



State of Arkansas
Bureau of
Legislative Research

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Memorandum

TO: Members, ALC – Executive Subcommittee

FROM: Jessica Sutton, Administrator, Rules and Regulations Section, Legal Services Division

CC: Marty Garrity, Director, Bureau of Legislative Research

DATE: August 3, 2015

SUBJECT: Analysis of Legal Authorization of State Athletic Comm’n to enact proposed emergency rule

LEGAL AUTHORIZATION: The State Athletic Commission is authorized to “adopt and promulgate, amend, or abrogate any and all rules and regulations considered by it necessary or expedient for the performance of its functions as provided in this chapter [Ark. Code Ann. § 17-22-101 *et seq.*] and in accordance with the Arkansas Administrative Procedure Act.” Ark. Code Ann. § 17-22-204(c). The General Assembly finds and declares that it is in the best interest of the public that “combative sports be subject to an effective and efficient system of strict control and regulation in order to protect the safety and well-being of the participants in combative sports matches and exhibitions and to promote the public confidence in the regulatory process and the conduct of combative sports matches and exhibitions.” Ark. Code Ann. § 17-22-206. To further this public policy, the State Athletic Commission is authorized to promulgate rules and regulations concerning combative sports. *Id.*

Effective July 1, 2013, Act 482 of 2013 transferred the State Athletic Commission to the Arkansas Department of Health.