

HB 0123

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A bill to be entitled  
 An act relating to assault or battery on officials;  
 amending s. 784.081, F.S.; providing enhanced penalties  
 for the offense of assault, battery, aggravated assault,  
 or aggravated battery if the offense is committed upon  
 certain persons officiating at an interscholastic  
 activity; creating s. 784.0815, F.S.; defining "sports  
 official"; providing an additional penalty for battery  
 upon a sports official under certain circumstances;  
 providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 784.081, Florida Statutes, is amended  
 to read:

784.081 Assault or battery on specified officials or  
 employees; reclassification of offenses.--Whenever a person is  
 charged with committing an assault or aggravated assault or a  
 battery or aggravated battery upon any elected official or  
 employee of: a school district; a private school; the Florida  
 School for the Deaf and the Blind; a university developmental  
 research school; a state university or any other entity of the  
 state system of public education, as defined in s. 1000.04; an  
interscholastic sports official, as defined in s.  
440.02(15)(d)11.; an employee or protective investigator of the  
 Department of Children and Family Services; or an employee of a  
 lead community-based provider and its direct service contract  
 providers, when the person committing the offense knows or has  
 reason to know the identity or position or employment of the

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30 victim, the offense for which the person is charged shall be  
 31 reclassified as follows:

32 (1) In the case of aggravated battery, from a felony of  
 33 the second degree to a felony of the first degree.

34 (2) In the case of aggravated assault, from a felony of  
 35 the third degree to a felony of the second degree.

36 (3) In the case of battery, from a misdemeanor of the  
 37 first degree to a felony of the third degree.

38 (4) In the case of assault, from a misdemeanor of the  
 39 second degree to a misdemeanor of the first degree.

40 Section 2. Section 784.0815, Florida Statutes, is created  
 41 to read:

42 784.0815 Assault on sports official; definition;  
 43 additional penalty.--

44 (1) For the purposes of this section, "sports official"  
 45 means any person who serves as a referee, an umpire, or a  
 46 linesman and any person who serves in a similar capacity as a  
 47 sports official who may be known by another title, which sports  
 48 official is duly registered by or is a member of a local, state,  
 49 regional, or national organization that is engaged in part in  
 50 providing education and training to sports officials.

51 (2) In addition to any other penalty provided by law, any  
 52 person who batters a sports official, at any level of  
 53 competition, within the immediate confines or immediate vicinity  
 54 of the athletic facility at which the athletic contest in which  
 55 the sports official is an active participant commits a  
 56 misdemeanor of the first degree, punishable by a fine of not  
 57 more than \$10,000 and a term of imprisonment of not more than 3  
 58 years.

59 Section 3. This act shall take effect October 1, 2004.