponent.

**§177-1-33. Referee's License.**

33.1. Qualifications. -- Referees shall be appointed by the Commission and shall be licensed after first satisfying the Commission of their professional and physical qualifications.

33.2. Prohibitions. -- No person who is, directly or indirectly, interested in the management of a contestant, or who is an individual promoter, or stockholder in, or an employee of a corporation, or interested in an unincorporated club or association engaged in the promotion of contests, shall be granted a referee's license.

33.3. Powers of the referee. -- After a contest starts, the referee has power to declare a bout "No Contest," and order the purse held, pending the decision of the Commission to whom the referee shall immediately make a report. The referee may stop a contest if, in his opinion, one (1) of the contestants is badly outclassed or injured or the referee may temporarily stop a contest and consult the examining physician on the advisability of stopping the contest in case a contestant appears injured. The referee is empowered to enforce discipline and the regulations pertaining to the conduct and behavior of contestants and seconds.

33.4. Duties of referee.

(a) General. -- The chief official of the contest shall be the referee who shall have general supervision over bouts and take his place in the ring. He shall be paid seventy-five dollars (\$75.00)

per night compensated by the promoter.

(b) Ascertainment of seconds. -- The referee shall, before starting a contest, ascertain from each contestant the name of his chief second and shall hold said chief second responsible for the conduct of his assistant seconds during the progress of the contest.

(c) Instructions. -- The referee shall call contestants together in the ring before each bout for the final instructions at which time each contestant shall be accompanied by his chief second only. The principals after receiving instructions shall be required to shake hands, until the beginning of the last round.

33.5. Referee's inspection. -- The referee shall inspect the bandages and the gloves and make sure that no grease or other foreign substances have been applied to either the gloves or the bodies of the contestants to the detriment of the opponent.

33.6. Referee's uniform. -- Referees shall wear official uniforms as indicated by the Commission.

**§177-1-34. "Down" Without Being Struck.**

34.1. General. -- A contestant who goes down without being struck and stays down shall be disqualified.

34.2. Absence of fighter. -- Should a contestant leave the ring during the one (1) minute period between rounds and fail to be in the ring when the gong rings the signal to resume boxing or should a contestant fail to rise from his chair at the beginning of a round, the referee shall start counting immediately and unless the contestant is on his feet in the ring at the end of ten (10) seconds, he shall declare him counted out.

**§177-1-35. Withholding Purse.**

As counting a contestant out, or disqualifying one (1) of the contestants for fouling, is held to be, in effect, giving a decision, should the referee decide that one (1) or both the contestants are not honestly competing, or that the knockdown is "A Dive" or the found prearranged termination of the bout, he shall stop the bout and order the purses or trophies of both boxers held pending investigation by the Commission notwithstanding the referee may have completed the count of ten (10).

**§177-1-36. Counting.**

36.1. General. -- When a contestant is knocked down, the referee shall order the opponent to retire to the corner farthest removed from the fallen contestant, pointing to the corner, and he shall immediately begin the count over the contestant who is down. He shall audibly announce the passing of the seconds, accompanying the count with motions of his arm, the downward motion indicating the end of each second.

36.2. Opponent's actions. -- Should the opponent fail to stay in the farthest corner, the referee

shall cease counting until he has returned to it, and then go on with the count from the point at which it was interrupted.

36.3. Mandatory count and disqualification. -- A contestant who is knocked down must take the mandatory "Eight (8) Count" and any contestant who is knocked down three (3) times in any round shall be disqualified by the referee.

36.4. Examination after eight (8) count. -- If when the count of "Eight" (8) is reached the contestant who was down is on his feet, the referee, if he deems it advisable, may examine the said contestant long enough to assure himself that without loss of time order the contest to continue. If so assured, the referee shall without loss of time order the contest to continue.

36.5. Knockout. -- If the contestant taking the count is still down when the referee calls the count of "Ten," (10) the referee shall wave both arms to indicate that he has been knocked out and shall raise the right hand of the opponent as the winner or hold that the bout be declared no contest. The referee's count is the official count.

36.6. Saved by the bell. -- If the round ends during the count, the timekeeper shall sound the gong once thus indicating the termination of the round and that the contestant who is down has not been counted out.

36.7. Weak knees. -- Should a contestant who is "Down" arise before the count of "Ten" (10) is reached and go down again immediately without being struck, the referee shall resume the count where it left off.

36.8. Knockout victim. -- When a boxer has been knocked out he shall not be touched or moved except at the direction of the ringside physician.

36.9. Helpless boxer is down. -- If a contestant is helpless on the ropes, the referee shall instantly intervene, declare the helpless boxer "Down" and proceed with the count as in case of a knockdown.

**§177-1-37. A Contestant is Down.**

(a) When any part of his body but his feet is on the floor; and

(b) When he is hanging helplessly over the ropes and the referee has begun to count over him.

**§177-1-38. Gloves.**

38.1. Weight. -- Gloves in over 154 weight classes must be at least ten (10) ounces. Weight class under 154 may use eight (8) ounce gloves.

38.2. Examination. -- Gloves shall be examined by the inspector. If padding is found to be misplaced or lumpy or if gloves are found to be imperfect, other gloves shall be substituted therefore before the contest starts.

38.3. Condition. -- No breaking, roughing or twisting of gloves shall be permitted. .

38.4. Main events. -- Gloves for all main events shall be new and furnished by the promoting corporation.

38.5. Cleanliness. -- If gloves used in any bouts have been used before, they must be whole, clean and in sanitary condition.

38.6. Inspected. -- Gloves for the main event must be put on in the ring after the referee has first inspected the bandaged hands of both contestants.

**§177-1-39. Bandages.**

Bandages for boxers shall conform to the following restrictions.

One (1) winding of surgeon's adhesive tape not over 1 ½ inches wide placed directly on the hands to protect that part of the hand near the wrist. This may cross the back of the hand twice but not extend within 1 inch of the knuckles.

Soft surgical bandages not over 2 inches in width held in place by not more than 2 feet of surgeons adhesive tape 1 inch wide for each hand. One 10-yard roll of bandage shall make the wrapping for each hand.

**§177-1-40. Contestant's Costumes.**

40.1. General. -- Contestants shall box in proper costume, including protection cup, which shall be firmly adjusted before leaving the dressing room.

40.2. Trunks. -- Each contestant shall supply himself with a pair of trunks, loose fitting and made of light cloth, similar to an athlete's "Running Pants." The contestants shall not wear the same colors in the ring. The wearing of tights is prohibited.

40.3. Belt. -- The belt of the trunks shall not extend above the waistline.

40.4. Shoes. -- Shoes shall be soft material and not be fitted with spikes, cleats, hard soles or hard heels. Socks, rolled down to the tops of the shoes, may be of any color.

40.5. Miscellaneous. -- No apparel other than as specified above may be worn in the ring, except a bathrobe.

**§177-1-41. The Ring.**

To be not less than 16 nor more than 24 feet square within the ropes the ring floor to extend beyond the ropes not less than 18 inches. The ring posts shall not be nearer to the ring ropes than 18 inches. The ring shall be padded with felt, corrugated paper, matting or other soft material to a thickness of not less than 1 inch padding extending 1 foot beyond the ring ropes, with a top covering

of canvas, duck or similar material tightly stretched and laced to the ring platform. Material that tends to gather in lumps or ridges shall not be used.

The ring shall not be more than 4 feet above the floor of the building or ground of an outdoor arena and shall be provided with suitable steps for the use of contestants. Ring posts shall not be more than 3 inches in diameter, extending from the floor of the building or ground to a height of 58 inches above ring floor.

**§177-1-42. Ring Ropes.**

Shall be at least three (3) in number, not less than 1 inch in diameter; the lower rope 18 inches above the ring floor, the second rope 35 inches above the floor; the third rope 52 inches above floor. Ropes shall be wrapped in soft material.

**§177-1-43. Obstructions.**

The entire ring platform shall be cleared of all obstructions, including buckets, stools, etc.; the instant the gong indicates the beginning of a round, none of these articles shall be placed on the ring floor until the gong has ended the round.

**§177-1-44. Water Buckets, etc.**

There shall be provided by the promoting corporation a sufficient number of water buckets for the use of all contestants. Promoters shall also provide fans, powdered resin for canvas, stools for seconds and such other articles as are required in the conduct of contest. A bucket used by a contestant shall not be used again until it has been washed and sterilized.

**§177-1-45. Semi Professional Fights, also known as "Toughman" style elimination tournaments.**

Toughman style contests shall be considered semi-professional events. Due to the unique nature of these events, the following rules shall apply:

A. Qualification of contestants:

All contestants shall be at least 18 years of age or older. Contestants cannot have any previous professional boxing experience and cannot have over five sanctioned amateur bouts. Contestants must also pass a physical examination.

B. Format:

1. All semi professional bouts are two night events with fighters paired by blind draw.
2. All contestants shall fight once the first night. The final night shall be elimination tournament where bouts will be set up by item C below. Bouts shall be staggered to allow for adequate rest time between bouts and to all contestants. Each fight will be scheduled for three rounds (3) 60 seconds minimum to 90 seconds maximum each. One (1) minute rest period between rounds.
3. Winners who cannot participate the second night because of medical disqualification

or who do not wish to continue for other reasons. The contestant whom they defeated has the right of refusal to resume fighting in the tournaments, then the promoter may pick any other defeated contestant at their option.

C. Sequence of events:

1. All contestants are selected and paired based on experience, height, weight and condition. No one shall be aware of who they fight until the matches are posted prior to the fight day of event.
2. The first night fighters shall fight one time.
3. The second night fight in bouts, again based on experience, height, weight and condition, and will then eliminate down to the winners.
4. Three (3) knockdown rules in one round shall apply and the standard (8) eight count shall be in effect and normal.

D. Safety and equipment:

1. All contestants shall wear headgear, cups and mouth pieces at all times.
2. All contestants shall utilize proper and approved hand wraps and 16 oz. boxing gloves.
3. Proper clothing and shoes shall be worn by contestants.

E. Maximum number of championships:

1. A maximum of two tournament championships, per weight class will be allowed for one individual.

**§177-1-46. Amateur Boxing Rules.**

46.1. General. -- The rules to be followed in all amateur boxing contests held in the State of West Virginia shall be under Rules of Amateur Boxing Association as well as the Rules and Regulations of the State Athletic Commission. Any local boxing club, association or any group whatsoever that desires to make requirements, local rules or any other restrictions other than those rules mentioned above, must first submit those rules to the State Athletic Commission for approval.

46.2. Amateur Boxing Association Rules. -- shall be interpreted to mean only those rules promulgated by the Amateur Boxing Association.

46.3. State Athletic Commission Rules. -- The State Athletic Commission Rules shall be interpreted to mean these Rules and Regulations and any amendments or modifications thereto.

46.4. Other rules, requirements or restrictions. -- No organization, association, group or club shall impose any additional rules, local rules, requirements or restrictions without first having those proposed rules, requirements or restrictions approved by the State Athletic Commission.

46.5. Procedure for approval.

(a) Prior to any local rule, rules, requirements or restrictions being imposed or put into effect, the proponent must submit an original and three (3) copies of the rules to the State Athletic Commission.

(b) No rule, local rule, requirement or restriction shall be valid or enforceable unless first approved by the State Athletic Commission.

(c) In addition to the original and three (3) copies of the proposals, a proponent must also furnish a written rationale justifying those rules.

(d) The State Athletic Commission will notify the proponent of its decision to approve or reject any proposals within forty-five (45) days of the first meeting of the Commission after the receipt of the proposal.

**§177-1-47. National Anthem.**

At the beginning of each boxing program the National Anthem shall be played.

**§177-1-48.** The State of West Virginia DOES NOT recognize, nor will license any full contact boxing or fighting event, commonly referred to as "Ultimate Fight" events.

**§177-1-49. Officials Fees.**

Day of show Chief Deputy or Deputy in Charge \$75.00  
Judges \$50.00 per day  
Time Keeper \$50.00 per day  
Referee \$75.00 per day  
Inspectors \$50.00 per day

**§177-1-50.** Promoter shall have at least one ambulance and two (2) paramedics at fight, as well as ringside doctor.

**§177-1-51.** Event permits to be submitted to Commission at least thirty (30) days in advance of event, advertising not to begin until permit approved.

**§177-1-52.** Prohibit use of gym wraps...only allow use of gauze only.

**§177-1-53.** All promoters reports to be submitted to Commission within 48 hours of event.