

By the Committee on Criminal Justice; and Senators Smith, Lynn and Dawson

307-2443-04

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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 a  
sports official; 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.--

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

(2) 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; a sports official;  
an employee or protective investigator of the Department of  
Children and Family Services; or an employee of a lead

1 community-based provider and its direct service contract  
2 providers, when the person committing the offense knows or has  
3 reason to know the identity or position or employment of the  
4 victim, the offense for which the person is charged shall be  
5 reclassified as follows:

6 (a)~~(1)~~ In the case of aggravated battery, from a  
7 felony of the second degree to a felony of the first degree.

8 (b)~~(2)~~ In the case of aggravated assault, from a  
9 felony of the third degree to a felony of the second degree.

10 (c)~~(3)~~ In the case of battery, from a misdemeanor of  
11 the first degree to a felony of the third degree.

12 (d)~~(4)~~ In the case of assault, from a misdemeanor of  
13 the second degree to a misdemeanor of the first degree.

14 (3) An assault, aggravated assault, battery, or  
15 aggravated battery upon a sports official shall be  
16 reclassified pursuant to subsection (2) only if such offense  
17 is committed upon the sports official when he or she is  
18 actively participating as a sports official in an athletic  
19 contest or immediately following such athletic contest.

20 Section 2. This act shall take effect October 1, 2004.

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22 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
23 COMMITTEE SUBSTITUTE FOR  
24 Senate Bill 678

- 25 - Provides for the reclassification of the felony or  
26 misdemeanor degree, as applicable, of assault, aggravated  
27 assault, battery, or aggravated battery when any of those  
28 offenses are committed upon a sports official when he or  
29 she is actively participating as a sports official in an  
30 athletic contest or immediately following such athletic  
31 contest.
- Defines the term "sports official."