

**ACT No. 815**

Regular Session, 2014

HOUSE BILL NO. 227

BY REPRESENTATIVE HENRY

1 AN ACT

2 To amend and reenact R.S. 14:34.4, relative to battery of a school or recreation athletic  
3 contest official; to provide definitions and penalties; to amend the penalties for the  
4 crime of battery of a school or recreation athletic contest official; to require  
5 participation by the offender in community service and a counseling program; and  
6 to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 14:34.4 is hereby amended and reenacted to read as follows:

9 §34.4. Battery of a school or recreation athletic contest official

10 A.(1) Battery of a school or recreation athletic contest official is a battery  
11 committed without the consent of the victim when the offender has reasonable  
12 grounds to believe the victim is a school athletic or recreation contest official  
13 actively engaged in the conducting, supervising, refereeing, or officiating of a school  
14 sanctioned interscholastic athletic contest or a sanctioned recreation athletic contest.

15 (2) For purposes of this Section, "school athletic contest official" means any  
16 referee, umpire, coach, instructor, administrator, staff person, or school or school  
17 board employee of any public or private elementary and secondary school ~~while~~  
18 ~~actively engaged in the conducting, supervising, refereeing, or officiating of a school~~  
19 ~~sanctioned interscholastic athletic contest.~~

20 (3) For purposes of this Section, "recreation athletic contest official" means  
21 any referee, umpire, coach, instructor, administrator, staff person, or recreation

1 employee of any public or quasi public recreation program ~~while actively engaged~~  
2 ~~in the conducting, supervising, refereeing, or officiating of a sanctioned recreation~~  
3 ~~athletic contest.~~

4 B.(1) Whoever commits the crime of battery of a school or recreation athletic  
5 contest official shall be fined not less than one thousand dollars and not more than  
6 five ~~hundred~~ thousand dollars and imprisoned not less than ~~forty-eight hours~~ five  
7 days nor more than six months without benefit of suspension of sentence ~~except as~~  
8 ~~provided in Paragraph (2).~~

9 (2) Whoever commits the crime of battery of a school or recreation athletic  
10 contest official which results in serious bodily injury to the victim as defined in R.S.  
11 14:34.1(B)(3) shall be fined not less than one thousand dollars and not more than  
12 five thousand dollars and imprisoned for not less than ten days nor more than six  
13 months.

14 ~~(2)(3)(a)~~ ~~The court, in its discretion, may suspend the imposition of the~~  
15 ~~sentence and place the offender on probation with the condition that he~~ In addition  
16 to any other penalty imposed, the court shall order the offender to perform five days  
17 forty hours of court-approved community service work.

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

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

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

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_