

APA-3
Revised 1/2018

**CERTIFICATION OF ADMINISTRATIVE RULES
FILED WITH THE LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR**

(Pursuant to Code of Alabama 1975, S 41-22-6, as amended).

I certify that the attached is/are correct copy/copies of rule/s as promulgated and adopted on the 19th Day of August 2022, and filed with the agency secretary on the 19th day of August 2022.

AGENCY NAME: Alabama Athletic Commission

X Amendment New Repeal (Mark appropriate space)

Rule No. 165-X-9 (If amended rule, give specific paragraph, subparagraphs, etc., being amended)

Rule Title: Complaint and Disciplinary Procedures

ACTION TAKE: State whether the rule was adopted **without** changes from the proposal due to written or oral comments.

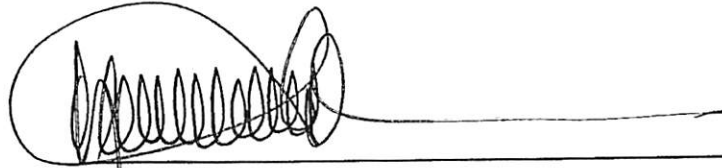
NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XL, ISSUE NO. 7 DATED April 29, 2022.

Statutory Rulemaking Authority: Code of Alabama, 1975, § 41-9-1027

REC'D & FILED

AUG 19 2022

LEGISLATIVE SVC AGENCY



Keith E. Warren
Executive Director

(NOTE: In accordance with S 41-22-6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.)

ALABAMA ATHLETIC COMMISSION

ADMINISTRATIVE CODE

CHAPTER 165-X-9 Complaint and Disciplinary Actions

165-X-9-.01 Complaints.

- (1) Any person may file a written and signed complaint with the commission alleging a violation of Ala. Code Sections 41-9-1029 to 41-9-1037, inclusive. The complaint shall be made in the manner prescribed by the board and shall be referred by the Commission to a standing investigative committee, consisting of a Commission member, the executive director, the attorney for the Commission, and an investigator or chief inspector of the Commission. If the investigative committee finds that no probable cause exists, the investigative committee may dismiss the charges and prepare a statement in writing, detailing the reasons for the decision.
- (2) If the investigative committee finds that there is probable cause that a violation has been committed, the Commission shall initiate an administrative proceeding. If the commission determines a person has violated any provision of Ala. Code Sections 41-9-1029 to 41-9-1037, inclusive, the Commission may do any of the following:
 - a. Issue a cease-and-desist order.
 - b. Suspend or revoke a license.
 - c. Impose an administrative fine or not more than ten thousand dollars (\$10,000) per violation.
- (3) The commission may petition the circuit court of the county where the violation occurred to enforce a cease-and-desist order and to collect any assessed fine.

Author: Shane T. Sears

Statutory Authority: Code of Ala. 1975, §41-9-1024.

History: New Rule: Filed May 1, 2020; effective July 20, 2020.

Amended: Filed August 19, 2022; effective October 15, 2022.