

STAND. COM. REP. NO.

3098

Honolulu, Hawaii

FEB 28 2020

RE: S.B. No. 2612  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2612 entitled:

"A BILL FOR AN ACT RELATING TO SPORTS OFFICIALS,"

begs leave to report as follows:

The purpose and intent of this measure is to establish the offense of assault against a sports official in the first, second, and third degree and terroristic threatening against a sports official.

Your Committee received testimony in support of this measure from the Department of Education, Hawaii High School Athletic Association, Hawaii Scholastic Soccer Federation, Hawaii Wrestling Officials Association, and three individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that there is a shortage of sports officials and although there are several factors responsible for this shortage, harassment by unruly spectators and fans is a major contributing factor, especially when threats are made to cause bodily harm and other more serious assaultive conduct. Your Committee notes that under existing law, intentionally or knowingly causing serious bodily injury to a sports official, or any person, constitutes assault in the first degree and is a class



B felony, which carries penalties of up to ten years of imprisonment and \$25,000 in fines. This measure provides added protection of the justice system for threats and bodily harm to officials when spectators and fans are uncontrollable and asserts that such behavior should not be tolerated in the State.

Your Committee has amended this measure by:

- (1) Specifying that "sports official" includes paid persons and unpaid volunteers;
- (2) Deleting language that would have established the offense of assault against a sports official in the first, second, and third degree and terroristic threatening against a sports official;
- (3) Inserting language to allow the court to enjoin a defendant from attending any sports event of the type at which the offense occurred for up to twelve months when convicted of certain assault or terroristic threatening offenses and the victim of the offense is a sports official engaged in the lawful discharge of the sports officials' duties; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2612, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2612, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,



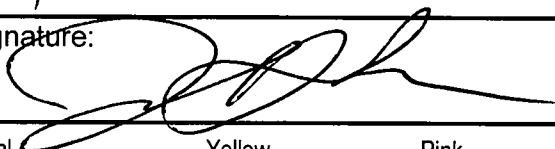
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KARL RHOADS, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:* <b>SB 2612</b>	Committee Referral: <b>JDC</b>	Date: <b>2/25/2020</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	/			
KEOHOKALOLE, Jarrett (VC)	/			
GABBARD, Mike				/
KIM, Donna Mercado				/
FEVELLA, Kurt	/			
	/			
<b>TOTAL</b>	<b>3</b>			<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes