

1 **Senate Bill No. 183**

2 (By Senators Kessler (Mr. President), Unger, Foster and
3 Stollings)

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5 [Introduced January 13, 2012; referred to the Committee on the
6 Judiciary.]
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11 A BILL to amend and reenact §61-2-15a of the Code of West Virginia,
12 1931, as amended, relating to increasing special penalties for
13 assault and battery on an athletic official so that maximum
14 confinement is consistent with assault and battery on the
15 general public.

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

17 That §61-2-15a of the Code of West Virginia, 1931, as amended,
18 be amended and reenacted to read as follows:

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

20 **§61-2-15a. Assault, battery on athletic officials; penalties.**

21 (a) If any person commits an assault as defined in subsection
22 (b), section nine of this article, to the person of an athletic
23 official during the time the official is acting as an athletic

1 official, the offender is guilty of a misdemeanor and, upon
2 conviction thereof, shall be fined not less than \$50 nor more than
3 \$100, ~~and imprisoned~~ or confined in the ~~county~~ jail not less than
4 twenty-four hours nor more than ~~thirty days~~ six months, or both.

5 (b) If any person commits a battery, as defined in subsection
6 (c), section nine of this article, against an athletic official
7 during the time the official is acting as an athletic official, the
8 offender is guilty of a misdemeanor and, upon conviction thereof,
9 shall be fined not less than \$100 nor more than \$500, ~~and~~
10 ~~imprisoned~~ or confined in the ~~county~~ jail not less than twenty-four
11 hours nor more than ~~thirty days~~ twelve months, or both.

12 (c) For the purpose of this section, "athletic official" means
13 a person at a sports event who enforces the rules of that event,
14 such as an umpire or referee, or a person who supervises the
15 participants, such as a coach.

(NOTE: The purpose of this bill is to increase the penalties for assault and battery on an athletic official so that the maximum penalties are in line with the penalties for assault and battery.

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