

RESOLUTION 2012-63

A RESOLUTION ADOPTING AN EMERGENCY RULE REGARDING REGULATION OF PROFESSIONAL BOXING, SPARRING, AND UNARMED COMBAT

The Indiana Gaming Commission (“Gaming Commission”) adopts the following resolution pursuant to the authority granted to it under IC 4-33.

The Commission has considered the following factors:

1. Pursuant to IC 4-33-4 and IC 4-22-2-37.1, the Commission has the authority to adopt emergency rules.
2. IC 4-33-4-3(a)(8) authorizes the Commission to adopt emergency rules if the Commission determines that; (1) the need for a rule is so immediate and substantial that rulemaking procedures under IC 4-22-2-13 through IC 4-22-2-36 are inadequate to address the need; and (2) an emergency rule is likely to address the need.
3. In Resolution 2011-211, the Commission adopted an emergency rule regarding the regulation of professional boxing, sparring, and unarmed combat. That adoption was intended to improve upon the then-effective emergency rule and to ensure effective rules during the pendency of the promulgation process for formal rules. The fiscal analysis portion of that promulgation process took longer than anticipated, and the Commission now faces expiration of the now-effective emergency rule prior to publication of the final rule unless the Commission adopts a new emergency rule.
4. The Commission finds that the need for an emergency rule regarding the regulation of professional boxing, sparring, and unarmed combat is immediate and substantial such that rulemaking procedures under IC 4-22-2-24 and IC 4-22-2-36 are inadequate to address the need.
5. While the emergency rule is in effect, the Commission will continue the formal promulgation process, including IC 4-22-2-24 through IC 4-22-2-36.

NOW, THEREFORE, BE IT RESOLVED BY THE INDIANA GAMING COMMISSION, THAT THE FOLLOWING RESOLUTION IS ADOPTED:

SECTION 1: SCOPE

This resolution applies to the Indiana Gaming Commission and all licensees, or applicants for a license, under IC 4-33-22.

SECTION 2: DEFINITIONS

The definitions set forth in IC 4-33-22 apply to this resolution.

SECTION 3: ADOPTION OF THE EMERGENCY RULE

Pursuant to IC 4-22-2-37.1, the Commission adopts the attached rule as an emergency rule for the initial ninety (90) day period, as well as for the optional ninety (90) day extension period. The Commission shall file the proposed emergency rule and submit it for publication with the Legislative Services Agency. The Commission further adopts any stylistic, grammatical, typographical, or other non-substantive changes that the Commission or the Legislative Services Agency may make to this emergency rule. The Commission shall file the proposed emergency rule and submit it for publication with the Legislative Services Agency.

SECTION 4: EFFECTIVE DATE

The emergency rule adopted in Section 3 of this resolution is to become effective upon filing with the Publisher.

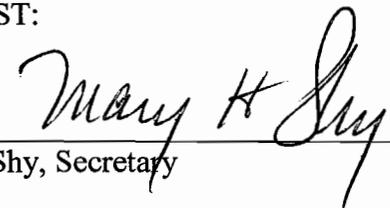
ADOPTED THIS THE 15th DAY OF MARCH, 2012.

THE INDIANA GAMING COMMISSION:



Timothy Murphy, Chair

ATTEST:



Mary Shy, Secretary