

FIRST REGULAR SESSION

# HOUSE BILL NO. 295

103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE BARNES.

0793H.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 565.096 and 569.154, to read as follows:

**565.096. 1. This section shall be known and may be cited as the "Respect the Whistle Act".**

**2. 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.**

**3. 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**

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           **(2) In the immediate vicinity of a school-sanctioned interscholastic athletic**  
18 **contest or a sanctioned recreation athletic contest and is based on the official's**  
19 **performance in the conducting, supervising, refereeing, or officiating of a school-**  
20 **sanctioned interscholastic athletic contest or a sanctioned recreation athletic contest.**

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

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

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

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

30           **6. Participation in the community service and counseling program required**  
31 **under subsection 5 of this section shall not be suspended.**

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

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

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