

FIRST REGULAR SESSION

HOUSE BILL NO. 417

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES MAYER, DAVIS (122), JETTON, MAY, KINGERY, WALLACE,
BOUGH (Co-sponsors), CUNNINGHAM (145) AND KELLY (36).

Read 1st time February 6, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1108L.011

AN ACT

To amend chapter 565, RSMo, by adding thereto one new section relating to assault of an athletic event participant, with penalty provisions.

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

Section A. Chapter 565, RSMo, is amended by adding thereto one new section, to be
2 known as section 565.087, to read as follows:

**565.087. 1. A person commits the crime of assault of an athletic event participant
2 if such person:**

3 **(1) Attempts to cause or knowingly causes physical injury to an athletic event
4 participant by means of a deadly weapon or dangerous instrument;**

5 **(2) Recklessly causes serious physical injury to an athletic event participant;**

6 **(3) While in an intoxicated condition or under the influence of controlled
7 substances or drugs, acts with criminal negligence to cause physical injury to an athletic
8 event participant;**

9 **(4) Attempts to cause or recklessly causes physical injury to an athletic event
10 participant;**

11 **(5) With criminal negligence causes physical injury to an athletic event participant
12 by means of a deadly weapon;**

13 **(6) Purposely places an athletic event participant in apprehension of immediate
14 physical injury;**

15 **(7) Recklessly engages in conduct which creates a grave risk of death or serious
16 physical injury to an athletic event participant; or**

17 **(8) Knowingly causes or attempts to cause physical contact with an athletic event
18 participant without the consent of the athletic event participant.**

19 **2. As used in this section the following terms shall mean:**

20 **(1) "Athletic event", any interscholastic or intramural athletic activity in a**
21 **primary, middle, junior high or high school, college, or university, any organized athletic**
22 **activity sponsored by a community, business, or nonprofit organization, any athletic**
23 **activity that is a professional or semiprofessional event, and any other organized athletic**
24 **activity in the state;**

25 **(2) "Athletic event participant", any person involved in an athletic event as a**
26 **player or serving in an official capacity related to participation in or administration of the**
27 **athletic event.**

28 **3. Assault of an athletic event participant is a class A misdemeanor unless**
29 **committed pursuant to subdivision (1), (2), or (3) of subsection 1 of this section in which**
30 **case it is a class D felony.**