

DISCIPLINARY ACTION FOR PARTICIPATION IN A NON-SANCTIONED FIGHT

Issue

What disciplinary action will the State Athletic Commissioner (Commissioner) take against a licensee or license applicant who participates in a non-sanctioned fight (NSF)?

Conclusion

Any licensee (including any license applicant) who has competed in a NSF will not be approved by the Commissioner to compete for a minimum of 45 days from the date of the NSF, if the fight ends in any manner other than a technical knockout (TKO), knockout (KO), or a referee stops contest strike (RSC strike).

If the NSF ends as a result of a TKO, KO, or RSC strike, the licensee or license applicant will not be approved to compete for a minimum of 60 days from the date of the NSF. After the NSF, the licensee must also submit to the Athletic Commission his or her negative test results for the HIV virus, hepatitis C antibody, and the hepatitis B virus, as taken by a physician or other person authorized by law to conduct diagnostic blood tests.

Definitions

Knockout (KO). Knockout, or “KO,” means a referee has determined that a contestant either lost consciousness, was unable to rise to his or her feet within a specified period of time, or was otherwise unable to continue due to a legal strike or blow from an opponent.

Non-sanctioned fight (NSF). Non-sanctioned fight, or “NSF,” means any boxing, wrestling, mixed martial arts (MMA), sparring, or other unarmed combat match involving striking, kicking, or grappling which is not regulated by a state, provincial, or tribal regulatory body.

Referee stops contest strike (RSC strike). Referee stops contest strike, or “RSC strike” means a referee in a MMA contest determines that a contestant: (1) has suffered a legal blow or strike which would prevent him or her from safely continuing; or (2) is being subjected to a series of legal strikes or blows and is unable to effectively defend himself or herself.

Technical knockout (TKO). Technical knockout, or “TKO,” means: (1) a boxer is knocked to the canvas from a legal strike or blow either three times in one round or five times in one bout; or (2) either the official ring physician or the contestant’s corner determines that it is unsafe for the contestant to continue.

Analysis

Applicants seeking a license who participate in NSFs endanger opponents and the general public. This is especially true if the bout ends in a KO, TKO, or RSC strike, justifying a stiffer sanction. Most states use a graduated discipline like this.

[Neb. Rev. Stat. § 81-8,129](#) grants the Commissioner sole direction, management, control, and jurisdiction over boxing, wrestling, MMA, and sparring matches. [Neb. Rev. Stat. § 81-8,139](#) grants the Commissioner authority to issue rules and regulations for the enforcement of the applicable statutory sections, including the power to reprimand or suspend any athlete for a period not to exceed one year.

APPROVED:

A handwritten signature in black ink, appearing to read "James M. Haynes". The signature is fluid and cursive, with a large initial "J" and "H".

James M. Haynes
Acting Athletic Commissioner

October 24, 2011