

1 COMMITTEE SUBSTITUTE

2 FOR

3 **H. B. 2548**

4 (By Delegates Ferro, Stowers, Pethtel, Swartzmiller, Storch,
5 Marcum, Boggs, Ferns, Poling, D., Diserio, and Phillips, L.)

6 (Originating in the Committee on Finance)

7 [March 29, 2013]

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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~~ \$500, ~~and imprisoned or confined in the county jail not less~~
25 ~~than twenty-four hours nor more than thirty days~~ six months, or
26 both fined and confined.

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

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