A BILL FOR AN ACT

RELATING TO ASSAULT OF SPORTS OFFICIALS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. Section 707-711, Hawaii Revised Statutes, is amended by amending subsection (1) to read as follows:

"(1) A person commits the offense of assault in the second degree if:

(a) The person intentionally, knowingly, or recklessly causes substantial bodily injury to another;

(b) The person recklessly causes serious bodily injury to another;

(c) The person intentionally or knowingly causes bodily injury to a correctional worker, as defined in section 710-1031(2), who is engaged in the performance of duty or who is within a correctional facility;

(d) The person intentionally or knowingly causes bodily injury to another with a dangerous instrument;

(e) The person intentionally or knowingly causes bodily injury to an educational worker who is engaged in the performance of duty or who is within an educational facility;
facility. For the purposes of this paragraph, "educational worker" means any administrator, specialist, counselor, teacher, or employee of the department of education or an employee of a charter school; a person who is a volunteer, as defined in section 90-1, in a school program, activity, or function that is established, sanctioned, or approved by the department of education; or a person hired by the department of education on a contractual basis and engaged in carrying out an educational function;

(f) The person intentionally or knowingly causes bodily injury to any emergency medical services provider who is engaged in the performance of duty. For the purposes of this paragraph, "emergency medical services provider" means emergency medical services personnel, as defined in section 321-222, and physicians, physician's assistants, nurses, nurse practitioners, certified registered nurse anesthetists, respiratory therapists, laboratory technicians, radiology technicians, and social
workers, providing services in the emergency room of a hospital;

(g) The person intentionally or knowingly causes bodily injury to a person employed at a state-operated or -contracted mental health facility. For the purposes of this paragraph, "a person employed at a state-operated or -contracted mental health facility" includes health care professionals as defined in section 451D-2, administrators, orderlies, security personnel, volunteers, and any other person who is engaged in the performance of a duty at a state-operated or -contracted mental health facility;

(h) The person intentionally or knowingly causes bodily injury to a person who:

(i) The defendant has been restrained from, by order of any court, including an ex parte order, contacting, threatening, or physically abusing pursuant to chapter 586; or

(ii) Is being protected by a police officer ordering the defendant to leave the premises of that
protected person pursuant to section 709-906(4),
during the effective period of that order;

(i) The person intentionally or knowingly causes bodily
injury to any firefighter or water safety officer who
is engaged in the performance of duty. For the
purposes of this paragraph, "firefighter" has the same
meaning as in section 710-1012 and "water safety
officer" means any public servant employed by the
United States, the State, or any county as a lifeguard
or person authorized to conduct water rescue or ocean
safety functions;

(j) The person intentionally or knowingly causes bodily
injury to a person who is engaged in the performance
of duty at a health care facility as defined in
section 323D-2. For purposes of this paragraph, "a
person who is engaged in the performance of duty at a
health care facility" shall include health care
professionals as defined in section 451D-2, physician
assistants, surgical assistants, advanced practice
registered nurses, nurse aides, respiratory
therapists, laboratory technicians, and radiology technicians;

(k) The person intentionally or knowingly causes bodily injury to a person who is engaged in providing home health care services, as defined in section 431:10H-201; [or]

(l) The person intentionally or knowingly causes bodily injury to a person, employed or contracted to work by a mutual benefit society, as defined in section 432:1-104, to provide case management services to an individual in a hospital, health care provider's office, or home, while that person is engaged in the performance of those services[); or

(m) The person intentionally or knowingly causes bodily injury to any sports official in retaliation for or on account of the sports official's performance of a duty at a sports event.

For the purposes of this paragraph:

"Sports event" means any organized amateur or professional athletic contest in the State.
"Sports official" means a person at a sports event who enforces the rules of the event, such as an umpire or referee, or a person who supervises the participants, such as a coach."

SECTION 2. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY:
Report Title:
Assault in the Second Degree; Sports Officials

Description:
Establishes assault of a sports official as a result of their performance of duty at a sports event as assault in the second degree, a class C felony.

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