

SECOND REGULAR SESSION

HOUSE BILL NO. 1938

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BARNES.

5344H.011

JOSEPH ENGLER, Chief Clerk

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.

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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