

House _____ Amendment NO. _____

Offered By

1 AMEND House Substitute for House Committee Substitute for House Bill Nos. 1108 & 1181, Page
2 39, Section 492.304, Line 42, by inserting after all of said section and line the following:
3

4 "537.551. 1. For purposes of this section, "sports officials" shall mean those individuals
5 who serve as referees, umpires, or linesmen or those individuals who serve in similar capacities but
6 may be known by other titles and are duly registered or members of a local, state, regional, or
7 national organization that is engaged in part in providing education and training to sports officials.

8 2. Sports officials who officiate athletic contests at any level of competition in this state
9 shall not be liable to any person or entity in any civil action for injuries or damages claimed to have
10 arisen by virtue of actions or inactions related in any manner to officiating duties within the confines
11 of the athletic facility at which the athletic contests are played.

12 3. Nothing in this section shall be deemed to grant the protection set forth to sports officials
13 who cause injury or damage to a person or entity by actions or inactions that are intentional, willful,
14 wanton, reckless, malicious, or grossly negligent."; and
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16 Further amend said bill, Page 46, Section 558.031, Line 41, by inserting after all of said section and
17 line the following:
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19 "565.002. As used in this chapter, unless a different meaning is otherwise plainly required
20 the following terms mean:

21 (1) "Adequate cause", cause that would reasonably produce a degree of passion in a person
22 of ordinary temperament sufficient to substantially impair an ordinary person's capacity for self-
23 control;

24 (2) "Child", a person under seventeen years of age;

25 (3) "Conduct", includes any act or omission;

26 (4) "Course of conduct", a pattern of conduct composed of two or more acts, which may
27 include communication by any means, over a period of time, however short, evidencing a continuity
28 of purpose. Constitutionally protected activity is not included within the meaning of course of
29 conduct. Such constitutionally protected activity includes picketing or other organized protests;

30 (5) "Deliberation", cool reflection for any length of time no matter how brief;

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1 (6) "Domestic victim", a household or family member as the term "family" or "household
2 member" is defined in section 455.010, including any child who is a member of the household or
3 family;

4 (7) "Emotional distress", something markedly greater than the level of uneasiness,
5 nervousness, unhappiness, or the like which are commonly experienced in day-to-day living;

6 (8) "Full or partial nudity", the showing of all or any part of the human genitals, pubic area,
7 buttock, or any part of the nipple of the breast of any female person, with less than a fully opaque
8 covering;

9 (9) "Legal custody", the right to the care, custody and control of a child;

10 (10) "Parent", either a biological parent or a parent by adoption;

11 (11) "Person having a right of custody", a parent or legal guardian of the child;

12 (12) "Photographs" or "films", the making of any photograph, motion picture film,
13 videotape, or any other recording or transmission of the image of a person;

14 (13) "Place where a person would have a reasonable expectation of privacy", any place
15 where a reasonable person would believe that a person could disrobe in privacy, without being
16 concerned that the person's undressing was being viewed, photographed or filmed by another;

17 (14) "Special victim", any of the following:

18 (a) A law enforcement officer assaulted in the performance of his or her official duties or as
19 a direct result of such official duties;

20 (b) Emergency personnel, any paid or volunteer firefighter, emergency room, hospital, or
21 trauma center personnel, or emergency medical technician, assaulted in the performance of his or
22 her official duties or as a direct result of such official duties;

23 (c) A probation and parole officer assaulted in the performance of his or her official duties
24 or as a direct result of such official duties;

25 (d) An elderly person;

26 (e) A person with a disability;

27 (f) A vulnerable person;

28 (g) Any jailer or corrections officer of the state or one of its political subdivisions assaulted
29 in the performance of his or her official duties or as a direct result of such official duties;

30 (h) A highway worker in a construction or work zone as the terms "highway worker",
31 "construction zone", and "work zone" are defined under section 304.580;

32 (i) Any utility worker, meaning any employee of a utility that provides gas, heat, electricity,
33 water, steam, telecommunications services, or sewer services, whether privately, municipally, or
34 cooperatively owned, while in the performance of his or her job duties, including any person
35 employed under a contract;

36 (j) Any cable worker, meaning any employee of a cable operator, as such term is defined in
37 section 67.2677, including any person employed under contract, while in the performance of his or
38 her job duties; ~~and~~

1 (k) Any employee of a mass transit system, including any employee of public bus or light
2 rail companies, while in the performance of his or her job duties; or

3 (l) A sports official assaulted while the sports official is performing his or her duties as a
4 sports official or as a direct result of such duties. A sports official shall include, but not be limited
5 to, a judge, linesman, official, referee, or umpire. To qualify as a sports official, a person shall be
6 trained and certified or registered as such by an organization engaged in the education, training, and
7 certifying or registering of sports officials;

8 (15) "Sudden passion", passion directly caused by and arising out of provocation by the
9 victim or another acting with the victim which passion arises at the time of the offense and is not
10 solely the result of former provocation;

11 (16) "Trier", the judge or jurors to whom issues of fact, guilt or innocence, or the assessment
12 and declaration of punishment are submitted for decision;

13 (17) "Views", the looking upon of another person, with the unaided eye or with any device
14 designed or intended to improve visual acuity, for the purpose of arousing or gratifying the sexual
15 desire of any person."; and

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17 Further amend said bill by amending the title, enacting clause, and intersectional references
18 accordingly.