

FIRST REGULAR SESSION

# HOUSE BILL NO. 78

101ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE BARNES.

0531H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To amend chapters 565 and 569, RSMo, by adding thereto two new sections relating to school or recreation athletic contest offenses, with penalty provisions.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapters 565 and 569, RSMo, are amended by adding thereto two new sections, to be known as sections 565.093 and 569.154, to read as follows:

**565.093. 1. As used in this section, the following terms and phrases mean:**

(1) "Harassment", verbal or nonverbal behavior by a person that would cause a reasonable person to be placed in fear of receiving bodily harm;

(2) "Recreation athletic contest official", any referee, umpire, coach, instructor, administrator, staff person, or recreation employee of any public or quasi-public recreation program;

(3) "School athletic contest official", any referee, umpire, coach, instructor, administrator, staff person, or school or school board employee of any public or private elementary or secondary school.

2. A person commits the offense of harassment of a school or recreation athletic contest official if the harassment occurs under the following circumstances:

(1) While the school 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; or

(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

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language.

17 **conducting, supervising, refereeing, or officiating of a school-sanctioned interscholastic**  
18 **athletic contest or a sanctioned recreation athletic contest.**

19 **3. A person who commits the offense of harassment of a school or recreation**  
20 **athletic contest official shall be fined no more than five hundred dollars, imprisoned for**  
21 **no more than ninety days, or both.**

22 **4. In addition to any other penalty imposed, the court shall order the person:**

23 **(1) To perform forty hours of court-approved community service work; and**

24 **(2) To participate in a court-approved counseling program that may include anger**  
25 **management, abusive behavior intervention groups, or any other type of counseling**  
26 **deemed appropriate by the court. Any costs associated with the counseling program shall**  
27 **be paid by such person.**

28 **5. Participation in the community service and counseling program required under**  
29 **subsection 4 of this section shall not be suspended.**

**569.154. 1. A person commits the offense of entry or remaining on site of a school**  
2 **or recreation athletic contest if such person, without authority, goes into or upon or**  
3 **remains in or upon, or attempts to go into or upon or remain in or upon, any immovable**  
4 **property or other site or location that belongs to another and that is used for any school**  
5 **or recreation athletic contest, including any area in the immediate vicinity of the site or**  
6 **location of the school or recreation athletic contest, after having been forbidden to do so,**  
7 **either orally or in writing, by any owner, lessee, or custodian of the property or by any**  
8 **other authorized person.**

9 **2. A person who violates subsection 1 of this section shall be fined no more than five**  
10 **hundred dollars, imprisoned for no more than six months, or both.**

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