

COMMITTEE SUBSTITUTE

FOR

H. B. 2548

(BY DELEGATE(S) FERRO, STOWERS, PETHTEL,
SWARTZMILLER, STORCH, MARCUM, BOGGS, FERNS,
POLING, D., DISERIO, AND PHILLIPS, L.)

(Originating in the Committee on Finance)

[March 29, 2013]

A BILL to amend and reenact §61-2-15a of the Code of West Virginia, 1931, as amended, relating to increasing the criminal penalties for assaults and batteries against athletic officials.

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 subsection
- 2 (b), section nine of this article, to the person of an athletic

3 official during the time the official is acting as an athletic
4 official, the offender is guilty of a misdemeanor, and, upon
5 conviction thereof, shall be fined not ~~less than \$50 nor~~ more than
6 ~~\$100~~ \$500, and ~~imprisoned or confined in the county jail not less~~
7 ~~than twenty-four hours nor more than thirty days~~ six months, or
8 both fined and confined.

9 (b) If any person commits a battery, as defined in subsection
10 (c), section nine of this article, against an athletic official during
11 the time the official is acting as an athletic official, the offender
12 is guilty of a misdemeanor, and, upon conviction thereof, shall
13 be fined not ~~less than \$100 nor~~ more than ~~\$500~~ \$1,000, and
14 ~~imprisoned or confined in the county jail not less than twenty-~~
15 ~~four hours nor more than thirty days~~ twelve months, or both
16 fined and confined.

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