

2019 Regular Session

HOUSE BILL NO. 184

BY REPRESENTATIVE HENRY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CRIME/ASSAULT: Prohibits harassment of a school or recreation athletic contest official

1 AN ACT

2 To enact R.S. 14:38.4, relative to harassment of athletic contest officials; to create the crime
3 of harassment of a school or recreation athletic contest official; to provide for
4 definitions; to provide for penalties; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:38.4 is hereby enacted to read as follows:

7 §38.4. Harassment of a school or recreation athletic contest official

8 A.(1) No person shall engage in the harassment of a school athletic or
9 recreation athletic contest official that occurs under either of the following
10 circumstances:

11 (a) While the school athletic or recreation athletic contest official is actively
12 engaged in the conducting, supervising, refereeing, or officiating of a school-
13 sanctioned interscholastic athletic contest or a sanctioned recreation athletic contest.

14 (b) In the immediate vicinity of a school-sanctioned interscholastic athletic
15 contest or a sanctioned recreation athletic contest and is based on the official's
16 performance in the conducting, supervising, refereeing, or officiating of a school-
17 sanctioned interscholastic athletic contest or a sanctioned recreation athletic contest.

18 (2) For purposes of this Paragraph, harassment shall include verbal or non-
19 verbal behavior by the offender that would cause a reasonable person to fear for his
20 safety, to feel alarmed, or to suffer emotional distress.

1 B. For purposes of this Section:

2 (1) "Recreation athletic contest official" means any referee, umpire, coach,
3 instructor, administrator, staff person, or recreation employee of any public or quasi
4 public recreation program.

5 (2) "School athletic contest official" means any referee, umpire, coach,
6 instructor, administrator, staff person, or school or school board employee of any
7 public or private elementary and secondary school.

8 C.(1) Whoever commits the crime of harassment of a school or recreation
9 athletic contest official shall either be fined not more than five hundred dollars,
10 imprisoned for not more than ninety days, or both.

11 (2)(a) In addition to any other penalty imposed, the court shall order the
12 offender to perform forty hours of court-approved community service work.

13 (b) In addition to any other penalty imposed, the court shall order the
14 offender to participate in a court-approved counseling program which may include
15 anger management, abusive behavior intervention groups, or any other type of
16 counseling deemed appropriate by the court. Any costs associated with the
17 counseling program shall be borne by the offender.

18 (c) Participation in the community service and counseling program required
19 by the provisions of Subparagraphs (a) and (b) of this Paragraph shall not be
20 suspended.

21 (d) Failure to successfully complete the community service work and
22 counseling program, as determined by the supervisor of the program to which he is
23 assigned, may result in revocation of probation.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 184 Engrossed

2019 Regular Session

Henry

Abstract: Creates the crime of harassment of a school or recreation athletic contest official and provides criminal penalties for commission of the offense.

Proposed law creates the crime of harassment of a school or recreation athletic contest official and defines the crime as the harassment of a school athletic or recreation athletic contest official that occurs under either of the following circumstances and that includes verbal or non-verbal behavior by the offender that would cause a reasonable person to fear for his safety, to feel alarmed, or to suffer emotional distress:

- (1) While the school athletic or recreation athletic contest official is actively engaged in the conducting, supervising, refereeing, or officiating of a school-sanctioned interscholastic athletic contest or a sanctioned recreation athletic contest.
- (2) In the immediate vicinity of a school-sanctioned interscholastic athletic contest or a sanctioned recreation athletic contest and is based on the official's performance in the conducting, supervising, refereeing, or officiating of a school-sanctioned interscholastic athletic contest or a sanctioned recreation athletic contest.

Proposed law also defines "school athletic contest official" and "recreation athletic contest official" for purposes of proposed law.

Proposed law provides the following penalties for persons who commit the offense:

- (1) A fine of not more than \$500, imprisonment for not more than 90 days, or both.
- (2) Performance of 40 hours of court-approved community service work.
- (3) Mandatory participation in a court-approved counseling program which may include anger management, abusive behavior intervention groups, or any other type of counseling deemed appropriate by the court. Cost of the program shall be borne by the offender.

(Adds R.S. 14:38.4)