

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 184

2019 Regular Session

Henry

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

Synopsis of Senate Amendments

1. Creates the crime of entry or remaining on site of a school or recreation athletic contest after being forbidden, and provides criminal penalties for persons convicted of the offense which include a fine of up to \$500, imprisonment without hard labor for up to six months, or both.
2. Amends the definition of "harassment" for purposes of the proposed law crime of harassment of a school or athletic contest official to no longer include behavior that would cause a reasonable person to feel alarmed or suffer emotional distress.
3. Specifies that the term of imprisonment imposed upon persons convicted of the proposed law crime of harassment of a school or athletic contest official is to be served without hard labor.

Digest of Bill as Finally Passed by Senate

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 be placed in fear of receiving bodily harm:

- (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 without hard labor 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.

Proposed law creates the crime of entry or remaining on site of a school or recreation athletic contest after being forbidden which provides that no person shall without authority go into or upon or remain in or upon, or attempt to go into or upon or remain in or upon, any

immovable property or other site or location that belongs to another and that is used for any school athletic contest or recreation athletic contest, including any area in the immediate vicinity of the site or location of the athletic contest, after having been forbidden to do so, either orally or in writing, by any owner, lessee, or custodian of the property or by any other authorized person.

Proposed law provides that whoever violates the provisions of proposed law shall be fined not more than \$500, imprisoned without hard labor for not more than six months, or both.

(Adds R.S. 14:38.4 and 63.5)