1   **H. B. 2446**

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3   (By Delegates Varner, Ferro and Kominar)

4   [Introduced January 13, 2011; referred to the

5   Committee on the Judiciary.]

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10 A BILL to amend and reenact §61-2-15a of the Code of West Virginia,

11   1931, as amended, relating to increasing the criminal

12   penalties for assaults and batteries against athletic

13   officials.

14 *Be it enacted by the Legislature of West Virginia:*

15   That §61-2-15a of the Code of West Virginia, 1931, as amended,

16 be amended and reenacted to read as follows:

17 **ARTICLE 2. CRIMES AGAINST THE PERSON.**

18 **§61-2-15a. Assault, battery on athletic officials; penalties.**

19   (a) If any person commits an assault as defined in subsection

20 (b), section nine of this article, to the person of an athletic

21 official during the time the official is acting as an athletic

22 official, the offender is guilty of a misdemeanor and, upon

23 conviction thereof, shall be fined not less than $50 nor more than

24 $100, and ~~imprisoned~~ confined in ~~the county~~ jail not less than

25 ~~twenty-four hours~~ five days nor more than ~~thirty days~~ six months.

26   (b) If any person commits a battery, as defined in subsection

1 (c), section nine of this article, against an athletic official

2 during the time the official is acting as an athletic official, the

3 offender is guilty of a misdemeanor and, upon conviction thereof,

4 shall be fined not less than $100 nor more than $500, and

5 ~~imprisoned~~ <u>confined</u> in ~~the county~~ jail not less than ~~twenty-four~~

6 ~~hours~~ <u>ten days</u> nor more than ~~thirty days~~ <u>twelve months</u>.

7   (c) For the purpose of this section, "athletic official" means

8 a person at a sports event who enforces the rules of that event,

9 such as an umpire or referee, or a person who supervises the

10 participants, such as a coach.

    NOTE: The purpose of this bill is to increase the criminal
penalties for assaults and batteries against athletic officials.

    Strike-throughs indicate language that would be stricken from
the present law, and underscoring indicates new language that would
be added.