

CHAPTER 20:81:08

AMATEUR ORGANIZATIONS AND EDUCATIONAL INSTITUTIONS

Section

20:81:08:01 Recognition of amateur organizations and educational institutions.

DISCUSSION ONLY

20:81:08:01. Recognition of amateur organizations and educational institutions. An amateur sanctioning body or bona fide educational institution seeking the approval of the Commission shall file a written application for approval on a form prescribed by the Commission and submit the applicable fee. An applicant shall provide supplemental information or affidavits establishing facts upon request within any reasonable time limit set by the Commission. Failure to timely respond to a request for supplemental information or affidavits shall be deemed to be a withdrawal of the application.

An application for approval must include evidence of the amateur sanctioning body or educational institution's reputation.

The Commission may only approve those proposed recognized amateur sanctioning bodies and educational institutions that meet the following requirements:

(1) The proposed amateur sanctioning body or educational institution has a legal existence; it is incorporated or otherwise legally recognized under the laws of its domicile and is authorized to conduct business in South Dakota. In the alternative, a proposed nationally recognized sanctioning body may irrevocably appoint an agent for service of process for all purposes in South Dakota;

(2) The proposed amateur sanctioning body or educational institution has rules that provide for the exclusion of professionals from its competitions;

(3) The proposed amateur sanctioning body or educational institution has rules that provide for the exclusion of contestants under the age of eighteen from its competitions, or alternatively, applies stricter medical safeguards and requirements for all contestants under the age of eighteen;

(4) The proposed amateur sanctioning body or educational institution has rules that provide for the medical safety and care of its contestants. At a minimum, the proposed nationally recognized sanctioning body has policies and procedures that:

(a) Require continuous presence of an ambulance staffed with emergency medical personnel or paramedics at all events;

(b) Assure that bouts do not unreasonably endanger the health of competitors by requiring pre-bout physical examinations completed by a licensed medical doctor or doctor of osteopathy, and excluding the medically unfit from competition;

(c) Require the attendance of a medical doctor or doctor of osteopathy at ringside during the entire event;

(d) Restrict the type of blows that can be delivered and limit the time and frequency of bouts, and such other conditions recommended by medical advisors;

(e) Assure that it is illegal to strike with the elbows or knee in all instances of the contest;

(f) Assure that payment for necessary emergency care for injuries sustained in a contest in sanctioned events is available by purchasing insurance for events or requiring proof that contestants are medically insured; and

(g) Assure that all medical deductibles are the responsibility of the promoter;

(5) The proposed amateur sanctioning body or educational institution has rules that provide for cooperation with the Commission that include:

(a) The prompt investigation and resolution of complaints from contestants, interested persons, and the Commission;

(b) Advanced notification to the Commission upon approval of contests occurring in South Dakota;

(c) Admission of Commission officials without charge to any contest, and any portion of the venue;

(d) A policy to self-report to the Commission of any violation of the body or institution's rules arising out of a contest in South Dakota;

(e) A policy requiring all contestants, officials, and the body or institution itself to appear at reasonable times before the Commission and truthfully answer any lawful inquiry of the Commission;

(f) Sharing the dispositions of complaints with the Commission, upon request;

(g) A system of review that assures that the body or institution fairly applies its rules; and

(6) The proposed amateur sanctioning body or educational institution has rules that require the identification of the sanctioning body or educational institution on all advertisements for contests held in South Dakota, at the site of any South Dakota contest, and upon all programs or handbills distributed at any South Dakota contest.

The approval of an amateur sanctioning body or educational institutions expires on the 31st day of December ~~in even-numbered years~~ each year;

The Commission may decline to approve an amateur sanctioning body or educational institution, or censure, probate, suspend, or revoke the approval of an amateur sanctioning body or educational institution for a violation of SDCL chapter 42-12 or any rules promulgated pursuant thereto.

Source: 41 SDR 7, effective July 28, 2014.

General Authority: SDCL 42-12-10.

Law Implemented: SDCL 42-12-10.