

Senate Bill No. 183

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

[Introduced January 13, 2012; referred to
the Committee on the Judiciary.]

A BILL to amend and reenact §61-2-15a of the Code of West Virginia, 1931, as amended, relating to increasing special penalties for assault and battery on an athletic official so that maximum confinement is consistent with assault and battery on the general public.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 2. CRIMES AGAINST THE PERSON.

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

- 1 (a) If any person commits an assault as defined in
- 2 subsection (b), section nine of this article, to the person of

3 an athletic official during the time the official is acting as
4 an athletic official, the offender is guilty of a misdemeanor
5 and, upon conviction thereof, shall be fined not less than
6 \$50 nor more than \$100, ~~and imprisoned~~ or confined in the
7 ~~county~~ jail not less than twenty-four hours nor more than
8 ~~thirty days~~ six months, or both.

9 (b) If any person commits a battery, as defined in
10 subsection (c), section nine of this article, against an
11 athletic official during the time the official is acting as an
12 athletic official, the offender is guilty of a misdemeanor
13 and, upon conviction thereof, shall be fined not less than
14 \$100 nor more than \$500, ~~and imprisoned~~ or confined in
15 ~~the county~~ jail not less than twenty-four hours nor more
16 than ~~thirty days~~ twelve months, or both.

17 (c) For the purpose of this section, “athletic official”
18 means a person at a sports event who enforces the rules of
19 that event, such as an umpire or referee, or a person who
20 supervises the 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.)