

**Michigan Office of Administrative Hearings and Rules  
Administrative Rules Division (ARD)**

611 W. Ottawa Street  
Lansing, MI 48909  
Phone: 517-335-8658 Fax: 517-335-9512

**REQUEST FOR RULEMAKING (RFR)**

**1. Department:**

Licensing and Regulatory Affairs

**2. Bureau:**

Corporations, Securities, & Commercial Licensing

**3. Promulgation type:**

Full Process

**4. Title of proposed rule set:**

Unarmed Combat

**5. Rule numbers or rule set range of numbers:**

R 339.101 – R 339.403

**6. Estimated time frame:**

12 months

**Name of person filling out RFR:**

Mackenzie Jones

**E-mail of person filling out RFR:**

JonesM52@michigan.gov

**Phone number of person filling out RFR:**

231-944-3225

**Address of person filling out RFR:**

Corporations, Securities & Commercial Licensing Bureau, 2501 Woodlake Circle, Okemos, MI 48864

**7. Describe the general purpose of these rules, including any problems the changes are intended to address.**

The proposed rules will provide a regulatory structure that would allow the sanctioning of kickboxing and Muay Thai events in Michigan. They will improve the reliability and competency of event officials and improve the safety and the integrity of “unarmed combat” events in Michigan.

**8. Please cite the specific promulgation authority for the rules (i.e. department director, commission, board, etc.).**

Section 22(3) of the Unarmed Combat Regulatory Act (“Act”), MCL 338.3622(3), requires the department director to consult with the Michigan Unarmed Combat Commission (“Commission”) before promulgating rules for the administration of the Act.

MCL 338.3622(4) requires the department director to promulgate rules to establish the following: Number and qualifications of ring officials; powers, duties, and compensation of ring officials; qualifications, activities, and responsibilities of licensees; license fees not provided for under the Act; any necessary standards to accommodate federally imposed mandates not directly conflicting with the Act; a list of enhancers and prohibited substances; and standards to protect the health and safety of unarmed combat contestants.

MCL 338.3633(10) authorizes the department to promulgate rules to define the terms “stimulants” or “performance-enhancing drugs.”

MCL 338.3633(11)(h) states that the department may promulgate rules under the Administrative Procedures Act of 1969, 1969 PA 306, to establish additional duties for inspectors.

MCL 338.3633b(2)(c) authorizes the department to promulgate additional requirements by rule for a referee, judge, matchmaker, or timekeeper license.

MCL 338.3634(1) gives the director, in consultation with the Commission, the authority to promulgate rules for the license application and approval process for promoters of unarmed combat events.

MCL 338.3635 permits the director, after consultation with the Commission, to promulgate rules to set standards for unarmed combat events and participants, to establish training requirements for promoters, contestants, and participants regulated under the Act, or to establish license fees or training requirements for other individuals who are engaged in activities regulated by the Act not otherwise provided for in the Act.

MCL 338.3647(2) requires the department, in consultation with the Commission, to promulgate rules regarding the timing of drug tests for contestants and summary suspension procedures for contestants who fail to submit a drug test or who test positive for controlled substances and other drugs specified in subrule (2). The rules must include all of the following: A procedure to allow the department to place the licensee on a national suspension list as specified in this provision, an expedited appeal process for summary suspension, and a relicensing procedure following summary suspension.

MCL 338.3654a(2)(e) requires the department to establish weight classes for contestants by rule.

Section 3 of E.R.O. No. 2019-2, MCL 333.27001(3), transferred the authorities, powers, duties, functions, and responsibilities of the director of the department under MCL 338.3622(4), 338.3634(2)(d), and 338.3635, to the Unarmed Combat Commission, effective April 30, 2019.

**A. Please list all applicable statutory references (MCLs, Executive Orders, etc.).**

MCL 338.3622(3), MCL 338.3622(4), MCL 338.3633(10), MCL 338.3633(11)(h), MCL 338.3633b(2)(c), MCL 338.3634(1), MCL 338.3635, MCL 338.3647(2), and MCL 338.3654a(2)(e).

Section 3 of E.R.O. No. 2019-2, MCL 333.27001(3).

**B. Are the rules mandated by any applicable constitutional or statutory provision? If so, please explain.**

MCL 338.3622(4) requires the department director to promulgate rules to establish the following: Number and qualifications of ring officials; powers, duties, and compensation of ring officials; qualifications, activities, and responsibilities of licensees; license fees not provided for under the Act; any necessary standards to accommodate federally imposed mandates not directly conflicting with the Act; a list of enhancers and prohibited substances; and standards to protect the health and safety of contestants.

MCL 338.3647(2) requires the department, in consultation with the Commission, to promulgate rules regarding the timing of drug tests for contestants and summary suspension procedures for contestants who fail to submit a drug test or who test positive for controlled substances and other drugs specified in subrule (2). The rules must include all of the following: A procedure to allow the department to place the licensee on a national suspension list as specified in this provision, an expedited appeal process for summary suspension, and a relicensing procedure following summary suspension.

The Federal Muhammed Ali Boxing Reform Act, 15 U.S.C. §§ 6301-6313, requires state boxing commissions to establish safety standards, procedures regarding the suspension of boxers, procedures for drug testing, procedures for disclosing interests, and other requirements for professional boxing.

**9. Please describe the extent to which the rules conflict with or duplicate similar rules, compliance requirements, or other standards adopted at the state, regional, or federal level.**

The rules will not conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government. Professional boxing, mixed martial arts, and other forms of “unarmed combat” sports are exclusively regulated at the state level by the Commission, except as otherwise provided in the Act.

**10. Is the subject matter of the rules currently contained in any guideline, handbook, manual, instructional bulletin, form with instructions, or operational memoranda?**

Yes. The Commission’s website ([www.michigan.gov/ucc](http://www.michigan.gov/ucc)) includes instructions for renewing a license and highlights the amendments to the Act. All the licensing forms and instructions can be found by clicking on “Forms and Applications” on the right-hand side and on “UCC Applications.” The current ruleset is the subject of a spotlight published on the Commission’s website.

**11. Are the rules listed on the department’s annual regulatory plan as rules to be processed for the current year?**

Yes.

**12. Will the proposed rules be promulgated under Section 44 of the Administrative Procedures Act, 1969 PA 306, MCL 24.244, or under the full rulemaking process?**

Full Process

**13. Please describe the extent to which the rules exceed similar regulations, compliance requirements, or other standards adopted at the state, regional, or federal level.**

The amendments will not exceed similar regulations, compliance requirements, or other standards adopted at the state, regional, or federal level. The Commission’s proposed amendments to the existing ruleset are consistent with the Muhammed Ali Boxing Reform Act, 15 U.S.C. §§ 6301-6313.

**14. Do the rules incorporate the recommendations received from the public regarding any complaints or comments regarding the rules? If yes, please explain.**

The Commission has received public comment at its quarterly public meetings concerning issues of reliability and impartiality of event officials, as well as an eagerness for rules that would allow kickboxing events to occur in Michigan. The proposed amendments will incorporate changes to the current rule set to address the concerns regarding event officials and will establish rules of engagement that will allow kickboxing events in the state to safely occur.

**15. If amending an existing rule set, please provide the date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed the regulatory activity covered by the rules since the last evaluation.**

The last full evaluation of the rules was in November of 2018. Due to the COVID-19 pandemic, beginning in March 2020, there have been fewer unarmed combat events held in the state. There have been no other technology, economic conditions, or other factors that have changed the regulatory activity covered by the rules since the last evaluation.

**16. Are there any changes or developments since implementation that demonstrate there is no continued need for the rules, or any portion of the rules?**

There have been no changes or developments and there is a continued need for the rules.

**17. Is there an applicable decision record (as defined in MCL 24.203(6) and required by MCL 24.239(2))? If so, please attach the decision record.**

No