

PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

Form A

(20__)

For School Districts Calculating a Separate Rate on Each Subclass of Property

Name of Political Subdivision _____ Political Subdivision Code _____ Purpose of Levy _____
The final version of this form MUST be sent to the county clerk.
Computation of reassessment growth and rate for compliance with Article X, Section 22, and Section 137.073, RSMo.

Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information on the Informational Summary Page, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

| | Real Estate | | | Personal Property | Total | Prior Method Single Rate |
|--|-----------------|------------------|----------------|-------------------|-------|--------------------------|
| | (a) Residential | (b) Agricultural | (c) Commercial | | | |
| 1. (20__) Current year assessed valuation Include the current locally assessed valuation obtained from the county clerk, county assessor, or comparable office finalized by the local board of equalization. | | | | | | |
| 2. Assessed valuation of new construction & improvements 2(a) (b) & (c) - May be obtained from the county clerk or county assessor, 2(d) = Line 1(d) - 3(d) - 6(d) + 7(d) + 8(d), if negative, enter 0 | | | | | | |
| 3. Assessed value of newly added territory obtained from the county clerk or county assessor | | | | | | |
| 4. Assessed value of real property that changed subclass from the prior year and was added to a new subclass in the current year obtained from the county clerk or county assessor | | | | | | |
| 5. Adjusted current year assessed valuation (Line 1 - Line 2 - Line 3 - Line 4) | | | | | | |
| 6. (20__) Prior year assessed valuation Include the prior year locally assessed valuation obtained from the county clerk, county assessor, or comparable office finalized by the local board of equalization. NOTE: If this is different than the amount on the prior year Form A, Line 1 then revise the prior year tax rate form to recalculate the prior year tax rate ceiling. Enter the revised prior year tax rate ceiling on the current year's Summary Page, Line A. | | | | | | |
| 7. Assessed value in newly separated territory obtained from the county clerk or county assessor | | | | | | |
| 8. Assessed value of property locally assessed in prior year, but state assessed in current year obtained from the county clerk or county assessor | | | | | | |
| 9. Assessed value of real property that changed subclass from the prior year and was subtracted from the previously reported subclass obtained from the county clerk or county assessor | | | | | | |
| 10. Adjusted prior year assessed valuation (Line 6 - Line 7 - Line 8 - Line 9) | | | | | | |





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Form A
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(20__)

Name of Political Subdivision _____ Political Subdivision Code _____ Purpose of Levy _____
The final version of this form MUST be sent to the county clerk.
 Computation of reassessment growth and rate for compliance with Article X, Section 22, and Section 137.073, RSMo.

Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information on the Informational Summary Page, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

| | (a) | (b) | (c) | (d) | Total | Prior Method Single Rate |
|--|-------------|-----------------------------|------------|----------------------|-------|-----------------------------|
| | Residential | Real Estate Agricultural | Commercial | Personal Property | | |
| 11. Percentage increase in adjusted valuation of existing property in the current year over the prior year's assessed valuation (Line 5 + Line 10 / Line 10 x 100) | _____ | _____ | _____ | _____ | _____ | _____ |
| 12. Increase in Consumer Price Index (CPI) certified by the State Tax Commission | _____ | _____ | _____ | _____ | _____ | _____ |
| 13. Adjusted prior year assessed valuation (Line 10) | _____ | _____ | _____ | _____ | _____ | _____ |
| 14. (20__) Prior year voluntarily reduced rate in non-reassessment year (Summary Page, Line A) | _____ | _____ | _____ | _____ | _____ | _____ |
| 15. Maximum prior year adjusted revenue permitted from locally assessed property that existed in both years (Line 13 x Line 14 / 100) | _____ | _____ | _____ | _____ | _____ | _____ |
| 16. Maximum prior year revenue from state assessed property before reductions, provided by DESE & allocated to each subclass of real estate based on its % of assessed valuation | _____ | _____ | _____ | _____ | _____ | _____ |
| 17. Total adjusted prior year revenue (Line 15 + Line 16) | _____ | _____ | _____ | _____ | _____ | _____ |
| 18. Permitted reassessment revenue growth Enter the lower of the actual growth (Line 11), the CPI (Line 12), or 5%. If Line 11 is negative, enter 0%. Do not enter less than 0%, nor more than 5%. | _____ | _____ | _____ | _____ | _____ | _____ |
| 19. Additional reassessment revenue permitted (Line 17 x Line 18) | _____ | _____ | _____ | _____ | _____ | _____ |
| 20. Revenue permitted in the current year from property that existed in both years (Line 17 + Line 19) | _____ | _____ | _____ | _____ | _____ | _____ |
| 21. Estimated current year revenue from state assessed property before reductions The school district should use its best estimate for Line 21 total, which is allocated to each subclass of real estate based on its % of assessed valuation. (i.e. same amount as Line 16 total, Line 16 total multiplied by the % increase in state assessed valuation per the State Tax Commission, or using the best educated guess) If Line 21 total declines substantially from the amount on Line 16 total, please provide written documentation to the State Auditor's Office to explain the reasons for such difference. | _____ | _____ | _____ | _____ | _____ | _____ |
| 21a. New construction and improvements (Line 21 - Line 16, if negative enter 0) | _____ | _____ | _____ | _____ | _____ | _____ |
| 21b. Adjusted estimated current year revenue from state assessed property before reductions (Line 21 + Line 21a) | _____ | _____ | _____ | _____ | _____ | _____ |

PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

Form A

(20__)

For School Districts Calculating a Separate Rate on Each Subclass of Property

Name of Political Subdivision _____ Political Subdivision Code _____ Purpose of Levy _____
The final version of this form MUST be sent to the county clerk.
 Computation of reassessment growth and rate for compliance with Article X, Section 22, and Section 137.073, RSMo.

Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information on the Informational Summary Page, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

| | (a) Residential | (b) Real Estate Agricultural | (c) Commercial | (d) Personal Property | Total | Prior Method Single Rate |
|--|--------------------|------------------------------------|-------------------|-----------------------------|-------|-----------------------------|
| 22. Revenue permitted from existing locally assessed property (Line 20 - Line 21b) | _____ | _____ | _____ | _____ | _____ | _____ |
| 23. Adjusted current year assessed valuation (Line 5) | _____ | _____ | _____ | _____ | _____ | _____ |
| 24. Tax rate permitted using prior method tax rate permitted prior to HB 1150 & SB960 (Line 22 / Line 23 x 100) | _____ | _____ | _____ | _____ | _____ | _____ |
| 25. Limit personal property to the prior year ceiling (Lower of Line 24 personal property or Line 14 personal property) | _____ | _____ | _____ | _____ | _____ | _____ |
| 26. Maximum authorized levy (Summary Page, Line E) | _____ | _____ | _____ | _____ | _____ | _____ |
| 27. Limit to the prior year maximum authorized levy (Lower of Line 24, Line 25 for personal property only, or Line 26) Enter the rate for the prior method column on Line B of the Summary Page | _____ | _____ | _____ | _____ | _____ | _____ |
| Calculate Revised Rate(s) | | | | | | |
| 28. Tax revenue (Line 1 x Line 27 / 100) | _____ | _____ | _____ | _____ | _____ | _____ |
| 29. Total assessed valuation (Line 1 total) | _____ | _____ | _____ | _____ | _____ | _____ |
| 30. Blended rate (Line 28 total / Line 29 x 100) | _____ | _____ | _____ | _____ | _____ | _____ |
| 31. Revenue difference due to the multi rate calculation (Line 28 total - Line 28 prior method) | _____ | _____ | _____ | _____ | _____ | _____ |
| 32. Rate(s) to be revised NOTE: Revision cannot increase personal property rate. (If Line 31 < 0 & Line 27 < Line 27 prior method, then Line 27, otherwise 0) | _____ | _____ | _____ | _____ | _____ | _____ |
| 33. Current year adjusted assessed valuation of the rates being revised (If Line 32 > 0, then Line 5, otherwise 0) | _____ | _____ | _____ | _____ | _____ | _____ |
| 34. Relative ratio of current year adjusted assessed valuation of the rates being revised (Line 33 / Line 33 total) | _____ | _____ | _____ | _____ | _____ | _____ |
| 35. Revision to rate (If Line 32 > 0, then -Line 34 x Line 31 / Line 5 x 100 (limited to - Line 32), otherwise 0) | _____ | _____ | _____ | _____ | _____ | _____ |
| 36. Revised rate (Line 27 + Line 35) | _____ | _____ | _____ | _____ | _____ | _____ |
| 37. Revised rate rounded (If Line 36 < 1, then round to a 3 - digit rate, otherwise round to a 4 - digit rate) | _____ | _____ | _____ | _____ | _____ | _____ |



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED
Form A
For School Districts Calculating a Separate Rate on Each Subclass of Property

(20__)

Name of Political Subdivision _____ Political Subdivision Code _____ Purpose of Levy _____
The final version of this form MUST be sent to the county clerk.
Computation of reassessment growth and rate for compliance with Article X, Section 22, and Section 137.073, RSMo.

Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information on the Informational Summary Page, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

Calculate Final Blended Rate

| | (a) | (b) | (c) | (d) | Total | Prior Method Single Rate |
|--|-------------|-----------------------------|------------|----------------------|-------|-----------------------------|
| | Residential | Real Estate Agricultural | Commercial | Personal Property | | |
| 38. Tax revenue (Line 1 x Line 37 / 100) | | | | | | |
| 39. Total assessed valuation (Line 1 total) | | | | | | |
| 40. Final blended rate (Line 38 total / Line 39 x 100) | | | | | | |
| 41. Tax rate(s) permitted calculated pursuant to Article X, Section 22, and Section 137.073 RSMo (Line 37) | | | | | | |
| Enter rate(s) on the Summary Page, Line B | | | | | | |

For Informational Purposes Only - Impact of the Multi Rate System

| | | | | | | |
|---|--|--|--|--|--|--|
| 42. Revenue calculated using the multi rate method (Line 41 x Line 1 / 100) | | | | | | |
| 43. Revenue calculated using the single rate method (Line 27 prior method x Line 1 / 100) | | | | | | |
| 44. Revenue differences using the different methods (Line 42 - Line 43) | | | | | | |
| 45. Percent change (Line 44 / Line 43) | | | | | | |

For Informational Purposes Only - Blended Rate Calculation

| | | | | | | |
|--|--|--|--|--|--|--|
| 46. Tax rate ceiling (Summary Page, Line F) | | | | | | |
| 47. Allowable recoupment rate (Summary Page, Line I) | | | | | | |
| 48. DESE Screen 6 tax rate ceiling including recoupment (Line 46 + Line 47) | | | | | | |
| 49. Assessed valuation (Line 1) | | | | | | |
| 50. Revenue from DESE Screen 6 tax rate ceiling (Line 48 x Line 49 / 100) | | | | | | |
| 51. Blended tax rate ceiling to report on DESE Screen 6 (Line 50 total / Line 49 total x 100) | | | | | | |
| 52. Voluntary reduction (Summary Page, Line H) | | | | | | |
| 53. Unadjusted levy (Line 48 - Line 52) | | | | | | |
| 54. Assessed valuation (Line 1) | | | | | | |
| 55. Revenue from unadjusted levy (Line 53 x Line 54 / 100) | | | | | | |
| 56. Blended tax rate from the unadjusted levy to report on DESE Screen 6 (Line 55 / Line 54 x 100) | | | | | | |
| 57. Prop C reduction (Summary Page, Line G) | | | | | | |
| 58. Adjusted levy (Line 53 - Line 57) | | | | | | |
| 59. Assessed valuation (Line 1) | | | | | | |
| 60. Revenue from adjusted levy (Line 58 x Line 59 / 100) | | | | | | |
| 61. Blended tax rate from the adjusted levy to report on DESE Screen 6 (Line 60 / Line 59 x 100) | | | | | | |



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

Form C

(20__)

For School Districts Calculating a Separate Rate on Each Subclass of Property

Name of Political Subdivision Political Subdivision Code Purpose of Levy

The final version of this form MUST be sent to the county clerk.

Debt Service Calculation for General Obligation Bonds Paid for with Property Taxes

The tax rate for debt service will be considered valid if, after making the payment(s) for which the tax was levied, the bonds remain outstanding, and the debt fund reserves do not exceed the following year's payments.

Since the property taxes are levied and collected on a calendar year basis (January - December), it is recommended that this levy be computed using calendar year data.

1. **Total current year assessed valuation** obtained from the county clerk or county assessor (Form A, Line 1 total) _____
 2. **Amount required to pay debt service requirements during the next calendar year** (i.e. Assuming the current year is year 1, use January - December year 2 payments to complete the year 1 Form C) Include the principal and interest payments due on outstanding general obligation bond issues plus anticipated fees of any transfer agency or paying agent due during the next calendar year. _____
 3. **Estimated costs of collection and anticipated delinquencies (i.e. collector fees and commissions and assessment fund withholdings)**
Experience in prior years is the best guide for estimating uncollectible taxes.
It is 2% to 10% of Line 2 above. _____
 4. **Reasonable reserve up to one year's payment** (i.e. Assuming the current year is year 1, use January - December year 3 payments to complete the year 1 Form C) It is important that the debt service fund have sufficient reserves to prevent any default on the bonds. Include payments for the year following the next calendar year, accounted for on Line 2. _____
 5. **Total required for debt service** (Line 2 + Line 3 + Line 4) _____
 6. **Anticipated balance at end of current calendar year**
Show the anticipated bank or fund balance at December 31st of this year (this will equal the current balance minus the amount of any principal or interest due before December 31st plus any estimated investment earnings due before December 31st). Do not add the anticipated collections of this tax into this amount. _____
 7. **Property tax revenue required for debt service** (Line 5 - Line 6)
Line 6 is subtracted from Line 5 because the debt service fund is only allowed to have the payments required for the next calendar year (Line 2) and the reasonable reserve of the following year's payments (Line 4). Any current balance in the fund is already available to meet these requirements, so it is deducted from the total revenues required for debt service purposes. _____
 8. **Estimated revenue from state assessed property for debt service for the next calendar year (January - December)** - must be estimated by the school district. In most instances a good estimate would be the same amount as the state assessed revenues actually placed in the debt service fund in the prior year. _____
 - 8a. **New construction and improvements** (Line 8 - Form A Line 16, if negative enter 0) _____
 - 8b. **Adjusted estimated current year revenue from state assessed property before reductions** (Line 8 - Line 8a) _____
 9. **Revenue required from locally assessed property for debt service** (Line 7 - Line 8b) _____
 10. **Computation of debt service tax rate** (Line 9 / Line 1 x 100)
Round a fraction to the nearest one/one hundredth of a cent. _____
 11. **Less voluntary reduction by political subdivision** _____
 12. **Actual rate to be levied for debt service purposes *** (Line 10 - Line 11)
Enter this rate on the Summary Page, Line AA _____
- * The tax rate levied may be lower than the rate computed as long as adequate funds are available to service the debt requirements.

PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED
Informational Form A
For School Districts Calculating a Separate Rate on Each Subclass of Property

(20__)

| | | |
|---|----------------------------|-----------------|
| Name of Political Subdivision | Political Subdivision Code | Purpose of Levy |
| The final version of this form MUST be sent to the county clerk. | | |
| Computation of reassessment growth and rate for compliance with Article X, Section 22, and Section 137.073, RSMo. | | |

This form shows the information that would have been on the line items for the Form A had no voluntary reduction(s) been taken in prior even numbered year(s). The information on this form should not be used in the current year unless the taxing authority wishes to reverse any voluntary reduction(s) taken in prior even numbered year(s) and follows the following steps in an even numbered year.
Step 1 - The governing body should hold a public hearing and adopt a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate.
Step 2 - Submit a copy of the resolution, policy, statement, or ordinance to the State Auditor's Office for review.

| | (a) Residential | (b) Real Estate Agricultural | (c) Commercial | (d) Personal Property | Total | Prior Method Single Rate |
|--|--------------------|------------------------------------|-------------------|-----------------------------|-------|-----------------------------|
| 1. (20__) Current year assessed valuation Include the current locally assessed valuation obtained from the county clerk, county assessor, or comparable office finalized by the local board of equalization. | | | | | | |
| 2. Assessed valuation of new construction & improvements 2(a) (b) & (c) - May be obtained from the county clerk or county assessor, 2(d) = Line 1(d) - 3(d) - 6(d) + 7(d) + 8(d), if negative, enter 0 | | | | | | |
| 3. Assessed value of newly added territory obtained from the county clerk or county assessor | | | | | | |
| 4. Assessed value of real property that changed subclass from the prior year and was added to a new subclass in the current year obtained from the county clerk or county assessor | | | | | | |
| 5. Adjusted current year assessed valuation (Line 1 - Line 2 - Line 3 - Line 4) | | | | | | |
| 6. (20__) Prior year assessed valuation Include the prior year locally assessed valuation obtained from the county clerk, county assessor, or comparable office finalized by the local board of equalization. NOTE: If this is different than the amount on the prior year Informational Form A, Line 1 then revise the prior year tax rate form to recalculate the prior year tax rate ceiling. Enter the revised prior year tax rate ceiling on the current year's Informational Summary Page, Line A. | | | | | | |
| 7. Assessed value in newly separated territory obtained from the county clerk or county assessor | | | | | | |
| 8. Assessed value of property locally assessed in prior year, but state assessed in current year obtained from the county clerk or county assessor | | | | | | |
| 9. Assessed value of real property that changed subclass from the prior year and was subtracted from the previously reported subclass obtained from the county clerk or county assessor | | | | | | |
| 10. Adjusted prior year assessed valuation (Line 6 - Line 7 - Line 8 - Line 9) | | | | | | |

PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

Informational Form A

For School Districts Calculating a Separate Rate on Each Subclass of Property

(20__)

Name of Political Subdivision _____ Political Subdivision Code _____ Purpose of Levy _____

The final version of this form MUST be sent to the county clerk.

Computation of reassessment growth and rate for compliance with Article X, Section 22, and Section 137.073, RSMo.

This form shows the information that would have been on the line items for the Form A had no voluntary reductions(s) been taken in prior even numbered year(s). The information on this form should not be used in the current year unless the taxing authority wishes to reverse any voluntary reduction(s) taken in prior even numbered year(s) and follows the following steps in an even numbered year.

Step 1 - The governing body should hold a public hearing and adopt a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate.

Step 2 - Submit a copy of the resolution, policy, statement, or ordinance to the State Auditor's Office for review.

| | (a) | (b) | (c) | (d) | Total | Prior Method Single Rate |
|---|-------------|-----------------------------|------------|----------------------|-------|--------------------------|
| | Residential | Real Estate Agricultural | Commercial | Personal Property | | |
| 11. Percentage increase in adjusted valuation of existing property in the current year over the prior year's assessed valuation (Line 5 - Line 10 / Line 10 x 100) | | | | | | |
| 12. Increase in Consumer Price Index (CPI) certified by the State Tax Commission | | | | | | |
| 13. Adjusted prior year assessed valuation (Line 10) | | | | | | |
| 14. (20__) Prior year tax rate ceiling (Informational Summary Page, Line A) | | | | | | |
| 15. Maximum prior year adjusted revenue permitted from locally assessed property that existed in both years (Line 13 x Line 14 / 100) | | | | | | |
| 16. Maximum prior year revenue from state assessed property before reductions, provided by the DESE & allocated to each subclass of real estate based on its % of assessed valuation | | | | | | |
| 17. Total adjusted prior year revenue (Line 15 + Line 16) | | | | | | |
| 18. Permitted reassessment revenue growth Enter the lower of the actual growth (Line 11), the CPI (Line 12), or 5%. If line 11 is negative, enter 0%. Do not enter less than 0%, nor more than 5%. | | | | | | |
| 19. Additional reassessment revenue permitted (Line 17 x Line 18) | | | | | | |
| 20. Revenue permitted in the current year from property that existed in both years (Line 17 + Line 19) | | | | | | |
| 21. Estimated current year revenue from state assessed property before reductions The school district should use its best estimate for Line 21 total, which is allocated to each subclass of real estate based on its % of assessed valuation. (i.e. same amount as Line 16 total, Line 16 total multiplied by the % increase in state assessed valuation per the State Tax Commission, or using the educated guess) If Line 21 total declines substantially from the amount on Line 16 total, please provide written documentation to the State Auditor's Office to explain the reasons for such difference. | | | | | | |
| 21a. New construction and improvements (Line 21 - Line 16, if negative enter 0) | | | | | | |
| 21b. Adjusted estimated current year revenue from state assessed property before reductions (Line 21 + Line 21a) | | | | | | |



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED
Informational Form A

For School Districts Calculating a Separate Rate on Each Subclass of Property

(20__)

Name of Political Subdivision _____ Political Subdivision Code _____ Purpose of Levy _____

The final version of this form **MUST** be sent to the county clerk.

Computation of reassessment growth and rate for compliance with Article X, Section 22, and Section 137.073, RSMo.

This form shows the information that would have been on the line items for the Form A, had no voluntary reductions(s) been taken in prior even numbered year(s). The information on this form should not be used in the current year unless the taxing authority wishes to reverse any voluntary reduction(s) taken in prior even numbered year(s) and follows the following steps in an even numbered year.
Step 1 - The governing body should hold a public hearing and adopt a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate.
Step 2 - Submit a copy of the resolution, policy, statement, or ordinance to the State Auditor's Office for review.

(a) (b) (c) (d)

Residential _____ Real Estate _____ Personal _____
Agricultural _____ Commercial _____ Property _____
Total _____

Prior Method
Single Rate

22. Revenue permitted in the current year from existing locally assessed property (Line 20 - Line 21b)

23. Adjusted current year assessed valuation (Line 5)

24. Tax rate permitted using prior method tax rate permitted prior to HB 1150 & SB960 (Line 22 / Line 23 x 100)

25. Limit personal property to the prior year ceiling (Lower of Line 24 personal property or Line 14 personal property)

26. Maximum authorized levy (Informational Summary Page, Line E)

27. Limit to the prior year maximum authorized levy (Lower of Line 24, Line 25 (for personal property only), or Line 26)

Enter the rate for prior method column on Line B of the Informational Summary Page.

Calculate Revised Rate(s)

28. Tax revenue (Line 1 x Line 27 / 100)

29. Total assessed valuation (Line 1 total)

30. Blended rate (Line 28 total / Line 29 x 100)

31. Revenue difference due to the multi rate calculation (Line 28 total - Line 28 prior method)

32. Rate(s) to be revised NOTE: Revision cannot increase personal property rate (if Line 31 < or > 0 & Line 27 < Line 27 prior method, then Line 27, otherwise 0)

33. Current year adjusted assessed valuation of the rates being revised (if Line 32 > 0, then Line 5, otherwise 0)

34. Relative ratio of current year adjusted assessed valuation of the rates being revised (Line 33 / Line 33 total)

35. Revision to rate (if Line 32 > 0, then - Line 34 x Line 31 / Line 5 x 100 (limited to - Line 32), otherwise 0)

36. Revised rate (Line 27 + Line 35)

37. Revised rate rounded (if Line 36 < 1, then round to a 3 - digit rate, otherwise round to a 4-digit rate)

(Form Revised 12-2018)

Informational Form A, Page 3 of 4

PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED
Informational Form A
For School Districts Calculating a Separate Rate on Each Subclass of Property

(20__)

| Name of Political Subdivision | Political Subdivision Code | Purpose of Levy | Real Estate | | | Total | Prior Method Single Rate |
|--|----------------------------|-----------------|--------------------|---------------------|-------------------|-------|-----------------------------|
| | | | (a) Residential | (b) Agricultural | (c) Commercial | | |
| <p>Calculate Final Blended Rate</p> <p>38. Tax revenue (Line 1 x Line 37 / 100)</p> <p>39. Total assessed valuation (Line 1 total)</p> <p>40. Final blended rate (Line 38 total / Line 39 x 100)</p> <p>41. Tax rate(s) permitted calculated pursuant to Article X, Section 22, and Section 137.073, RSMo (Line 37) Enter Rate(s) on the Informational Summary Page, Line B</p> | | | | | | | |
| <p>For Informational Purposes Only - Impact of the Multi Rate System</p> <p>42. Revenue calculated using the multi rate method (Line 41 x Line 1) / 100</p> <p>43. Revenue calculated using the single rate method (Line 27 prior method x Line 1 / 100)</p> <p>44. Revenue differences using the different methods (Line 42 - Line 43)</p> <p>45. Percent change (Line 44 / Line 43)</p> | | | | | | | |
| <p>For Informational Purposes Only - Blended Rate Calculation</p> <p>46. Tax rate ceiling (Informational Summary Page, Line F)</p> <p>47. Allowable recoupment rate (Summary Page, Line I)</p> <p>48. DESE Screen 6 tax rate ceiling including recoupment (Line 46 + Line 47)</p> <p>49. Assessed valuation (Line 1)</p> <p>50. Revenue from DESE Screen 6 tax rate ceiling (Line 48 x Line 49 / 100)</p> <p>51. Blended tax rate ceiling to report on DESE Screen 6 (Line 50 total / Line 49 total x 100)</p> <p>52. Voluntary reduction (Summary Page, Line H)</p> <p>53. Unadjusted levy (Line 48 - Line 52)</p> <p>54. Assessed valuation (Line 1)</p> <p>55. Revenue from unadjusted levy (Line 53 x Line 54 / 100)</p> <p>56. Blended tax rate from the unadjusted levy to report on DESE Screen 6 (Line 55 / Line 54 x 100)</p> <p>57. Prop C reduction (Summary Page, Line G)</p> <p>58. Adjusted levy (Line 53 - Line 57)</p> <p>59. Assessed valuation (Line 1)</p> <p>60. Revenue from adjusted levy (Line 58 x Line 59 / 100)</p> <p>61. Blended tax rate from the adjusted levy to report on DESE Screen 6 (Line 60 / Line 59 x 100)</p> | | | | | | | |

Form G - Initial Calculation of Allowed Recoupment & Calculation of First Year Recoupment Taken

For Compliance With Section 137.073.3(2)(a) and (b) RSMo
For School Districts With a Separate Rate on Each Subclass of Property

| Name of School District | School District Code | Purpose of Levy |
|-------------------------|----------------------|-----------------|
|-------------------------|----------------------|-----------------|

If assessments are reduced after tax rates are set and the reductions are due to decisions of the State Tax Commission or a judicial court or due to clerical corrections, the existing tax rate ceiling may be revised to compensate for the changes described above. A political subdivision may document these changes by filing revised copies of each of the tax rate forms for each year that is affected. These changes should be clearly marked on the revised forms and a written explanation of the revised should be attached.

Before completion of this form, revisions are required to the prior year(s) tax rate forms to determine the revised assessed valuation and revised tax rate ceiling. Revised forms must be filed with the State Auditor before or at the time the recoupment form is filed.

After making revisions, a political subdivision may be permitted to levy an additional tax for up to three years to recoup the revenues it was entitled to receive for the prior year(s) affected by the revisions. The steps below determine if a recoupment is permissible and document to what extent the political subdivision desires to recoup in the current year.

Start with the oldest prior year (if applicable) and work forward to the present.

Please provide a written explanation in the space below (or by attaching an explanation) as to why the political subdivision would be eligible for the recoupment process.

Certification

I, the undersigned hereby do certify that the data set forth below is true and accurate to the best of my knowledge and belief.

| | | |
|-------------------------|-----------|------------|
| Name of School District | Telephone | Signature |
| School District Code | Date | Print Name |
| Purpose of Levy | | |

Form G - Initial Calculation of Allowed Recoupment & Calculation of First Year Recoupment Taken
For Compliance With Section 137.073.3(2)(a) and (b) RSMo
For School Districts With a Separate Rate on Each Subclass of Property

| Name of School District | School District Code | Purpose of Levy | | | | |
|-------------------------|----------------------|-----------------|-------------|--------------|------------|-------------------|
| | | Real Estate | Residential | Agricultural | Commercial | Personal Property |

Year 20 - Complete lines 1 through 16 for the third prior year (if applicable). Make a copy of this section for calculating a recoupment of the fourth or older prior year(s).

| | | | | | |
|--|--|--|--|--|--|
| 1. Revised locally assessed valuation after the changes to 20__ tax rates have been made (Revised Form A, Line 1) | | | | | |
| 2. Revised tax rate ceiling after the revision to the assessed valuation was made (Revised Summary Page, Line F) | | | | | |
| 3. Revised permissible local assessed tax revenue ((Line 1 x Line 2)/100) | | | | | |
| 4. Original tax rate ceiling (Certified) (Original Summary Page, Line F) | | | | | |
| 5. Total locally assessed tax revenue actually produced ((Line 1 x Line 4)/100) | | | | | |
| 6. Revenue loss due to local assessment reduction (Line 3 - Line 5) | | | | | |
| 7. Estimated lost revenue from state assessed property due to revised rates or state assessment reductions This amount must be estimated by the district. | | | | | |
| 8. Total lost revenue to be recouped (Line 6 + Line 7) If there are no negative values, copy Line 8 values to Line 16 and skip Lines 9-15. | | | | | |
| 9. Additional revenue that was received (Pull down negative values from Line 8) | | | | | |
| 10. Revised locally assessed valuation if Line 8 > 0 (Line 1 if Line 8 > 0) | | | | | |
| 11. Relative ratio of Line 10 ratio of assessed valuation of each subclass to the total (Line 10/Line 10 total) | | | | | |
| 12. Allocate the difference on Line 8 based on the relative ratio on Line 11 (Line 9 x Line 11) | | | | | |
| 13. Adjusted lost revenue (Line 8 + Line 12) If there are only negative values remaining, the negative values should be allocated back to the subclass the negative was initially under, using the following steps. If there is a negative value(s) and there is still a positive value(s) in another subclass(es) to allocate the remaining negative values they should be allocated using the relative ratio process again. If there are only positive values remaining, copy Line 13 values to Line 16 and skip Lines 14-15. | | | | | |
| 14. Relative ratio of Line 9 (Line 9/Line 9 total) | | | | | |
| 15. Allocate the difference on Line 13 (only if all of Line 13 values are negative) based on the relative ratio on Line 14 (Line 13 total x Line 14) Copy Line 15 values to Line 16. | | | | | |
| 16. Total lost revenue allowed to be recouped | | | | | |

Form G - Initial Calculation of Allowed Recoupment & Calculation of First Year Recoupment Taken

For Compliance With Section 137.073.3(2)(a) and (b) RSMo
For School Districts With a Separate Rate on Each Subclass of Property

| Name of School District | School District Code | Purpose of Levy | | | |
|-------------------------|----------------------|-----------------|--------------|------------|-------------------|
| | | Residential | Agricultural | Commercial | Personal Property |

Year 20 - Complete lines 17 through 32 for the second prior year (if applicable).

- 17. Revised locally assessed valuation after the changes to 20__ tax rates have been made (Revised Form A, Line 1)
- 18. Revised tax rate ceiling after the revision to the assessed valuation was made (Revised Summary Page, Line F)
- 19. Revised permissible local assessed tax revenue ((Line 17 x Line 18)/100)
- 20. Original tax rate ceiling (Certified) (Original Summary Page, Line F)
- 21. Total locally assessed tax revenue actually produced ((Line 17 x Line 20)/100)
- 22. Revenue loss due to local assessment reduction (Line 19 - Line 21)
- 23. Estimated lost revenue from state assessed property due to revised rates or state assessment reductions
This amount must be estimated by the district.
- 24. Total lost revenue to be recouped (Line 22 + Line 23)
If there are no negative values, copy Line 24 values to Line 32 and skip Lines 25-31.
- 25. Additional revenue that was received (Pull down negative values from Line 24)
- 26. Revised locally assessed valuation if Line 24 > 0 (Line 17 if Line 24 > 0)
- 27. Relative ratio of Line 26 ratio of assessed valuation of each subclass to the total (Line 26/Line 26 total)
- 28. Allocate the difference on Line 24 based on the relative ratio on Line 27 (Line 25 x Line 27)
- 29. Adjusted lost revenue (Line 24 + Line 28)
If there are only negative values remaining, the negative values should be allocated back to the subclass the negative was initially under, using the following steps.
If there is a negative value(s) and there is still a positive value(s) in another subclass(es) to allocate the remaining negative values they should be allocated using the relative ratio process again.
If there are only positive values remaining, copy Line 29 values to Line 32 and skip Lines 30-31.
- 30. Relative ratio of Line 25 (Line 25/Line 25 total)
- 31. Allocate the difference on Line 29 (only if all of Line 29 values are negative) based on the relative ratio on Line 30 (Line 29 total x Line 30) Copy Line 31 values to Line 32.
- 32. Total lost revenue allowed to be recouped

Form G - Initial Calculation of Allowed Recoupment & Calculation of First Year Recoupment Taken
For Compliance With Section 137.073.3(2)(a) and (b) RSMo
For School Districts With a Separate Rate on Each Subclass of Property

| Name of School District | School District Code | | Purpose of Levy | | | | |
|-------------------------|----------------------|--|-----------------|--------------|------------|-------------------|-------|
| | | | Real Estate | | | | |
| | | | Residential | Agricultural | Commercial | Personal Property | Total |

Year 20 - Complete lines 33 through 48 for the prior year (if applicable).

| | | | | | |
|--|--|--|--|--|--|
| 33. Revised locally assessed valuation after the changes to 20... tax rates have been made (Revised Form A, Line 1) | | | | | |
| 34. Revised tax rate ceiling after the revision to the assessed valuation was made (Revised Summary Page, Line F) | | | | | |
| 35. Revised permissible local assessed tax revenue (Line 33 x Line 34/100) | | | | | |
| 36. Original tax rate ceiling (Certified) (Original Summary Page, Line F) | | | | | |
| 37. Total locally assessed tax revenue actually produced (Line 33 x Line 36/100) | | | | | |
| 38. Revenue loss due to local assessment reduction (Line 35 - Line 37) | | | | | |
| 39. Estimated lost revenue from state assessed property due to revised rates or state assessment reductions This amount must be estimated by the district. | | | | | |
| 40. Total lost revenue to be recouped (Line 38 + Line 39) If there are no negative values, copy Line 40 values to Line 48 and skip Lines 41-47. | | | | | |
| 41. Additional revenue that was received (Pull down negative values from Line 40) | | | | | |
| 42. Revised locally assessed valuation if Line 40 > 0 (Line 33 if Line 40 > 0) | | | | | |
| 43. Relative ratio of Line 42 ratio of assessed valuation of each subclass to the total (Line 42/Line 42 total) | | | | | |
| 44. Allocate the difference on Line 40 based on the relative ratio on Line 43 (Line 41 x Line 43) | | | | | |
| 45. Adjusted lost revenue (Line 40 + Line 44) If there are only negative values remaining, the negative values should be allocated back to the subclass the negative was initially under, using the following steps. If there is a negative value(s) and there is still a positive value(s) in another subclass(es) to allocate the remaining negative values they should be allocated using the relative ratio process again. If there are only positive values remaining, copy Line 45 values to Line 48 and skip Lines 46-47. | | | | | |
| 46. Relative ratio of Line 41 (Line 41/Line 41 total) | | | | | |
| 47. Allocate the difference on Line 45 (only if all of Line 45 values are negative) based on the relative ratio on Line 46 (Line 45 total x Line 46) Copy Line 47 values to Line 48. | | | | | |
| 48. Total lost revenue allowed to be recouped | | | | | |

Form G - Initial Calculation of Allowed Recoupment & Calculation of First Year Recoupment Taken
For Compliance With Section 137.073.3(2)(a) and (b) RSMo
For School Districts With a Separate Rate on Each Subclass of Property

| Name of School District | School District Code | Purpose of Levy | | | | |
|---|----------------------|-----------------|--------------|------------|-------------------|-------|
| | | Real Estate | | | | |
| | | Residential | Agricultural | Commercial | Personal Property | Total |
| Determination of Recoupment Rates | | | | | | |
| 49. Total revenue loss (Line 16 + Line 32 + Line 48) | | | | | | |
| 50. Additional revenue that was received (Pull down negative values from Line 49) | | | | | | |
| 51. Total current year locally assessed property | | | | | | |
| 52. Revised current year locally assessed property Line 50 > 0 (If Line 50 > 0, Line 51, otherwise 0) | | | | | | |
| 53. Relative ratio of Line 52 (Line 52/Line 51 total) | | | | | | |
| 54. Allocate the difference (Line 50 negative total x Line 53) | | | | | | |
| 55. Estimated lost revenue from state assessed property due to revised rates or state assessment reductions This amount must be estimated by the district. | | | | | | |
| 56. Adjusted lost revenue (Line 49 + Line 54 + Line 55) If there are only negative values remaining, the negative values should be allocated back to the subclass the negative was initially under, using the following steps. If there is a negative value(s) and there is still a positive value(s) in another subclass(es) to allocate the remaining negative values they should be allocated using the relative ratio process again. If there are only positive values remaining, copy Line 56 values to Line 59 and skip Lines 57-58. | | | | | | |
| 57. Relative ratio of Line 50 (Line 50/Line 51 total) | | | | | | |
| 58. Allocate the difference on Line 56 (only if all of Line 56 values are negative) based on the relative ratio on Line 57 (Line 56 total x Line 57) Copy Line 58 values to Line 59. | | | | | | |
| 59. Total lost revenue allowed to be recouped | | | | | | |
| 60. Revenue desired to recoup in the current year Do not enter more than Line 59. | | | | | | |
| 61. Rate(s) to be levied to partially or fully recoup the loss ((Line 60/Line 51)x 100) | | | | | | |
| Complete Line 62 if Line 60 is less than Line 59. Form H will need to be completed to continue this recoupment in the 2nd or 3rd year. | | | | | | |
| 62. Portion of revenue on Line 59 remaining for a second or third year of recoupment (Line 59 - Line 60) | | | | | | |

AUTHORITY: sections 29.100, and 137.073.6, RSMo 2016. Original rule filed March 24, 2016, effective Nov. 30, 2016. Amended: Filed Jan. 31, 2018, effective July 30, 2018. Amended: Filed Jan. 28, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Auditor's Office, Attention: Paul Harper, PO Box 869, Jefferson City, MO 65102 or email to rules@auditor.mo.gov within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 15—ELECTED OFFICIALS
Division 40—State Auditor
Chapter 3—Rules Applying to Political Subdivisions**

PROPOSED AMENDMENT

15 CSR 40-3.135 Calculation and Revision of Property Tax Rates by Political Subdivisions Other Than School Districts. The State Auditor's office is replacing Form G referenced in section (3).

PURPOSE: This amendment updates the forms and calculations used by political subdivisions other than school districts to calculate and revise their property tax rate under section 137.073, RSMo. Under the Missouri Constitution, Article X, Section 22, and section 137.073, RSMo, political subdivisions other than school districts must calculate their annual tax rate ceilings and submit them to the Missouri State Auditor's Office. This amendment incorporates changes to recoupment form, Form G referenced in section (3), with corresponding instructions.

Form G - Initial Calculation of Allowed Recoupment & Calculation of First Year Recoupment Taken
For Compliance With Section 137.073.3(2)(a) and (b) RSMo
For Political Subdivisions Other Than School Districts With a Separate Rate on Each Subclass of Property

| Name of Political Subdivision | Political Subdivision Code | Purpose of Levy |
|-------------------------------|----------------------------|-----------------|
|-------------------------------|----------------------------|-----------------|

If assessments are reduced after tax rates are set and the reductions are due to decisions of the State Tax Commission or a judicial court or due to clerical corrections, the existing tax rate ceiling may be revised to compensate for the changes described above. A political subdivision may document these changes by filing revised copies of each of the tax rate forms for each year that is affected. These changes should be clearly marked on the revised forms and a written explanation of the revised should be attached.

Before completion of this form, revisions are required to the prior year(s) tax rate forms to determine the revised assessed valuation and revised tax rate ceiling. Revised forms must be filed with the State Auditor before or at the time the recoupment form is filed.

After making revisions, a political subdivision may be permitted to levy an additional tax for up to three years to recoup the revenues it was entitled to receive for the prior year(s) affected by the revisions. The steps below determine if a recoupment is permissible and document to what extent the political subdivision desires to recoup in the current year.

Start with the oldest prior year (if applicable) and work forward to the present.

Please provide a written explanation in the space below (or by attaching an explanation) as to why the political subdivision would be eligible for the recoupment process.

Certification

I, the undersigned hereby do certify that the data set forth below is true and accurate to the best of my knowledge and belief.

| | | |
|-------------------------------|-----------|------------|
| Name of Political Subdivision | Telephone | Signature |
| Political Subdivision Code | Date | Print Name |
| Purpose of Levy | | |

Form G - Initial Calculation of Allowed Recoupment & Calculation of First Year Recoupment Taken

For Compliance With Section 137.073.3(2)(a) and (b) RSMo
For Political Subdivisions Other Than School Districts With a Separate Rate on Each Subclass of Property

| Name of Political Subdivision | Political Subdivision Code | Purpose of Levy | | | | |
|-------------------------------|----------------------------|-----------------|--------------|------------|-------------------|-------|
| | | Residential | Agricultural | Commercial | Personal Property | Total |
| Real Estate | | | | | | |
| | | | | | | |

Year 20 - Complete lines 1 through 14 for the third prior year (if applicable). Make a copy of this section for calculating a recoupment of the fourth or older prior year(s).

1. Revised assessed valuation after the changes to 20__ tax rates have been made (Revised Form A, Line 1) _____
2. Revised tax rate ceiling after the revision to the assessed valuation was made (Revised Summary Page, Line F) _____
3. Revised permissible tax revenue ((Line 1 x Line 2)/100) _____
4. Original tax rate ceiling (Certified) (Original Summary Page, Line F) _____
5. Total tax revenue actually produced ((Line 1 x Line 4)/100) _____
6. Total lost revenue to be recouped (Line 3 - Line 5)
If there are no negative values, copy Line 6 values to Line 14 and skip Lines 7-13. _____
7. Additional revenue that was received (Pull down negative values from Line 6) _____
8. Revised assessed valuation if Line 6 > 0 (Line 1 if Line 6 > 0) _____
9. Relative ratio of Line 8 ratio of assessed valuation of each subclass to the total (Line 8/Line 8 total) _____
10. Allocate the difference on Line 6 based on the relative ratio on Line 9 (Line 7 x Line 9) _____
11. Adjusted lost revenue (Line 6 + Line 10)
If there are only negative values remaining, the negative values should be allocated back to the subclass the negative was initially under, using the following steps.
If there is a negative value(s) and there is still a positive value(s) in another subclass(es) to allocate the remaining negative values they should be allocated using the relative ratio process again.
If there are only positive values remaining, copy Line 11 values to Line 14 and skip Lines 12-13. _____
12. Relative ratio of Line 7 (Line 7/Line 7 total) _____
13. Allocate the difference on Line 11 (only if all of Line 11 values are negative) based on the relative ratio on Line 12 (Line 11 total x Line 12) Copy Line 13 values to Line 14. _____
14. Total lost revenue allowed to be recouped _____

Form G - Initial Calculation of Allowed Recoupment & Calculation of First Year Recoupment Taken

For Compliance With Section 137.073.3(2)(a) and (b) RSMo
For Political Subdivisions Other Than School Districts With a Separate Rate on Each Subclass of Property

| Name of Political Subdivision | Political Subdivision Code | | Purpose of Levy | | |
|-------------------------------|----------------------------|--------------|-----------------|-------------------|-------|
| | | | Real Estate | | |
| | Residential | Agricultural | Commercial | Personal Property | Total |

Year 20 -- Complete lines 15 through 28 for the second prior year (if applicable).

| | | | | | |
|---|--|--|--|--|--|
| 15. Revised assessed valuation after the changes to 20 tax rates have been made (Revised Form A, Line 1) | | | | | |
| 16. Revised tax rate ceiling after the revision to the assessed valuation was made (Revised Summary Page, Line F) | | | | | |
| 17. Revised permissible tax revenue ((Line 15 x Line 16)/100) | | | | | |
| 18. Original tax rate ceiling (Certified) (Original Summary Page, Line F) | | | | | |
| 19. Total tax revenue actually produced ((Line 15 x Line 18)/100) | | | | | |
| 20. Total lost revenue to be recouped (Line 17 - Line 19) If there are no negative values, copy Line 20 values to Line 28 and skip Lines 21-27. | | | | | |
| 21. Additional revenue that was received (Pull down negative values from Line 20) | | | | | |
| 22. Revised assessed valuation if Line 20 > 0 (Line 15 if Line 20 > 0) | | | | | |
| 23. Relative ratio of Line 22 ratio of assessed valuation of each subclass to the total (Line 22/Line 22 total) | | | | | |
| 24. Allocate the difference on Line 20 based on the relative ratio on Line 23 (Line 21 x Line 23) | | | | | |
| 25. Adjusted lost revenue (Line 20 + Line 24) If there are only negative values remaining, the negative values should be allocated back to the subclass the negative was initially under, using the following steps. If there is a negative value(s) and there is still a positive value(s) in another subclass(es) to allocate the remaining negative values they should be allocated using the relative ratio process again. If there are only positive values remaining, copy Line 25 values to Line 28 and skip Lines 26-27. | | | | | |
| 26. Relative ratio of Line 21 (Line 21/Line 21 total) | | | | | |
| 27. Allocate the difference on Line 25 (only if all of Line 25 values are negative) based on the relative ratio on Line 26 (Line 25 total x Line 26) Copy Line 27 values to Line 27. | | | | | |
| 28. Total lost revenue allowed to be recouped | | | | | |

Form G - Initial Calculation of Allowed Recoupment & Calculation of First Year Recoupment Taken
For Compliance With Section 137.073.3(2)(a) and (b) RSMo
For Political Subdivisions Other Than School Districts With a Separate Rate on Each Subclass of Property

| Name of Political Subdivision | Political Subdivision Code | | Purpose of Levy | | | | | | | |
|-------------------------------|----------------------------|--|-----------------|--|--|-------------|--------------|------------|-------------------|-------|
| | | | | | | Real Estate | | | | |
| | | | | | | Residential | Agricultural | Commercial | Personal Property | Total |

Year 20 - Complete lines 29 through 42 for the prior year (if applicable).

| | | | | | |
|---|--|--|--|--|--|
| 29. Revised assessed valuation after the changes to 20 tax rates have been made (Revised Form A, Line 1) | | | | | |
| 30. Revised tax rate ceiling after the revision to the assessed valuation was made (Revised Summary Page, Line F) | | | | | |
| 31. Revised permissible tax revenue ((Line 29 x Line 30)/100) | | | | | |
| 32. Original tax rate ceiling (Certified) (Original Summary Page, Line F) | | | | | |
| 33. Total tax revenue actually produced ((Line 29 x Line 32)/100) | | | | | |
| 34. Total lost revenue to be recouped (Line 31 - Line 33) If there are no negative values, copy Line 34 values to Line 42 and skip Lines 35-41. | | | | | |
| 35. Additional revenue that was received (Pull down negative values from Line 34) | | | | | |
| 36. Revised assessed valuation if Line 34 > 0 (Line 29 if Line 34 > 0) | | | | | |
| 37. Relative ratio of Line 36 ratio of assessed valuation of each subclass to the total (Line 36/Line 36 total) | | | | | |
| 38. Allocate the difference on Line 34 based on the relative ratio on Line 37 (Line 35 x Line 37) | | | | | |
| 39. Adjusted lost revenue (Line 34 + Line 38) If there are only negative values remaining, the negative values should be allocated back to the subclass the negative was initially under, using the following steps. If there is a negative value(s) and there is still a positive value(s) in another subclass(es) to allocate the remaining negative values they should be allocated using the relative ratio process again. If there are only positive values remaining, copy Line 39 values to Line 42 and skip Lines 40-41. | | | | | |
| 40. Relative ratio of Line 35 (Line 35/Line 35 total) | | | | | |
| 41. Allocate the difference on Line 39 (only if all of Line 39 values are negative) based on the relative ratio on Line 40 (Line 39 total x Line 40) Copy Line 41 values to Line 42. | | | | | |
| 42. Total lost revenue allowed to be recouped | | | | | |

Form G - Initial Calculation of Allowed Recoupment & Calculation of First Year Recoupment Taken

For Compliance With Section 137.073.3(2)(a) and (b) RSMo
For Political Subdivisions Other Than School Districts With a Separate Rate on Each Subclass of Property

| Name of Political Subdivision | Political Subdivision Code | Purpose of Levy | | | | |
|---|----------------------------|-----------------|--------------|------------|-------------------|-------|
| | | Real Estate | | | | |
| | | Residential | Agricultural | Commercial | Personal Property | Total |
| Determination of Recoupment Rates | | | | | | |
| 43. Total revenue loss (Line 14 + Line 28 + Line 42) | | | | | | |
| 44. Additional revenue that was received (Pull down negative values from Line 44) | | | | | | |
| 45. Total current year assessed property | | | | | | |
| 46. Revised current year assessed property Line 44 > 0 (If Line 44 > 0, Line 45, otherwise 0) | | | | | | |
| 47. Relative ratio of Line 46 (Line 46/Line 46 total) | | | | | | |
| 48. Allocate the difference (Line 44 negative total x Line 47) | | | | | | |
| 49. Adjusted lost revenue (Line 43 + Line 48) If there are only negative values remaining, the negative values should be allocated back to the subclass the negative was initially under, using the following steps. If there is a negative value(s) and there is still a positive value(s) in another subclass(es) to allocate the remaining negative values they should be allocated using the relative ratio process again. If there are only positive values remaining, copy Line 49 values to Line 54 and skip Lines 50-53. | | | | | | |
| 50. Relative ratio of Line 44 (Line 44/Line 44 total) | | | | | | |
| 51. Allocate the difference on Line 49 (only if all of Line 49 values are negative) based on the relative ratio on Line 50 (Line 49 total x Line 50) Copy Line 51 values to Line 52. | | | | | | |
| 52. Total lost revenue allowed to be recouped | | | | | | |
| 53. Revenue desired to recoup in the current year Do not enter more than Line 52. | | | | | | |
| 54. Rate(s) to be levied to partially or fully recoup the loss ((Line 53/Line 45) x 100) | | | | | | |
| Complete Line 55 if Line 53 is less than Line 52. Form H will need to be completed to continue this recoupment in the 2nd or 3rd year. | | | | | | |
| 55. Portion of revenue on Line 52 remaining for a second or third year of recoupment (Line 52 - Line 53) | | | | | | |

AUTHORITY: sections 29.100, and 137.073.6, RSMo 2016. Original rule filed March 24, 2016, effective Nov. 30, 2016. Amended: Filed Jan. 31, 2018, effective July 30, 2018. Amended: Filed Jan. 28, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Auditor's Office, Attention: Paul Harper, PO Box 869, Jefferson City, MO 65102 or email to rules@auditor.mo.gov within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

Division 25—Missouri State Public Health Laboratory Chapter 36—Testing for Metabolic Diseases

PROPOSED AMENDMENT

19 CSR 25-36.010 Testing for Metabolic and Genetic Disorders.
The department is amending sections (6), (7), and (8).

PURPOSE: This amendment makes grammatical changes, clarifies wording for consistency, and increases the fee ceiling for the specimen screening.

(6) The health care provider caring for an infant with an abnormal high-risk test *[report]* result from newborn screening shall report a definitive diagnosis within thirty (30) days of the date of the diagnosis for that infant to the appropriate newborn screening contracted follow-up center as contracted by the Department of Health and Senior Services. The department shall prescribe and furnish all necessary reporting forms for this purpose.

(7) The *[medical professional]* health care provider responsible for the medical care of the infant shall provide newborn screening education to the parents or guardians. Educational materials regarding the newborn screening conducted by the state, including the disorders screened for and the management and treatment of these disorders, are made available by the Department of Health and Senior Services. The educational materials may be ordered at www.health.mo.gov/warehouse/eliterature.html or by contacting the Department of Health and Senior Services' Newborn Screening Program at 800-877-6246.

(8) Effective *[August]* July, 1, *[2015]* 2019, a fee of up to *[ninety-five (\$95)]* one hundred thirty-five dollars (\$135) shall be charged for each specimen collection form used to obtain a newborn screening blood specimen. If the Missouri State Public Health Laboratory determines a submitted blood specimen to be unsatisfactory for testing due to laboratory or transportation issues, then a replacement specimen collection form will be made available without the fee being imposed. The Department of Health and Senior Services may collect the fee from any entity or individual described in section 191.331.1, RSMo.

AUTHORITY: sections 192.006], RSMo 2000, and sections] and 191.331, RSMo 2016, and section 191.332, RSMo Supp. [2013]

2017. This rule was previously filed as 13 CSR 50-143.010 and 19 CSR 20-36.010. Original rule filed Sept. 29, 1965, effective Oct. 13, 1965. For intervening history, please consult the Code of State Regulations. Amended : Filed Jan. 25, 2019.

PUBLIC COST: This proposed amendment will cost state agencies twenty seven thousand nine hundred dollars (\$27,900) annually with projected first year fee increase; twenty five thousand five hundred seventy five dollars (\$25,575) in the aggregate with projected second year fee increase; and up to three hundred thirty-two thousand four hundred seventy-five dollars (\$332,475) in the aggregate annually thereafter with implementation of additional fee increases up to the established fee cap.

PRIVATE COST: This proposed amendment will cost private entities five hundred eighty four thousand six hundred forty dollars (\$584,640) annually with projected first year fee increase; two hundred twenty one thousand seven hundred sixty dollars (\$221,760) in the aggregate annually with the projected second year fee increase; and up to three million two hundred twenty-five thousand six hundred dollars (\$3,225,600) in the aggregate annually thereafter with implementation of additional fee increases up to the established fee cap.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Health and Senior Services, State Public Health Laboratory, Bill Whitmar, Laboratory Director, PO Box 570, Jefferson City, MO 65102-0570. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC COST**

**I. Department Title: Department of Health and Senior Services
Division Title: Missouri State Public Health Laboratory
Chapter Title: Testing for Metabolic Diseases**

Rule Number and Name: 19 CSR 25-36.010 Testing for Metabolic and Genetic Disorders

Type of Rulemaking: Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

| Affected Agency or Political Subdivision | Estimated Cost of Compliance in the Aggregate |
|--|--|
| Missouri Department of Social Services/MO HealthNet Division | \$27,900 annually with projected first year fee increase; \$25,575 additional annually with projected second year fee increase; up to \$332,475 annually in the aggregate with implementation of additional fee increases up to the established fee cap. |

III. WORKSHEET

Projected first year increase: 15,000 specimen collection forms annually x \$3.00 fee increase for laboratory testing x 62% = \$27,900 annually.

Projected second year increase: 15,000 specimen collection forms annually x \$2.75 fee increase for laboratory testing x 62% = \$25,575 additional annually

Maximum increase: 15,000 specimen collection forms annually x \$35.75 fee increase for laboratory testing x 62% = \$332,475 annually in the aggregate

IV. ASSUMPTIONS

- Estimated 15,000 tests billed each year to MO HealthNet for Medicaid eligible participants.
- The MO HealthNet reimbursement rate is approximately 62% of the newborn screening fee associated with laboratory testing only. The remaining 38% is the state match required by the Department of Social Services. The Department of Health and Senior Services provides the required state match generated from the fees collected for all newborn screening testing.
- The increases anticipated in the first two years (\$3.00 year 1; \$2.75 year 2) are needed to support the costs of testing performed for Spinal Muscular Atrophy (SMA) and Mucopolysaccharidosis Type II (Hunter). SMA and Hunter screening are being implemented as required by SB 50 passed in 2017.
- Additional fee increases will be implemented by DHSS as necessary to financially support inflationary costs and additional testing that may be added to the newborn screening panel in the future. Additional tests would only be implemented after review and approval by the DHSS Genetics Advisory Committee in order to remain in compliance with such recommendations as the Recommended Uniform Screening Panel (RUSP) of the Secretary’s Advisory Committee on Heritable Disorders in Newborns and Children or as required by legislation passed by the Missouri General Assembly.

FISCAL NOTE
PRIVATE COST

I. Department Title: Department of Health and Senior Services
Division Title: Missouri State Public Health Laboratory
Chapter Title: Testing for Metabolic Diseases

Rule Number and Name: 19 CSR 25-36-010 Testing for Metabolic and Genetic Disorders

Type of Rulemaking: Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

| Estimate of the number of entities by class which would likely be affected by the adoption of the rule: | Classification by type of the business entities which would likely be affected: | Estimate in the aggregate as to the cost of compliance with the rule by the affected entities: |
|---|---|--|
| 98 | Hospitals | \$584,640 annually with projected first year fee increase; \$221,760 additional annual fee increase; up to \$3,225,600 annually in the aggregate with implementation of additional fee increases up to the established fee cap |
| 78 | Clinics | |
| 46 | Midwives | |
| 1470 | Physicians | |

III. WORKSHEET

Projected first year increase: 80,640 specimen collection forms annually x \$7.25 fee increase = \$584,640 annually

Projected second year increase: 80,640 specimen collection forms annually x \$2.75 fee increase = \$221,760 additional annually

Maximum increase: 80,640 specimen collection forms annually x \$40 fee increase = \$3,225,600 annually in the aggregate

IV. ASSUMPTIONS

- Estimated 80,640 specimen collection forms each year based on previous years.
- Number of entities affected estimated by number of previous submitters.
- The cost (estimated fee) of newborn screening will most likely be passed on to health insurance companies by the entities listed above.
- The newborn screening fee provides the funds necessary for the Department of Health and Senior Services to perform the established laboratory screening tests and associated follow-up services for a positive test result.
- The rule changes the fee cap ceiling from \$95 per specimen collection form to a cap of \$135 specimen collection form (possible total fee increase of \$40 per collection form).
- The increase anticipated in the first two years (\$7.25 year 1; \$2.75 year 2) are needed to support the costs of testing and follow-up services performed for Spinal Muscular Atrophy (SMA) and Mucopolysaccharidosis Type II (Hunter). The screening is being implemented as required by legislation passed by the Missouri General Assembly in fiscal year 2017.
- Additional fee increases will be implemented by DHSS as necessary to financially support inflationary costs and additional testing that may be added to the newborn screening panel in the future. Additional tests would only be implemented after review and approval by the DHSS Genetics Advisory Committee in order to remain in compliance with such recommendations as the Recommended Uniform Screening Panel (RUSP) of the Secretary's Advisory Committee on Heritable Disorders in Newborns and Children or as required by legislation passed by the Missouri General Assembly.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

Division 2040—Office of Athletics

Chapter 1—General Organization and Procedures

PROPOSED AMENDMENT

20 CSR 2040-1.021 Definitions. The office is deleting section (1), adding new sections (1), (2), (6), and (18) renumbering as necessary, amending sections (3)-(8), (11)-(13), (15), (16), (18), (19), (21), and (25).

PURPOSE: This rule is being amended to implement House Bill 1388 signed into law and effective August 28, 2018.

[(1) “Announcer”—a person responsible for announcing the names of the officials, the contestants, the contestants’ weight, and the decisions of the referee and judges during a bout.]

(1) “Amateur Kickboxing”—any form of boxing in which blows are delivered with any part of the arm below the shoulder, including the hand and any part of the leg below the hip, including the foot, and where contestants do not compete for valuable consideration. Such contests take place in a rope-enclosed ring or a cage and are fought in timed rounds.

(2) “Amateur Mixed Martial Arts—Any bout or contest in which any form of martial arts or self-defense is conducted on a full-contact basis and where contestants do not compete for valuable consideration where weapons are not used and where other combative techniques or tactics are allowed in competition, including chokeholds, boxing, wrestling, kickboxing, grappling and/or joint manipulation. Amateur mixed martial arts bouts may be held in a cage or ring.

[(2)](3) “Bout”—one match involving either professional boxing, professional wrestling, professional or amateur kickboxing, professional or amateur mixed martial arts, or professional full-contact karate contestants.

[(3)](4) “Contest”—a group of bouts involving licensed contestants competing in professional boxing, professional wrestling, professional or amateur kickboxing, professional or amateur mixed martial arts, or professional full-contact karate.

[(4)](5) “Contestant(s)—any human being who enters the ring to compete against another human being during a professional boxing, professional wrestling, professional or amateur kickboxing, professional or amateur mixed martial arts, or professional full-contact karate bout.

(6) “Fighting area”—the ring, cage, or physical area of the event site where the contestants compete during the mixed martial arts bout or contest.

[(5)](7) “Inspector”—a person employed by the Office of Athletics to attend professional boxing, professional wrestling, professional or amateur kickboxing, professional or amateur mixed martial arts, and professional full-contact karate events to ensure that all laws are adhered to by licensees of the Office of Athletics.

[(6)](8) “Judge”—a person serving as a member of a panel for professional boxing, professional or amateur kickboxing, professional or amateur mixed martial arts, or professional full-contact karate. The panel is responsible for determining a decision in each bout. Each judge in the panel must reach a decision without conferring

with the other judges of the panel.

[(7) “Manager”—one who, for compensation, directs or controls the professional activities of any contestant.]

[(8)](9) “Martial arts”—to include professional or amateur kickboxing, professional or amateur mixed martial arts, or professional full-contact karate.

[(9)](10) “Matchmaker”—a person responsible for matching the contestants for a bout(s) as to weight and experience.

[(10)](11) “Office”—the Missouri Office of Athletics.

[(11)](12) “Official”—referees, judges, matchmakers, [managers,] seconds, [announcers,] timekeepers, and physicians involved in professional boxing, professional wrestling, professional or amateur kickboxing, professional or amateur mixed martial arts, or professional full-contact karate contests.

[(12)](13) “Permit”—authorization from the office to hold a professional boxing, professional wrestling, professional or amateur kickboxing, professional or amateur mixed martial arts, or professional full-contact karate event in the state of Missouri.

[(13)](14) “Physician”—a person who is licensed as a doctor of medicine or doctor of osteopathy under Chapter 334, RSMo and who has received a license as a physician from the office for professional boxing, professional wrestling, professional or amateur kickboxing, professional or amateur mixed martial arts, and professional full-contact karate contests.

[(14)](15) “Professional boxing”—the sport of attack and defense which uses the fist protected by gloves or mittens fashioned of leather or similar material where contestants compete for valuable consideration. Such contests take place in a rope-enclosed ring and are fought in timed rounds.

[(15)](16) “Professional full-contact karate”—any form of full-contact martial arts, including but not limited to, kickboxing, [kungfu, tae kwan-do,] or any form of self-defense conducted on a full-contact basis in a bout or contest where weapons are not used and where contestants compete for valuable consideration. Such contests take place in a rope-enclosed ring or a cage and are fought in timed rounds.

[(16)](17) “Professional kickboxing”—any form of boxing in which blows are delivered with any part of the arm below the shoulder, including the hand and any part of the leg below the hip, including the foot, and where contestants compete for valuable consideration. Such contests take place in a rope-enclosed ring or a cage and are fought in timed rounds.

(18) “Professional Mixed Martial Arts—Any bout or contest in which any form of martial arts or self-defense is conducted on a full-contact basis and where contestants compete for valuable consideration where weapons are not used and where other combative techniques or tactics are allowed in competition, including chokeholds, boxing, wrestling, kickboxing, grappling, and/or joint manipulation. Professional mixed martial arts may be held in a cage or a ring.

[(17)](19) “Professional wrestling”—any performance of wrestling skills and techniques by two (2) or more professional wrestlers, to which any admission is charged. Participating wrestlers are not required to use their best efforts in order to win, the winner may have been selected before the performance commences and contestants compete for valuable consideration. Such contests take place in a

rope-enclosed ring and are fought in timed rounds.

[(18)](20) “Promoter”—a person, association, partnership, corporation, limited liability company, or any form of business entity licensed by the office who arranges, advertises, or conducts professional boxing, professional wrestling, professional or amateur kickboxing, professional or amateur mixed martial arts, and professional full-contact karate contests and who is responsible for obtaining a permit for each contest and for payment of any state athletic taxes [and production right taxes].

[(19)](21) “Purse”—the financial guarantee or any other remuneration which contestants receive for participating in a bout. It includes the contestant’s share of any payment received for radio broadcasting, television, or motion picture rights.

[(20)](22) “Referee”—the person in charge of enforcing these rules during any contest involving professional boxing, professional wrestling, professional or amateur kickboxing, professional or amateur mixed martial arts, or professional full-contact karate.

[(21)](23) “Second”—an individual who attends to the contestant between rounds.

[(22)](24) “Sparring”—boxing for practice or as an exhibition.

[(23)](25) “Timekeeper”—a person responsible for keeping accurate time during each bout and also responsible for the knockdown count for professional boxing, professional wrestling, professional and amateur kickboxing, and professional full-contact karate.

AUTHORITY: section 317.001 RSMo 2016 and section 317.006, RSMo Supp. 2018. This rule originally filed as 4 CSR 40-1.021. Original rule filed April 30, 1982, effective Sept. 11, 1982. For intervening history, please consult the Code of State Regulations. Amended: Filed Jan. 25, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-5649, or via email at athletic@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2040—Office of Athletics
Chapter 3—Ticket Procedures**

PROPOSED AMENDMENT

20 CSR 2040-3.011 Tickets and Taxes. The division is amending sections (1)–(4), (7), and (8).

PURPOSE: The rule is being amended to implement House Bill 1388 signed into law and effective August 28, 2018.

(1) The right of admission to a contest of professional boxing, pro-

fessional wrestling, professional or amateur kickboxing, professional mixed martial arts, amateur mixed martial arts, and professional full-contact karate shall not be sold or otherwise granted to a person or entity unless that person or entity is provided with a ticket.

(2) The promoter of a contest of professional boxing, professional wrestling, professional or amateur kickboxing, professional or amateur mixed martial arts, and professional full-contact karate shall:

(3) Every ticket shall have the price, the name of the promoter, and the date of the contest. **Unless otherwise authorized by the office, the ticket stub of each ticket shall indicate the price of the ticket.**

(4) A notice specifying a change in ticket prices or the dates of a contest or a notice specifying an amendment to the contract value of a contest of professional boxing, professional wrestling, professional or amateur kickboxing, professional or amateur mixed martial arts, and professional full-contact karate shall be made in writing to the office within ten (10) business days of the event. The promoter shall obtain prior approval from the office for any date changes for the contest.

(7) Each promoter shall provide a ticket and/or credential without charge to:

(A) Licensed contestants[, and seconds[, and managers] who are engaged in a bout which is part of the contest of professional boxing, professional wrestling, professional or amateur kickboxing, professional or amateur mixed martial arts, and professional full-contact karate; and

(8) Notwithstanding other provisions of law in this regulation, the promoter of a contest of professional boxing, professional wrestling, professional or amateur kickboxing, professional or amateur mixed martial arts, and professional full-contact karate shall admit to such contest the division director, executive director, administrator, and inspectors of the office, or authorized firefighters, police officers, security officers, and any other individuals authorized by the office assigned to work the event, any referee, judge, timekeeper, ringside physician, and medical personnel who are independent contractors of the office who are assigned to the event and who presents photo identification and an official badge or other credential evidencing such status. The promoter of a contest and officials of the venue shall allow a person listed in this section full access to the site of the contest and dressing rooms.

AUTHORITY: section 317.006, RSMo Supp. 2018. This rule originally filed as 4 CSR 40-3.011. Original rule filed April 30, 1982, effective Sept. 11, 1982. For intervening history, please consult the Code of State Regulations. Amended: Filed Jan. 25, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-5649, or via email at athletic@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2040—Office of Athletics
Chapter 3—Ticket Procedures**

PROPOSED RESCISSION

20 CSR 2040-3.030 Approval of Nationally Recognized Amateur Sanctioning Bodies. This rule provided requirements to obtain approval to sanction amateur mixed martial arts events.

PURPOSE: The passage of HB 1388 eliminates the need to approve sanctioning bodies.

AUTHORITY: section 317.006.1, RSMo 2016. Original rule filed March 27, 2007, effective Sept. 30, 2007. Amended: Filed March 20, 2018, effective Sept. 30, 2018. Rescinded: Filed: Jan. 25, 2019.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-5649, or via email at athletic@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2040—Office of Athletics
Chapter 4—Licensees and Their Responsibilities**

PROPOSED AMENDMENT

20 CSR 2040-4.015 Promoters. The office is amending sections (1)-(4), (6), (8) and (12)-(13).

PURPOSE: This rule is being amended to implement House Bill 1388 signed into law and effective August 28, 2018.

(1) No person, association, partnership, corporation, limited liability company, or any other form of business entity may promote any professional boxing, professional wrestling, professional or amateur kickboxing, professional or amateur mixed martial arts, or professional full-contact karate contest without obtaining a license from the Office of Athletics. Licensees shall not allow another to use their promoter's license. Promoters shall supervise their employees and may be liable for the conduct of those employees and for any violation of Chapter 317, RSMo or the rules adopted thereunder. The office shall deem any violations by an employee or representative of a promoter as a violation of the promoter.

(2) Before the office issues a promoter's license, the promoter shall provide the office a surety bond in the amount of [five thousand dollars (\$5,000)] **twenty-five thousand dollars (\$25,000)** or an irrevocable letter of credit in the amount of at least [five thousand dollars (\$5,000)] **twenty-five thousand dollars (\$25,000)** from a lending institution approved to do business in the United States to

guarantee payment of all state athletic taxes and fees to the state as well as all expenses of the contestants and officials in the event of default by the promoter. The irrevocable letter of credit may only be released upon written approval by the office. An additional bond or irrevocable letter of credit may be required in the amount specified by the office where it may be reasonably expected that the [five thousand dollars (\$5,000)] **twenty-five thousand dollars (\$25,000)** bond or irrevocable letter of credit will not provide sufficient protection to the state. It is the duty of each promoter to maintain all required bonds on a current status.

(3) The promoter shall apply for a permit for each contest. The application for permit and appropriate fee should be received by the office not later than [five (5)] **ten (10)** business days before the date of the [professional] contest for which the permit is being sought.

(4) Promoters may be liable for all contests held and for meeting all deadlines for permit and license applications. Within [fifteen (15)] **ten (10)** business days after a contest the promoter shall pay the state athletic tax to the office.

(6) Promoters shall provide all materials necessary to conduct the contests, such as ring, stools, [resin,] water buckets, bell, buzzer or whistle, timer, gloves, gauze, tape for hand wraps, and adequate scales.

(8) For adequate public safety, the promoter is responsible for ensuring that no bottled drinks, unless poured into disposable [paper] cups by vendors at the time of sale, are permitted in any hall or facility where any contest is being held. If the contest is staged out-of-doors disposable [paper] cups also may be used on the site of the contest.

(12) A promoter for a professional boxing [or] professional or amateur kickboxing, professional full-contact karate, or professional or amateur mixed martial arts events shall arrange for an ambulance to be on site at each event with emergency personnel and proper resuscitation equipment. **No event may begin without the presence of a licensed medical doctor or doctor of osteopathic medicine approved by the office at ringside as provided in 20 CSR 2040-4.040.**

(13) [Boxing promoters shall submit to the office proof that health insurance has been purchased for each boxing contestant prior to scheduled contest.] **Before the office issues a permit for a professional boxing, professional or amateur kickboxing, professional full-contact karate, or professional or amateur mixed martial arts event the promoter shall provide the office with proof of insurance coverage providing for payment of each contestant in the amount of at least ten thousand dollars (\$10,000) in case of injury and at least ten thousand dollars (\$10,000) in case of death. No contestant may waive the insurance coverage. Promoter shall be responsible for deductible payments, if any.**

AUTHORITY: sections 317.006 and [section] 317.015, RSMo [2016] Supp. 2018. This rule originally filed as 4 CSR 40-4.015. Original rule filed April 30, 1982, effective Sept. 11, 1982. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Jan. 25, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will save private entities

one million one hundred seventy-nine thousand two hundred sixty-two dollars (\$1,179,262) to two million twelve thousand five hundred twelve dollars (\$2,012,512) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-5649, or via email at athletic@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

PRIVATE FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2040 - Office of Athletics

Chapter 4 - Licensees and Their Responsibilities

Proposed Rule - 20 CSR 2040-4.015 Promoters

II. SUMMARY OF FISCAL IMPACT

| Estimate the number of entities by class which would likely be affected by the adoption of the proposed amendment: | Classification by type of the business entities which would likely be affected: | Estimated cost of compliance with the amendment by affected entities: |
|--|---|---|
| 25 | Promoters (Surety Bond @ 170 - \$500 per year) | \$4,250 to \$12,500 |
| 25 | Promoters (Medical Insurance for contestants @ \$2,000) | \$50,000 |
| 25 | Promoters (Medical Insurance for mixed martial arts contestants @ \$750 to \$1,300 per show for 60 shows per year) | \$1,125,000 to \$1,950,000 |
| 25 | Promoters (Postage @ \$.49) | \$12 |
| | Estimated Annual Cost of Compliance for the Life of the Rule | \$1,179,262 to \$2,012,512 |

III. WORKSHEET

See Table Above

IV. ASSUMPTION

1. The figures reported above are based on FY18 actuals.
2. There are no costs associated with a letter of credit.
3. It is anticipated that the total cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2040—Office of Athletics
Chapter 4—Licensees and Their Responsibilities**

PROPOSED AMENDMENT

20 CSR 2040-4.020 Matchmakers. The office is amending the purpose statement and sections (1), (3), and (5).

PURPOSE: This rule is being amended to implement House Bill 1388 signed into law and effective August 28, 2018.

PURPOSE: This rule clarifies the duties and responsibilities of matchmakers with respect to professional boxing, professional kickboxing, [and] professional full-contact karate, professional mixed martial arts, amateur mixed martial arts, and amateur kickboxing.

(1) A licensed matchmaker is required to be present at all professional boxing, professional or amateur kickboxing, professional or amateur mixed martial arts, and professional full-contact karate contests. In professional boxing, professional or amateur kickboxing, professional or amateur mixed martial arts, and professional full-contact karate, the office shall not allow a promoter and matchmaker to be the same person.

(3) All [boxing] bouts shall be approved or disapproved by the office. A bout deemed to be a mismatch based on the record, experience, skill, and condition of the contestants as known or represented to the office at or before the bout, which could expose one (1) or both contestants to serious injury, will be denied. In addition all bout contestants must meet the following criteria to be approved:

(A) Any [boxer] contestant who has lost their last ten (10) bouts by decision, technical knockout, or knockout will not be approved to box in a bout;

(B) Any [boxer] contestant who has lost their last six (6) bouts by technical knockout or knockout will not be approved to box in a bout; and

[(C) Any boxer with less than ten (10) professional bouts may not box an opponent with more than fifteen (15) professional bouts;]

[(D)](C) All [boxer's] contestant's records, skill, and experience must be verified through the national [boxing] registry for their respective sport, which is appointed by the Association of Boxing Commissions or a similar organization; and].

[(E) The office shall verify the experience and skill of a boxer, if verifiable through the national boxing registry.]

(5) No matchmaker in a specific contest may act in the capacity of a [licensed manager or] licensed second for that specific contest either directly or indirectly.

AUTHORITY: section 317.006, RSMo Supp. 2018, and section 317.015, RSMo 2016. This rule originally filed as 4 CSR 40-4.020. Original rule filed April 30, 1982, effective Sept. 11, 1982. For intervening history, please consult the Code of State Regulations. Amended: Filed Jan. 25, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-5649, or via email at athletic@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2040—Office of Athletics
Chapter 4—Licensees and Their Responsibilities**

PROPOSED AMENDMENT

20 CSR 2040-4.030 [Professional Boxing, Professional Wrestling, Professional Kickboxing, and Professional Full-Contact Karate] Referees. The office is amending the title, sections (1), (9), (13), (14), and (16).

PURPOSE: This rule is being amended to implement House Bill 1388 signed into law and effective August 28, 2018.

(1) The referee is charged with the enforcement of all office rules that apply to the conduct of the contest and the conduct of the contestants and contestant's second(s) while s/he is in the ring. Before the office issues a referee's license:

(A) The applicant must[:/]—

1. Certify that s/he has read and understands Missouri laws and rules. Upon such certification the applicant shall be deemed to have full knowledge and understanding of said laws and rules; and

2. Have two (2) years of documented experience refereeing boxing, wrestling, kickboxing, full-contact karate, or mixed martial arts matches. It is not necessary that this experience be obtained by refereeing professional boxing, professional wrestling, professional or amateur kickboxing, professional or amateur mixed martial arts, or professional full-contact karate;

(B) The office may require[:/]—

1. The applicant take and pass a written test covering professional boxing, professional wrestling, professional or amateur kickboxing, professional or amateur mixed martial arts, and professional full-contact karate; and

2. The applicant may be required to have a physical examination by a licensed physician to determine fitness to perform.

(9) In the event of serious cuts or injuries, the referee shall summon the physician who shall [decide] make a recommendation to the referee if the bout should be stopped.

(13) When a fallen contestant rises and falls again without being hit again in a boxing, kickboxing, or full-contact karate bout, the referee may continue the original count, rather than starting a new count. If the bell rings ending the round during the count, the count shall continue [except when the bell rings ending the last round of the bout]. A contestant is deemed to be down when any part of his/her body, with the exception of his/her feet, is on the floor or if s/he is hanging helplessly on or over the ropes. A referee can count a contestant out either on the ropes or on the floor. During the eight- (8-) count, the referee should assess the condition of the contestant and either allow him/her to continue or stop the bout. During any count, the opponent should immediately go to the neutral corner and remain there until the referee signals the bout is to be continued. In the event the contestant who has scored the knockdown fails to go to the neutral corner, the referee may stop the count until the contestant who scored the knockdown returns to the neutral corner.

(14) In assessing fouls, the referee must weigh the cause as well as the effect. If the referee has seen a low blow (punch below the belt line) delivered and if the blow had a damaging effect, s/he may permit a rest period to the victim not to exceed five (5) minutes. During the rest period, seconds may not assist or coach the injured contestant. The offending contestant shall go to a neutral corner and shall not be coached during the period. If the injured contestant refuses to continue after a five- (5-) minute rest period, the opponent may be named the winner. The referee shall give an official warning for a low blow to the offending contestant, and then s/he will give the command to continue after the end of the rest period if the contestant who received the low blow indicates s/he is ready to continue the bout. Additional low blows shall be penalized with deduction of points from the offending contestant or disqualification of the offending contestant. A *[boxer]* contestant cannot be named the winner of a bout as the result of receiving a low blow unless, in the opinion of the referee, the blow was delivered deliberately and of enough force to seriously incapacitate the injured *[boxer]* contestant so that s/he could not continue the bout. Under this condition, the offender shall be disqualified immediately.

(16) Whenever a contestant has been injured, knocked out, or technically knocked out, the referee shall immediately summon the attending physician to aid the stricken contestant. Except at the request of the physician, no *[manager(s) or]* second(s) may be permitted to aid the stricken contestant.

AUTHORITY: section 317.006, *RSMo Supp. 2018*, and section 317.015, *RSMo 2016*. This rule originally filed as 4 CSR 40-4.030. Original rule filed April 30, 1982, effective Sept. 11, 1982. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Jan. 25, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-5649, or via email at athletic@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2040—Office of Athletics
Chapter 4—Licensees and Their Responsibilities**

PROPOSED AMENDMENT

20 CSR 2040-4.040 Physicians *[for Professional Boxing, Professional Wrestling, Professional Kickboxing, and Professional Full-Contact Karate]*. The office is amending the title, purpose statement, and sections (2)-(3).

PURPOSE: This rule is being amended to implement House Bill 1388 signed into law and effective August 28, 2018.

PURPOSE: This rule defines the responsibilities of physicians for professional boxing, professional kickboxing, *[and]* professional full-contact karate, **professional mixed martial arts, amateur mixed**

marital arts, and amateur kickboxing.

(2) A physician licensed pursuant to sections 317.001 to 317.021, RSMo is in charge of all physical examinations. S/he is at ringside during all professional boxing, professional **and amateur** kickboxing, **professional and amateur mixed martial arts**, and professional full-contact karate contests and, if called upon, ready to advise the referee.

(3) Within forty-eight (48) hours before a contest, contestants for professional boxing, professional **or amateur** kickboxing, **professional or amateur mixed martial arts**, and professional full-contact karate shall be given a physical examination by a physician appointed and licensed by the office. Contestants shall disclose all medical history and conditions to the physician during the physical examination, including, whether or not the contestant is pregnant.

AUTHORITY: section 317.006, *RSMo Supp. 2018*, and section 317.015, *RSMo 2016*. This rule originally filed as 4 CSR 40-4.040. Original rule filed April 30, 1982, effective Sept. 11, 1982. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Jan. 25, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-5649, or via email at athletic@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2040—Office of Athletics
Chapter 4—Licensees and Their Responsibilities**

PROPOSED AMENDMENT

20 CSR 2040-4.050 Timekeepers. The office is amending section (4).

PURPOSE: This rule is being amended to implement House Bill 1388 signed into law and effective August 28, 2018.

(4) The timekeeper shall be responsible for the knockdown count **during boxing, kickboxing, and full-contact karate**. The timekeeper begins counting each second during the knockdown count. If the knockdown occurs within ten (10) seconds of the end of the round, the timekeeper shall not ring the bell until the referee indicates the contestant is ready.

AUTHORITY: section 317.006, *RSMo Supp. 2018*, and section 317.015, *RSMo 2016*. This rule originally filed as 4 CSR 40-4.050. Original rule filed April 30, 1982, effective Sept. 11, 1982. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Jan. 25, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies

or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-5649, or via email at athletic@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2040—Office of Athletics
Chapter 4—Licensees and Their Responsibilities**

PROPOSED RESCISSION

20 CSR 2040-4.060 Announcers. This rule defined the duties and responsibilities of announcers

PURPOSE: The rules is being rescinded because announcers are no longer required to be licensed by the Office of Athletics.

AUTHORITY: sections 317.006 and 317.015, RSMo 2016. This rule originally filed as 4 CSR 40-4.060. Original rule filed April 30, 1982, effective Sept. 11, 1982. Rescinded and readopted: Filed March 2, 1989, effective May 11, 1989. Amended: Filed Nov. 15, 2001, effective May 30, 2002. Moved to 20 CSR 2040-4.060, effective Aug. 28, 2006. Amended: Filed March 20, 2018, effective Sept. 30, 2018. Rescinded: Filed Jan. 25, 2019.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-5649, or via email at athletic@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2040—Office of Athletics
Chapter 4—Licensees and Their Responsibilities**

PROPOSED AMENDMENT

20 CSR 2040-4.070 Seconds. The office is amending sections (2), (4), and (5) and adding new section (10).

PURPOSE: This rule is being amended to implement House Bill 1388 signed into law and effective August 28, 2018.

(2) Unless special permission is given by the office, there shall be no

more than three (3) seconds, one (1) of whom will announce to the referee at the start of the bout that s/he is the chief second. Only one (1) second may be inside the ring between rounds for **boxing, kickboxing, or full-contact karate**, the other two (2) may be on the ring platform outside the ropes. [*Licensed managers may be permitted to act as seconds without being licensed as a second. While acting as a second, a licensed manager must observe all rules pertaining to the conduct of seconds.*] For **mixed martial arts a maximum of two (2) seconds may be in the cage or ring. The promoter at their discretion may reduce the number of seconds to two (2) for any bout.**

(4) Seconds shall not stand or lean on the ring apron or cage during the round.

(5) The second shall equip him/herself with:
(H) [*Vaseline*] Petroleum jelly; and

(10) All seconds must report to the dressing room area and check in with the inspector in charge of the event at least sixty (60) minutes before the scheduled start time of the event. If a second does not arrive prior to this timeframe, their ability to work as a second for this event may be denied.

AUTHORITY: section 317.006, RSMo Supp. 2018, and section 317.015, RSMo 2016. This rule originally filed as 4 CSR 40-4.070. Original rule filed April 30, 1982, effective Sept. 11, 1982. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Jan. 25, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-5649, or via email at athletic@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2040—Office of Athletics
Chapter 4—Licensees and Their Responsibilities**

PROPOSED AMENDMENT

20 CSR 2040-4.080 Judges [*for Professional Boxing, Professional Kickboxing, and Professional Full-Contact Karate*]. The office is amending the title, purpose statement, and sections (1), (2), and (6).

PURPOSE: This rule is being amended to implement House Bill 1388 signed into law and effective August 28, 2018.

PURPOSE: This rule defines the duties and responsibilities for judges for professional boxing, professional kickboxing, [*and*] professional full-contact karate, **professional mixed martial arts, amateur mixed martial arts, and amateur kickboxing.**

(1) There will be three (3) judges for each bout. A bout will be

scored on a “ten- (10-) point must system.” **The winner of the round is awarded ten (10) points and the loser of the round may be awarded nine (9) points or less, except for rare instances of an even round where each contestant may be awarded ten (10) points. Judges will judge mixed martial arts techniques, such as effective striking, effective grappling and control of the opponent, effective aggressiveness, and effective defense to determine a winner of the round.**

(2) The judges shall reach their decisions without conferring in any manner with any other official or person including the other judges of the panel. Each judge shall make out his/her scorecard in accordance with provisions of the rules governing professional boxing, professional or amateur kickboxing, professional or amateur mixed martial arts, and professional full-contact karate. At the end of the round, the score shall be totaled and signed or initialed by each judge. The referee working the bout may collect the scorecards after each round and hand them to the inspector.

(6) Before the office issues a judge’s license:

(A) The applicant must:

1. Certify that s/he has read and understands Missouri laws and rules. Upon such certification the applicant is deemed to have full knowledge and understanding of said laws and rules; and

2. Have two (2) years of documented experience judging **amateur boxing, professional boxing, professional or amateur kickboxing, professional or amateur mixed martial arts, or professional full-contact karate matches.** *[It is not necessary that this experience be obtained by judging professional boxing, professional wrestling, professional kickboxing, or professional full-contact karate.]*

(B) The office may require:

1. The applicant take and pass a written test covering professional boxing, professional wrestling, professional or amateur kickboxing, **professional or amateur mixed martial arts,** and professional full-contact karate; and

2. The applicant **may be required to** have a physical examination by a licensed physician to determine fitness to perform.

AUTHORITY: section 317.006, RSMo [2016] Supp. 2018. This rule originally filed as 4 CSR 40-4.080. Original rule filed April 30, 1982, effective Sept. 11, 1982. For intervening history, please consult the Code of State Regulations. Amended: Filed Jan. 25, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-5649, or via email at athletic@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2040—Office of Athletics
Chapter 4—Licensees and Their Responsibilities**

PROPOSED AMENDMENT

20 CSR 2040-4.090 Contestants. The office is amending sections (1), (3)-(8), (11)-(17), (20)-(21), and (25), replacing section (2), deleting section (22), adding new sections (25)-(26), and renumbering as necessary.

PURPOSE: This rule is being amended to implement House Bill 1388 signed into law and effective August 28, 2018.

(1) An applicant applying for a **professional license or renewal** as a contestant shall—

(B) Be at least *[sixteen (16)]* **eighteen (18)** years of age **except amateur kickboxing contestants;**

[(C) Submit a signed notarized affidavit from their legal guardian approving them to participate in a contest if he/she is under the age of eighteen (18);]

[(D)](C) Disclose in writing on a form provided by the office a complete medical history including any prior or existing medical conditions;

[(E)](D) Within *[thirty (30)]* **sixty (60)** days of application for licensure successfully complete a physical examination by physician with the designation “medical doctor” or “doctor of osteopathy” and submit a written statement from the physician attesting to the physical and mental health of the applicant. The office may increase the *[thirty-(30-)]* **sixty-(60-)** day limit under special circumstances approved by the office; and

[(F)](E) Submit a certified copy of medical tests performed by a certified laboratory verifying the applicant is not infected with the human immunodeficiency virus (HIV) or hepatitis B or C virus. The medical tests shall not be dated more than *[ninety (90)]* **three hundred sixty-five (365)** days before the application is submitted.

[(2) A contestant applying for renewal of a license shall—

(A) Complete an application pursuant to section (2) of 20 CSR 2040-2.011. Any person who provides incorrect information in an application for license as a contestant may be disciplined by the office;

(B) Disclose in writing on a form provided by the office a complete medical history including any prior or existing medical conditions;

(C) Within thirty (30) days of application for licensure successfully complete a physical examination by physician with the designation “medical doctor” or “doctor of osteopathy” and submit a written statement from the physician attesting to the physical and mental health of the licensee. The office may increase the thirty- (30-) day limit under special circumstances approved by the office; and

(D) Submit a certified copy of medical tests performed by a certified laboratory verifying the licensee is not infected with the human immunodeficiency virus (HIV) or hepatitis B or C virus. The medical tests shall not be dated more than ninety (90) days before the application is submitted.]

(2) An applicant applying for an **amateur license or renewal** as a contestant shall—

(A) Complete an application pursuant to section (2) of 20 CSR 2040-2.011. Any person who provides incorrect information in an application for license as a contestant may be disciplined by the office;

(B) Be at least **eighteen (18)** years of age, except for amateur kickboxing.

(C) Disclose in writing on a form provided by the office a complete medical history including any prior or existing medical conditions;

(D) Within **sixty (60)** days of application for licensure successfully complete a physical examination by a physician with the designation “medical doctor” or “doctor of osteopathy” and submit a written statement from the physician attesting to the physical and mental health of the applicant. The office may increase the

sixty (60) day limit under special circumstance approved by the office; and

(E) The office may require a contestant to submit a certified copy of medical tests performed by a certified laboratory verifying the applicant is not infected with the human immunodeficiency virus (HIV) or hepatitis B or C virus. The medical test shall not be dated more than three hundred sixty-five (365) days before the applicant is submitted or participates in a bout.

(3) An applicant or contestant who does not pass the physical examination or receives positive results from any of the tests required in section/s/ (1) [and (2)] may be denied the right to fight for that bout.

(4) All fees involved with medical examinations and/or tests required in section/s/ (1) [and (2),] in addition to any drug test required in section (11), shall be the responsibility of the promoter, contestant, or applicant.

(5) Within forty-eight (48) hours before competing in any [professional boxing, professional kickboxing, professional full-contact karate, or professional wrestling] bout or contest, each contestant shall—

(A) Each professional boxing, professional kickboxing, professional wrestling or professional mix martial arts contestant shall [S]submit certified copies of medical tests performed by a laboratory verifying that the applicant is not infected with the human immunodeficiency virus (HIV) or hepatitis B or C virus. The medical tests shall not be dated more than [one hundred eighty (180)] three hundred sixty-five (365) days before the scheduled bout or contest in which the contestant will compete. A statement from a medical doctor or doctor of osteopathy indicating that the applicant has successfully completed a full course of vaccinations for hepatitis B may be submitted in lieu of the medical tests required by this rule for hepatitis B;

(B) All [F]female contestants, including amateur mixed martial arts and amateur kickboxing, shall verify in writing that the contestant has taken a reliable means of pregnancy testing and that the contestant is aware of her pregnancy status./; and

(C) A contestant who fails to comply with the requirements of this rule shall not be allowed to compete as a contestant in any professional boxing, professional kickboxing, professional full-contact karate, [or] professional wrestling, professional mixed martial arts, amateur mixed martial arts, or amateur kickboxing bout or contest. The office may discipline any contestant who fails to provide truthful and accurate information pursuant to this section.

(6) The office will issue an identification card to each [boxing] contestant for the purpose of registration pursuant to the Professional Boxing Safety Act of 1996, 15 U.S.C. section 6301 et seq., to each [boxer] contestant who so applies. The [boxer] contestant shall provide a recent photograph for the identification card and any other information that is requested by the office. An identification card cannot be substituted for the license to engage in professional boxing[, held by the boxer]. All professional and amateur mixed martial arts, kickboxing, and full-contact karate contestants will be issued a picture identification card as approved by the Association of Boxing Commissions or other like organization's officially approved registry for their respective sport.

(7) Each contestant for professional boxing, professional or amateur kickboxing, professional or amateur mixed martial arts, or professional full-contact karate, will be weighed in the presence of the public, his/her opponent, a representative of the office, and an official representing the promoter on scales approved by the office at any place designated by the office. If a contestant cannot be present at the designated time set by the office, a contestant may waive his/her rights under this section.

(8) The contestant for professional boxing, professional or amateur kickboxing, professional or amateur mixed martial arts, or professional full-contact karate must have all weights stripped from his/her body before he/she is weighed in, but male contestants may wear shorts. Female contestants may wear shorts and a sports bra.

(11) The office may require a contestant to submit to a drug test. Failure to submit to a drug test upon notification by an inspector may result in disciplinary action being taken against the contestant's license. All fees involved with a drug test are the responsibility of the contestant.

(13) A [boxing] contestant shall present his/her identification card to the office representative at weigh-in for a bout and at any other time ordered by the office or its representative. Failure to possess the card may result in the [boxing] contestant being disallowed to participate in a bout.

(14) A [boxing] contestant licensed by the office is subject to disciplinary action by the office if the contestant knowingly:

(B) Uses or attempts to use an identification card in an unlawful manner or in a manner that is not in the best interests of [professional boxing] their respective sport; or

(15) Each contestant must report to the representative of the office in charge of dressing rooms at least [thirty (30)] sixty (60) minutes before the scheduled time of the first bout of professional boxing, professional wrestling, professional or amateur kickboxing, professional or amateur mixed martial arts, and professional full-contact karate contest. Failure to do so may result in the contestant being disallowed to participate in the bout.

(16) Contestants shall at all times abide by the statutes and rules of Missouri governing professional boxing, professional wrestling, professional or amateur kickboxing, professional or amateur mixed martial arts, or professional full-contact karate.

(17) Contestants shall at all times observe the directions and decisions of all officials and inspectors.

(20) The belt of the trunks cannot extend above the waist line for professional boxing, professional or amateur kickboxing, or professional full-contact karate.

(21) Each boxing, full-contact karate or [martial arts] kickboxing contestant must wear[:]—

[[22] Each contestant should be clean and present a tidy appearance.]

[[23]](22) The excessive use of petroleum jelly may not be used on the face or body of a contestant. The referees or the office's representative in charge may cause any excessive petroleum jelly to be removed.

[[24]](23) The office's representative may determine whether head and facial hair presents any hazard to the safety of the contestant or his/her opponent or would interfere with the supervision and conduct of the bout. If the head and facial hair of the contestant present such a hazard or would interfere with the supervision and conduct of the bout, the contestant may not compete in the bout unless the circumstances creating the hazard or potential interference are corrected to the satisfaction of the office's representative.

[[25]](24) A contestant will not wear any jewelry or other piercing accessories while competing in a bout.

(25) Any professional or amateur mixed martial arts contestant

who has competed as a boxer, kickboxer, wrestler, martial arts, or mixed martial arts contestant anywhere in the world will not be allowed to compete as a contestant in any professional or amateur mixed martial arts bout in Missouri until seven (7) days have elapsed from the date of the previous bout.

(26) Any person who has competed as a professional boxer, professional kickboxer, professional wrestler, professional martial arts, or professional mixed martial arts contestant may not participate as an amateur contestant in a mixed martial arts event in the state of Missouri. The office may discipline the license of any contestant, promoter, matchmaker, or second who violates, or assists or enables another to violate, the provisions of this section.

~~[(26)]~~**(27)** The office may honor the suspension of a contestant by an agency that regulates professional boxing, professional wrestling, professional or amateur kickboxing, professional or amateur mixed martial arts, and professional full-contact karate in another jurisdiction if the suspension is ordered for:

(A) Medical safety;

(B) A violation of a law or regulation governing professional boxing, professional or amateur kickboxing, professional or amateur mixed martial arts, and professional full-contact karate which also exists in this state; or

(C) Any other conduct which discredits professional boxing, professional or amateur kickboxing, professional or amateur mixed martial arts, and professional full-contact karate, as determined by the office.

~~[(27)]~~**(28)** The office may deny a contestant a license if their license to participate or compete as a boxer, wrestler, kickboxer, or full-contact karate participant has been denied, refused, or disciplined for a medical condition by another state, tribal athletic commission, territory, federal agency, or country. The office shall not issue a license to a contestant who has suffered a cerebral hemorrhage of any type.

(29) No amateur kickboxing contestant under eighteen (18) years of age may participate in a bout against a contestant who is more than two (2) years older.

AUTHORITY: section[s] 317.006, RSMo Supp. 2018, and section 317.015, RSMo 2016. This rule originally filed as 4 CSR 40-4.090. Original rule filed April 30, 1982, effective Sept. 11, 1982. For intervening history, please consult the Code of State Regulations. Amended: Filed Jan. 25, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will cost private entities approximately nine hundred eighty dollars (\$980) annually thereafter for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-5649, or via email at athletic@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

PRIVATE FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration
 Division 2040 - Office of Athletics
 Chapter 4 - Licensees and Their Responsibilities
 Proposed Rule - 20 CSR 2040-4.090 Contestants

II. SUMMARY OF FISCAL IMPACT

| Estimate the number of entities by class which would likely be affected by the adoption of the proposed amendment: | Classification by type of the business entities which would likely be affected: | Estimated cost of compliance with the amendment by affected entities: |
|--|---|---|
| 20 | Contestants (Drug test @ \$4) | \$80 |
| 10 | Contestants (Additional drug test to confirm positive drug test @ \$90) | \$900 |
| Estimated Annual Cost of Compliance for the Life of the Rule | | \$980.00 |

III. WORKSHEET

See Table Above

IV. ASSUMPTION

1. The figures reported above are based on FY19 actuals.
3. It is anticipated that the total cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2040—Office of Athletics
Chapter 4—Licensees and Their Responsibilities**

PROPOSED RULE

20 CSR 2040-4.100 Inspectors

PURPOSE: This rule defines the duties and responsibilities of inspectors.

- (1) The office shall assign inspectors as it deems necessary.
- (2) In all contests, contestants, promoters, matchmakers, judges, referees, timekeepers, seconds, and physicians are under the direction of the office or its inspector(s) at all times.
- (3) Employees and inspectors of the office cannot have any interest in or connection with, either directly or indirectly, any promotion of either professional boxing, professional wrestling, professional or amateur kickboxing, professional or amateur mixed martial arts, or professional full-contact karate, in this state or have any interest, directly or indirectly, in any contest or contestant.
- (4) The office and its inspectors may supervise the sale of tickets, check the counting of receipts, and enforce all rules of the office.
- (5) The ticket taker immediately must deposit every admission ticket, pass, or complimentary ticket in a securely locked box. It may be opened only in the presence of the office's inspector to see that all tickets or passes are carefully counted and reported to the office, along with the price of admission charged for each class of tickets and exchanges and the gross receipts of all tickets and exchanges. In lieu of collecting ticket stubs the office will accept a third party box office print out on the sales of all tickets including complimentary tickets to calculate the athletic tax due.
- (6) Before the start of a contest, an inspector must check all contestants, promoters, matchmakers, seconds, timekeepers, referees, and physicians for licenses issued by the office. Any of those persons without a current license issued by the office may not participate in the contest, until an application and fee has been received and the application is approved by the office.
- (7) An inspector must be present in the dressing rooms at the designated time for weighing in contestants and inspecting all equipment.
- (8) An inspector must examine and approve all hand wrappings being placed on contestants. After approval, all handwraps will be initialed by the inspector present.
- (9) An inspector must be present when each contestant is being gloved. After approval of the gloving, the tape around the strings must be initialed by the inspector present.

AUTHORITY: section 317.006, RSMo Supp. 2018. This rule originally filed as 4 CSR 40-5.010 and 20 CSR 2040-5.010. Original rule filed April 30, 1982, effective Sept 11, 1982. For intervening history, please consult the *Code of State Regulations*. Rescinded as 20 CSR 2040-5.010 and readopted as 20 CSR 2040-4.100: Filed Jan. 25, 2019.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-5649, or via email at athletic@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2040—Office of Athletics
Chapter 5—Inspector Duties and Rules for Professional
Boxing, Professional Wrestling, Professional Kickboxing,
Professional Full-Contact Karate**

PROPOSED RESCISSION

20 CSR 2040-5.010 Inspectors. This rule defined the duties and responsibilities of inspectors.

PURPOSE: This rule is being rescinded and re-promulgated as 20 CSR 2040-4.100 to make the sequence of the rules of the Missouri Office of Athletics more logical and cohesive and to incorporate recent statutory changes enacted in 2018.

AUTHORITY: section 317.006, RSMo 2000. This rule originally filed as 4 CSR 40-5.010. Original rule filed April 30, 1982, effective Sept. 11, 1982. For intervening history, please consult the *Code of State Regulations*. Rescinded, readopted, and moved to 20 CSR 2040-4.100: Filed Jan. 25, 2019.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-5649, or via email at athletic@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2040—Office of Athletics
Chapter 5—[Inspector Duties and] Rules for
Professional Boxing, Professional Wrestling, Professional
and Amateur Kickboxing, and Professional Full-Contact
Karate**

PROPOSED AMENDMENT

20 CSR 2040-5.040 Rules for Professional Boxing. The office is amending the chapter title and sections (1), (2), (4)-(7), (10), (12), (16), and (23).

PURPOSE: This rule is being amended to implement House Bill 1388 signed into law and effective August 28, 2018.

(1) No bout may exceed twelve (12) rounds nor be less than four (4) rounds. Rounds *[involving male contestants]* shall be no more than three (3) minutes in length with a one (1) minute rest period in between rounds. Rounds involving females *[shall be no more than]* **may be reduced to** two (2) minutes in length with a one (1) minute rest period between rounds.

(2) Before a contest permit will be issued, each professional boxing contest *[shall]* **may** include a scheduled main bout of at least eight (8) rounds and at least one (1) semi-main bout of at least six (6) rounds. The remaining bouts may not be less than four (4) rounds each. A contest should have a minimum of four (4) bouts totaling not less than twenty-four (24) rounds. The Office of Athletics may waive any of these restrictions at its discretion.

(4) Contestants shall only fight contestants in their own weight category unless permission is granted by the office. In no instance may the office waive the weight category requirements, when the contestant's weight span exceeds ten (10) pounds excluding the weight classifications in subsections (L) and (M) of this section. Following is the schedule of weight classification:

- (L) Cruiserweights 176– *[190]* **200** lbs.
- (M) Heavyweights over *[190]* **200** lbs.

(5) Boxing Contestants.

(B) No contestant under the age of eighteen (18) years shall be permitted to participate in a boxing contest. *[No contestant under the age of twenty-one (21) shall be permitted to box more than six (6) rounds until s/he has participated in ten (10) or more professional bouts.]* No contestant participating in his/her professional debut shall be permitted to box more than six (6) rounds in length for the first ten (10) professional bouts. Contestants may have to present a birth certificate or picture identification to the office or inspector. False statements of age or other information shall be cause for discipline of the contestant's license. Contestants must complete all forms prescribed by the office. All contestants, upon request of the office or inspector, must furnish the office with a boxing passport or an identification card (ID) issued from his/her home state and a federal identification card issued by the Association of Boxing Commissions.

(C) Contestants in all licensed professional boxing contests shall be examined by a licensed physician at a time approved by the office and physical examinations must be completed at least one (1) hour before the contest time. The weigh-in will be within forty-eight (48) hours prior to the contest. Contestants will then have two (2) hours to make weight. The weights of the contestants or the class in which they will box must be announced at the ringside. In case of a substitution in a bout, the substitute contestant shall be subject to the same physical examination as other contestants and must be approved by the physician and office. Contestants failing to appear at the appointed place and at the specified time to be examined and weighed, or who leave the area before weigh-ins or physical examinations are completed without permission of the office, may subject their license to discipline **or may be denied the right to compete in the scheduled bout.**

(6) If a contestant claims to be injured **due to an accidental fall** during the bout, the referee, **at their discretion**, may stop the bout and request the physician to make an examination. If the physician decides that the contestant has been injured and should not continue, s/he should so advise the referee. If the physician decides that the injured contestant may be able to continue, s/he may order up to a five- (5-) minute recovery period, after which s/he will make another examination and again advise the referee of the injured contestant's condition.

(7) If a contestant falls due to fatigue, or is knocked down by his/her opponent, s/he will be allowed ten (10) seconds to rise unassisted. Following a contestant's fall, his/her opponent shall go to the farthest

neutral corner and remain there during the count. The referee shall stop counting if the opponent fails to go to the neutral corner, then resume the count where it was left off when the opponent goes to the neutral corner. A contestant who is knocked out or falls out of the ring **and on to the floor** is allowed up to twenty (20) seconds to return to the ring.

(10) Preliminary contestants should be ready to enter the ring immediately after the finish of the preceding bout. Any contestant causing a delay by not being ready to immediately proceed when called may be subject to discipline **or may be denied the right to compete in the scheduled bout.**

(12) No person other than the contestants and the referee shall enter the ring during a bout. There should be no standing or other distractions by seconds *[or managers]* while the bouts are in progress. Offenders may be removed from the corners and their license may be subject to discipline. The physician may enter the ring if asked by the referee to examine an injury to a contestant.

(16) Only discretionary use of *[Vaseline and/or similar]* petroleum *[based products]* **jelly**, and nothing else will be allowed on the face, arms, or any part of the body.

(23) The office may discipline the license of any contestant, *[manager,]* matchmaker, judge, second, or any official who is guilty of unfair dealings, unsportsmanlike conduct, protesting the decisions of the officials in an unsportsmanlike manner, or violating any rules. Any boxing second *[or manager]* who acts in an unsportsmanlike manner may immediately be removed from their contestant's corner.

AUTHORITY: section[s] 317.006, RSMo Supp. 2018, and section 317.015, RSMo 2016. This rule originally filed as 4 CSR 40-5.040. Original rule filed April 30, 1982, effective Sept. 11, 1982. For intervening history, please consult the Code of State Regulations. Amended: Filed Jan. 25, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-5649, or via email at athletic@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2040—Office of Athletics
Chapter 5—*[Inspector Duties and]* Rules for
Professional Boxing, Professional Wrestling, Professional
and Amateur Kickboxing, and Professional Full-Contact
Karate**

PROPOSED AMENDMENT

20 CSR 2040-5.060 Rules for Professional and Amateur Kickboxing and Professional Full-Contact Karate. The office is

amending the chapter title, purpose statement, adding new sections (6), (11), (13), and (22), deleting section (10), renumbering as necessary, and amending sections (2), (5), (7), (10), (12), and (19).

PURPOSE: This rule is being amended to implement House Bill 1388 signed into law and effective August 28, 2018.

PURPOSE: This rule sets forth the official professional regulations of professional and amateur kickboxing and professional full-contact karate including kickboxing, [kung fu, tae kwon-do,] or any form of martial arts.

(2) All male contestants are required to wear a [foul-proof] groin protector. All female contestants [are] may be required to wear plastic breast protectors and a protective pelvic girdle.

(5) The weigh-ins for professional and amateur combined events will be conducted within forty-eight (48) hours before the contest. The weigh-ins may be more than forty-eight (48) hours prior to the contest with special permission from the office. A contestant who fails to make the weight will be given up to two (2) hours to make weight. Any contestant who fails to make the weight may be disqualified.

(6) For events that include amateur contestants only, all weigh-ins must be scheduled no earlier than 10:00 AM on the day of the event. There shall be no weight allowances for amateurs. Amateur contestants must compete within the weight classes listed in section (7) of this rule. No substitutes may be submitted after the weigh-in has begun unless approved by the office due to special circumstances.

[(6)](7) Professional [C]contestants may only fight contestants in their own weight category unless permission is granted by the office. In no instance shall the office waive the weight category requirements, when the contestant's weight span exceeds ten (10) pounds excluding the weight classifications in subsections (L) and (M) of this section. Following is the schedule of weight classification:

- | | |
|--------------------|------------------------------|
| (L) Cruiserweights | 176- <i>[(190)]</i> 200 lbs. |
| (M) Heavyweights | over <i>[(190)]</i> 200 lbs. |

[(7)](8) The referee has general supervision of the bout. S/he enforces the rules, promotes safety of the contestants, and ensures fair play. Only the inspector may overrule the referee if the referee is not enforcing the rules. Before starting a bout the referee shall ascertain from each contestant the name of his/her chief second responsible for the conduct of the assistant seconds during the progress of the bout. The referee may call contestants together before each bout for final instructions, at which time each contestant may be accompanied by the chief second only.

[(8)](9) The three (3) judges shall be stationed at ringside, each at a separate side. The judges will score each round on a ten- (10-) point net system and turn the scorecards over to the referee after each round. The referee will then hand the scorecards to the inspector. A final decision must be made before the judges may leave the area. Any erasures or changes on the card must be approved and initialed by the judge and inspector.

[(9)](10) The attending physician will have an adequate room in which to make the physical examination. Whenever a contestant, because of illness or injuries, is unable to take part in a contracted bout, s/he or his/her [manager] second must immediately report the fact to the inspector. The contestant will then submit to an examination by a physician designated by the office. Contestants who have been knocked out will be kept lying down until they have recovered. When a contestant is knocked out, no one will touch him/her except the referee who will remove his/her mouthpiece, until the ringside

physician enters the ring and personally attends to the contestant and issues necessary instructions to the contestant's second(s).

[(10) Rounds involving male contestants may be no more than three (3) minutes in length with a one (1) minute rest period between rounds. Rounds involving females may be no more than two (2) minutes in length with a one (1) minute rest period between rounds. The maximum number of rounds for males and females is twelve (12) rounds.]

(11) No professional bout may exceed twelve (12) rounds nor be less than three (3) rounds. Rounds shall be no more than three (3) minutes in length with a one (1) minute rest period in between rounds. Round lengths may be reduced to as low as one (1) minute in length with a one (1) minute rest period between rounds. The maximum number of rounds for an amateur kickboxing bout shall be five (5) rounds.

[(11)](12) Any contestant guilty of foul tactics in a round will be given an immediate warning or points may be deducted from the contestant's total score, or both, as determined by the referee. The use of foul tactics also may result in the disqualification of the contestant. The following tactics are considered fouls:

(A) Headbutts, knee strikes, elbow strikes, or clubbing blows with the hand;

(B) Striking the groin, woman's breast, the spine, throat, collarbone or that part of the body over the kidneys;

(C) Palm heel strikes;

(D) Antijoint techniques;

(E) Jabbing the eye with the thumb of the glove;

(F) Hitting with the glove open, or with the wrist or forearm;

(G) Grabbing or holding onto an opponent's leg or foot;

(H) Holding an opponent with one hand and hitting with the other;

(I) Leg checking the opponent's leg or stepping on the opponent's foot to prevent the opponent from moving or kicking;

(J) Purposely going down without being hit;

(K) Using abusive language in the ring;

(L) Unsportsmanlike conduct;

(M) Attacking on the break;

(N) Attacking after the bell has sounded ending the round;

(O) Intentionally pushing, shoving, or wrestling an opponent out of the ring;

(P) Biting; [and]

(Q) Linear or thrusting kicks directed at the knee including front kicks, side kicks and back kicks;

(R) Amateur rule differences, no knee strikes to the head of any kind; and

[(Q)](S) Any other actions that are deemed fouls by the referee or inspector that are not described above may be called by the referee and appropriate action taken by the referee.

[(12) Contestants may be subject to minimum kickboxing requirements pursuant to an agreement with the promoter and the office.]

(13) Amateur contestants may clinch in order to immediately attack with a legal knee strike to the body only. If the knee attack and/or counter attack by the opponent is continuous and in the opinion of the referee productive, the referee may allow the knee strikes to continue up to five (5) seconds and the fighters shall be directed to break the clinch by the referee.

(A) Amateur contestants may wear headgear and shin pads, however, if neither device will be worn in a bout, both contestants must mutually agree to this fact in the written bout agreement.

(B) Amateur contestants may not wear gloves smaller than twelve (12) ounces.

(C) Kickboxing may take place in a ring or in a cage with special permission of the office.

((13))(14) A contestant who intentionally refuses to engage an opponent for a prolonged period of time may receive an immediate warning from the referee. If the contestant continues these tactics after a warning, a point will be deducted by the referee.

((14))(15) The referee shall stop the bout for any of the following reasons:

(A) The referee determines that one (1) of the contestants is clearly less experienced and/or skilled than his/her opponent to the extent that allowing the bout to continue would pose a substantial risk of serious harm or injury to the less-experienced/skilled contestant;

(B) The referee decides that a contestant is not making his/her best effort; or

(C) For any other reason the referee deems sufficient.

((15))(16) In the event of serious cuts or injuries, the referee shall summon the physician who decides if the bout should be stopped.

((16))(17) If a contestant fails or refuses to resume fighting when the bell sounds starting the next round, the referee will award a technical knockout to his/her opponent as of the last completed round.

((17))(18) Before a felled contestant resumes fighting after slipping, falling, or being knocked to the floor, the referee shall wipe the contestant's gloves free of any foreign substance.

((18))(19) When a contestant is knocked down, the referee shall order the opponent to retire to *[the]* a **neutral** corner of the ring, point to the corner, and immediately begin the count over the downed contestant. The referee will pick up the count from the timekeeper and audibly announce the passing seconds, accompanying the count with arm motions. Any time a contestant is knocked down, the referee will automatically begin a mandatory eight (8) count and then, if the contestant appears able to continue, will allow the bout to resume. If a contestant who is down, rises before the count of ten (10) is reached and goes down immediately without being struck, the referee shall resume the count where it was left off. If the contestant is still down when the referee calls the count of ten (10), the referee will wave both arms to indicate that the contestant has been knocked out and will signal that the opponent is the winner. If a round ends before the referee reaches ten (10), the contestant must still rise before the count of ten (10) to avert a knockout. A contestant will be declared knocked down when, as a result of any legal blow or strike, any portion of the contestant's body other than the feet touches the floor.

((19))(20) The referee, at his/her discretion, may request that the attending physician examine a contestant during the bout. Should the examination occur during the course of a round, the clock shall be stopped until the examination is completed. The physician may order the referee to stop the bout. The referee will then render the appropriate decision.

((20))(21) Injuries sustained by fouls **include**:

(A) Intentional Fouls.

1. If an intentional foul causes an injury, and the injury is severe enough to terminate a bout immediately, the contestant causing the injury may lose by disqualification.

2. If an intentional foul causes an injury and the bout is allowed to continue, the referee will notify the authorities and deduct two (2) points from the contestant who caused the foul. Point deductions for intentional fouls will be mandatory.

3. If an intentional foul causes an injury and the injury results in the bout being stopped in a later round, the injured contestant will win by technical decision if s/he is ahead on the scorecards or the bout will result in a technical draw if the injured contestant is behind or even on the scorecards.

4. If a contestant injures him/herself while attempting to inten-

tionally foul his/her opponent, the referee will not take any action in his/her favor, and this injury will be the same as one (1) produced by a fair blow.

5. If the referee feels that a contestant has conducted him/herself in an unsportsmanlike manner s/he may stop the bout and disqualify the contestant;

(B) Accidental Fouls.

1. If an accidental foul causes an injury severe enough for the referee to stop the bout immediately, the bout will result in a no contest if stopped before four (4) completed rounds.

2. If an accidental foul causes an injury severe enough for the referee to stop the bout immediately after four (4) rounds have been completed, the bout will result in a technical decision awarded to the contestant who is ahead on the scorecards at the time the bout is stopped. A partial or incomplete round will be scored. If no action has occurred, the round should be scored as an even round. This is at the discretion of the judges.

3. A contestant who is hit with an accidental low blow must continue after a reasonable amount of time but no more than five (5) minutes or s/he will lose the fight by technical knockout.

(22) Before the office issues a permit for an event, the promoter shall provide the office proof of insurance providing for payment of each contestant in the amount of at least ten thousand (\$10,000) dollars in case of injury or at least ten thousand (\$10,000) dollars in case of death. No contestant may waive the insurance coverage. Promoter shall be responsible for deductible payments, if any.

AUTHORITY: section 317.006, RSMo [2016] Supp. 2018. This rule originally filed as 4 CSR 40-5.060. Original rule filed March 12, 1989, effective May 11, 1989. For intervening history, please consult the Code of State Regulations. Amended: Filed Jan. 25, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will cost private entities approximately sixty thousand dollars (\$60,000) annually thereafter for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-5649, or via email at athletic@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

PRIVATE FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2040 - Office of Athletics

Chapter 5 - Rules for Professional Boxing, Professional Wrestling, Professional Kickboxing, Professional Full-Contact Karate and Amateur Kickboxing

Proposed Rule - 20 CSR 2040-5.060 Rules for Professional Kickboxing and Professional Full-Contact Karate

II. SUMMARY OF FISCAL IMPACT

| Estimate the number of entities by class which would likely be affected by the adoption of the proposed amendment: | Classification by type of the business entities which would likely be affected: | Estimated cost of compliance with the amendment by affected entities: |
|--|---|---|
| 25 | Promoters (Medical Insurance for professional boxing, kickboxing, full contact karate contestants @ \$1,000) | \$25,000 |
| 25 | Promoters (Medical Insurance for mixed martial arts contestants @ \$1,400) | \$35,000 |
| Estimated Annual Cost of Compliance for the Life of the Rule | | \$60,000 |

III. WORKSHEET

See Table Above

IV. ASSUMPTION

1. The figures reported above are based on FY19 actuals.
3. It is anticipated that the total cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2040—Office of Athletics
Chapter 6—Facilities**

PROPOSED AMENDMENT

20 CSR 2040-6.010 Facility and Equipment Requirements. The office is amending sections (1) and (5), adding new section (4), and renumbering as necessary.

PURPOSE: This rule is being amended to consolidate rules from a chapter that is being rescinded to add the requirement for a cage.

(1) The ring may not be less than sixteen (16) nor more than twenty feet (20') inside the ropes. The apron of the ring floor shall extend beyond the ropes not less than two feet (2'). The ring shall not be more than four feet (4') above the floor of the building or grounds of an outdoor arena and shall be provided with suitable steps for the use of contestants, [*managers,*] seconds, and officials.

(4) **Requirements.** The fighting area shall be constructed in a manner that does not pose a substantial risk to the safety or health of any person. The fighting area shall be no smaller than eighteen by eighteen feet (18' × 18') and no larger than thirty-two by thirty-two feet (32' × 32') and shall meet the following requirements:

(A) **Floors.** The floor of the fighting area must have a canvas, vinyl, or plastic rubberized covering that shall be padded with at least a one inch (1") layer of foam padding extending over the edge of the platform of the fighting area. Materials that may gather in lumps or ridges during the bout or contest may not be used. The platform of the fighting area canvas shall be no more than four feet (4') above the floor of the building and shall have suitable steps or ramps for use by officials and the contestants;

(B) **Posts.** All posts in or around the fighting area shall be made of metal not more than six inches (6") in diameter, extending from the floor of the building to a minimum height of fifty-eight inches (58") above the fighting area floor and shall be properly padded in a manner approved by the office;

(C) **Fencing.** The fighting area shall be enclosed. The enclosure shall—

1. Be made of materials that will not allow a contestant to easily fall out of the space or break through it onto the floor or spectators, such as vinyl-coated chain link fencing;

2. Provide two (2) separate entries onto the fighting area canvas that are sufficient to allow easy access to the fighting area by officials and emergency personnel;

3. Not obstruct or limit the supervision and regulation of the bout by the officials or office representatives; and

4. Not inhibit the official judging of the bout in any manner;

(D) All metal parts of the enclosure and fighting area shall be covered and padded in a manner approved by the office and shall not be abrasive to the contestants;

(E) Tables immediately surrounding the fighting area shall be no higher than the fighting area platform level; and

(F) The fighting area will be approved by the inspector, including, all padding or enclosures. Fighting areas that are not approved by the inspector may not be used for any mixed martial arts bout or contest.

[(4)](5) The gong, bell, buzzer, or horn which is used must be sufficiently loud so that the officials and contestants can hear it clearly. The ten- (10-) second warning may be by whistle or buzzer.

[(5)](6) Spectator seats shall not be closer than eight feet (8') from the outside edge of the apron of the ring. A physical barrier shall be

placed designating eight feet (8') from the ring. The ringside area shall be under the jurisdiction of the office for the use of designated working officials, contestants, their seconds, judges, referees, physicians, [*announcer,*] and medical representatives. Promoters are responsible for seeing that the working area is controlled and free of nonessential individuals. The promoter is also responsible for ensuring that no person is smoking within eight feet (8') of the ring.

[(6)](7) All gloves will be furnished by the promoter and shall be new or in good condition.

[(7)](8) Promoters must have an extra set of gloves for each size glove used during the contest, to be used in case gloves are broken or in any way damaged during the course of a bout.

[(8)](9) Scales shall be furnished by the promoter and shall be thoroughly tested and approved by the inspector prior to use in connection with any contest.

AUTHORITY: section 317.006, RSMo [2016] Supp. 2018. This rule originally filed as 4 CSR 40-6.010. Original rule filed April 30, 1982, effective Sept. 11, 1982. For intervening history, please consult the Code of State Regulations. Amended: Filed Jan. 25, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-5649, or via email at athletic@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2040—Office of Athletics
Chapter 7—Disciplinary and Appeals Procedures**

PROPOSED AMENDMENT

20 CSR 2040-7.010 Disciplinary and Appeals Procedures. The office is adding new sections (5) and (6).

PURPOSE: This rule is being amended to clarify the discipline and appeal procedures.

(5) If a contestant in a bout tests positive for a prohibited substance during competition the result of the bout shall be changed to a "no contest" provided, the contestant was judged to be the winner of the bout in which the prohibited substance was used. Any win bonus pursuant to the written bout agreement that was paid must be returned to the promoter.

(6) Any complaint filed must provide specific rule(s) that were violated and provide evidence there was a misapplication of the rule.

AUTHORITY: section 317.006, RSMo [2016] Supp. 2018. This rule originally filed as 4 CSR 40-7.010. Original rule filed April 30, 1982, effective Sept. 11, 1982. For intervening history, please consult

the Code of State Regulations. Amended: Filed Jan. 25, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-5649, or via email at athletic@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2040—Office of Athletics
Chapter 8—Mixed Martial Arts**

PROPOSED RESCISSION

20 CSR 2040-8.010 Definitions. This rule defined various terms used in the rules governing mixed martial arts.

PURPOSE: This rule is rescinded to consolidate the definitions used by the Office of Athletics into 20 CSR 2040-1.021.

AUTHORITY: sections 317.001 and 317.006, RSMo 2000. Original rule filed April 3, 2007, effective Oct. 30, 2007. Rescinded: Filed Jan. 25, 2019.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-5649, or via email at athletic@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2040—Office of Athletics
Chapter 8—Mixed Martial Arts**

PROPOSED RESCISSION

20 CSR 2040-8.040 Tickets and Taxes. This rule established ticketing procedures for professional mixed martial arts and establishes criteria and procedures for the calculation and payment of the taxes established by section 317.006, RSMo.

PURPOSE: This rule is being rescinded and consolidated into 20 CSR 2040-3.011.

AUTHORITY: sections 317.001 and 317.006, RSMo 2016. Original rule filed April 3, 2007, effective Oct. 30, 2007. Amended: Filed March 20, 2018, effective Sept. 30, 2018. Rescinded: Filed Jan. 25, 2019.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-5649, or via email at athletic@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2040—Office of Athletics
Chapter 8—Mixed Martial Arts**

PROPOSED RESCISSION

20 CSR 2040-8.050 Contestants. This rule established criteria and licensing guidelines for mixed martial arts contestants.

PURPOSE: This rule is being rescinded and consolidated into 20 CSR 2040-4.090.

AUTHORITY: sections 317.001 and 317.006, RSMo 2016. Original rule filed April 3, 2007, effective Oct. 30, 2007. Amended: Filed March 20, 2018, effective Sept. 30, 2018. Rescinded: Filed Jan. 25, 2019.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-5649, or via email at athletic@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2040—Office of Athletics
Chapter 8—Mixed Martial Arts**

PROPOSED RESCISSION

20 CSR 2040-8.060 Inspectors. This rule defined the duties and responsibilities of inspectors.

PURPOSE: The rule is being consolidated into 20 CSR 2040-4.100.

AUTHORITY: sections 317.001 and 317.006, RSMo 2016. Original rule filed April 3, 2007, effective Oct. 30, 2007. Amended: Filed March 20, 2018, effective Sept. 30, 2018. Rescinded: Filed Jan. 25, 2019.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-5649, or via email at athletic@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2040—Office of Athletics
Chapter 8—Mixed Martial Arts**

PROPOSED RESCISSION

20 CSR 2040-8.070 Judges. This rule defined the duties and responsibilities for mixed martial arts judges.

PURPOSE: This rule is being rescinded to consolidate into 20 CSR 2040-4.080.

AUTHORITY: sections 317.001 and 317.006, RSMo 2016. Original rule filed April 3, 2007, effective Oct. 30, 2007. Amended: Filed March 20, 2018, effective Sept. 30, 2018. Rescinded: Filed Jan. 25, 2019.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-5649, or via email at athletic@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2040—Office of Athletics
Chapter 8—Mixed Martial Arts**

PROPOSED RESCISSION

20 CSR 2040-8.080 Matchmakers. This rule defined the duties and responsibilities of matchmakers for mixed martial arts bouts/contests.

PURPOSE: This rule is being rescinded to consolidate into 20 CSR 2040-4.020.

AUTHORITY: sections 317.001 and 317.006, RSMo 2016. Original rule filed April 3, 2007, effective Oct. 30, 2007. Amended: Filed March 20, 2018, effective Sept. 30, 2018. Rescinded: Filed Jan. 25, 2019.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-5649, or via email at athletic@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2040—Office of Athletics
Chapter 8—Mixed Martial Arts**

PROPOSED RESCISSION

20 CSR 2040-8.090 Physicians. This rule defined the responsibilities of physicians for professional mixed martial arts bouts/contests.

PURPOSE: The rule is being rescinded to consolidate into 20 CSR 2040-4.040.

AUTHORITY: sections 317.001 and 317.006, RSMo 2016. Original rule filed April 3, 2007, effective Oct. 30, 2007. Amended: Filed March 20, 2018, effective Sept. 30, 2018. Rescinded: Filed Jan. 25, 2019.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-5649, or via email at athletic@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2040—Office of Athletics
Chapter 8—Mixed Martial Arts**

PROPOSED RESCISSION

20 CSR 2040-8.100 Promoters. This rule defined the duties and responsibilities of promoters for mixed martial arts bouts/contests.

PURPOSE: The rule is being rescinded to consolidate into 20 CSR 2040-4.015.

AUTHORITY: sections 317.001 and 317.006, RSMo 2016. Original rule filed April 3, 2007, effective Oct. 30, 2007. Amended: Filed March 20, 2018, effective Sept. 30, 2018. Rescinded: Filed Jan. 25, 2019.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-5649, or via email at athletic@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2040—Office of Athletics
Chapter 8—Mixed Martial Arts**

PROPOSED RESCISSION

20 CSR 2040-8.110 Referees. This rule defined the duties and responsibilities of mixed martial arts referees.

PURPOSE: This rule is being rescinded to consolidate into 20 CSR 2040-4.030.

AUTHORITY: sections 317.001 and 317.006, RSMo 2016. Original rule filed April 3, 2007, effective Oct. 30, 2007. Amended: Filed March 20, 2018, effective Sept. 30, 2018. Rescinded: Filed Jan. 25, 2019.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-5649, or via email at athletic@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2040—Office of Athletics
Chapter 8—Mixed Martial Arts**

PROPOSED RESCISSION

20 CSR 2040-8.120 Seconds. This rule defined the duties and responsibilities of seconds for a mixed martial arts contestant.

PURPOSE: The rule is being rescinded to consolidate into 20 CSR 2040-4.070.

AUTHORITY: sections 317.001 and 317.006, RSMo 2016. Original rule filed April 3, 2007, effective Oct. 30, 2007. Amended: Filed March 20, 2018, effective Sept. 30, 2018. Rescinded: Filed Jan. 25, 2019.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-5649, or via email at athletic@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2040—Office of Athletics
Chapter 8—Mixed Martial Arts**

PROPOSED RESCISSION

20 CSR 2040-8.130 Timekeepers. This rule defined the duties and responsibilities of timekeepers.

PURPOSE: This rule is being rescinded to consolidate into 20 CSR 2040-4.050.

AUTHORITY: sections 317.001 and 317.006, RSMo 2016. Original rule filed April 3, 2007, effective Oct. 30, 2007. Amended: Filed March 20, 2018, effective Sept. 30, 2018. Rescinded: Filed Jan. 25, 2019.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-5649, or via email at athletic@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2040—Office of Athletics
Chapter [8] 5—[Mixed Martial Arts] Rules for
Professional Boxing, Professional Wrestling, Professional
and Amateur Kickboxing, and Professional Full-Contact
Karate**

PROPOSED AMENDMENT

20 CSR 2040-/8.140/5.070 Fouls. The office is moving this rule's chapter, adding new sections (2)-(11) and renumbering as necessary.

PURPOSE: This rule is being amended to implement House Bill 1388 signed into law and effective August 28, 2018.

(2) Any contestant competing in an amateur bout may not currently or ever have been a professional fighter in any contact sport including, but not limited to, boxing, kickboxing, full-contact karate, martial arts, or mixed martial arts.

(3) The maximum number of rounds for an amateur mixed martial arts contest shall be three (3).

(4) The maximum length of a round for an amateur mixed martial arts bout shall be three (3) minutes with one (1) minute rest between rounds.

(5) The minimum glove size shall be four (4) ounces and the maximum glove size shall be eight (8) ounces.

(6) Neoprene ankle wraps or elbow pads are optional. Contestant may tape their ankles and have a neoprene wrap or similar material covering the tape.

(7) No elbow strikes of any kinds.

(8) For the first five (5) sanctioned amateur bouts there shall be a prohibition of knee strikes to the head of an opponent during an amateur mixed martial arts contest. Both contestant may mutually agree to allow knees strikes during a bout after the fifth sanctioned bout by each contestant. A sanctioned fight is a bout that is sanctioned by a state or tribal agency charged with legal regulatory authority to regulate amateur mixed martial arts.

(9) No twisting leg submissions.

(10) An amateur mixed martial arts contestant will be required to have a minimum of six (6) sanctioned amateur bouts with a winning record prior to being permitted to compete as a professional mixed martial arts contestant in Missouri.

(11) Amateur contestants shall not receive any valuable consideration for their participation in an amateur event including but not limited to a purse, percentage of ticket sales, and/or discounts for gym training fees. No more than one hundred (\$100) dollars may be paid to an amateur contestant for travel expenses for participation in a bout.

[[2]](12) Injuries Sustained by Fouls.

[[3]](13) Except as provided herein, any contestant guilty of foul tactics in a round shall be given an immediate warning or points may be deducted from the contestant's total score, or both, as determined by the referee. The use of foul tactics may also result in the disqualification of the contestant.

[[4]](14) A contestant who intentionally refuses to engage an opponent for a prolonged period of time may receive an immediate warning from the referee. If the contestant continues these tactics after a warning, a point(s) may be deducted by the referee.

AUTHORITY: section 317.001, RSMo 2016 and section 317.006, RSMo [2016] Supp. 2018. Original rule filed April 3, 2007, effective Oct. 30, 2007. Amended: Filed March 20, 2018, effective Sept. 30, 2018. Amended: Filed Jan. 25, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-5649, or via email at athletic@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.*

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2040—Office of Athletics
Chapter 8—Mixed Martial Arts**

PROPOSED AMENDMENT

20 CSR 2040-8.160 Attire and Equipment. The office is amending sections (1), (2), and (4).

PURPOSE: This rule is being amended to implement House Bill 1388 signed into law and effective August 28, 2018.

PURPOSE: This rule establishes minimum guidelines for the hygiene, attire, and equipment authorized for professional mixed martial arts contestants.

(1) Physical Appearance. All contestants in a [professional] mixed martial arts bout or contest shall present a clean and tidy appearance and shall comply with the following:

(C) No substance other than [Vaseline] petroleum jelly and/or a similar petroleum based product may be allowed on the face, arms, or any part of the body. Use of excessive [Vaseline] petroleum jelly and/or similar petroleum based products is prohibited.

(2) Attire and Equipment. All contestants shall comply with the following:

(C) Knee pads, elbow pads, breast protectors, footwear, shoes, or shin guards shall not be allowed for professional contestants;

(E) Male contestants shall wear a [foul-proof] groin protector. Female contestants may wear a pelvic protector at the option of the contestant;

(4) Gloves.

(A) Mixed martial arts contestants shall wear gloves that are appropriate in weight for the fighter and which shall be no less than four ounces (4 oz.) and no more than [ten ounces (10 oz.)] **eight ounces (8 oz.)** in weight. Contestants competing against each other in the same bout shall wear the same sized gloves.

AUTHORITY: sections 317.001, RSMo 2016 and section 317.006, RSMo Supp. 2018. Original rule filed April 3, 2007, effective Oct. 30, 2007. Amended: Filed March 20, 2018, effective Sept. 30, 2018. Amended: Filed Jan. 25, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102, by facsimile at

(573) 751-5649, or via email at athletic@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2040—Office of Athletics
Chapter 8—Mixed Martial Arts**

PROPOSED AMENDMENT

20 CSR 2040-8.170 Weigh-Ins. The office is amending section (1) and adding section (5).

PURPOSE: This rule is being amended to implement House Bill 1388 signed into law and effective August 28, 2018.

(1) The weigh-in for professional events along with events including both amateur and professional bouts shall be conducted by the office within forty-eight (48) hours before the contest. Weigh-ins may be conducted more than forty-eight (48) hours prior to the contest with special permission from the office.

(5) For amateur events only, all weigh-ins must be scheduled no earlier than 10:00 AM on the date of the event. There shall be no weight allowances for amateurs. Amateur contestants must compete within the weight classes listed in 20 CSR 2040-8.150(1). No substitutes may be submitted after the weigh-in has begun unless approved by the office due to special circumstances.

AUTHORITY: sections 317.001 and 317.006, RSMo 2016. Original rule filed April 3, 2007, effective Oct. 30, 2007. Amended: Filed March 20, 2018, effective Sept. 30, 2018. Amended: Filed Jan. 25, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-5649, or via email at athletic@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2040—Office of Athletics
Chapter 8—Mixed Martial Arts**

PROPOSED AMENDMENT

20 CSR 2040-8.180 Rules for Bouts/Contests. The office is amending section (5) and deleting section (12).

PURPOSE: This rule is being amended to implement House Bill 1388 signed into law and effective August 28, 2018.

PURPOSE: This rule establishes general rules for conducting mixed martial arts bouts/contests.

(5) No [professional] mixed martial arts bout shall be advertised or promoted as a championship bout unless it has the specific approval of the office.

[(12) If amateur bouts and professional mixed martial arts bouts are scheduled during the same contest or event, the professional mixed martial arts bouts shall only be held after the completion of all amateur bouts.]

AUTHORITY: section[s] 317.001, RSMo 2016 and section 317.006, RSMo [2016] 2018. Original rule filed April 3, 2007, effective Oct. 30, 2007. Amended: Filed March 20, 2018, effective Sept. 30, 2018. Amended: Filed Jan. 25, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-5649, or via email at athletic@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2040—Office of Athletics
Chapter 8—Mixed Martial Arts**

PROPOSED RESCISSION

20 CSR 2040-8.190 Facility and Equipment Requirements. This rule defined the minimum requirements for facilities and equipment used for mixed martial arts bouts/contests.

PURPOSE: This rule is being rescinded to consolidate into 20 CSR 2040-6.010.

AUTHORITY: sections 317.001 and 317.006, RSMo 2016. Original rule filed April 3, 2007, effective Oct. 30, 2007. Amended: Filed March 20, 2018, effective Sept. 30, 2018. Rescinded: Filed Jan. 25, 2019.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-5649, or via email at athletic@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2200—State Board of Nursing
Chapter 4—General Rules**

PROPOSED AMENDMENT

20 CSR 2200-4.010 Fees. The board is amending subsections (1)(A) and (B).

PURPOSE: This amendment eliminates the examination fee.

(1) The following fees are established by the State Board of Nursing:

| | |
|--|--------|
| <i>[(A) Examination Fee—Registered Professional Nurse (RN)]</i> | \$ 45] |
| <i>[1.J(A) Reexamination Fee—Registered Professional Nurse (RN)]</i> | \$ 40 |
| <i>[(B) Examination Fee—Licensed Practical Nurse (LPN)]</i> | \$ 41] |
| <i>[1.J(B) Reexamination Fee—Licensed Practical Nurse (LPN)]</i> | \$ 40 |

AUTHORITY: [sections 324.001.10 and 335.036, RSMo Supp. 2010 and] section 335.046, RSMo [2000] 2016, and sections 324.001.10 and 335.036, RSMo Supp. 2018. This rule originally filed as 4 CSR 200-4.010. Emergency rule filed Aug. 13, 1981, effective Aug. 23, 1981, expired Dec. 11, 1981. Original rule filed Aug. 13, 1981, effective Nov. 12, 1981. For intervening history, please consult the Code of State Regulations. Amended: Filed Jan. 25, 2019.

PUBLIC COST: This proposed amendment will cost state agencies two hundred twenty-nine thousand two hundred dollars (\$229,200) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

PRIVATE COST: This proposed amendment will save private entities approximately two hundred twenty-nine thousand two hundred dollars (\$229,200) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation and are expected to increase at the rate projected by the Legislative Oversight Committee.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Nursing, Lori Scheidt, Executive Director, PO Box 656, Jefferson City, MO 65102, by fax at (573) 751-0075, or via email at nursing@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

PUBLIC FISCAL NOTE

I. RULE NUMBER

Title 20 -Department of Insurance, Financial Institutions and Professional Registration
 Division 2200—State Board of Nursing
 Chapter 4 - General Rules
 Proposed Amendment to 20 CSR 2200-4.010 Fees

II. SUMMARY OF FISCAL IMPACT

Estimated Fiscal Impact

| Affected Agency or Political Subdivision | Estimated Loss of Revenue |
|--|--|
| State Board of Nursing | (\$229,200) |
| | Estimated Loss of Revenue Annually for the Life of the Rule |
| | (\$229,200) |

III. WORKSHEET

See Private Entity Fiscal Note

IV. ASSUMPTION

1. The total loss of revenue is based on the cost savings reflected in the Private Entity Fiscal Note filed with this amendment.
2. The board utilizes a rolling five year financial analysis process to evaluate its fund balance, establish fee structure, and assess budgetary needs. The five year analysis is based on the projected revenue, expenses, and number of licensees. Based on the board's recent five year analysis, the board voted to eliminate the examination fee for RNs and LPNs.
3. It is anticipated that the total decrease in revenue will recur for the life of the rule, may vary with inflation, and is expected to increase at the rate projected by the Legislative Oversight Committee.

PRIVATE FISCAL NOTE

I. RULE NUMBER

**Title 20 -Department of Insurance, Financial Institutions and Professional Registration
Division 2200—State Board of Nursing
Chapter 4 - General Rules
Proposed Amendment to 20 CSR 2200-4.010 Fees**

II. SUMMARY OF FISCAL IMPACT

| Estimate the number of entities by class which would likely be affected by the adoption of the proposed amendment: | Classification by type of the business entities which would likely be affected: | Estimated cost of compliance with the amendment by affected entities: |
|--|---|---|
| 4,000 | Registered Professional Nurse Examination Fee (Deleted Fee @ \$45) | \$180,000 |
| 1,200 | Licensed Practical Nurse Examination Fee (Deleted Fee @ \$41) | \$49,200 |
| Estimated Annual Cost Savings for the Life of the Rule | | \$229,200 |

III. WORKSHEET

See Table Above

IV. ASSUMPTION

1. The above figures are based on FY19-21 projections.
2. The above fee amounts include the educational surcharge of one dollar (\$1) for practical nurses and five dollars (\$5) for professional nurses. The surcharge funds are deposited in the professional and practical nursing student loan and nurse repayment fund. Accordingly, that fund will decrease by twenty-one thousand two hundred dollars (\$21,200) biennially as a result of deletion of the examination fees.
3. It is anticipated that the total fiscal savings will recur for the life of the rule, may vary with inflation, and is expected to increase at the rate projected by the Legislative Oversight Committee.

Note: The board is statutorily obligated to enforce and administer the provisions of sections 335.001 to 335.420, RSMo. Pursuant to section 335.036, RSMo, the division shall by rule and regulation set the amount of fees authorized by sections 335.001 to 335.420, RSMo, at a level to produce revenue which will not substantially exceed the cost and expense of administering sections 335.001 to 335.420.