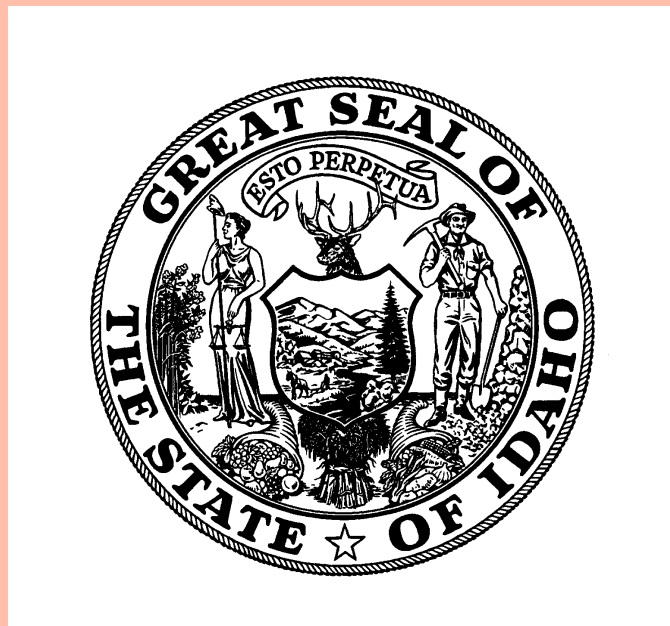


TEMPORARY RULES COMMITTEE RULES REVIEW BOOK

**Submitted for Review Before
House State Affairs Committee
68th Idaho Legislature
First Regular Session – 2025**



Prepared by:

*Office of the Administrative Rules Coordinator
Division of Financial Management*

January 2025

HOUSE STATE AFFAIRS COMMITTEE

ADMINISTRATIVE RULES REVIEW

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DOCKET NO. 11-0501-2402
NOTICE OF RULEMAKING – ADOPTION OF TEMPORARY RULE

THE FOLLOWING NOTICE PUBLISHED WITH THE TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is July 1, 2024.

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Section(s) 23-616, 23-932, 23-946(b), 23-1330, and 23-1408.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule:

The temporary rule provides clarification to recently enacted Senate Bills 1364, 1381 and 1421, which will serve Idaho's liquor licensee's and industry in navigating Title 23 and providing the ability to make informative business decisions when selling or transferring a liquor license in the future.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section(s) 67-5226(1)(b), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

Pursuant to Section 67-5226(1)(b), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate and necessary for the Alcohol Beverage Control Section to continue operation and to continue serving the Idaho businesses they support and serve.

FEE SUMMARY: Pursuant to Section 67-5226(2), the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein:

There are no changes to the fees associated with this rule.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Captain Rocky Gripton, Idaho State Police, (208) 884-7062, rocky.gripton@isp.idaho.gov.

DATED this 10th day of June, 2024.

Lt Colonel Bill Gardiner
Chief of Staff
Idaho State Police
700 S Stratford Drive
Meridian Idaho 83642
(208) 884-7004
Bill.gardiner@isp.idaho.gov

FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 11-0501-2402

(If extended, this temporary rule will be replaced by the pending rule promulgated under docket number 11-0501-2403 on July 1, 2025.)

11.05.01 – RULES GOVERNING ALCOHOL BEVERAGE CONTROL

010. DEFINITIONS.

01. Actual Use. Actual use constitutes when a liquor license is issued to a licensee and legitimate sales of liquor by the drink are being made on a weekly basis. (7-1-24)T

02. Business. Business means any operation to carry out the normal day to day activities to exercise the privilege of holding a liquor license and operating a premises, as defined in Section 23-902(15), Idaho Code, for the purposes of Section 23-903(16)(d) (15-18), Idaho Code. (7-1-24)T

03. Licensed Premises. Any premises for which a license has been issued under any of the provisions of Title 23, Chapters 9, 10 or 13, Idaho Code. All areas included on the floor plan submitted to the Director with the licensee's application for a license constitute the licensed premises. ~~In the event of loss or move of the physical licensed premises, the licensee has ninety (90) days to secure and occupy a new premises in which to display the license. All licenses must be prominently displayed in a suitable premises and remain in actual use by the licensee and available for legitimate sales of alcoholic beverages by the drink. An additional sixty (60) days may be granted by the Director, upon petition by the license holder.~~ (3-23-22)(7-1-24)T

02. New Licenses. ~~For purposes of Section 23-908(4), Idaho Code, a "new license" is one that has become available as an additional license within a city's limits under the quota system after July 1, 1980. The requirement of Section 23-908(4), Idaho Code, that a new license be placed into actual use by the licensee and remain in use for at least six (6) consecutive months is satisfied if the licensee makes actual sales of liquor by the drink during at least eight (8) hours per day, no fewer than six (6) days per week.~~ (3-23-22)

034. Multipurpose Arena. (3-23-22)

a. For purposes of Section 23-944(3), Idaho Code, a Multipurpose Arena is a: (3-23-22)

i. Publicly or privately owned or operated arena, coliseum, stadium, or other facility where sporting events, concerts, live entertainment, community events, and other functions are presented for a ticketed price of admission or one whose premises are leased for private events such as receptions; (3-23-22)

ii. Facility that is licensed to sell liquor by the drink at retail for consumption upon the premises; and (3-23-22)

iii. Facility that has been endorsed by the director. (3-23-22)

b. A Multipurpose Arena facility must apply annually for an endorsement on its alcohol beverage license. (3-23-22)

c. To receive a Multipurpose Arena endorsement under this Section will require the facility to have food available including, but not limited to, hamburgers, sandwiches, salads, or other snack food. The director may also restrict the type of events at a Multipurpose Arena facility at which beer, wine, and liquor by the drink may be served. The director will also consider the seating accommodations, eating facilities, and circulation patterns in such a facility, and other amenities available at a Multipurpose Arena facility before the director will endorse the license. (3-23-22)

d. A licensee that applies for a Multipurpose Arena endorsement must submit with the application an operating/security plan to the director and the local law enforcement agency for review and approval. Once approved, the plan remains in effect until the licensee requests a change or the director determines that a change is necessary due to demonstrated problems or conditions not previously considered or adequately addressed in the original plan. The plan must be submitted in a format designated by the director and contain all of the following elements: (3-23-22)

i. How the Multipurpose Arena facility will prevent the sale and service of alcohol to persons under twenty-one (21) years of age and those who appear to be intoxicated; (3-23-22)

ii. The ratio of alcohol service staff and security staff to the size of the audiences at events where alcohol is being served; (3-23-22)

iii. Training provided to staff who serve, regulate, or supervise the service of alcohol; (3-23-22)

iv. The facility's policy on the number of alcoholic beverages that will be served to an individual patron during one (1) transaction; (3-23-22)

v. A list of event type/categories to be held in the facility at which alcohol service is planned, along with a request for the level of alcohol service at each event; and (3-23-22)

vi. Diagrams and designation of alcohol service areas for each type of event category with identified restrictions of minors. (3-23-22)

e. Prior to the first of each month, the licensee must provide a schedule of events for the upcoming month to the director and local law enforcement office showing the date and time of each event during which alcohol service is planned. The licensee must notify the director and local law enforcement at least twenty-four (24) hours in advance of any events where alcohol service is planned that were not included in the monthly schedule. (3-23-22)

f. To prevent persons who are under twenty-one (21) years of age or who appear intoxicated from gaining access to alcohol, the director may require that an operating plan include additional mandatory requirements if it is determined that the plan does not effectively prevent violations of liquor laws and regulations, particularly those that prevent persons under twenty-one (21) years of age or who are apparently intoxicated from obtaining alcohol. (3-23-22)

g. If premises, licensed as a Multipurpose Arena, subsequently ceases to meet the qualifications of a Multipurpose Arena, the restrictions contained in Section 23-943, Idaho Code, apply and the posting of signs as provided for in Section 23-945, Idaho Code, is required. The licensee shall advise the director, by mail, that his premises no longer constitute a Multipurpose Arena, so that the license may be modified accordingly. (3-23-22)

05. **Owner.** An owner as stated in Section 23-903 subsections 16-18, Idaho Code, may hold the privilege to a license as between that person and the state of Idaho, and is subject to the qualifications and restrictions contained in Idaho Code Chapters 9, 10 and 13 of Title 23. (7-1-24)T

046. **Partition.** A partition, as used in Section 23-944 Idaho Code, is defined as a structure separating the place from the remainder of the premises. Access through the structure to the place will be controlled to prevent minors from entering the place. The structure must be: (3-23-22)

a. Permanently fixed from the premises ceiling to the premises floor. (3-23-22)

b. Made or constructed of solid material such as glass, wood, metal or a combination of those products. (3-23-22)

c. Designed to prevent an alcoholic beverage from being passed over, under or through the structure. (3-23-22)

d. All partitions must be approved by the Director. (3-23-22)

057. Place. For the purposes of Section 23-943, Idaho Code, “Place” as defined by Section 23-942(b), for a one (1) room restaurant without a barrier or partition, refers to the immediate bar area wherein there is seating alongside a counter or barrier that encloses bar supplies and equipment that are kept, and where alcoholic beverages are mixed, poured, drawn or served for consumption. (3-23-22)

068. Restaurant. The term Restaurant, ~~as defined by found in~~ Sections ~~23-903c and~~ 23-942(c), Idaho Code, is further defined as an establishment maintained, advertised and held out to the public as primarily a food eating establishment, where individually priced meals are prepared and regularly served to the public, primarily for on-premises consumption. The establishment must also have a dining room or rooms, kitchen and cooking facilities for the preparation of food, and the number, and type of employees normally used in the preparing, cooking and serving of meals. Primarily as defined for the purposes of ~~Section 010~~ this section, also includes that the licensee must show to the director the following: (3-23-22)(7-1-24)T

- a. An established menu identifying the individually priced meals for consumption; (3-23-22)
- b. Food service and preparation occurs on the premises by establishment employees; (3-23-22)
- c. Stoves, ovens, refrigeration equipment or such other equipment usually and normally found in restaurants are located on the premises of the establishment; (3-23-22)
- d. The licensee must demonstrate to the satisfaction of the Director, through appropriate business records, that the establishment is advertised and held out to the public as primarily a food-eating establishment, or that at least forty percent (40%) , or at least sixty percent (60%) for resort city restaurant liquor licenses as set forth in Section 23-903c., Idaho Code. of the establishment’s consumable purchases are derived from purchases of food and non-alcoholic beverages. (3-23-22)(7-1-24)T

079. Stock Transfer. For the purposes of Section 23-908, Idaho Code, the sale or exchange of stock in a closely held corporation holding a license is deemed a transfer of the license. ~~However, the sale or exchange of shares in a family corporation among family members, is not a transfer.~~ (3-23-22)(7-1-24)T

10. Transfer. Any change to a person as defined in Section 23-902(13), Idaho Code, who owns, operates, or leases an alcohol beverage license as a privilege granted by ABC except the transfer conditions set forth in Section 23-903(16)(c), Idaho Code. (7-1-24)T

011. GENERAL PROVISIONS.

01. Delegation of Authority to License Alcoholic Beverages. The Director hereby delegates his authority for the licensing of establishments which sell alcoholic beverages, as contained in Title 23, Chapters 9, 10, and 13, Idaho Code, to the, Alcohol Beverage Control Bureau, Idaho State Police. All applications and inquiries concerning alcoholic beverage licenses must be directed to the Alcohol Beverage Control Bureau. The Alcohol Beverage Control Bureau provides forms for all applications and inquiries. Nothing contained herein interferes with the Director’s supervisory authority for alcoholic beverage licensing. (Section 67-2901(4), Idaho Code). (3-23-22)

02. Authority to Stagger the Renewal of Licenses to Sell Alcohol. For the purposes of Sections 23-908, 23-1010 and 23-1316, Idaho Code, the Director may adjust the renewal month to accommodate population increases. Renewal months vary by county and are available on the Alcohol Beverage Control website. (3-23-22)

03. Premises Loss, License Display, and Actual Use Requirement. (7-1-24)T

a. In the event of loss or move of the physical licensed premises, or reversion under Section 23-903(17), Idaho Code, a the licensee has one hundred eighty (180) days to secure and occupy a new premises in which to display the license. An additional sixty (60) days may be granted by ABC, upon petition by the license holder. (7-1-24)T

b. All licenses must be prominently displayed in suitable premises and remain in actual use. (7-1-24)T

04. Notification of Renewals and Administrative Actions. For the purposes of Section 23-903(18)(e), Idaho Code, the owner and lessee must include in the lease agreement a primary email contact to which the renewal notice, filings, and payment of administrative actions will be sent. (7-1-24)T

012. TRANSFER OF ALCOHOLIC BEVERAGE LICENSES.

01. Transfer of License Subject to Sanctions. The Director of the Idaho State Police may deny the transfer of an alcoholic beverage license which is subject to possible disqualification, revocation or suspension under the provisions of Title 23, Chapters 9, 10, and 13, Idaho Code, or these rules, when an action has been filed to such effect before the Idaho State Police pursuant to Sections 23-933, 23-1037 or 23-1331, Idaho Code. (3-23-22)

~~**02. Death or Incapacity of Licensee.** In the event of the incapacity, death, receivership, bankruptcy, or assignment for the benefit of creditors of a licensee, his guardian, executor, administrator, receiver, trustee in bankruptcy, or assignee for benefit of creditors may, upon written authorization from the Alcohol Beverage Control Bureau, continue the business of the licensee on the licensed premises for the duration of the license or until the business is terminated. Any person operating the licensed premises under this regulation must submit a signed agreement that he will assume all of the responsibilities of the licensee for operation of the premises in accordance with law. A person operating licensed premises under the regulation must demonstrate to the satisfaction of the Alcohol Beverage Control Bureau that he is qualified to hold an alcoholic beverage license. A guardian, executor, administrator, receiver, trustee in bankruptcy, or assignee for benefit of creditors may renew or transfer a license so held, in the same manner as other licensees, subject to the approval of the Alcohol Beverage Control Bureau. (Sections 23-908(1), 23-1005A, and 23-1317, Idaho Code). (3-23-22)~~

02. Events Not Implicating the One Transfer Law Restriction. When any of the events occur pursuant to Sections 23-908(5)(a),(b), (d), and (e), 23-903(16-18), Idaho Code, a person must apply with ABC pursuant to Section 23-905, Idaho Code, within thirty (30) days. (7-1-24)T

a. The owner must give written notice to the agency within fifteen (15) days of the end of the license lease per Section 23-903(17), Idaho Code. (7-1-24)T

b. Any licensee that elects to apply the provisions of Section 23-903(18), Idaho Code, must notify ABC of such declaration via the lease agreement submitted with the application for transfer to the lessee. (7-1-24)T

03. Transfer Fees if Applicable. Options to purchase an incorporated city liquor license shall submit the required transfer fee when the application to transfer occurs. A refund may be requested if the option to purchase is not exercised at the end of the term. (7-1-24)T

034. Authorization to Transfer and Assignment of Privilege to Renew. Any person applying to renew a liquor license who was not the licensee at the applicable premises for the preceding year, must submit with the application to renew, a written Authorization to Transfer and Assignment of Privilege to Renew signed by the current licensee. (3-23-22)

045. Temporary Permits. When application for transfer of an alcoholic beverage license has been made, the Alcohol Beverage Control Bureau, in its discretion, may authorize issuance of a temporary permit during the review of the application, during which time the applicant for transfer may conduct business as a temporary permit holder. The permit holder, in accepting the temporary permit, is responsible for complying with all statutes and rules pertinent to the sale of alcoholic beverages. Sanctions against such permit holder, whether civil, administrative, or criminal lies with the permittee, and acceptance of the permit constitutes a waiver of any defenses by permit holder based upon the fact that the permit holder is not, technically, a licensee. The Alcohol Beverage Control Bureau may withdraw a temporary permit it has issued pursuant to this rule at any time without hearing or notice. (3-23-22)

056. Product Replacement and Credit. Any beer or wine products removed from the licensed retailer's premises by a wholesaler/distributor for quality control or public health are not considered to be a violation of Section 23-1033 or 23-1325, Idaho Code, which prohibit aid to the retailer or of Sections 23-1031 or 23-1326, Idaho Code, which prohibit extension of credit to a retailer, if: (3-23-22)

- a. The packages or kegs are replaced with identical product and quantity; or (3-23-22)
- b. In the instance of replacement of a partial keg of beer or wine, a credit to be redeemed on subsequent alcoholic beverage purchases by the retailer is given for the value of the unused portion; or (3-23-22)
- c. In the instance of removal of product for which the identical product or quantity thereof is not immediately available to the wholesaler/distributor at the time of removal of the product, a credit is given. The credit shall be redeemed on subsequent alcoholic beverage purchases by the retailer; or (3-23-22)
- d. In the case of a licensed establishment which is in operation no less than two (2) months and no more than nine (9) months of each year, prior to its period of closure, it is apparent that product will become outdated or spoiled before the date of re-opening, a wholesaler/distributor may remove product from the retailer's premises and may give a credit to the retailer. Such credit shall be redeemed on subsequent alcoholic beverage purchases by the same retailer. (3-23-22)
- e. Credit is given to a retailer for the amount paid by the retailer at the time of purchase of the product being removed by the wholesaler/distributor. (3-23-22)

067. Expiration of Licenses. When a county or city has, pursuant to Sections 23-927 and/or 23-1012, Idaho Code, passed an ordinance extending the hours of sale of liquor and/or beer to two o'clock a.m. (2:00 a.m.), all liquor and/or beer licenses in that county expire at two a.m. (2 a.m.), on the first of the renewal month of the year following their issuance. (Section 23-908(1), Idaho Code). (3-23-22)

078. Maintenance of Keg Receipts. Licensees shall retain a copy of all completed keg receipts required by Section 23-1018, Idaho Code, for a period of six (6) months. (3-23-22)

09. Continuous Operation Facilities Licenses. An existing license issued under Section 23-903(8), Idaho Code, before July 1, 2028, may be renewed annually and may be transferable through sale or lease. (7-1-24)T

013. PRIORITY LISTS.

01. Priority Lists for Incorporated City and Resort City Restaurant Liquor Licenses. The Alcohol Beverage Control Bureau maintains a priority list of applicants for those cities in which no incorporated city liquor license is available. A separate list is maintained for each city. A person, partnership, or corporation desiring to be placed on a priority list shall file a completed application for ~~an incorporated city~~ liquor license, accompanied by payment of one-half (1/2) of the annual license fee. Such application need not show any particular building or premises upon which the liquor is to be sold, nor that the applicant is the holder of any license to sell beer. Priority on the list is determined by the earliest application, and each succeeding application is placed on the list in the order received. ~~(3-23-22)~~(7-1-24)T

02. Written Notification. When an incorporated city or a resort city restaurant liquor license becomes available Alcohol Beverage Control offers it in writing to the applicant whose name appears first on the priority list. ~~If the applicant does not notify the Alcohol Beverage Control Bureau in writing within ten (10) days of receipt of the notice of his intention to accept the license~~ The applicant shall have ten (10) days from the date of receipt of the Notice of License Availability to declare their intention to accept the license. If the applicant fails to comply with this requirement, the license is offered to the next applicant in priority. (7-1-24)T

a. An applicant accepting the incorporated city license shall have a period of one hundred eighty (180) days from the date of receipt of Notice of License Availability in which to complete all requirements necessary for the issuance of the license. Provided, however, that upon a showing of good cause the Director of the Idaho State Police may extend the time period in which to complete the necessary requirements for a period not to exceed ninety (90) days. ~~(3-23-22)~~(7-1-24)T

b. An applicant accepting the resort city restaurant license shall have a period of ninety (90) days from the date of receipt of Notice of License Availability in which to complete all requirements necessary for the issuance of the license. No extensions will be allowed for this license type. (7-1-24)T

- 03. Refusal to Accept Offer of License or Failure to Complete Application for License.** (7-1-24)T
- a.** Where a resort city restaurant liquor license is available, an applicant must choose one (1) of the following: (7-1-24)T
- i.** To remain on the priority waiting list for an incorporated city license; (7-1-24)T
- ii.** Proceed with the application for the resort city restaurant liquor license; or (7-1-24)T
- iii.** Request a refund of the priority waiting list fee. (7-1-24)T
- b.** An applicant ~~who refusing~~ refuses a license offered under ~~this these~~ rules or an applicant who ~~fails is unable~~ to meet the statutory requirements for licensing, or to complete ~~his the~~ application may have ~~his their~~ name placed at the end of the priority list upon ~~his~~ request. (7-1-24)T
- c.** ~~Should the~~ An applicant holding first place on the priority list who ~~refuses~~ refuses or ~~fails~~ fails to accept ~~the~~ either license type or to complete the application within the time specified, ~~the that~~ the applicant will be ~~dropped removed~~ removed from the priority list, the fee shall be ~~deposit~~ refunded, and the license offered to the applicant appearing next on the list. (3-23-22)(7-1-24)T

04. Limitations on Priority Lists. An applicant shall hold only one position at a time on each incorporated city priority list. An applicant must be able to demonstrate to the Director the ability to place an awarded license into actual use as required by Section 23-908(4), Idaho Code and these rules. An applicant for a place on an incorporated city liquor license priority list may not execute an inter vivos transfer or assignment of his place on the priority lists. For the purposes of this rule, “inter vivos transfer or assignment” means the substitution of any individual; partnership; corporation, including a wholly owned corporation; organization; association; or any other entity for the original applicant on the waiting list. An attempt to assign inter vivos a place on an incorporated city liquor license priority list shall result in the removal of the name of the applicant from the lists. An applicant, however, may assign his or her place on an alcoholic liquor license priority list by devise or bequest in a valid will. A place on an incorporated city liquor license priority list becomes part of an applicant’s estate upon his or her death. (3-23-22)

05. Priority Lists Where Licenses Are Available. The Alcohol Beverage Control Bureau will not maintain a list for a city in which a liquor license is available, nor for a city that does not permit retail sale of liquor. (3-23-22)

IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24.02.01 – RULES OF THE STATE ATHLETIC COMMISSION

DOCKET NO. 24-0201-2401 (NEW CHAPTER, FEE RULE)

NOTICE OF RULEMAKING – ADOPTION OF TEMPORARY RULE

THE FOLLOWING NOTICE PUBLISHED WITH THE TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is June 1, 2024.

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Section 54-406, Idaho Code, and 67-2604(1), Idaho Code.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule:

During the 2023 Legislative Session, the Idaho Legislature did not hear the Idaho Athletic Commission’s pending rules docket, therefore not approving the pending rules adopted by the board. Pursuant to state law, the rules expired upon sine die. These temporary rules reauthorize the expired provisions.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section 67-5226(1)(a), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

Protection of the public health, safety, or welfare.

FEE SUMMARY: Pursuant to Section 67-5226(2), the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein:

These rules include fees for initial licensure and renewals for professional combatants, amateur combatants, non-combatants, matchmakers, promoters, sanction permits, and ring officials. These fees have not changed from the previously effective rules.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Krissy Veseth at 208-577-2491.

DATED this 15th Day of May, 2024.

Russell Barron
Administrator
Division of Occupational and Professional Licenses
11341 W Chinden Blvd.
P.O. Box 83720
Boise, ID 83720
208-334-3233

FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 24-0201-2401

(If extended, this temporary rule will be replaced by the pending rule promulgated under docket number 24-0201-2402 on July 1, 2025.)

24.02.01 – RULES OF THE STATE ATHLETIC COMMISSION

000. LEGAL AUTHORITY.

These rules are promulgated pursuant to Title 54, Chapter 4, Idaho Code. (6-1-24)T

001. SCOPE.

These rules are intended to provide clarification on the methods and restrictions of unarmed combat in Idaho. (6-1-24)T

002. INCORPORATION BY REFERENCE.

The following documents are incorporated by reference into these rules: (6-1-24)T

01. Association of Boxing Commissions and Combative Sports Unified Rules of Boxing Amended 2016. This document can be accessed online here: <https://www.abcboxing.com/unified-rules-boxing/>. (6-1-24)T

02. Association of Boxing Commissions and Combative Sports Unified Rules of Mixed Martial Arts as of 2019. This document can be accessed online here: <https://www.abcboxing.com/wp-content/uploads/2020/02/unified-rules-mma-2019.pdf>. (6-1-24)T

03. Athlete Guide to the 2020 Prohibited List. Published by the United States Anti-Doping Agency (USADA). Copyright date 2019. Referenced in Section 200. This document can be accessed online here: <https://www.usada.org/athletes/substances/prohibited-list/athlete-guide-to-the-2020-prohibited-list/>. (6-1-24)T

003. – 009. (RESERVED)

010. DEFINITIONS.

01. Combatant. Any boxer, kickboxer, martial artist, or wrestler who takes part as a competitor in an event. (6-1-24)T

02. Event. A program of one (1) or more unarmed combat contests or exhibitions. (6-1-24)T

a. An “amateur event” is an event in which the only combatants are amateur combatants. (6-1-24)T

b. A “professional event” is an event in which the only combatants are professional combatants. (6-1-24)T

c. A “pro-am” is an event in which combatants include professional combatants and amateur combatants. Professional combatants may not compete against amateur combatants in “pro-am” events. (6-1-24)T

03. Main Event. The headline or marquee contest or exhibition scheduled to occur at an event. (6-1-24)T

04. Mixed Martial Arts (MMA). A full contact sport that allows a wide variety of unarmed combat techniques from a mixture of martial arts traditions to be used in competitions. (6-1-24)T

05. Ticket. That document issued by the promoter allowing a person's entrance and attendance at an event and may include that part of the ticket retained by the promoter documenting a person's entrance to an event. (6-1-24)T

011. – 099. (RESERVED)

100. LICENSING.

01. Application for License. Applicants will submit a complete, Commission-approved application verified under oath, including the fee and any necessary supporting documentation to the Division for each of the following licenses: (6-1-24)T

- a. Combatant;** (6-1-24)T
- b. Promoter;** (6-1-24)T
- c. Matchmaker;** (6-1-24)T
- d. Manager;** (6-1-24)T
- e. Second, including a trainer;** (6-1-24)T
- f. Ring Official; or** (6-1-24)T
- g. Sanctioning permit for an event.** (6-1-24)T

101. COMBATANT.

01. Age of Combatant. The Commission will review all complete applications for a combatant license so that the applicant's experience and fitness may be considered before a license is issued, if the applicant has: (6-1-24)T

- a. Not reached eighteen (18) years of age; or** (6-1-24)T
- b. Reached thirty-six (36) years of age.** (6-1-24)T

02. Examination by Physician. Any combatant who has applied for a license or renewal of his license must be examined by a physician. The physician will establish the combatant's physical and mental fitness for competition. (6-1-24)T

a. Poor Vision. The Commission will not issue a license to engage in unarmed combat to any applicant who is found to be blind in one (1) eye or whose vision in one (1) eye is so poor that a physician recommends that no license be granted. No exceptions will be made. (6-1-24)T

b. Cerebral Hemorrhage. Any person who has suffered a cerebral hemorrhage will not be issued a license. (6-1-24)T

c. Serious Head Injuries. The Commission will review the application of any person who has suffered a serious head injury before a license is issued to that person. (6-1-24)T

03. Additional Examination. Any licensed combatant who participates in a contest outside of the state of Idaho, or in an unsanctioned contest will need to take this examination again before being allowed to compete in Idaho. (6-1-24)T

04. Blood Testing. The Commission will not issue a license to or allow an athlete to compete in an event, if the athlete, within the six (6) months immediately preceding the application for licensure or the event at which the licensee wishes to compete, has tested positive for the HIV virus, Hepatitis B Surface Antigen and

Hepatitis C Antibody, or illegal drugs or other substances. Upon application for a license, the athlete will submit with the application a blood test report from a blood test conducted within the six (6) months preceding the application date. The blood test must have tested the athlete for HIV virus, Hepatitis B Surface Antigen, Hepatitis C Antibody, and illegal drugs and substances. Additionally, each combatant who is to compete in an event will, at the start of the event, provide the Commission with a blood test report from a blood test conducted within the six (6) months immediately preceding the event. The Commission may, in its discretion, request additional blood tests. (6-1-24)T

05. Drug Abuse. The Commission will not issue a license to an athlete who has a recent history of drug abuse, without proof of participation in a recognized drug rehabilitation program and/or submission to urinalysis. (6-1-24)T

06. Blood Testing and Five Panel Drug Test Results. Results must show blood concentrate percentages. (6-1-24)T

102. ABILITY OF COMBATANT.

Before the Commission issues a combatant license to any person, the Commission must be satisfied of the person's ability to compete. (6-1-24)T

01. Questioned Ability. If a combatant's ability to perform is questioned for any reason, the Commission may hold a hearing to determine: (6-1-24)T

a. Whether the person's license should be revoked; or (6-1-24)T

b. Whether the person should be granted a license. (6-1-24)T

103. HONORING ACTIONS OF REGULATORY AGENCIES IN OTHER JURISDICTIONS.

The Commission may honor the following actions of agencies in other jurisdictions which regulate boxing, wrestling, martial arts, or combination thereof: (6-1-24)T

01. Suspension. A suspension of a combatant ordered for: (6-1-24)T

a. Medical Safety. The following suspensions are a guideline for ringside physicians. A ringside physician may additionally require proof of medical clearance for release of suspension:

Technical Knockout (TKO) Occurrence	Loss of Consciousness	Suspension
1	None	30 Days
1	Less than one minute	90 Days
1	Greater than one minute	180 Days
2 in 90 days	None	90 Days
2 in 90 days	Less than one minute	180 Days
2 in 90 days	Greater than one minute	360 Days
3 in 365 days	None	12 Months
3 in 365 days	Regardless of time	18 Months

(6-1-24)T

b. A violation of a law or rule governing boxing, wrestling, martial arts, or combination thereof which also exists in this state; or (6-1-24)T

c. Any other conduct which discredits boxing, wrestling, martial arts, or combination thereof as determined by the Commission. (6-1-24)T

104. TIME BETWEEN CONTESTS.

In no case may a combatant (excluding wrestlers) participate in more than one (1) contest or exhibition in any twenty-four (24) hour period. Without the special permission of the Commission, a combatant may not compete in this state until after time has elapsed in the following increments:

Number of Rounds for Contest	Days Elapsed Since Last Contest to Compete Again
Not More than Four (4) Rounds	Four (4) Days
Five (5) or Six (6) Rounds	Seven (7) Days
Seven (7) or Eight (8) Rounds	Fourteen (14) Days
Nine (9) or Ten (10) Rounds	Twenty-one (21) Days
Eleven (11) or Twelve (12) Rounds	Forty-Five (45) Days

(6-1-24)T

105. FEMALE COMBATANTS.

01. Limitation. A female combatant will not engage in a contest with a male combatant. (6-1-24)T

02. General Requirements. In addition to meeting such requirements of this chapter as are applicable to combatants generally, a female applicant will submit to pregnancy test within fourteen (14) days of the contest.

(6-1-24)T

03. Addendum Requirement. A female combatant will, in addition to signing the contract, sign an addendum certifying that the combatant is not pregnant and that the contest will not take place during a menstrual period.

(6-1-24)T

106. REQUIREMENTS FOR LICENSE AS A PROMOTER.

Any person applying for a license as a promoter may need to appear before the Commission and prove their preparations to successfully promote a sanctioned event and pay all obligations.

(6-1-24)T

107. HEALTH INSURANCE.

An event promoter will obtain health insurance sufficient to cover the medical, surgical, and hospital care of all event participants, other than the promoter, for injuries sustained while participating in the event. The insurance shall provide primary coverage for each such participant, and the minimum amount coverage per participant will be ten thousand dollars (\$10,000). The participant may not be required to pay a deductible associated with care provided under this insurance. If a participant pays for the medical, surgical or hospital care, the insurance proceeds must be paid to the participant or the participant's beneficiaries for reimbursement for the payment.

(6-1-24)T

108. SURETY BOND OR OTHER SECURITY.

01. Requirement. Every promoter who applies for a sanctioning permit shall furnish a surety bond or other form of financial security to the Commission consistent with Section 54-408, Idaho Code. The bond or other form of financial security will be in an amount deemed by the Commission to be adequate to guarantee payment of all taxes, fees, fines, and other moneys due and payable under Title 54, Chapter 4, Idaho Code and the Commission's rules, including reimbursement to the purchasers of tickets for the event.

(6-1-24)T

02. Various Locations. The promoter may apply one (1) bond or other form of financial security to multiple locations if only one (1) of the covered locations is scheduled for an event on any given calendar date.

(6-1-24)T

03. Total Sum. Each bond or other form of financial security must be conditioned for the payment to the Commission of a sum equivalent to the total sale of tickets:

(6-1-24)T

a. If the main event is not held on the date advertised, unless the event is subsequently held on a date fixed by the Commission; and (6-1-24)T

b. If the main event is neither held on the original date advertised nor on a subsequent date fixed by the Commission. (6-1-24)T

04. Sum Due. The sum is due within fifteen (15) days after default, to ensure reimbursement to the purchasers of tickets for the event, if the reimbursement of ticket holders is ordered by the Commission. (6-1-24)T

109. APPROVAL OF SANCTIONED EVENT PERMITS.

01. Prior Approval. No contest will be held without the prior approval of the Commission. A promoter will submit a completed application on a form provided by the Division for a sanctioning permit to hold an event on a specific date, and a permit must be issued by the Commission before the event may be announced or advertised. (6-1-24)T

02. Deadline. A complete application together with application fees, applicable bond amount, proof of insurance, and information regarding the combatants named in the main and semi-main contest must be received by the Commission no less than thirty (30) days prior to the date requested for the event named in the application. Combatants named in contests may be changed at the discretion of the Commission. (6-1-24)T

03. Cancellation. The failure of the promoter to notify the Commission of a cancellation at least seven (7) calendar days before the date for the program will result in the forfeiture of all fees and will be grounds for disciplinary action. (6-1-24)T

110. ARRANGEMENT OF CONTEST FOR PROMOTER.

A Contest may not be arranged on behalf of a promoter except by a licensed matchmaker. (6-1-24)T

111. NON-COMBATANT LICENSES.

No person will be retained for any of the following positions unless currently licensed by the Commission: (6-1-24)T

01. Second. (6-1-24)T

02. Combatant. (6-1-24)T

03. Matchmaker. (6-1-24)T

04. Ring Official. (6-1-24)T

112. MANAGER ACTING AS SECOND.

A manager licensed by the Commission may act as a second without having a second's license. (6-1-24)T

113. REQUIREMENTS FOR LICENSE AS A RING OFFICIAL.

Ring official is any individual who performs an official function during the progress of a regulated contest or exhibition including, but not limited to, timekeepers, judges, referees and attending physicians. (6-1-24)T

01. Qualifications. To qualify for a license as a ring official of contests, an applicant will: (6-1-24)T

a. Be at least twenty-one (21) years of age. The Commission may, for good cause shown, lower the minimum age limit for a particular applicant to eighteen (18) years of age; (6-1-24)T

b. Submit a record of conviction of a crime for Commission review in compliance with Section 67-9411, Idaho Code; (6-1-24)T

c. Have had at least one (1) year experience in amateur or professional contest as a ring official; (6-1-24)T

d. Submit verifications from two (2) persons of proficiency as a ring official; and (6-1-24)T

e. Each referee licensed by the Commission will be required to undergo an eye examination conducted by an optometrist or ophthalmologist. The Commission may request the licensee to produce all records of the examination. The Commission may require each referee license by the Commission to submit to a pre-fight physical. (6-1-24)T

02. Equivalent Qualifications. In lieu of the above qualifications, the Commission may accept satisfactory evidence of equivalent qualifications possessed by an applicant who is currently licensed in another state or country. (6-1-24)T

114. OFFICIALS OF EVENTS.

01. Officials Described. The officials of events are the referee, judges, timekeeper, physician, and the Commission's agents. (6-1-24)T

02. Commission Involvement. The Commission will approve and assign all the officials. The promoter may select the announcer, subject to the Commission's approval. (6-1-24)T

115. REFEREES.

01. Selection. The Commission will select the referee for the main event in championship events and for events that the Commission considers to be special events. The Commission will set the fee and reasonable expenses the referee is entitled to receive for an event. (6-1-24)T

02. Protests. If any licensee of the Commission protests the assignment of a referee, the protesting licensee will be given a hearing by the Commission if time permits. If time does not permit, the matter will be heard by two (2) Commissioners in order to make such disposition of the protest as the facts may justify. Protests not made in a timely manner may be summarily rejected. (6-1-24)T

116. JUDGES.

01. Selection. The Commission will select the judges for the main event in championship events and for any other events which the Commission considers to be special events. (6-1-24)T

02. Protests. If any licensee of the Commission protests the assignment of a judge, the protesting licensee will be given a hearing by the Commission if time permits. If time does not permit, the matter will be heard by two (2) Commissioners in order to make such disposition of the protest as the facts may justify. Protests not made in a timely manner may be summarily rejected. (6-1-24)T

03. Fees. The Commission will set the fee and reasonable expenses which the judges are entitled to receive for an event. (6-1-24)T

04. Station of Judges. Judges will be stationed ringside at places designated by the Commission. (6-1-24)T

05. Physical Examination. Each judge licensed by the Commission may be required to submit to or provide proof of a complete physical examination, including an eye examination. (6-1-24)T

117. DENIAL OR REVOCATION OF LICENSE.

01. Grounds. The Commission may deny an application or suspend or revoke a license, or take such other disciplinary action deemed appropriate if it finds that the applicant or licensee or any partner, officer, director, stockholder, or employee of the applicant or licensee has: (6-1-24)T

a. Performed any act which constitutes a violation of the laws or rules of the Commission. (6-1-24)T

- b.** Has been convicted of a felony relevant to licensure with the Commission; (6-1-24)T
- c.** Engages in illegal bookmaking; (6-1-24)T
- d.** Engages in any illegal gambling activity; (6-1-24)T
- e.** Engages in any fraud or misrepresentation in the application process; (6-1-24)T
- f.** Has a recent history of drug abuse or fails a drug test or refuses to submit to a drug test; (6-1-24)T
- g.** Is under suspension from any other commission; (6-1-24)T
- h.** Failure to report to the Commission a request or suggestion that a contest not be conducted honestly; or (6-1-24)T
- i.** Is engaged in any activity or practice which is detrimental to the best interests of a contest regulated by the Commission. (6-1-24)T

118. PENALTIES FOR CERTAIN VIOLATIONS – REVIEW BY COMMISSION.

01. Penalties General. Except as otherwise provided in this chapter, the Commission may charge a penalty not to exceed twenty-five thousand dollars (\$25,000) for: (6-1-24)T

a. Any violation of the provisions of these rules (IDAPA 24.02.01, “Rules of the State Athletic Commission”); or (6-1-24)T

b. Being late or failing to appear for a weigh-in or contest. (6-1-24)T

02. Later Review. Any disciplinary action taken pursuant to these rules may be reviewed at a later date by the Commission. (6-1-24)T

119. SUSPENSION AND REVOCATION OF LICENSES.

Every person whose license has been suspended or revoked by the Commission will refrain from participating in or matchmaking or holding contests during the period of suspension or after the revocation. (6-1-24)T

01. Comply with Suspensions. Every promoter and matchmaker will take notice of the bulletins of suspension sent out by the Commission and will not permit any person under suspension to take any part as a participant or in arranging or conducting matches or exhibitions during the period of suspension. (6-1-24)T

02. Specific Actions. Any person whose license has been suspended or revoked is barred from: (6-1-24)T

a. The dressing rooms at the premises where any program of boxing is being held; (6-1-24)T

b. Occupying any seat within six (6) rows of the ring platform; (6-1-24)T

c. Approaching within six (6) rows of seats from the ring platform; and (6-1-24)T

d. Communicating in the arena or near the dressing rooms with any of the principals in the contests, their managers, their seconds, or the referee, whether directly or by a messenger, during any program. (6-1-24)T

e. Having any dealings related to mixed martial arts, boxing, or wrestling with any person whose license had been suspended or revoked by the Commission. (6-1-24)T

f. Any person who violates a provision of Subsection 120.02 of this rule may be ejected from the arena or building where the program is being held, and the price paid for admission refunded upon presentation of the ticket stub at the box office. Thereafter, they are barred entirely from all premises used for contests or exhibitions

while the programs are being held. (6-1-24)T

03. Dishonest Methods. If a license issued by the Commission has been suspended because the holder used dishonest methods to affect the outcome of any contest or because of any conduct reflecting serious discredit upon the sport of boxing, the Commission will not reinstate the license for six (6) months in the case of first offense. In the case of a second offense, the holder’s license will be revoked. (6-1-24)T

04. Temporary Suspension. Any manager under temporary suspension is considered to have forfeited all rights in this state under the terms of any contract with a combatant licensed by the Commission. Any attempt by a suspended manager to exercise those contract rights will result in a permanent suspension of their license. A combatant, matchmaker, or promoter who continues to engage in any contractual relations with a manager whose license has been suspended by the Commission may be indefinitely suspended. (6-1-24)T

05. Continuation. A combatant whose manager has been suspended may continue to compete independently during the term of that suspension, signing contracts for matches. Payment of a combatant’s earnings may not be made by any promoter to a manager who is under suspension, or to a suspended manager’s agent, but will be paid in full to the combatant. (6-1-24)T

06. Cancellation of Contract Rights. Revocation of a manager’s license automatically cancels all contract rights in this state under any contracts with combatants made under the authority of the Commission. If such a revocation occurs, a combatant may operate independently and make contracts for matches or enter into contracts with other managers licensed by the Commission. (6-1-24)T

120. FEES.

FEE TYPE	AMOUNT (Not to Exceed)	RENEWAL (Not to Exceed)
Professional Combatant	\$150.00	\$150.00
Amateur Combatant	\$100.00	\$100.00
Non-combatant	\$150.00	\$150.00
Matchmaker	\$250.00	\$250.00
Promoter	\$1,000.00	\$750.00
Sanction permit	\$200.00	\$200.00
Ring official	\$150.00	\$150.00

(6-1-24)T

121. – 199. (RESERVED)

200. PHYSICIAN QUALIFICATIONS. A physician is an individual licensed under the laws of this state to engage in the general practice of medicine or osteopathic medicine. A physician will also have training or experience in combative sports. (6-1-24)T

201. PHYSICIAN'S DETERMINATION OF FITNESS OF COMBATANTS AND REFEREE – CERTIFICATION – REPORT.

01. Determination of Physician. The physician who examines any combatant or referee who has contracted to participate in an event will determine that a combatant or referee will not participate in the event and must immediately report such finding to the promoter and the Commission if: (6-1-24)T

- a.** The combatant is unfit for competition; or (6-1-24)T

b. The referee is unfit for officiating. (6-1-24)T

02. Written Certification. If the examining physician finds that the combatants and referees are in good physical condition, the physician will, one (1) hour before the start of the event, give written certification of those findings to the Commission. (6-1-24)T

03. Physician's Written Report. Within twenty-four (24) hours after the event ends, the physician will mail or deliver to the Commission his written report on every licensee he examined. The report will be on a form furnished by the Commission. (6-1-24)T

202. COMBATANT'S REPORT OF OWN ILLNESS OR INJURY – EXAMINATION – FEE.

01. Combatant's Report of Non-Participation to Commission. When a licensed combatant is unable to take part in a contest for which they are under contract because of injury or illness, they will immediately report the fact to the Commission and submit to an examination by a physician designated by the Commission. (6-1-24)T

02. Payment of Fees to Physician. The fee for the physician's examination will be paid by the promoter if they have requested the examination, otherwise the fee will be paid by the combatant. (6-1-24)T

203. SUSPENSION OF LICENSEE FOR MEDICAL REASON.

Any licensee who is determined to be unfit to compete or officiate will be suspended until it is shown that he is fit for further competition or officiating. (6-1-24)T

204. PREPARATIONS TO STOP HEMORRHAGING.

The Commission will periodically review the preparations available to stop hemorrhaging. Avetine and Thrombin are the only Commission approved preparations to stop hemorrhaging. (6-1-24)T

205. PROHIBITED SUBSTANCES.

The Commission adopts the Athletes Guide to the 2020 Prohibited List published by the United States Anti-Doping Agency © 2019. Prohibited substances are regulated by Commission in the following manor: (6-1-24)T

01. Urinalysis. A combatant will submit to a urinalysis or chemical test before or after a contest if the Commission directs him to do so. (6-1-24)T

02. Suspension. A Combatant who tests positive for a prohibited substance in quantities prohibited by the incorporated document will forfeit purse. (6-1-24)T

03. Procedure for Testing for Prohibited Substance(s). (6-1-24)T

a. The Commission reserves the right to conduct random drug testing. A combatant with a recent history of drug abuse may be specifically required to test. Both combatants in a title contest will be tested by urine specimen or blood test at the discretion of the Commission. (6-1-24)T

b. The combatant to be tested shall go directly to the dressing room after the end of the fight. Only water may be consumed until the test sample has been taken. The Commission's approved physician or agent will give each combatant the specimen container and observe the combatant give the specimen into the container. The container will be sealed and labeled by the physician or agent. The Chain of Custody Form is signed by the combatant, or manager, and the physician or agent will also sign and date the form. The physician or agent will transport the sample to the testing laboratory as selected by the Commission. Any other person taking custody of the sample will sign and date The Chain of Custody Form. After completion of the test, the Chain of Custody Form will be returned to the Commission with the test results. (6-1-24)T

206. CONTRACT BETWEEN MANAGER AND COMBATANT.

01. Contractual Obligations. The Commission may refuse to honor a contract between a manager and combatant unless it complies with the requirements Section 206 of this rule. A contract between a manager and a combatant will be for a term of not more than four (4) years. Such a contract may contain an option which permits the

manager, at the expiration of the initial term, to renew the contract for an additional period of not more than two (2) years. (6-1-24)T

02. After Contract Services. A manager may not contract to receive the services of a combatant under their management for a match scheduled to take place after the expiration of the contract. (6-1-24)T

03. Options. A contract between a combatant and a manager may provide for voluntary binding arbitration of disputes by the Commission. If so agreed, the arbitration will be conducted by a member of the Commission mutually agreed upon by the two (2) parties or, if there is no agreement, by a member of the Commission appointed by the chairman. The arbitration will be conducted pursuant to generally accepted arbitration standards. (6-1-24)T

04. Contract Approval. The Commission may approve a contract entered into in another jurisdiction by a person who is not a resident of Idaho if the terms of the contract comply with the requirements of this section. If the terms of the contract exceed the limitations contained in this section, the Commission may honor the contract to the extent of those limitations. (6-1-24)T

05. Manager Limitations. A manager may not negotiate or sign for matches for a combatant who is not under contract to him. Any combatant who does not have a contract with a licensed manager must sign for his own contest and sign the receipt for his own purse. A manager or managers may not participate separately or collectively in more than thirty-three and one-third percent (33 1/3%) of the combatant's earnings in the ring. (6-1-24)T

06. Manager Responsibilities. If a manager signs only for a combatant's appearance at a contest, a copy of the manager's authorization to negotiate and sign for the combatant must accompany the contract which they concluded with the promoter. If the manager does not send a copy of his authorization, the Commission may deny any application received from the combatant or manager pending a hearing before the Commission. (6-1-24)T

207. MANAGER'S ADVANCES – ACCOUNTING.

Any manager who advances or lends any money to any combatant or incurs indebtedness on behalf of a combatant will furnish an accounting in writing to the combatant every ninety (90) days. The accounting will be verified by the manager and set forth each item of indebtedness owed by the combatant, the date that the indebtedness occurred, the purpose of the indebtedness, and the name of the person to whom the debt is owed. (6-1-24)T

208. CONTRACT BETWEEN PROMOTER AND COMBATANT.

01. Gate Receipts. A promoter may not deduct any amount from the gate receipts, other than for any federal taxes and the fees prescribed herein until all combatants who are to be paid a percentage of the receipts have been paid, unless the amount to be paid to the combatant is specified in the contract. (6-1-24)T

02. Contract Prohibitions. A contract which provides that a combatant fight exclusively for or at the option of one (1) promoter or that a combatant is to pay for the services of an opponent is prohibited. (6-1-24)T

209. COMBATANT NOT TO HAVE PROMOTER OR CERTAIN OTHERS ACT AS MANAGER OR HOLD FINANCIAL INTEREST.

A combatant may not have a promoter or any of its members, stockholders, officials, matchmakers or assistant matchmakers act directly or indirectly as manager, or hold any financial interest in the management of the combatant's earnings. (6-1-24)T

210. FILING CERTAIN CONTRACTS WITH COMMISSION.

01. Main and Semi-Main Events. A contract between a promoter and a combatant for the main and semi-main events of a program will be filed with the Commission at least seven (7) working days before the event unless the Commission gives special approval for filing the contract closer to the time of weighing in. (6-1-24)T

02. Other Combatants. Contracts for all combatants who will be contending in the program will be filed before the scheduled time for weighing in. (6-1-24)T

03. Disciplinary Action. A promoter or matchmaker who fails to file a contract for any participant whose name is released to the news media is subject to disciplinary action. (6-1-24)T

04. Media Contracts. Any contract by the promoter for the sale, lease, or other use of rights to broadcast, televise including a right to make a closed-circuit telecast, or take motion pictures of a contest will be filed with the Commission at least five (5) working days before the event unless the promoter obtains special approval from the Commission for filing the contract at a time closer to the event. (6-1-24)T

211. PERCENTAGE OF GATE RECEIPTS TO COMBATANT.

Each combatant working on a percentage basis will be paid on the basis of the net receipts of each exhibition after state and federal taxes, ring expenses, and the price of complimentary tickets upon which a price is specified, have been deducted. (6-1-24)T

212. PROMOTER'S ADVANCES TO COMBATANT OR MANAGER OR OCCURRENCE OF DEBT ON HIS BEHALF.

01. Restrictions. A promoter licensed by the Commission will not directly or indirectly make any loan or advance to any combatant or manager. (6-1-24)T

02. Any Indebtedness Restricted. A promoter will not, directly or indirectly, create any indebtedness which becomes the obligation of a combatant or manager unless the promoter has the express written permission of the Commission for that action. (6-1-24)T

213. FAILURE OF COMBATANT TO APPEAR.

Any combatant who fails to appear in an event in which the combatant signed a contract to appear, without a written excuse determined to be valid by the Commission or a certificate from a physician designated by the Commission in advance in case of physical disability, is subject to disciplinary action. Any combatant who files a certificate from a physician designated by the Commission stating that he is unable to fulfill a contract because of physical disability must, on being restored to the eligible list, fulfill his contract with the same opponent or a suitable substitute specified in the contract within a reasonable time, that period to be set by the Commission, unless the combatant is released from the contract by mutual agreement. (6-1-24)T

214. PAYMENT OF COMBATANT.

01. Payment in Full. Every combatant will be paid in full according to the combatant's contract, and no part of the combatant's remuneration may be withheld except by order of the Commission, nor may any part of the combatant's remuneration be returned through arrangement with the combatant's manager to any matchmaker or promoter, except as otherwise provided in this section. (6-1-24)T

02. Prior Written Commitments. With the prior written permission of a member of the Commission, a promoter may withhold from the purse of a combatant money advanced to the combatant for transportation and maintenance in preparation for a contest, if their agreement so provides. (6-1-24)T

03. Manager's Share. A manager's share of the purse may be deducted and paid directly to the manager if the contract so specifies. (6-1-24)T

04. Pending Action. If arbitration of a contract entered into by a manager and combatant is pending before the Commission or if the contract is in litigation in a court of competent jurisdiction, the Commission may: (6-1-24)T

a. Withhold the amount in dispute in the Commission's trust fund until resolution of the dispute; or (6-1-24)T

b. Pay the disputed amount to the clerk of the court in which the litigation is pending. (6-1-24)T

05. Prior Approval of Commission. Neither a combatant nor his manager may assign their share of

the purse, or any portion thereof, without the approval of the Commission. If a combatant or manager wants to assign their share of the purse, they must file a written request with the Commission at least seven (7) working days before the contest. (6-1-24)T

215. PAYMENT OF PURSE.

01. Payment Made. All payment of purses will be made: (6-1-24)T

a. Immediately after the contest or exhibition; or (6-1-24)T

b. If the combatant is to receive a percentage of the net receipts, immediately after that percentage is determined by a person designated by the Commission, unless otherwise ordered by the Commission. (6-1-24)T

02. Signatures. Immediately after the contest or exhibition, the Commission designated person will release the checks or cash to the entitled persons and will obtain their signatures on a list in which they acknowledge the payment. (6-1-24)T

03. Reconciliation. The promoter may withhold an amount of not more than ten percent (10%) of the purse for payment of expenses incurred by the combatant. A reconciliation of those expenses and payment of the undistributed portion of the purse will be made to the Commission on the Commission's form within seven (7) working days after the contest. The reconciliation must bear written approval of the combatant before it is submitted. If good cause is shown, the chairman of the Commission may grant an extension of the date for reconciliation for a period not to exceed thirty (30) days after the contest. (6-1-24)T

04. Alternative Payment. The Commission may permit a form of payment other than those specified in this section. A promoter who wishes to pay the purse by an alternative method of payment will: (6-1-24)T

a. Submit a written request to the Commission at least thirty (30) days before the contest. (6-1-24)T

b. Describe in detail the alternative method of payment contemplated. (6-1-24)T

c. Show good cause for a waiver of the provisions as outlined in Section 215 of this rule. (6-1-24)T

d. Comply with all requirements of the Commission regarding the production of relevant information. (6-1-24)T

e. Follow the procedural directives of the Commission if the request is granted. (6-1-24)T

05. Non-Payment of Amateurs. Consistent with Section 54-402, Idaho Code, a promoter may not compensate any amateur for participating in or being associated in any way with the promoter's event. This ban absolutely bars a promoter from paying an amateur to sell tickets or merchandise or provide services related to an event. (6-1-24)T

216. RETAINING PORTION OF PURSE PENDING DETERMINATION OF WHETHER PENALTY WILL BE CHARGED.

At any time before the award of a purse to a combatant, the Commission may specify any amount not to exceed twenty-five thousand dollars (\$25,000) to be retained from the combatant's purse and transferred from the promoter to the Commission. The money will not be given to the combatant until the Commission determines that no penalty in lieu of revoking the combatant's license will be charged for any action or condition of the combatant. Any amount so specified is not a limitation upon the amount of a penalty which may be charged. (6-1-24)T

217. – 298. (RESERVED)

299. CHANGES TO MAIN AND SEMI-MAIN EVENTS.

01. Notice. The promoter must request Commission approval of any change in an announced or advertised program for the main and semi-main events at least one (1) week before the event. Notice of any change or

substitution must also be conspicuously posted at the box office of the premises where the program is to be held and announced from the ring before the opening contest. (6-1-24)T

02. Refunds. If such change to the main or semi-main events occur and any patron desires a refund of the ticket price, the promoter will provide a refund upon presentation of the ticket or the ticket stub at the box office before the event is scheduled to begin. The box office must remain open a reasonable length of time to redeem such tickets. (6-1-24)T

03. Substitutions. A combatant may not substitute for another combatant in a contest which is the main and semi-main events unless the Commission approves the substitution. (6-1-24)T

300. PROGRAM FOR CHARITY.

01. Application. A person who wishes to present a program or event under the jurisdiction of the Commission for charitable purposes will submit a sanction application to present the program. The application will contain the name of the charity, charitable fund or organization which is to benefit from the program and the amount or percentage of the receipts of the program to be paid to the charity. (6-1-24)T

02. Certified, Itemized Statement. Within seventy-two (72) hours after such a program is held, the promoter will furnish to the Commission a certified itemized statement of the receipts and expenditures in connection with the program and the net amount paid to the charitable fund or organization. If the promoter fails to file the statement within the prescribed time, the Commission: (6-1-24)T

- a.** May suspend or revoke the promoter's license; and (6-1-24)T
- b.** May prohibit the promoter from holding any program for charitable purposes. (6-1-24)T

301. BEVERAGE CONTAINERS.

All drinks at an event will be dispensed in paper or plastic cups. (6-1-24)T

302. – 399. (RESERVED)

400. ADMISSION FEE AT QUARTERS WHERE COMBATANT TRAINS.

01. Fee. An admission fee may not be charged to enter the quarters where a combatant is training unless the Commission has authorized the charging of admission. Where such an admission fee is charged, the Commission will consider the charge to be for the privilege of seeing an exhibition. (6-1-24)T

02. State Fee. The state fee on those gross receipts, exclusive of any federal taxes paid thereon, will be sent to the Commission with the report. (6-1-24)T

401. TICKETS LIMITED TO SEATING CAPACITY OF ARENA.

The sale of tickets for an event may not exceed the seating capacity of an indoor arena and no ticket may be issued for standing room. A person may not be sold the right of admission without a ticket. (6-1-24)T

402. TICKETS.

01. Inventory. The ticket outlet shall report to the Commission an inventory, which they affirm under oath to be correct, of all the tickets issued. (6-1-24)T

02. Notification. The promoter will notify the ticket outlet of the requirements of this section. (6-1-24)T

403. CONTENTS OF TICKETS.

01. General. Every ticket will have the price, name of the promoter, and date of the program plainly on it. (6-1-24)T

02. Changes. Requests for changes in ticket prices or dates of programs will be made in writing to the Commission for approval. (6-1-24)T

03. License to Sell. Tickets may not be sold by any person except through an agency holding a license to sell the tickets unless the sale is first approved by the Commission. (6-1-24)T

404. COMPLIMENTARY TICKETS.

01. Limitation. A promoter may not issue complimentary tickets for more than two percent (2%) of the seats in the arena without the Commission's written authorization. Complimentary tickets authorized under this section do not constitute part of the total gross receipts from admission fees for the purposes of calculating the Commission taxes. (6-1-24)T

02. More Than Two Percent Issued. If complimentary tickets are issued for more than two percent (2%) of the tickets sold: (6-1-24)T

a. Each combatant who is working on a percentage will be paid their percentage of the normal price of all complimentary tickets in excess of two percent (2%) of the tickets sold unless the contract between the combatant and the promoter provides otherwise and stipulates the number of complimentary tickets which will be issued; and (6-1-24)T

b. If a service charge is made for complimentary tickets, the combatant is entitled to be paid their percentage of that service charge, less any deduction for federal taxes and fees. (6-1-24)T

405. PROVISIONS OF TICKETS WITHOUT CHARGE OR AT REDUCED RATES.

01. No Fees. Persons who receive tickets pursuant to this section are not liable for the payment of any fees for those tickets. (6-1-24)T

02. Optional Charges. Each promoter may provide tickets without charge or at a reduced rate to: (6-1-24)T

a. Any employees, and if the promoter is a corporation, to a director or officer, who is regularly employed or engaged in promoting such programs, whether or not their duties require them to be admitted to the particular program and whether or not he is on duty at the time of that program; (6-1-24)T

b. A journalist performing their duties as such; and (6-1-24)T

c. A fireman or police officer performing their duties as such. (6-1-24)T

03. Duties Required. Each promoter will perform the following duties in relation to the issuance of complimentary tickets issued: (6-1-24)T

a. Each ticket issued to a journalist will be clearly marked "PRESS." No more tickets may be issued to journalists than will permit comfortable seating in the press area. (6-1-24)T

b. The promoter may allocate seats for the media, subject to the Commission's final approval of the allocation. Seating at the press tables or in the press area will be limited to journalists who are actually covering the contest and to other persons designated by the Commission. (6-1-24)T

c. A list of passes issued to journalists must be submitted to the Commission. (6-1-24)T

d. Only one (1) complimentary ticket may be issued to any one (1) manager, second, combatant, or other person licensed by the Commission. (6-1-24)T

e. The Commission will approve in advance any credential issued by the promoter which allows an

admission to the event without a ticket. Requests for the issuance of such credentials must be made at least five (5) hours before the first contest on the program. (6-1-24)T

04. Admission Criteria. Admission of any person who does not hold a ticket or who is not specifically exempted pursuant to this section is grounds for suspension or revocation of the promoter's license or the assessment of a penalty. (6-1-24)T

05. Fees. The Commission will collect all fees and taxes due on any ticket which is not specifically exempt pursuant to this section, and for any person who is admitted without a ticket in violation of this section. (6-1-24)T

406. SPECULATION IN TICKETS PROHIBITED.

01. Prevent Speculation. A promoter who holds programs or events under the jurisdiction of the Commission shall exercise extraordinary caution to prevent speculation in tickets. (6-1-24)T

02. No Other Price. The promoter may not sell any tickets for a price other than the price printed thereon. (6-1-24)T

a. The promoter may not, without the Commission's written permission, change the price of tickets at any time after they have been placed on sale or sell them at any time during the program for a different price than tickets for the same seats were offered or sold before the program commenced. (6-1-24)T

b. Any ticket sold for other than the price printed on the ticket will be over stamped with the actual price charged. The over stamp must be placed on the printed face of the ticket as well as the stub retained by the holder of the ticket. (6-1-24)T

03. Exchange. A person may only exchange tickets at the box office. A ticket may not be redeemed after the show has taken place. Tickets that have not sold will be returned to the box office not later than one (1) hour before the show is scheduled to begin. (6-1-24)T

04. Removal and Possession of Stub. A holder of a ticket for a program or event will not be allowed: (6-1-24)T

a. To pass through the gate of the premises where the program is being held unless their ticket has been redeemed. (6-1-24)T

b. To occupy a seat unless in possession of proof of purchase of a ticket for that seat. (6-1-24)T

05. Tickets for Readmission. A promoter may not issue a ticket to any person for the purpose of readmission due to leaving the arena and later reentering the arena, unless the promoter has obtained the Commission's written permission for such an issuance. (6-1-24)T

407. – 414. (RESERVED)

415. TICKETS – REMOVAL AND RETENTION AFTER MATCH – DESTRUCTION.

After the tickets and stubs have been held for at least fifteen (15) days by the Commission, the Commission will destroy them. If the tickets are not taken by the Commission, they must be retained by the promoters for at least six (6) months. Those tickets may be destroyed after they have been held for at least thirty (30) days and written permission has been granted by the Commission for the destruction of such tickets. Tickets need to be kept in separate packages for each show so that the Commission may, at any time, conduct an audit. (6-1-24)T

416. – 499. (RESERVED)

500. ADMISSION OF LICENSEES AND AGENTS TO EVENTS.

The promoter of any event under the jurisdiction of the Commission will admit the following to said event without a ticket: (6-1-24)T

01. Participants. Any individual who is licensed by the Commission and who has been authorized by the Commission to participate in said event upon such individual's presentation of a current and valid license issued by the Commission. (6-1-24)T

02. Commissioner or Agent. The Athletic Commissioner, any Deputy Commissioner, and any agent of the Division upon presentation of valid identification that identifies the holder as a member of the Commission or an agent of the Division. (6-1-24)T

501. PAYMENT OF FEE TO OFFICIAL DESIGNATED BY COMMISSION.

A promoter will pay the fee and reasonable expenses set by the Commission to any person directed by the Commission to officiate in an event promoted by that promoter. (6-1-24)T

502. POSTPONEMENT OF PROGRAM.

01. Prior Approval. A promoter may only postpone a sanctioned event with approval from the Commission. (6-1-24)T

02. No Fault Postponement. If a postponement of a sanctioned event becomes necessary through no fault of the promoter, the Commission will grant an extension of the contracts and set a new date. (6-1-24)T

03. Limitations on Postponement. A small advance sale is not a legitimate reason for postponement. Indoor boxing and wrestling programs may not be called off or canceled on account of storms or for any other reason not expressed in this chapter except as approved by the Commission. (6-1-24)T

04. Advance Notice. A promoter may not call off a sanctioned event without one (1) week prior written approval of the Commission. (6-1-24)T

503. REQUIRED NUMBER OF AMBULANCES – NOTICE TO AMBULANCE SERVICE AND HOSPITAL.

01. Required Number of Ambulances. The following number of ambulances must be present at the site of any program or event under the jurisdiction of the Commission: (6-1-24)T

a. Where the anticipated attendance is four thousand (4,000) persons or more but less than eight thousand (8,000) persons, one (1) ambulance. (6-1-24)T

b. Where the anticipated attendance is eight thousand (8,000) persons or more, two (2) ambulances. (6-1-24)T

02. Promoter Requirements. Each promoter of a program or event will, without regard to the size of the anticipated attendance: (6-1-24)T

a. Give notice of the time, date and site of the program to the ambulance service or emergency medical service which is located nearest to the site of the program and ascertain from the service the length of time for one (1) of its ambulances to reach the site. (6-1-24)T

b. Give such a notice to the nearest hospital and the persons in charge of its emergency room. (6-1-24)T

c. Before the start of the program or event, certify to a member of the Commission that the requirements of this section have been met. (6-1-24)T

504. SANITATION.

01. Sanitary Conditions. Each promoter is responsible for and must correct any violation of the regulations of the Commission or the public health district regarding the sanitary condition of dressing rooms.

showers, water bottles, towels or other equipment. (6-1-24)T

02. Reporting. Physicians and the Commission or its agents will make a particular examination before or during each program or event to discover any violation of such regulations, and any such violation will be reported to the Commission immediately. (6-1-24)T

505. AUTHORIZED PERSONS IN DRESSING ROOMS.

01. Authorized Persons to Enter. On the day of a contest only the following people are allowed in the dressing room of a combatant: (6-1-24)T

- a.** The combatant's manager; (6-1-24)T
- b.** The combatant's seconds; (6-1-24)T
- c.** Any authorized agent of the promoter; and (6-1-24)T
- d.** Members of the Commission or its agent. (6-1-24)T

02. Other Persons. The promoter will furnish a doorman or doormen at the entrance to the dressing rooms to enforce this section. (6-1-24)T

506. EQUIPMENT OF THE CHIEF SECOND.

01. Equipment. The chief second will be equipped with: (6-1-24)T

- a.** A clear plastic water bottle; (6-1-24)T
- b.** A bucket containing ice; (6-1-24)T
- c.** A solution of a kind approved by the Commission for stopping hemorrhaging; (6-1-24)T
- d.** Adhesive tape; (6-1-24)T
- e.** Gauze; (6-1-24)T
- f.** Scissors; and (6-1-24)T
- g.** One (1) extra mouthpiece. (6-1-24)T

02. Ammonia. No ammonia may be used in the ring. (6-1-24)T

03. Inspection. The ring physician or the Commission may at any time inspect the contents of the chief second's first-aid kit. (6-1-24)T

507. BELL OR GONG.

There will be a bell or gong at the ring no higher than the floor level of the ring. The bell or gong will produce a clear tone easily heard by the combatants. (6-1-24)T

508. EQUIPMENT OF A TIMEKEEPER.

Every timekeeper will have the equipment prescribed by the Commission and will carry out the duties directed by the Commission. (6-1-24)T

509. – 599. (RESERVED)

600. ADVANCE APPEARANCE OF COMBATANT SCHEDULED TO FIGHT IN MAIN EVENT.

01. When to Appear. Each combatant who is scheduled to fight in a main event, except a combatant in a regularly scheduled weekly contest, must be present in any place specified by the promoter at least three (3) days before the scheduled day of the contest for the purpose of training, publicity, and whatever other purpose the promoter may desire, unless the combatant has the Commission's express written approval to be absent. (6-1-24)T

02. Expenses. Unless otherwise provided for in the contract, the combatant's expenses for this purpose will be borne by the promoter. If a combatant fails to comply with this requirement, the promoter, subject to approval of the Commission, may deduct ten percent (10%) of the offending combatant's purse. (6-1-24)T

601. WEIGHING IN OF COMBATANTS.

01. Attendees and Scales Used at Weigh-In. Each combatant will be weighed in the presence of the public, the other combatant, the Commission and an official representing the promoter, on scales approved by the Commission at any place designated by the Commission. (6-1-24)T

02. Attire. The combatant will have all weights stripped from his body before they are weighed in, but they may wear shorts. (6-1-24)T

03. Press Attendance. Press who provide official identification as such will be admitted to each official weighing in of a combatant. (6-1-24)T

04. Security. The owner or operator of the premises in which the weighing in is held will provide adequate security for all those present. (6-1-24)T

05. Weigh-Ins on Day of Contest. If a weigh-in is scheduled on the day of the contest, weight loss in excess of two (2) pounds after the time of the weigh-in is not permitted. (6-1-24)T

06. Weigh-in, Examination of Combatant May Be Ordered By the Commission. Any combatant who has signed a contract to compete on a promoter's program is subject to an order by the Commission to appear at any time to be weighed or examined by any physician designated by the Commission. (6-1-24)T

602. COMBATANTS MUST REPORT.

Each combatant will report to the Commission in the dressing rooms at least one (1) hour before their scheduled time of the first match. (6-1-24)T

603. COSTUME AND EQUIPMENT.

01. Costume. Each combatant on a program will provide the Commission approved ring costume. (6-1-24)T

02. Fit. The trunks must be loose fitting and made of a lightweight cloth. The belt of the trunks must not extend above the waist line. (6-1-24)T

03. Other Equipment. Each combatant will wear: (6-1-24)T

a. A mouthpiece which has been individually fitted; and (6-1-24)T

b. An abdominal cup which will protect him against injury from a foul blow. (6-1-24)T

604. COMBATANT'S PHYSICAL APPEARANCE.

01. Grease or Foreign Substances. The excessive use of grease or any other foreign substance may not be used on the face of a combatant. The referees or the Commission will cause any excessive grease or foreign substance to be removed. (6-1-24)T

02. Hair. The Commission will determine whether head or facial hair presents any hazard to the safety of the combatant or their opponent or will interfere with the supervision and conduct of the contest. (6-1-24)T

605. PHYSICIAN – SUITABLE PLACE TO EXAMINE COMBATANT – FEE – EMERGENCY TREATMENT.

01. Suitable Examination Place. The promoter will provide the physician designated by the Commission a suitable place to examine each combatant. (6-1-24)T

02. Fees. The physician is entitled to receive a fee for their services at a bout. (6-1-24)T

03. Emergency Treatment. The physician will give any injured combatant temporary or emergency treatment in the arena or dressing room and no additional fee may be charged. (6-1-24)T

606. CONTINUOUS PRESENCE OF PHYSICIAN AT RINGSIDE.

01. Presence of Physician at Ringside. The physician designated by the Commission will sit at the immediate ringside at every event. A contest may not proceed unless the physician is seated at ringside. The physician must not leave until released by the Commission. (6-1-24)T

02. Injury to Combatant During Round. When a combatant appears to have been injured during the course of a round, their manager or second cannot attempt to render aid before the physician has had an opportunity to examine them. (6-1-24)T

607. PROCEDURE FOR USE OF SCORECARDS.

01. Scorecards. The Commission will give scorecards to each judge before the start of the contest. (6-1-24)T

02. Scoring by Judges. The judges will score each round of the contest on an individual scorecard and sign it. The referee will pick up the scorecard from each judge and turn in the scorecards at the Commission's desk before the start of each round. (6-1-24)T

03. Presentation of Scorecards to Press After Contest. The Commission may show the scorecards to accredited representatives of the press after the completion of the contest. (6-1-24)T

04. Delivery of Scorecards to Commission. The Commission will mail or deliver the scorecards together with required reports regarding the contest to the Division. (6-1-24)T

05. Report of Each Contest. Reports of each contest will be kept on file in the office of the Division. (6-1-24)T

608. REFEREE'S INSTRUCTIONS TO COMBATANTS.

The referee will, before starting a contest, ascertain from each combatant the name of their chief second, who will be responsible for the conduct of the assistant seconds during the progress of the contest. The referee will call combatants together before each contest for final instructions, accompanied only by their chief second. (6-1-24)T

609. LIMITATIONS ON SECONDS.

01. Number of Seconds. No combatant will have more than three (3) seconds except that in a contest for a world title the Commission may authorize four (4) seconds. (6-1-24)T

02. Excessive Use of Water. Any excessive or undue spraying or throwing of water on any combatant by a second between rounds is prohibited. (6-1-24)T

610. PERSONS ALLOWED IN RING.

No persons other than the combatants and the referee may be in the ring during the progress of a round. (6-1-24)T

611. UNFAIR PRACTICES – DUTIES OF REFEREES.

01. Enforcing the Rules. A referee is responsible for enforcing the rules of the contest and cannot permit unfair practices that may cause injury to a combatant. (6-1-24)T

02. Warnings. Referees will warn the combatants whenever they are committing fouls. (6-1-24)T

03. Deducting Points. If a combatant persists in committing fouls after a warning, the referee will deduct points from or disqualify them. (6-1-24)T

612. STOPPING OF CONTEST – INJURY TO COMBATANT.

The referee, in consultation with the ring physician, will determine whether a contest should be stopped because of an injury to a combatant. (6-1-24)T

613. STOPPING OF CONTEST – ONE-SIDED CONTEST – RISK OF INJURY – EXAMINATION BY PHYSICIAN.

01. One-Sided Contested. The referee may stop a contest at any stage if they consider it too one-sided or if either combatant is in such a condition that to continue might subject him to serious injury. (6-1-24)T

02. Risk of Injury and Examination by Physician. If a combatant sustains any injury which the referee believes may incapacitate them, the referee will call the physician into the ring to examine the combatant. The physician will give their opinion to the referee before the referee renders a decision in the matter. (6-1-24)T

614. STOPPING OF CONTEST – COMBATANT NOT HONESTLY COMPETING.

If the referee decides a combatant is not honestly competing, they may stop the contest before its scheduled completion, disqualify the combatant and recommend the purse of that combatant be held pending investigation by the Commission. The announcer will then inform the audience that no decision has been rendered. (6-1-24)T

615. FAILURE OF COMBATANT TO RESUME.

A combatant may not leave the ring during any one (1) minute rest period between rounds. If any combatant fails or refuses to resume the contest when the bell sounds signaling the commencement of the next round, the referee will award a decision of technical knockout to their opponent as of the round which has last been finished, unless the circumstances indicate to the referee the need for investigation or punitive action, in which event the referee will not give a decision and will recommend the purse or purses of either or both combatants to be withheld. (6-1-24)T

616. PROCEDURE WHEN COMBATANT IS KNOCKED OUT.

A combatant who has been knocked out will be kept in a prone position until they have recovered. Except for the referee or chief second who may remove the mouthpiece, no one may touch them until the ring physician enters the ring and attends to them. (6-1-24)T

617. ANNOUNCEMENT OF WINNER OF BOUT.

At the termination of each boxing bout the announcer will announce the winner and the referee will raise the winner's hand. (6-1-24)T

618. CHANGE OF DECISION IN CONTEST.

The Commission will not change a decision rendered at the end of any contest unless: (6-1-24)T

01. Collusion. The Commission determines that there was collusion affecting the result of the contest. (6-1-24)T

02. Error in Scoring. The compilation of scorecards of the judges discloses an error which shows that the decision was given to the wrong combatant. (6-1-24)T

03. Error in Interpretation of Rules. As a result of an error in interpreting a provision of this chapter, the referee has rendered an incorrect decision. (6-1-24)T

04. Failure of Drug Test. The Commission determines that there was a violation of Section 205.

(6-1-24)T

619. PHYSICIAN'S REPORT TO COMMISSION AFTER CONTEST.

On the report which the Commission-designated physician files after a contest, they shall list each case in which a combatant was injured during the contest, or applied for medical aid after the contest. (6-1-24)T

620. – 699. (RESERVED)

700. MARTIAL ARTS AND MIXED MARTIAL ARTS (MMA) – RULES.

A Licensed Combatant in an MMA contest must adhere to the rules of the Association of Boxing Commissions and Combative Sports Unified Rules of Mixed Martial Arts. (6-1-24)T

01. Regulation of Marital Arts and MMA. Except to the extent set forth under Sections 700-799 of these rules, all requirements and the limitations relating to combatants and licenses (as set forth within Title 54, Chapter 4, Idaho Code, and in the remaining rules of the Commission) will apply to all martial arts and MMA contests and exhibitions. Notwithstanding the foregoing, at its sole discretion, the Commission may, by specific reference in the sanctioning permit, allow the use of other requirements and limitations during a particular martial arts contest or exhibition. (6-1-24)T

02. The Association of Boxing Commissions and Combative Sports. The Commission adopts the Unified Rules of Mixed Martial Arts of the Association of Boxing Commissions and Combative Sports as the official Rules of the Idaho Athletic Commission for Mixed Martial Arts. (6-1-24)T

03. MMA Weight Classes. The Commission adopts the Unified Rules of Mixed Martial Arts weight classes as listed in the Association of Boxing Commissions and Combative Sports Unified Rules for Mixed Martial Arts incorporated by reference in Section 002 of these rules. (6-1-24)T

04. Practices, Belt Promotion Testing, and Non-Contact Demonstrations. Martial arts practices, belt promotion testing and demonstrations (as used herein the term demonstrations means displays that do not involve combative contact between combatants or between participants) conducted by martial arts schools are not considered to be boxing. Such practices, testing, and demonstrations are exempt from the licensing requirements of Title 54, Chapter 4, Idaho Code, and persons do not need a license to participate in such practices, testing, and demonstrations. (6-1-24)T

05. Licensing Exemption. Martial arts schools that meet the conditions set forth within Section 54-406(3)(b), Idaho Code, may apply to the Commission for exemption from licensing and sanctioning permit requirements relating to exhibitions and contests. (6-1-24)T

06. Use of Official Rules for Art. Martial arts contests and exhibitions will be conducted pursuant to the official rules of the particular art. The sponsoring organization or promoter must file a copy of the official rules with the Commission before the Commission will issue a sanctioning permit for the contest or exhibition. (6-1-24)T

07. Gloves. The requirement set forth in Section 54-414, Idaho Code, of wearing boxing gloves applies to kickboxing but will not apply to any other form of martial art unless the use of boxing gloves is required by the official rules of that particular art. Any gloves utilized must be in good condition as approved by the commission. For main and semi main events, gloves will be in new condition and of the same brand for combatants. (6-1-24)T

08. Commission Approved Attire. (6-1-24)T

a. Each combatant will wear a foul-proof groin protector. (6-1-24)T

b. Each female combatant will wear Commission-approved form fitting breast support protection. Supports may not have brace, metal or hard material of any kind. (6-1-24)T

c. For male combatants, no body shirts or pants are allowed. Female combatants will wear fighting shorts and rash guard. (6-1-24)T

- d.** Combatant may only use soft materials to tie hair. (6-1-24)T
- 09.** Prohibited Equipment and Attire. (6-1-24)T
 - a.** The following equipment and attire are prohibited: (6-1-24)T
 - i.** Shoes; (6-1-24)T
 - ii.** Facial hair, if determined by the Commission to pose a health, safety or sanitary issue; (6-1-24)T
 - iii.** Tar material on any part of the body; (6-1-24)T
 - iv.** Henna-type tattoos; (6-1-24)T
 - v.** Piercing accessories; and (6-1-24)T
 - vi.** Makeup of any kind. (6-1-24)T
 - b.** Masks, costumes, and props must be approved by the Commission prior to usage. (6-1-24)T
 - c.** Fingernails and toenails must be cut and trimmed prior to a contest. (6-1-24)T

701. SUSPENSION OF MMA CONTEST FOR UNFORESEEN REASONS.

01. Unforeseen Reasons. If a contest has to be suspended for any reason other than the actions of the combatants, the referee will have the clock stopped and attend to the issue. The referee, Commission or Commission's representative will decide the length of time allotted to address the issue. All reasonable efforts are made to resume the contest as soon as possible. It is expected that the responsible party or parties make a true effort to resolve the issue. (6-1-24)T

02. Suspicious Circumstances. If the contest is unexpectedly stopped under suspicious circumstances, all or part of the following actions may take place: (6-1-24)T

- a.** If a combatant or his corner is involved, the offending combatant may be disqualified. (6-1-24)T
- b.** The combatant may be subject to investigation and discipline in the event of a violation of these rules. (6-1-24)T
- c.** In certain circumstances the matter may be referred to the appropriate law enforcement agency or the courts, or both. (6-1-24)T

702. METHODS OF WINNING MMA CONTEST.

01. Knockout (KO). A knockout is declared when a combatant is unable to intelligently defend himself following a strike. (6-1-24)T

02. Technical Knockout (TKO). A technical knockout is declared when the licensed ringside physician or referee decides the combatant cannot continue due to a cut or other injury. (6-1-24)T

03. Submission. When a combatant submits by tapping out on the opponent or the mat as a result from a choke, lock, or any other legal technique or strike. A combatant may call out defeat when unable to tap out. (6-1-24)T

04. Referee Stoppage. The referee may stop the contest if a combatant can no longer defend himself or cannot or will not tap out, or for any other reason to preserve the health and safety of the combatants. (6-1-24)T

05. Decision. When the contest ends after the specified time period and there is no winner, or ends due

to a foul or fouls that cause injury, or ends due to unforeseen circumstance, it will be scored by the three (3) judges. (6-1-24)T

- a.** Decisions made via a scorecard in MMA contest will be: (6-1-24)T
 - i. A “Unanimous Decision” in which all three (3) judges agree on winner. (6-1-24)T
 - ii. A “Split Decision” in which two (2) judges agree on one (1) combatant and one (1) judge scores for the other combatant. (6-1-24)T
 - iii. A “Majority Decision” in which two (2) judges agree on one (1) combatant and one (1) judge scores a draw. (6-1-24)T
- b.** A “Draw” may be: (6-1-24)T
 - i. A “Unanimous” decision in which all three (3) judges score the contest a draw; (6-1-24)T
 - ii. A “Majority” decision in which two (2) judges score the contest a draw and one (1) judge scores for a combatant; or (6-1-24)T
 - iii. A “Split” decision in which one (1) judge scores for a combatant, one (1) judge scores for the other combatant and one (1) judge scores the contest a draw. (6-1-24)T
- c.** Other scorecard decisions are: (6-1-24)T
 - i. Technical Decision; (6-1-24)T
 - ii. Technical Draw; or (6-1-24)T
 - iii. No Contest. (6-1-24)T
- d.** A “Disqualification” can result from fouling or unsportsmanlike conduct as determined by the referee. (6-1-24)T

06. Inability of Opponent to Continue or Throws in Towel. If the opponent is unable or unwilling to continue the contest or the combatant’s corner decides that the combatant is unable to continue and indicates this by throwing the towel into the ring or cage, a TKO will result against this combatant. (6-1-24)T

703. MMA COMBATANT DOWN AFTER THE SOUND OF THE BELL.

- 01. End of Round.** The round ends when the bell sounds to end the round. (6-1-24)T
- 02. Combatant Down After Round Has Ended.** If during the round legal blows negatively affect a combatant and the combatant goes down after the bell has sounded ending the round, the referee will consider the round ended and the one-minute rest period started. The referee may then allow the combatant’s corner to assist the downed combatant or he may summon the ringside physician to evaluate the combatant, or both. (6-1-24)T

704. BLOWS AT OR AFTER THE BELL IN MMA CONTEST.

- 01. Legal Blow.** A blow that strikes a combatant concurrent with the sounding of the bell is deemed to be a legal blow. (6-1-24)T
- 02. Illegal Blow.** A blow that strikes a combatant after the sounding of the bell is deemed to be a foul. The referee will determine if it was accidental or intentional foul. (6-1-24)T

705. – 799. (RESERVED)

800. BOXING – RULES.

A licensed combatant in a boxing contest must adhere to the Unified Rules of the Association of Boxing Commissions and Combative Sports Unified Boxing Rules. (6-1-24)T

01. The Association of Boxing Commissions and Combative Sports. The Commission adopts the Unified Boxing Rules of the Association of Boxing Commissions and Combative Sports as the official Rules of the Idaho Athletic Commission for boxing. (6-1-24)T

02. Weights and Classes of Boxing Combatants. The classes and weights for each class are shown in the following schedule: (6-1-24)T

- a. Strawweight – up to one hundred five (105) pounds.** (6-1-24)T
- b. Light-Flyweight – over one hundred five (105) to one hundred eight (108) pounds.** (6-1-24)T
- c. Flyweight – over one hundred eight (108) to one hundred twelve (112) pounds.** (6-1-24)T
- d. Super Flyweight – over one hundred twelve (112) to one hundred fifteen (115) pounds.** (6-1-24)T
- e. Bantamweight – over one hundred fifteen (115) to one hundred eighteen (118) pounds.** (6-1-24)T
- f. Super Bantamweight – over one hundred eighteen (118) to one hundred twenty-two (122) pounds.** (6-1-24)T
- g. Featherweight – over one hundred twenty-two (122) to one hundred twenty-six (126) pounds.** (6-1-24)T
- h. Super Featherweight – over one hundred twenty-six (126) to one hundred thirty (130) pounds.** (6-1-24)T
- i. Lightweight – over one hundred thirty (130) to one hundred thirty-five (135) pounds.** (6-1-24)T
- j. Super Lightweight – over one hundred thirty-five (135) to one hundred forty (140) pounds.** (6-1-24)T
- k. Welterweight – over one hundred forty (140) to one hundred forty-seven (147) pounds.** (6-1-24)T
- l. Super Welterweight – over one hundred forty-seven (147) to one hundred fifty-four (154) pounds.** (6-1-24)T
- m. Middleweight – over one hundred fifty-four (154) to one hundred sixty (160) pounds.** (6-1-24)T
- n. Super Middleweight – over one hundred sixty (160) to one hundred sixty-eight (168) pounds.** (6-1-24)T
- o. Light-Heavyweight – over one hundred sixty-eight (168) to one hundred seventy-five (175) pounds.** (6-1-24)T
- p. Cruiserweight – over one hundred seventy-five (175) to two hundred (200) pounds.** (6-1-24)T
- q. Heavyweight – all over two hundred (200) pounds.** (6-1-24)T

03. Exceeding Weight Allowances. No contest may be scheduled and no combatant may engage in a boxing contest without the approval of the Commission if the difference in weight between combatants exceeds the allowance shown in the following schedule: (6-1-24)T

- a. Up to one hundred eighteen (118) pounds – not more than three (3) pounds.** (6-1-24)T

b. One hundred eighteen (118) to one hundred twenty-six (126) pounds – not more than five (5) pounds. (6-1-24)T

c. One hundred twenty-six (126) to one hundred thirty-five (135) pounds – not more than seven (7) pounds. (6-1-24)T

d. One hundred thirty-five (135) to one hundred forty-seven (147) pounds – not more than nine (9) pounds. (6-1-24)T

e. One hundred forty-seven (147) to one hundred sixty (160) pounds – not more than eleven (11) pounds. (6-1-24)T

f. One hundred sixty (160) to one hundred seventy-five (175) – not more than twelve (12) pounds. (6-1-24)T

g. One hundred seventy-five (175) to one hundred ninety-five (195) pounds – not more than twenty (20) pounds. (6-1-24)T

h. One hundred ninety-five (195) pounds and over – no limit. (6-1-24)T

04. Licensing Exemption. Amateur Boxing Organizations that meet the conditions set forth within Section 54-406(3)(b), Idaho Code, are considered exempt from the licensing requirements set forth in these rules. (6-1-24)T

05. Boxing Gloves. The gloves used in a boxing contest must meet the following requirements: (6-1-24)T

a. General. The gloves will be examined by the Commission and the referee. If padding in any of the gloves is found to be misplaced or lumpy or if any of the gloves are found to be imperfect, they must be changed before the contest starts. No breaking, roughing or twisting of gloves is permitted. (6-1-24)T

b. Glove Specifications. The gloves for every main event will be new, of the same brand for both combatants, furnished by the promoter, and of the size specified by the Commission. (6-1-24)T

c. Sanitary. If gloves to be used in preliminary contests have been used before, they will be whole, clean and in sanitary condition. The gloves are subject to inspection by the referee or the Commission. If found to be unfit, they will be immediately discarded and replaced with gloves meeting the requirements of this section. (6-1-24)T

d. Weight of Gloves. Each combatant will wear gloves that are not less than eight (8) ounces and not more than ten (10) ounces in weight except that the Commission will set the weight of gloves to be used in a championship fight. Eight (8) ounce gloves will be used for all weight classes through welterweight (one hundred forty-seven (147) lbs). Super welterweight (above one hundred forty-seven (147) lbs) and above must use ten (10) ounce gloves. (6-1-24)T

e. All gloves will have the distal portion of the thumb attached to the body of the glove so as to minimize the possibility of injury to an opponent's eye. (6-1-24)T

06. Bandaging of Combatant's Hands. Bandages may not exceed one (1) winding of surgeon's adhesive tape, not over one and one-half (1 1/2) inches wide, placed directly on the hand to protect the part of the hand near the wrists. The tape may cross the back of the hand twice but may not extend within three-fourths (3/4) inch of the knuckles when the hand is clenched to make a fist. (6-1-24)T

a. Each combatant will use soft surgical bandage not over two (2) inches wide, held in place by not more than six (6) feet of surgeon's adhesive tape for each hand. Up to one (1) fifteen (15) yard roll of bandage may be used to complete the wrappings for each hand. Strips of tape may be used between the fingers to hold down the

bandages. (6-1-24)T

b. Bandages must be adjusted in the dressing room in the presence of the Commission and both combatants. Either combatant may waive his privilege of witnessing the bandaging of the opponent's hands. (6-1-24)T

801. BOXING RING.

A boxing ring will meet the following requirements: (6-1-24)T

01. Ring Dimensions. The ring will be not less than sixteen (16) feet square not more than twenty-four (24) feet square within the ropes. The ring floor will extend at least eighteen (18) inches beyond the ropes. The ring floor will be padded with ensolite or another similar closed-cell foam. Padding will extend beyond the ring ropes and over the edge of the platform, with a top covering of canvas, duck or similar material tightly stretched and laced to the ring platform. Material that tends to gather in lumps or ridges must not be used. (6-1-24)T

02. Ring Platform. The ring platform will not be more than four (4) feet above the floor of the building, and will be provided with suitable steps for use of combatants. Ring posts will be of metal, not more than three (3) inches in diameter, extending from the floor of the building to a height of fifty-eight (58) inches above the ring floor. Rings posts will be at least eighteen (18) inches away from the ropes. (6-1-24)T

03. Ropes. There will be four (4) padded ring ropes, not less than one (1) inch in diameter and wrapped in soft material. The lower rope will be eighteen (18) inches above the ring floor and offset four (4) inches to the outside of the ring from the ropes above. (6-1-24)T

802. KNOCKDOWN OF BOXING COMBATANT – PROCEDURE FOR COUNTING.

01. Knockdown. When a combatant is knocked down, the referee will order the opponent to retire to the farthest neutral corner of the ring, pointing to the corner, and immediately begin the count over the combatant who is down. The referee will audibly announce the passing of the seconds, accompanying the count with motions of his arm, the downward motion indication the end of each second. (6-1-24)T

02. Timekeeper. The timekeeper, by effective signaling, will give the referee the correct one (1) second interval for his count. The referee's count is the official count. Once the referee picks up the count from the timekeeper, the timekeeper will cease counting. No combatant who is knocked down may be allowed to resume boxing until the referee has finished counting to eight (8). The combatant may take the count either on the floor or standing. (6-1-24)T

03. Failure of Opponent to Stay in Farthest Neutral Corner. If the opponent fails to stay in the farthest neutral corner, the referee will cease counting until he has returned to his corner and will then go on with the count from the point at which it was interrupted. If the combatant who is down arises during the count, the referee may step between the combatants long enough to assure himself that the combatant just arisen is in condition to continue. If so assured, he will, without loss of time, order both combatants to go on with the contest. During the intervention by the referee the striking of a blow by either combatant may be ruled a foul. (6-1-24)T

04. Knock-Out. When a combatant is knocked out, the referee will perform a full ten (10) second count unless, in the judgment of the referee, the safety for the combatant would be jeopardized by such a count. If the combatant who is knocked down is still down when the referee calls the count of ten (10), the referee will wave both arms to indicate that he had been knocked out and will raise the hand of the opponent as the winner. (6-1-24)T

05. Both Combatants Down. If both combatants go down at the same time, the count will be continued as long as one (1) is still down. If both combatants remain down until the count of ten (10), the contest is stopped and the decision is a technical draw. (6-1-24)T

06. Combatants Down – Referee Counting. If a combatant is down as a result of a legal blow at or near the end of a round, the ring official will continue the count. The combatant cannot be saved by the bell. (6-1-24)T

803. RESUMING COUNT ON BOXING COMBATANT.

If a knockdown occurs before the normal termination of a round and the boxer who is down stands up before the count of ten (10) is reached and then falls down immediately without being struck, the referee will resume the count where it was left off. If the combatant is on the ring platform outside the ropes, he must enter the ring immediately where he may resume the contest or take a count. The referee will start the count as soon as the combatant who had fallen is back in the ring. (6-1-24)T

01. Stalling Outside Ropes. If the combatant stalls for time outside the ropes, the referee will start the count without waiting for him to reenter the ring. (6-1-24)T

02. Combatant to Neutral Corner. When one (1) combatant has fallen through the ropes, the other combatant will retire to the farthest corner and stay there until ordered to continue the contest by the referee. (6-1-24)T

03. Penalty. A combatant who deliberately wrestles or throws an opponent from the ring, or who hits when he is partly out of the ring and is prevented by the ropes from assuming a position of defense, may be penalized. (6-1-24)T

804. WHEN BOXING COMBATANT FALLS FROM RING DURING ROUND.

A combatant who has been knocked or has fallen through the ropes and over the edge of the ring platform during the contest may be helped back by anyone except his seconds or manager, and the referee may allow a reasonable amount of time for the combatant to return to the ring. If the combatant is on the ring platform outside the ropes, they must enter the ring immediately where they may resume the contest or take a count them to reenter the ring. A combatant who deliberately wrestles or throws an opponent from the ring, or who hits when they are partly out of the ring and is prevented by the ropes from assuming a position of defense, may be penalized. (6-1-24)T

805. BOXING COMBATANT DEEMED DOWN.

01. Feet Off Floor. A boxer is deemed to be down when any part of his body other than his feet is on the floor. (6-1-24)T

02. Hanging Over Ropes. A boxer is deemed to be down when hanging over the ropes without the ability to protect himself and he cannot fall to the floor. A referee may count a combatant out if they are on the floor or are being held up by the ropes. (6-1-24)T

806. – 899. (RESERVED)

900. WRESTLING – SPECIAL LICENSE FOR A CONTEST.

Unless a special license has been obtained, all professional wrestling programs under the supervision and authority of the Commission are only exhibitions and not contests, and those exhibitions cannot be advertised or announced as contests. (6-1-24)T

901. WRESTLING – DISQUALIFICATION FOR DANGEROUS TACTICS.

01. Restrictions. The referee will not permit physically dangerous conduct or tactics. Any wrestler who fails to discontinue those tactics, after being warned by the referee, will be disqualified and have their purse held up and paid to the Commission. (6-1-24)T

02. Professionalism. A referee cannot participate in an exhibition to the extent that the Commission or the referee is made to look ridiculous. (6-1-24)T

902. LICENSEE'S DUTIES AT WRESTLING EXHIBITION.

01. Conduct. The referee, promoter and their agents, attaches and employees, and participants in any wrestling exhibition will maintain peace, order and decency in the conduct of the exhibition. (6-1-24)T

02. No Abusive Behavior. A person involved in such exhibition will not abuse the referee or an

official of the Commission.

(6-1-24)T

03. Decision and Appeal. The Commission will hear any complaint about a referee or an official.

(6-1-24)T

903. WRESTLERS – PHYSICAL EXAMINATION.

Any person applying for or renewing a license as a wrestler will first be examined by a physician approved by the Commission to establish physical and mental fitness. A wrestler will be furnished a list of approved examining physicians by the Commission. The Commission may order the examination of any wrestler for the purpose of determining whether the wrestler is fit and qualified to engage in further exhibitions.

(6-1-24)T

904. – 999. (RESERVED)

IDAPA 34 – IDAHO SECRETARY OF STATE
34.08.01 – RULES GOVERNING PAID SIGNATURE GATHERERS
DOCKET NO. 34-0801-2401 (NEW CHAPTER)
NOTICE OF RULEMAKING – ADOPTION OF TEMPORARY RULE

THE FOLLOWING NOTICE PUBLISHED WITH THE TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is July 1, 2024.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that the Secretary of State has adopted a temporary rule, and proposed rulemaking procedures have been initiated. The action is authorized pursuant to Section 34-1807, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than September 18, 2024.

The hearing site will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule and a nontechnical explanation of the substance and purpose of the proposed rulemaking:

Pursuant to S1377, effective July 1, 2024, the Secretary of State is implementing this temporary rule relating to the badge now required to be worn by paid signature gatherers for initiatives and referendums. The rule sets forth the font, shape, color, and size requirements for the badge.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section(s) 67-5226(1)(b), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

S1377, which requires paid signature gatherers for initiatives and referendums to wear badges while gathering signatures went into effect July 1, 2024.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: N/A

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year: N/A

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because it was not feasible to conduct negotiated rulemaking due to the narrow requirement for the rule set forth in 34-1807, Idaho Code.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary and proposed rule, contact Robert McQuade at (208) 334-2300.

Anyone may submit written comments regarding the proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before September 25, 2024.

DATED this 2nd day of August, 2024.

Robert H. McQuade, Jr.
Assistant Chief Deputy
Idaho Secretary of State
700 W. Jefferson Street, Room E205
P.O. Box 83720
Boise, ID 83720-0080
(208) 334-2300

FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 34-0801-2401

(If extended, this temporary rule will be replaced by the pending rule promulgated under this same docket number on July 1, 2025.)

34.08.01 – RULES GOVERNING PAID SIGNATURE GATHERERS

000. LEGAL AUTHORITY.

Section 34-1807, Idaho Code.

(7-1-24)T

001. SCOPE.

These rules outline specifications for badge requirements worn by paid signature gatherers who circulate any petition for an initiative or referendum.

(7-1-24)T

002. BADGE REQUIREMENTS.

All badges worn by paid signature gatherers as required by Section 34-1807, Idaho Code, must meet the following minimum requirements:

(7-1-24)T

01. Badge Size. One (1) inch high by three (3) inches wide or larger;

(7-1-24)T

02. Font Family. 'Arial' font (or similar sans-serif equivalent). No italic or script fonts.

(7-1-24)T

03. Content and Restrictions. Required text must say 'PAID PETITION CIRCULATOR' in all capital letters with no other text or logos included.

(7-1-24)T

04. Font Size. Minimum font size of twenty-four (24) point. Text should take up as much space on the badge as possible while still being legible.

(7-1-24)T

05. Font and Background Colors. Black text on white background with no other images or colors.

(7-1-24)T

003. BADGE TEMPLATE.

The following is a template for use in accordance with Section 002 of these rules:

PAID PETITION
CIRCULATOR

(7-1-24)T

004. – 999. (RESERVED)

IDAPA 52 – IDAHO STATE LOTTERY

52.01.03 – RULES GOVERNING OPERATIONS OF THE IDAHO STATE LOTTERY

DOCKET NO. 52-0103-2401

NOTICE OF RULEMAKING – ADOPTION OF TEMPORARY RULE

THE FOLLOWING NOTICE PUBLISHED WITH THE TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is July 1, 2024.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a temporary rule and proposed regular rulemaking procedures have been initiated. The action is authorized pursuant to Section 67-7408(1), Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than June 19, 2024.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule and a nontechnical explanation of the substance and purpose of the proposed rulemaking:

Statute requires Lottery retailers to pay winning ticket prizes up to \$599. However, staffing challenges and increasing threats of robbery create concerns over employee safety. Retailers are often unable to pay prizes under \$600 when presented winning tickets because safety concerns necessitate keeping no more than \$100 in the cash drawer. The retail industry has offered solutions. They have requested the ability to pay lottery prizes up to \$599 with no-fee prepaid prize payment cards. Lottery Administrative Rules allow only for prize payment by cash, money order, or check. Retailers will not pay by check and money orders are obsolete. The problem cannot be solved by non-regulatory measures. Legislative germane committees were in favor of the Prize Payment Card if the reference to EFT, which was included in a prior rulemaking, was removed.

TEMPORARY RULE JUSTIFICATION: Pursuant to Sections 67-5226(1)(a) and (c), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

Protecting retail associates and their patrons against threats of robbery and ensuring employee safety; and reducing the overall regulatory burden with greater flexibility to benefit the industry.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: There is no fee associated with any portion of this rule – to either retailer or player/winner.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year: N/A

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted due to the need for temporary rulemaking. Stakeholders were involved in negotiated rulemaking conducted under docket [52-0103-2301](#) and provided feedback for similar topics in formulating the proposed rule.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary and proposed rule, contact Director Jeffrey R. Anderson, at 208.780.2500.

Anyone may submit written comments regarding the proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before June 26, 2024.

DATED this May 21, 2024.

Jeffrey R. Anderson
Director
Idaho State Lottery Commission
1199 Shoreline Lane, Suite 100
Boise, ID 83702
Ph. 208.780.2500
Fax 208.344.3522

FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 52-0103-2401

(If extended, this temporary rule will be replaced by the pending rule promulgated under this same docket number on July 1, 2025.

52.01.03 – RULES GOVERNING OPERATIONS OF THE IDAHO STATE LOTTERY

000. LEGAL AUTHORITY.

~~These rules are adopted under the general legal authority of Title 67, Chapter 74, Idaho Code, and the specific legal authority of Sections 67-7401, 67-7404, 67-7406, 67-7408, and 67-7411, Idaho Code.~~ (3-25-22)(7-1-24)T

001. TITLE AND SCOPE.

~~The title of these rules is IDAPA 52.01.03, “Rules Governing Operations of the Idaho State Lottery.”~~ The rules govern operations of the Idaho State Lottery. The rules also set forth which bingo games and raffles are legal in the state of Idaho and to bring all legal bingo games and raffles in the state of Idaho under the control of the Lottery. (3-25-22)(7-1-24)T

002. -- 009. (RESERVED)

010. DEFINITIONS.

As used throughout these rules these terms have the following definitions: (3-25-22)

~~01. **Commissioner.** The Idaho State Lottery Commission established and appointed according to Sections 67-7402, 67-7404(2) and 67-7405, Idaho Code. See Section 67-7702(4), Idaho Code.~~ (3-25-22)

~~021. **Commissioner.** A member of the Idaho State Lottery Commission.~~ (3-25-22)

~~032. **Director.** The Director of the State Lottery appointed and confirmed according to Section 67-7407, Idaho Code.~~ (3-25-22)

~~043. **Lottery.** The Idaho State Lottery created by Section 67-7402, Idaho Code, and, as context requires, the Lottery Commission and the Lottery’s officers and employees.~~ (3-25-22)

~~05. **Person.** See definition in Section 67-7702, Idaho Code.~~ (3-25-22)

011. -- 099. (RESERVED)

SUBCHAPTER B – OPERATIONS OF THE IDAHO STATE LOTTERY

100. DEFINITIONS.

These rules apply to Subchapter B only: (3-25-22)

~~01. Administrative Costs.~~ See definition in Section 67-7404, Idaho Code. (3-25-22)

~~021.~~ **Benefit.** Any thing, property or money, favorable consideration or advantage, profit, privileges, gain or interest to which a person is not otherwise entitled. (3-25-22)

~~032.~~ **Certificate.** The signed document issued by the Director authorizing a retailer to sell Lottery products. (3-25-22)

~~043.~~ **Control Person.** A person in a position of authority that is primarily defined according to organizational type. The following are control persons: (3-25-22)

a. In a privately-owned corporation, the officers, directors, and stockholders of the parent company who own five percent (5%) or more of the company's stock and, if applicable, any of its subsidiaries. (3-25-22)

b. In a publicly-owned corporation, the officers and directors of the parent company and each of its subsidiaries. Additionally, stockholders who own five percent (5%) or more of the corporation's stock are control persons. (3-25-22)

c. In a trust, the trustee and all persons entitled to receive income or benefit from the trust. (3-25-22)

d. In an association, the members, officers, and directors. (3-25-22)

e. In a partnership or joint venture, the general partners, limited partners, or joint venturers. (3-25-22)

f. A member of the immediate family of any of who is a control person under Paragraphs 010.06.a. through 06.e. of this definition. (3-25-22)

g. A subcontractor of a vendor if the subcontractor performs more than half of the vendor's contract with the Lottery. (3-25-22)

~~054.~~ **Executive Staff.** The director of Lottery Security Division and the deputy directors appointed by the Director. (3-25-22)

~~065.~~ **Expenses.** See definition in Section 67-7404, Idaho Code. (3-25-22)

~~076.~~ **Fiscal Year.** The Lottery's fiscal year of twelve (12) months beginning on July 1 and ending on June 30. (3-25-22)

~~087.~~ **Gift.** A transfer, exchange or delivery of anything, property or money, of any value whatsoever, with or without an expectation by the giver to receive anything, tangible or intangible, in return. (3-25-22)

~~098.~~ **Immediate Family.** A natural person's spouse, children, brother, sister, or parent by blood, marriage, or adoption who resides as a member of the same household in the principal place of residence of any contractor, vendor, retailer, member, or employee of the State Lottery. (3-25-22)

~~409.~~ **Instant Game.** A game in which a ticket is purchased and upon removal of a latex or similar secure covering on the front of the ticket, the ticket bearer determines his or her winnings, if any. (3-25-22)

~~140.~~ **Invitation to Bid.** The solicitation of competitive offers in which specifications, price, and delivery

- (or project completion) will be the predominant award criteria. (3-25-22)
- 121. Lottery Contract or Contract.** Any contract entered into either by the Lottery or for the Lottery by another public agency, for the purchase, lease, or sale of goods or services. (3-25-22)
- 132. Lottery Contractor or Contractor.** See definition in Section 67-7404, Idaho Code. (3-25-22)
- 143. Lottery Employee or Employee.** Any person who works full- or part-time for the Lottery. (3-25-22)
- 154. Lottery Game or Game.** Any procedure authorized by the Commission whereby prizes are distributed among persons who have paid, or unconditionally agreed to pay, for tickets or shares which provide the opportunity to win such prizes. Lottery game themes must be approved by the Commission, be consonant with the dignity of the state. (3-25-22)
- 165. Lottery Game Retailer or Retailer.** See definition in Section 67-7404, Idaho Code. (3-25-22)
- 176. Lottery Revenue.** See definition in Section 67-7404, Idaho Code. (3-25-22)
- 187. Lottery Vendor or Vendor.** See definition in Section 67-7404, Idaho Code. (3-25-22)
- 198. Low, Medium and High Tier Claims.** See definition in Section 67-7404, Idaho Code. (3-25-22)
- 2019. Major Procurement.** See definition in Section 67-7404, Idaho Code. (3-25-22)
- 240. Net Income.** See definition in Section 67-7404, Idaho Code. (3-25-22)
- 221. On-Line System.** The Lottery’s on-line computer wagering system consisting of ticket issuing terminals, central processing equipment, and a communications network. (3-25-22)
- 232. Play Symbols.** The numbers or symbols appearing in the designated area under the removable covering on the front of the ticket. (3-25-22)
- 243. Prize.** Any award, financial or otherwise, awarded by the Director for successfully playing a Lottery game. (3-25-22)
- 254. Redemption Value.** See definition in Section 67-7404, Idaho Code. (3-25-22)
- 265. Request for Proposal.** The solicitation of competitive proposals, or offers, to be used in part as a basis for making an acquisition, or entering into a contract, when specification and price will not necessarily be the predominant award criteria. (3-25-22)
- 276. Retailer Validation Code.** The symbols found under the removable rub-off covering over the play symbols on the front of each ticket. (3-25-22)
- 287. Sensitive Procurement.** Those procurement actions or contracts, other than “major procurements,” that may either directly or indirectly affect the integrity, security, honesty, and fairness of the operation and administration of the Lottery. A typical example of this class of procurement is the acquisition of security systems that protect the security and integrity of the Lottery. (3-25-22)
- 298. Share.** See definition in Section 67-7404, Idaho Code. (3-25-22)
- 3029. State Lottery Act of 1988 or Act.** The Act approved by the legislature creating the Lottery, which became effective November 23, 1988, as amended, which is codified at Title 67, Chapter 74, Idaho Code. (3-25-22)
- 340. Subcontractor.** Any third party not in the employment of a contractor, who is performing all or part of the work in the contractor’s agreement with the Lottery under a separate contract with the contractor. The term

“subcontractor” means subcontractor of any tier. (3-25-22)

321. Temporary Retailer. A retailer under contract with the Lottery for a temporary or seasonal period. A temporary contract may be subject to special conditions or limitations that the Director deems prudent. These limitations or conditions may include, but are not limited to: (3-25-22)

- a. Length of ticket sale period; (3-25-22)
- b. Hours or days of sale; (3-25-22)
- c. Location of sale; (3-25-22)
- d. Specific persons who may sell Lottery tickets; (3-25-22)
- e. Specific sporting, charitable, social, or other special events where Lottery tickets may be sold. (3-25-22)

332. Provisional Retailer. A retailer granted a provisional certificate in accordance with these rules. A provisional certificate may contain some or all of the restrictions of a temporary retailer and additional restrictions deemed necessary by the Director. (3-25-22)

343. Ticket. See definition in Section 67-7404, Idaho Code. (3-25-22)

354. Ticket Bearer. The person who has signed the ticket or has possession of the unsigned ticket. (3-25-22)

365. Ticket Validation Number or Validation Number. The multidigit number found on the front of the ticket. It is either uncovered or found underneath the “Do Not Remove” area on the ticket or any stub. (3-25-22)

376. Total Annual Revenue or Annual Revenue. The sum of all of the Lottery’s proceeds and accrued income that is characterized as a reduction or recovery of expenses. (3-25-22)

387. Unclaimed Prize. Any award, financial or otherwise, of more than twenty-five dollars (\$25) for which there is physical, tangible evidence of eligibility but for which the prize has not been paid within one (1) year. (3-25-22)

398. Value. See definition in Section 67-7404, Idaho Code. (3-25-22)

(BREAK IN CONTINUITY OF SECTIONS)

202. GENERAL INSTANT TICKET GAME OPERATING RULES.

01. Instant Games -- Authorized -- Director’s Authority. The Commission hereby authorizes instant games that meet the criteria set forth in these rules. The Director is hereby authorized to select, operate, and contract relating to and for the operation of instant games that meet the criteria set forth in these rules. (3-25-22)

02. Definitions. As used in Section 202 of these rules, these terms have the following definitions: (3-25-22)

- a. Instant Ticket Validation Bar Code. The bar code that enables retailers to validate instant tickets. (3-25-22)
- b. ITA System. The Instant Ticket Automation system that validates winning instant tickets. (3-25-22)
- c. Pack. A package of instant game tickets with a designated number of tickets that may be (but do not

have to be) fanfolded and attached to each other by perforations, which perforations the retailer tears when selling a ticket, and that are packaged in plastic shrink-wrapping, foil or some similar outer wrapping material. (3-25-22)

d. Pack-Ticket Number. The number printed on the ticket. A game identification number must be included in the book-ticket number. (3-25-22)

e. Play Symbol Caption. The small printed material appearing below each play symbol which repeats or explains the play symbol. One (1) and only one (1) play symbol captions appears under each play symbol. (3-25-22)

f. Play Symbols. Figures printed in approved ink that appear under each of the rub-off spots on the front of the ticket. (3-25-22)

g. Retailer Validation Code. The small letters found under the removable rub-off covering over the play symbols on the front of the ticket, which the ticket retailer uses to verify winners of twenty-five dollars (\$25) or less. The letters appear in varying locations beneath the removable rub-off covering and among the play symbols. (3-25-22)

h. Ticket. An Idaho instant game ticket. (3-25-22)

i. Ticket Validation Number. The unique number on the front of the ticket. (3-25-22)

03. Sale of Tickets. (3-25-22)

a. No person other than a retailer under a contract for the sale of tickets with the Lottery may sell Lottery tickets, except that nothing in this section prevents a person who may lawfully purchase tickets from making a gift of Lottery tickets to another. (3-25-22)

b. Unless authorized by the Lottery, tickets may not be sold at a location other than the address listed on the retailer's contract with the Lottery. (3-25-22)

c. Nothing in this section prohibits the Commission from designating certain of its agents and employees to sell Lottery tickets directly to the public. (3-25-22)

04. Instant Games Ticket Price. The price of an instant game ticket will be set by the Director. No person may sell a ticket at a price other than that established in accordance with these rules. (3-25-22)

05. Prize Structures. The Director will provide to all Lottery game retailers a detailed tabulation of the estimated number of prizes of each particular prize denomination that are expected to be awarded in each Lottery game and a close approximation of the odds of winning the prizes. (3-25-22)

06. Number and Value of Instant Ticket Prizes. Lottery game prize structures, odds of winning, number of tickets, number and value of prizes, play symbol and captions used for validation will not be adopted by administrative rules. Rather, the Director will submit proposed games to the Commission, who must approve each game's general format before the initiation of each game. All instant games must be conducted in accordance with the rules of the Commission. (3-25-22)

07. Official Start of Game. (3-25-22)

a. Games with a prize structure adopted by the Commission pursuant to Subsection 202.07 of this rule may be started at a time selected by the Director. The Director will publicly announce the starting date of a new game by use of a press release or any other appropriate means. The Director may also issue game information that includes a description of the game, odds of winning a prize, the number and value of prizes, and the play symbols and captions used for prize validation. (3-25-22)

b. Games using a prize structure other than a prize structure previously approved by the Commission must be approved by the Commission before game tickets can be sold to the public. (3-25-22)

08. Determination of Winners. (3-25-22)

a. Winners of an instant game are determined by the matching or specified alignment of the play symbols on the tickets. The play symbols are revealed by scratching or rubbing off the latex or similar secure material that covers spots on the ticket. The ticket bearer must notify the retailer or the Lottery of the win and submit the winning ticket to the retailer or the Lottery as provided in these rules. The winning ticket must be validated by the Lottery through use of the validation number or by any other means specified by the Director. (3-25-22)

b. Unless otherwise provided by game rules, only the highest instant prize amount will be paid on a given ticket. (3-25-22)

c. No portion of the play symbol captions, retailer validation codes, display printing nor any extraneous matter whatever will be usable or playable as a part of the instant game. (3-25-22)

d. The ticket validation number or any portion thereof is not a play spot and is not usable or playable as such. (3-25-22)

e. In all Lottery games, the determination of prize winners is subject to the general ticket validation requirements set forth in Subsection 200.14, et seq., and Subsection 202.11 of this rule, and the requirements set out on the back of each instant game ticket. (3-25-22)

f. The length of operation of an instant game will be determined by the Director. The start date and closing date of the instant game will be publicly announced. (3-25-22)

09. Payment of Prizes. The procedures for claiming instant ticket prizes are as follows: (3-25-22)

a. Instant ticket prizes of less than six hundred dollars (\$600) may be claimed by one (1) of the following methods: (3-25-22)

i. The claimant may present the winning ticket to any Lottery retailer. The retailer must verify the claim and, if acceptable, make payment of the amount due the claimant. A retailer may pay prizes in cash or by business check, ~~or~~ money order, no fee prize payment card, or any combination thereof. A retailer that pays a prize with a check that is dishonored may be subject to suspension or termination of the retailer's contract. (3-25-22)(7-1-24)T

ii. If the retailer cannot verify the claim, the claimant must fill out a claim form and the retailer must present the completed form and the disputed ticket to the Director. If the claim is validated, ~~a check will be forwarded to the claimant in~~ payment ~~of~~ will be made to the claimant in cash, or by check or money order in the amount due. If the claim is not validated, the claim will be denied and the claimant will be promptly notified. (3-25-22)(7-1-24)T

iii. The claimant may ~~bring present~~ the ticket to the Lottery office or complete a claim form and mail it with the ticket to the Idaho State Lottery (registered mail recommended). Claim forms may be obtained from any Lottery game retailer or from the Lottery. (3-25-22)(7-1-24)T

b. To claim an instant prize of six hundred dollars (\$600) or more, the claimant must either ~~bring present~~ the winning ticket to the Lottery office or complete a claim form and mail the completed form together with the winning ticket to the Idaho State Lottery (registered mail recommended). (3-25-22)(7-1-24)T

c. Prizes of six hundred dollars (\$600) or more can be paid only from the Boise Lottery office. Upon validation by the Director, ~~a check will be forwarded to the claimant in~~ payment ~~of~~ will be made by check or money order in the amount due, less any applicable federal income tax withholding. (3-25-22)(7-1-24)T

d. Any ticket not passing all the validation checks is void and ineligible for any prize and will not be paid. However, the Director may, solely at the Director's option, replace an invalid ticket with an unplayed ticket (or ticket of equivalent sales price from any other current game). If a defective ticket is purchased, the only responsibility or liability of the Lottery is the replacement of the defective ticket with another unplayed ticket (or ticket of

equivalent sale price from any other current game). (3-25-22)

e. All prizes will be paid within a reasonable time after they are awarded and after the claims are verified by the Director. For each prize requiring annual payments, all payments after the first payment will be made on the anniversary date of the first payment in accordance with the type of prize awarded. The Director may, at any time, delay any payment in order to review a change of circumstances concerning the prize awarded, the payee, the claim, or any other matter that may have come to his attention. All delayed payments will be brought up to date immediately upon the Director's confirmation and continue to be paid on each original anniversary date thereafter. (3-25-22)

10. Ticket Validation Requirements. In addition to meeting all of the other requirements in these rules or as may be printed on the back of each instant game ticket, the following validation requirements apply with regard to instant game tickets: (3-25-22)

- a. To be a valid instant game ticket, the ticket must: (3-25-22)
 - i. Have been issued by the Director in an authorized manner. (3-25-22)
 - ii. Not be altered, unreadable, or tampered with in any manner. (3-25-22)
 - iii. Not be counterfeit in whole or in part. (3-25-22)
 - iv. Not be stolen nor appear on any list of omitted tickets on file with the Lottery. (3-25-22)
 - v. Be complete and not blank (or partially blank), miscut, misregistered, defective, or printed or produced in error. (3-25-22)

vi. Under the opaque covered play area, have play symbols and the correct corresponding captions, exactly one (1) pack-ticket number, exactly one (1) agent verification code, and exactly one (1) validation number as required by each approved set of game rules, all of which must be present in their entirety, legible, right-side up, and not reversed in any manner. (3-25-22)

vii. The validation number of an apparent winning ticket must appear on the Lottery's official list of validation numbers of winning tickets; and a ticket with that validation number cannot have been previously paid. (3-25-22)

viii. Pass all additional confidential validation requirements established by the Director. (3-25-22)

ix. Be signed if the prize is for six hundred dollars (\$600) or more. (3-25-22)

b. Any ticket not passing all the validation checks in Paragraph 202.11.a. of this rule is void and ineligible for any prize and shall not be paid. However, the Director may, solely at the Director's option, replace an invalid ticket with an unplayed ticket (or tickets of equivalent sales price) from any other current Lottery game. If a defective ticket is purchased, the only responsibility or liability of the Lottery will be the replacement of the defective ticket with another unplayed ticket (or ticket of equivalent sales price from any other current Lottery game). (3-25-22)

c. The Director may authorize reconstruction of an alleged winning ticket that was not received or cannot be located by the Lottery, provided, the person requesting reconstruction must submit to the Lottery sufficient evidence to enable reconstruction and submit a claim for the prize, if any, for that ticket. If the reconstructed ticket is a winning ticket and meets the validation requirements of Paragraph 202.11.a. of this rule and any specific validation requirements contained in the rules for its specific game, the Director may authorize payment of the prize. Provided, the ticket will not be validated nor the prize paid before the one hundred eighty-first (181) day following the official end of that instant game. A ticket(s) validated pursuant to this Subsection will not entitle the claimant to be entered into the grand prize drawing, if any, for that or any subsequent instant game. (3-25-22)

11. Prize Rights Unassignable. No person's right to a prize already drawn is assignable, except that

payment of any prize already drawn may be paid to the estate of a deceased prize winner, and a person other than the prize winner may be paid the prize to which the winner is entitled as provided by court order. The Director will be discharged of all liability upon payment of a prize pursuant to this rule. (3-25-22)

12. Payment of Prizes to Persons Under Eighteen Years of Age. If a person entitled to a prize for a winning ticket is under the age of eighteen (18) years, the Director may direct payment of the prize to an adult member of the minor's family or to the minor's guardian by a check or draft payable to the adult member of the minor's family or the minor's guardian. The adult member of the minor's family or the minor's guardian will have the same duties and powers as a person designated as a custodian in accordance with Idaho law. For purposes of this Subsection, the terms "adult member of a minor's family" and "guardian of a minor" have the same meaning as in the Idaho Gifts to Minors Law. The Director will be discharged of all liability upon payment of a prize to a minor pursuant to this rule. (3-25-22)

13. Prizes Payable After Death or Disability of Owner. (3-25-22)

a. All prizes, and portions of prizes that remain unpaid at the time of the prize winner's death will be payable to the personal representative of the prize winner's estate once satisfactory evidence of the personal representative's appointment has been provided, and the Director is satisfied that payment to the personal representative is lawful and proper. The Director may rely on a certified copy of a court order appointing a personal representative (or similar person responsible for the prize winner's estate, whether denominated an administrator, executor, executrix, or other representative of the prize winner's estate) or may petition the court to determine the proper payee. Payment to the personal representative of the estate of the deceased owner of any prize winnings will absolve the Director and the Lottery's employees of any further liability for payment of prize winnings. (3-25-22)

b. The Lottery may petition any court of competent jurisdiction for a determination of the rightful payee for the payment of any prize winnings that are or may become due to a person under a disability including, but not limited to, mental deficiency, or physical or mental incapacity. (3-25-22)

14. Governing Law. In purchasing a ticket, the customer agrees to comply with, and abide by, Idaho law, and all rules and final decisions of the Lottery, and all procedures and instructions established by the Lottery or the Director for the conduct of the game. (3-25-22)

15. Discharge of All Liability Upon Payment. The state of Idaho, its agents, officers, employees, and representatives, the Lottery, its Director, agents, officers, employees and representatives, will be discharged of all liability upon payment of a prize or any one (1) installment thereof to the holder of any winning Lottery ticket or in accordance with the information set forth on the claim form supplied by the Director. If there is a conflict between the information on a winning Lottery ticket and the information on the claim form, the Lottery may rely on the claim form after the ticket for which it has been filed has been validated as a winning ticket and, in so doing, it will be relieved of all responsibility and liability in the payment of a prize in accordance with the information set forth therein. The Lottery's decisions and judgments in respect to the determination of a winning ticket or of any other dispute arising from payment or awarding of prizes are final and binding upon all participants in the Lottery unless otherwise provided by law or these rules. If a question arises concerning the winning ticket, a claim form, the payment, or the awarding of any prize, the Lottery may deposit the prize winnings into an escrow fund until it determines the controversy and reaches a decision, or it may petition a court of competent jurisdiction for instructions and a resolution of the controversy. (3-25-22)

16. Unclaimed Prize Money. Any prize not claimed within the specified period will be forfeited and placed into the State Lottery Account. (3-25-22)

17. Disclosure. The Lottery may use the names, addresses, and photographs of winners in any Lottery promotional or publicity campaign. The address used will not contain the winner's street or house number without the winner's consent. The Lottery may condition payment of the prize upon agreement to these terms and conditions. (3-25-22)

18. Confidentiality of Tickets. All retailers and their employees and agents are prohibited from attempting to ascertain the numbers or symbols appearing in the designated areas under the removable latex or similar secure coverings or otherwise attempting to identify winning tickets. (3-25-22)

19. Official End of Game. (3-25-22)

a. The official end of an instant game will be announced by the Lottery. Prizes may be claimed up to one hundred eighty (180) days after the official end of the game. If the final day of the claim period falls on a Saturday, Sunday or a state holiday, the claim period will be extended to the end of the next business day. A player may submit a winning ticket claim for prize payment up to one hundred eighty (180) days after the official end of the game. Depending on the prize amount, the ticket should be submitted to the location specified in Subsection 202.10 of this rule, "Payment of Prizes." To participate in one (1) of the Lottery's special drawings, if any, a player must redeem a ticket that qualifies for entry into that special drawing within the time limits specified by the Director. (3-25-22)

b. A retailer must return to the Lottery all unsold Lottery tickets for each game within ninety (90) days of the official end of that game in order to receive credit from the Lottery as provided in retailer's contract. The Lottery has no obligation to grant credit for tickets returned after the time limit specified in the contract. (3-25-22)

203. (RESERVED)

204. ON-LINE COMPUTER GAMES.

01. On-Line Games -- Authorized -- Director's Authority. The Commission hereby authorizes the Director to select and operate on-line games which meet the criteria set forth in these rules. (3-25-22)

02. Definitions. As used in Rule 204 these terms have the following definitions: (3-25-22)

a. "Drawing." The procedure determined by the Director by which the Lottery selects the winning combination in accordance with the rules of the game. Drawings are open to the public. (3-25-22)

b. "On-line Game." (3-25-22)

i. A Lottery game in which a player selects a combination of numbers or symbols, the type of game and amount of play, and the drawing date by use of a computer. In return for paying the appropriate price, the player receives a computer-generated ticket with the player's selection printed on it. Each ticket bearer whose valid ticket includes a winning combination will be entitled to a prize if claim is submitted within the specified time period. (3-25-22)

ii. On-line terminal (OLT) instant ticket game having characteristics as defined in Paragraphs 202.02.a., 202.02.b., 202.02.d. and 202.02.i. of these rules. (3-25-22)

c. "On-line Retailer." A person or business authorized by the Lottery to sell on-line tickets. (3-25-22)

d. "On-line Terminal (OLT)." The computer hardware by which an on-line retailer or player enters the combination selected by the player and by which on-line tickets are generated and claims are validated. (3-25-22)

e. "On-line Ticket." A computer-generated ticket issued by an on-line terminal to a player as a receipt for the combination a player has selected. That ticket is the only acceptable evidence of the combination of numbers or symbols selected. (3-25-22)

f. "Ticket Bearer." The person who has signed the on-line ticket or who has possession of an unsigned ticket. (3-25-22)

g. "Validation." The process of determining whether an on-line ticket presented for payment is a winning ticket. (3-25-22)

h. "Winning Combination." One (1) or more numbers or symbols randomly selected by the State Lottery or its designee in a public drawing. (3-25-22)

- 03. Distribution of Tickets.** (3-25-22)
- a.** Tickets will be sold by retailers selected by the Director. (3-25-22)
- b.** The Director is authorized to arrange for the distribution of OLTs, player-activated terminals (PATs), ticket stock, and supplies to certificated retailers. (3-25-22)
- 04. Sale of Tickets.** (3-25-22)
- a.** No person other than a retailer under a contract for the sale of tickets with the Lottery may sell on-line Lottery tickets, except that nothing in this section will be construed to prevent a person who may lawfully purchase tickets from making a gift of Lottery tickets to another. (3-25-22)
- b.** Tickets may not be sold at a location other than the address listed on the retailer's contract with the Lottery. (3-25-22)
- c.** Nothing in this section prohibits the Director from designating certain of its agents and employees to sell Lottery tickets directly to the public. (3-25-22)
- 05. On-Line Games Criteria.** (3-25-22)
- a.** The base price of an on-line ticket will not be less than fifty cents (\$.50), except to the extent of discounts authorized by the Commission. (3-25-22)
- b.** The price for a ticket in any particular on-line game will be set out in the game rules adopted by the Commission for that game. No person may sell a ticket at a price other than that established in accordance with these rules. On the average, the total of all prizes available to be won in an on-line game will not be less than forty-five percent (45%) of the on-line game's projected revenue. (3-25-22)
- c.** The manner and frequency of drawings may vary with the type of on-line game as defined in Subparagraph 204.02.b.i. of these rules. (3-25-22)
- d.** The times, locations, and drawing procedures will be determined by the Director. (3-25-22)
- e.** OLT instant ticket game as defined in Subparagraph 204.02.b.ii. of these rules will operate with a finite number of tickets per game and a predetermined and guaranteed prize structure approved by the Director. (3-25-22)
- f.** A ticket bearer entitled to a prize must submit the winning ticket as specified by the Director. The winning ticket must be validated by the Lottery or an on-line retailer through use of the validation number and any other means specified by the Director. (3-25-22)
- 06. Payment of Prizes.** (3-25-22)
- a.** To claim an on-line game prize of less than six hundred dollars (\$600) the claimant may present the winning on-line ticket to any on-line retailer, or to the Lottery office: (3-25-22)
- i.** If the claim is presented to an on-line retailer, the on-line retailer must validate the claim and, if determined to be a winning ticket, pay the amount due the claimant as set forth in Rule 204.10.b. If the on-line retailer cannot validate the claim, the claimant may obtain and complete a claim form and submit it with the disputed ticket to the Lottery ~~by mail or in person~~. Upon determination that the ticket is a winning ticket, the Lottery will ~~present or mail a check to the claimant in~~ make payment of the amount due in cash, by check, or money order. If the ticket is determined to be a non winning ticket, the claim will be denied and the claimant will be promptly notified. Non-winning tickets will not be returned to the claimant. (3-25-22)(7-1-24)T
- ii.** If the claim is presented to the Lottery office, the claimant will be required to complete a claim form and submit it with the winning ticket, ~~either by mail or in person~~. Upon determination that the ticket is a

winning ticket, the Lottery will ~~present or mail a check to the claimant in~~ make payment of the amount due in cash, by check, or money order, less any withholding required by the Internal Revenue Code. If the ticket is determined to be a non-winning ticket, the claim will be denied and the claimant will be promptly notified. Non-winning tickets will not be returned to the claimant. (3-25-22)(7-1-24)T

b. To claim an on-line prize of six hundred dollars (\$600) or more, the claimant must obtain and complete a claim form and submit it with the winning ticket to the Lottery office ~~by mail or in person~~. Prizes of six hundred dollars (\$600) or more can be paid only from the Lottery office. Upon determination that the ticket is a winning ticket, the Lottery will ~~present or mail a check to the claimant in~~ make payment of the amount due by check or money order, less any withholding required by the Internal Revenue Code and the state of Idaho. The amount due will be calculated according to the rules adopted for the particular on-line game. If the ticket is determined to be a non-winning ticket, the claim will be denied and the claimant will be promptly notified. Non-winning tickets will not be returned to the claimant. (3-25-22)(7-1-24)T

c. All prizes must be claimed within one hundred eighty (180) days from the drawing in which the prize was won. If the final day of the one hundred eighty (180) day period falls on a Saturday, Sunday or a state holiday, the claim period will be extended to the end of the next business day. Any prize not claimed within the specified period will be forfeited and placed into the State Lottery account. (3-25-22)

07. Drawings and End of Sales Prior to Drawings. (3-25-22)

a. Drawings will be conducted in a location and at days and times designated by the Director. (3-25-22)

b. For each type of on-line game, the Director will establish a time before the drawing for the end of sales. (3-25-22)

c. The Director will designate the type of equipment to be used and will establish procedures to randomly select the winning combination for each type of on-line game. Drawing procedures will include provisions for the substitution of backup drawing equipment if the primary drawing equipment malfunctions or fails for any reason. (3-25-22)

d. The equipment used to determine the winning combination will not be electronically or otherwise connected to the central computer or to any tapes, discs, files, etc., generated or produced by the central computer. The drawing results, including sales, number of winners and numbers drawn, will be audited and reviewed after each drawing to assure proper operation and lack of tampering or fraud. (3-25-22)

e. All drawings may be broadcast live on television, provided the facilities for such broadcasts are available and operational and can be done at a reasonable cost. (3-25-22)

f. The Director will establish procedures governing the conduct of drawings for each type of on-line game. The procedures must include provisions for deviations that include but are not limited to: (3-25-22)

i. Malfunction of the drawing equipment before determination of the winning combination; (3-25-22)

ii. Fouled drawing; (3-25-22)

iii. Delayed drawing; and (3-25-22)

iv. Other equipment, facility or personnel difficulties. (3-25-22)

g. If a deviation occurs, the drawing will be completed under the supervision of the Lottery or its designee. The winning combination will be provided to the public. (3-25-22)

h. If, during any live-broadcast drawing for a game, a mechanical failure or operator error causes an interruption in the selection of all numbers or symbols, a “foul” will be called by Lottery security or the Lottery’s

designee. Any number drawn before a “foul” is called will stand and be deemed official after passing inspection and certification by Lottery security or the Lottery’s designee. (3-25-22)

i. The Director will delay payment of all prizes if any evidence exists or there are grounds for suspicion that tampering or fraud has occurred. Payment will be made after an investigation is completed and the drawing approved by Lottery security or the Lottery’s designee. If the drawing is not approved, it will be void and another drawing will be conducted to determine the actual winner. (3-25-22)

08. Validation Requirements. (3-25-22)

a. To be a valid winning on-line ticket, the ticket must: (3-25-22)

i. Have all printing on the ticket in its entirety, be legible, and correspond, using the computer validation file, to the combination and the date printed on the ticket. (3-25-22)

ii. Be intact, not be mutilated, altered, or tampered with in any manner. (3-25-22)

iii. Not be counterfeit or an exact duplicate of another winning ticket. (3-25-22)

iv. Have been issued by an authorized on-line retailer or dispensed by a player-activated terminal in an authorized manner. (3-25-22)

v. Not have been stolen or cancelled. (3-25-22)

vi. Not have been previously paid. (3-25-22)

vii. Pass all other confidential security checks of the Lottery. (3-25-22)

viii. Be signed if the prize is for six hundred dollars (\$600) or more. (3-25-22)

b. A ticket failing any of the validation requirements listed in Paragraph 204.08.a. of this rule is invalid and ineligible for a prize. The final decision on whether a prize is paid will be made by the Director. (3-25-22)

c. If there is a dispute between the Director and a claimant whether a ticket is a winning ticket, and if the Director determines that the ticket is not valid and a prize is not paid, the Director may replace the disputed ticket with a ticket of equivalent sales price for a future drawing of the same type of game. This will be the sole and exclusive remedy of the claimant. (3-25-22)

d. If a defective on-line ticket is purchased, the only responsibility or liability of the Lottery or of the on-line retailer is the replacement of the defective on-line ticket with another on-line ticket of equivalent value for a future drawing of the same type of game. (3-25-22)

09. Retailer Duties. Retailers with an on-line terminal (OLT) must perform the following duties: (3-25-22)

a. Pay costs associated with providing a telephone line or internet or similar connection that must be located as specified by the Lottery. Payment of the telephone line or internet or similar connection is nonrefundable after installation, except if the Lottery denies, through no fault of retailer, the installation of the on-line terminal. (3-25-22)

b. Pay the Lottery for the local monthly telephone or internet or similar charges per OLT as specified by the Lottery. The Lottery will pay for the mileage charges (if any) between the retailer’s location and the Lottery’s central site. (3-25-22)

c. Hold funds generated from the sale of on-line tickets in trust for the Lottery. At a time specified by the Lottery, the retailer must pay these funds to the Lottery plus the monthly communications charge specified above

- in Paragraph 204.09.b. of this rule, less: (3-25-22)
- i. Prizes paid; (3-25-22)
 - ii. Any credit; and (3-25-22)
 - iii. The retailer discount. (3-25-22)
- d.** Locate the OLT within the retailer’s premises at a point-of-sale location approved by the Lottery. The retailer is prohibited from moving an OLT unless the retailer follows the procedures established by the Director, including reimbursing the State Lottery for any telephone or internet or similar charges associated with the change of OLT location if the retailer requested the change. (3-25-22)
- e.** Provide dedicated AC power to within approximately five (5) feet of the terminal. Dedicated AC power means that there is no other equipment on the line that is to be used for the on-line terminal. The retailer is responsible for all costs associated with providing dedicated AC power. The Lottery will provide a schematic of outlet requirements to the retailer’s electrical contractor. (3-25-22)
- f.** Sell all Lottery games, including but not limited to instant game tickets offered by the Lottery. The retailer agrees to continue the sale of instant tickets from all cash registers or other points of purchase. (3-25-22)
- g.** Conduct the sale of on-line tickets during all hours and days that the retailer’s business is open and the on-line system is functioning. The retailer must post the hours that redemption of winning tickets may take place if these hours are different from the retailer’s normal business hours. The retailer must monitor ticket supply levels and give timely notice when any item is in short supply. (3-25-22)
- h.** Post winning numbers prominently where tickets are sold as soon as possible following the drawing. (3-25-22)
- i.** Provide secure storage for OLT supplies and a secure area for the OLT. (3-25-22)
- j.** Exercise due diligence in the operation of the OLT and immediately notify the Lottery and the central computer facility of any telephone line, internet, radio, or OLT malfunction, such as the issuance of invalid on-line Lottery ticket, inability to sell or redeem an on-line ticket, and non-issuance of an on-line ticket. The retailer is prohibited from performing mechanical or electrical maintenance on the OLT. (3-25-22)
- k.** Replace ribbons and on-line or instant ticket stock and clear paper jams as required for the OLT per the instructions provided by the Lottery. (3-25-22)
- l.** Pay, without reimbursement, all electricity charges in connection with the operation of OLT. (3-25-22)
- 10. Payment of Prizes by On-Line Retailers.** (3-25-22)
- a.** An on-line retailer must pay to the ticket bearer on-line games prizes of less than six hundred dollars (\$600) for any validated claims presented to that on-line retailer. These prizes must be paid during all normal business hours of the on-line retailer, unless redemption hours differ from normal business hours that have been posted pursuant to Paragraph 204.09.g. of this rule, provided, that the on-line system is operational and claims can be validated. (3-25-22)
- b.** An on-line retailer may pay prizes in cash or by business check, certified check, money order, or any combination thereof. An on-line retailer that pays a prize with a check that is dishonored may be subject to suspension or termination of its contract. (3-25-22)
- 11. Retailer Settlement.** (3-25-22)
- a.** On-line retailers must establish an account for deposit of monies derived from on-line games with a

financial institution that has the capability of electronic funds transfer (EFT). (3-25-22)

b. The amount deposited must be sufficient to cover monies due the Lottery. The Lottery will withdraw by EFT the amount due the Lottery on the day specified by the Director. If the day specified for withdrawal falls on a state holiday, withdrawal may be delayed until the next business day. (3-25-22)

12. Prize Rights Unassignable. No right of any person to a prize drawn is assignable, except that payment of any prize drawn may be paid to the estate of a deceased prize winner, and that any person may be paid the prize to which the winner is entitled pursuant to an appropriate judicial order. The Director will be discharged of all liability upon payment of a prize pursuant to this rule. (3-25-22)

13. Payment of Prizes to Persons Under Eighteen Years of Age. If a person entitled to a prize for a winning ticket is under the age of eighteen (18) years, the Director may direct payment of the prize to an adult member of the minor's family or to the minor's guardian by a check or draft payable to the adult member of the minor's family or to the minor's guardian. The adult member of the minor's family or the minor's guardian will have the same duties and powers as a person designated as a custodian in accordance with Idaho Law. For purposes of this Subsection the terms "adult member of a minor's family" and "guardian of a minor" have the same meaning as in the Idaho Gifts to Minors Law. The Director will be discharged of all liability upon payment of a prize to a minor pursuant to this rule. (3-25-22)

14. Prizes Payable After Death or Disability of Owner. (3-25-22)

a. All prizes, and portions of prizes, that remain unpaid at the time of the prize winner's death will be payable to the personal representative of the prize winner's estate once satisfactory evidence of the personal representative's appointment has been provided, and the Director is satisfied that payment to the personal representative is lawful and proper. The Director may rely on a certified copy of a court order appointing of a personal representative (or similar person responsible for the prize winner's estate, whether denominated an administrator, executor, executrix, or other representative of the prize winner's estate) or may petition the court to determine the proper payee. Payment to the personal representative of the estate of the deceased owner of any prize winnings will absolve the Director and the Lottery's employees of any further liability for payment of prize winnings. (3-25-22)

b. The Lottery may petition any court of competent jurisdiction for a determination of the rightful payee of any prize winnings that are or may be due to a person under a disability including, but not limited to, minority, mental deficiency, physical or mental incapacity. (3-25-22)

15. Discharge of State Lottery Upon Payment. The state of Idaho, its agents, officers, employees and representatives, the Lottery, its Director, agents, officers, employees and representatives are discharged of all liability upon payment of a prize or any one (1) installment thereof to the holder of any winning Lottery ticket or in accordance with the information set forth on the claim form supplied by the Director. If there is a conflict between the information on a winning Lottery ticket and the information on the claim form, the Lottery may rely on the claim form after the ticket for which it has been filed has been validated as a winning ticket and, in so doing, it will be relieved of all responsibility and liability in the payment of a prize in accordance with the information set forth therein. The Lottery's decisions and judgments in respect to the determination of a winning ticket or of any other dispute arising from payment or awarding of prizes will be final and binding upon all participants in the Lottery unless otherwise provided by law or these rules. If a question arises concerning the winning ticket, a claim form, the payment, or the awarding of any prize, the Lottery may deposit the prize winnings into an escrow fund until it determines the controversy and reaches a decision, or it may petition a court of competent jurisdiction for instructions and a resolution of the controversy. (3-25-22)

16. Disclosure. The Lottery may use the names, addresses, and photographs of winners in any Lottery promotional or publicity campaign. The address used will not contain the winner's street or house number without the winner's consent. The Lottery may condition payment of the prize upon agreement to these terms and conditions. (3-25-22)