



GENTNER DRUMMOND
ATTORNEY GENERAL

**ATTORNEY GENERAL OPINION
2024-18**

Diana Fletcher, Administrator
Oklahoma State Athletic Commission
Strata Tower
123 Robert S. Kerr, Ste. 1234
Oklahoma City, OK 73102

November 7, 2024

Dear Administrator Fletcher:

This office has received your request for an Attorney General Opinion in which you ask, in effect, the following question:

Is “slap fighting” a “combative sport[]” as defined in title 3A, section 602(A)(13) of the Oklahoma Statutes, such that it falls under the regulatory authority of the Oklahoma State Athletic Commission?

**I.
SUMMARY**

Yes, slap fighting constitutes a “combative sport[]” as defined by title 3A, section 602(A)(13) of the Oklahoma Statutes. Slap fighting involves “unarmed combat in which a blow is usually struck which may reasonably be expected to inflict injury.” 3A O.S.2021, § 602(A)(13).

**II.
BACKGROUND**

The Legislature enacted the Oklahoma State Athletic Commission Act (“Act”), 3A O.S.2021, §§ 601–624, articulating its intent through the Commission’s statutorily defined mission: “[T]o preserve and protect the health, safety and welfare of combative sports event participants and the general public through the effective regulation of combative sports in the State of Oklahoma, while fostering an environment that expands existing combative sports events and brings new events into the state.” 3A O.S.Supp.2021, § 604.2(A). Through this lens, the office must determine whether slap fighting meets the definition of a “combative sport[].”

With the first contests in Oklahoma being reported in early 2024, slap fighting contests are a new import.¹ These contests' arrival to Oklahoma and related safety concerns implicate the Act's intent to protect participants and invite new regulated events to Oklahoma. Slap fighting contests in other states (sanctioned or not) have emerged in the past five to ten years.² Other states where combat sport contests regularly occur recently concluded that their respective athletic commissions possess regulatory authority over slap fighting. Notably, Nevada, the first state to regulate slap fighting, relied on the definition of "unarmed combat," essentially the same as Oklahoma's definition set forth in Section III, to conclude that the Nevada State Athletic Commission's jurisdiction encompasses the regulation of slap fighting.³

Contests involve two opponents facing each other and trading open-hand "slaps" to the face. Rules vary, but generally, both the striker (contestant delivering the slap) and defender (contestant receiving the slap) must keep both feet still during the slap, and the defender must keep his or her head still and hands behind his or her back while receiving the slap.⁴ Each exchange of slaps is a "round," and there can be up to ten rounds in a match.⁵

Slap fighting shares similarities with established combat sports: for instance, contestants can win by knocking their opponent unconscious (a knockout/KO), winning on points given by match judges, or referee/medical stoppage because a contestant cannot continue or serious injury (technical knockout/TKO).⁶ The match may also end due to disqualification or be deemed a "no-contest" due to reasons such as accidental injury or breaking match rules. Contests employ weight

¹ Colleen Wilson, *Oklahoma State Athletic Commission Grapples with Regulating Viral Slap Fighting Craze*, OKCFox.COM, <https://okcfox.com/news/local/oklahoma-state-athletic-commission-grapples-with-regulating-viral-slap-fighting-craze-ufc-power-slap-wrestling-physical-combat-fight-butch-cassidy-sundance-kid-mike-bower> (last visited Nov. 5, 2024).

² Emily Washburn, *Slap Fighting: What to Know About the Controversial New Combat Sport Trying to Grow as Medical Experts Disapprove*, FORBES.COM, <https://www.forbes.com/sites/emilywashburn/2023/03/08/slap-fighting-what-to-know-about-the-controversial-new-combat-sport-trying-to-grow-as-medical-experts-disapprove> (last visited Nov. 5, 2024).

³ The Nevada State Athletic Commission unanimously determined in October 2022 that slap fighting qualifies as "unarmed combat," under Nev. Rev. Stat. Ann. § 467.070 (1985) and, as a result, established its jurisdiction to regulate slap contests. Slap Fighting, STATE OF NEVADA ATHLETIC COMMISSION, https://boxing.nv.gov/Commission_Statements/Slap_Fighting/ (last visited Nov. 5, 2024). In 2024, California's State Athletic Commission voted to permit and regulate slap fighting in December 2023. Nate Wilcox, *Power Slap and BKFC Sanctioned by California Athletic Commission in 6-0 Votes*, BLOODYELBOW.COM, <https://bloodyelbow.com/2023/12/10/csac-power-slap-bkfc-sanctioned/> (last visited Nov. 5, 2024). The Texas Commission of Licensing and Regulation voted to sanction slap fighting in July 2024. Jacob Vaughn, *Slap Fighting Has Been Approved in Texas. Here's What to Expect*, DALLAS OBSERVER, <https://www.dallasobserver.com/news/texas-approves-slap-fighting-heres-what-to-expect-20278906> (last visited Nov. 5, 2024).

⁴ *Power Slap Rules: Official Rules of Power Slap (Version 1.01)*, SLAPFIGHT.COM, <https://slapfight.com/leagues/power-slap/rules> (last visited Nov. 5, 2024).

⁵ *Id.*

⁶ *Id.*

classes, and leagues generally enforce detailed rules about permitted equipment, round timing, and whether a slap is permissible.⁷

III. DISCUSSION

Under the Act, the Oklahoma Sports Athletic Commission (“Commission”) may regulate slap fighting contests if considered a “combative sport[.]” 3A O.S. 2021, §§ 604.2(B)(2), 606(A), 607(A), 609(A), and 610(A). The Act defines a “combative sport[.]” as:

[1] [A]ny form of competitive pugilism or unarmed combat [2] in which a blow is usually struck which may reasonably be expected to inflict injury, [3] including but not limited to boxing, wrestling, mixed martial arts, and kickboxing, [4] but shall not include the martial arts (singular) as defined by the provisions of this section;

3A O.S.2021, § 602(A)(13) (emphasis and numbering added). Identically, Nevada defines “unarmed combat” as “boxing or any form of competition *in which a blow is usually struck which may reasonably be expected to inflict injury.*” NEV. REV. STAT. § 467.0107 (2023) (emphasis added).

“Words used in any statute are to be understood in their ordinary sense, except when a contrary intention plainly appears” 25 O.S.2021, § 1. When the language of a definition is clear and unambiguous, the plain and ordinary meaning of the words of the statute must be applied. *Leo v. Oklahoma Water Res. Bd.*, 2023 OK 96, ¶ 17, 536 P.3d 939, 947. Here, no contrary intent appears, thus the definition of “combative sport[.]” is facially clear and unambiguous.

The first element states that a “combative sport[.]” includes “pugilism” (combative sports or the skill or practice of fighting with fists) and “unarmed combat,” which ordinarily means a fight or contest between persons not using weapons.⁸ 3A O.S.2021, § 602(A)(13). Slap fighting is “unarmed combat” because contestants use only their hands to strike their opponent. The second element requires a “blow usually struck which may reasonably be expected to inflict injury.” *Id.* An undefended slap to the face qualifies. Though slap fighting differs from existing combat sports as defenders may not “defend” against the slap, the definition of “combative sport[.]” contains no requirements about available methods to defend against blows.

Under the third element, “combative sports” include “but [are] not limited to boxing, wrestling, mixed martial arts, and kickboxing.” *Id.* This lack of limitation conveys the Legislature’s intent to encompass a broad range of combative sports under the Commission’s authority to regulate.

⁷ *Power Slap Rules: Official Rules of Power Slap (Version 1.01)*, SLAPFIGHT.COM, <https://slapfight.com/leagues/power-slap/rules> (last visited Nov. 5, 2024).

⁸ “Pugalism” 3A O.S.2021, § 602(A)(35). *Unarmed*, MERRIAM-WEBSTER.COM, <https://www.merriam-webster.com/dictionary/unarmed> (last visited Nov. 5, 2024); *Combat*, MERRIAM-WEBSTER.COM, <https://www.merriam-webster.com/dictionary/combat> (last visited Nov. 5, 2024).

Finally, the fourth element excludes “martial arts” from “combative sports.” 3A O.S.2021, § 602(A)(13). “Martial arts” embrace “any form of karate, kung fu, tae kwon-do, or any other form of martial or self-defense art.” 3A O.S.2021, § 602(A)(24). Under this definition, slap fighting is not a “martial art[.]” In contrast to karate, tae kwon do, and kung fu, which originated hundreds to thousands of years ago,⁹ slap fighting entered the fray more recently. Additionally, the named martial arts are commonly marketed and recognized as forms of self-defense.¹⁰ Slap fighting shares none of these elements. So slap fighting cannot be considered anything other than a combative sport. The Oklahoma State Athletic Commission Act’s intent and similar determinations by other states substantiate this conclusion.

It is, therefore, the official Opinion of the Attorney General that:

Slap fighting is a “combative sport[.]” as defined by title 3A, section 602(A)(13) of the Oklahoma Statutes and thus falls under the Oklahoma State Athletic Commission’s regulatory authority.



GENTNER DRUMMOND
ATTORNEY GENERAL OF OKLAHOMA



ALEC FRASER
ASSISTANT ATTORNEY GENERAL



⁹ *Karate*, BRITANNICA.COM, <https://www.britannica.com/sports/karate> (last visited Nov. 5, 2024); *What is Taekwondo?*, USATKD.ORG, <https://www.usatkd.org/v2-getting-started-in-taekwondo/what-is-taekwondo> (last visited Nov. 5, 2024); and *Kung fu*, BRITANNICA.COM, <https://www.britannica.com/sports/kung-fu> (last visited Nov. 5, 2024).

¹⁰ *Tae kwon do*, BRITANNICA.COM, <https://www.britannica.com/sports/tae-kwon-do> (last visited Nov. 5, 2024); *Karate*, BRITANNICA.COM, <https://www.britannica.com/sports/karate> (last visited Nov. 5, 2024); *Is Karate Effective for Self Defense?* THEKARATELIFESTYLE.COM, <https://www.thekaratelifestyle.com/is-karate-really-effective-for-self-defense/> (last visited Nov. 5, 2024); *The 7 Best Martial Arts for Self-Defense*, ONEFC.COM, <https://www.onefc.com/lifestyle/best-martial-arts-for-self-defense/> (last visited Nov. 5, 2024).