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**TITLE 808 STATE ATHLETIC COMMISSION**

**Emergency Rule**

LSA Document #09-560(E)

DIGEST

Temporarily amends 808 IAC to prohibit ex parte communications and establish standards upon which the Commission may deviate from provisions in 808 IAC. Effective July 17, 2009.

SECTION 1. (a) "Commission" means the state athletic commission.

(b) "Ex parte communication" means any communication, direct or indirect, regarding an issue the commission has or may have before it other than communication that takes place during a meeting or hearing conducted under [IC 25-1-14-2](#), [IC 25-9](#), or 808 IAC.

(c) No licensee, permit holder, applicant for any license or permit, nor any affiliate or representative thereof, shall engage in ex parte communications with a member of the commission. No member of the commission shall engage in any ex parte communications with a licensee, permit holder, applicant for any license, or any affiliate or representative thereof.

(d) Any person who receives any communication in violation of this rule *[document]*, or who is aware of an attempted communication in violation of this rule *[document]*, must report the matter to the commission through its director.

(e) Any commission member who receives any ex parte communication must disclose the source and content of the communication to the director of the commission. The director may investigate or initiate an investigation of the matter to determine if the communication violates this rule *[document]*. Following an investigation, the director must advise the commission of the results of the investigation and may recommend such action as the director considers appropriate. The director may also file a complaint with the office of the attorney general under [IC 25-1-7](#).

SECTION 2. The commission may approve deviations from the provisions of 808 IAC and this rule *[document]* upon written request if the commission determines that under the circumstances presented:

- (1) the requirement or procedure is impractical or burdensome; and
- (2) an alternative requirement or procedure:
  - (A) fulfills the purpose of the article;
  - (B) is in the best interest of boxing, sparring, or unarmed combat in Indiana; and
  - (C) does not violate [IC 25-1](#) or [IC 25-9](#).

SECTION 3. This document expires October 14, 2009.

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Filed with Publisher: July 17, 2009, 2:47 p.m.

Posted: 07/22/2009 by Legislative Services Agency

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