

JAN 17 2020

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# A BILL FOR AN ACT

RELATING TO SPORTS OFFICIALS.

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

1           SECTION 1. Section 707-700, Hawaii Revised Statutes, is  
2 amended by adding three new definitions to be appropriately  
3 inserted and to read as follows:

4           "Lawful discharge of a sports official's duty" means the  
5 performance of duties of a sports official from the time the  
6 sports official arrives at a sports events and ending when the  
7 sports official returns to their residence or business.

8           "Sports event" means any organized amateur or professional  
9 athletic contest in the State.

10           "Sports official" means a person at a sports event who  
11 enforces the rules of the event, such as an umpire, referee,  
12 timer, or scorer, or a person who supervises the participants,  
13 such as a coach."

14           SECTION 2. Chapter 707, Hawaii Revised Statutes, is  
15 amended by adding three new sections to part III to be  
16 appropriately designated and to read as follows:



1           "§707- Assault against a sports official in the first  
2 degree. (1) A person commits the offense of assault against a  
3 sports official in the first degree if the person intentionally  
4 or knowingly causes serious bodily injury to a sports official  
5 engaged in the lawful discharge of the sports official's duties.

6           (2) Assault against a sports official in the first degree  
7 is a class B felony.

8           §707- Assault against a sports official in the third  
9 degree. (1) A person commits the offense of assault against a  
10 sports official in the third degree if the person:

11           (a) Intentionally, knowingly, or recklessly causes bodily  
12 injury to a sports official engaged in the lawful  
13 discharge of the sports official's duties; or

14           (b) Negligently causes bodily injury to a sports official  
15 engaged in the lawful discharge of the sports  
16 official's duties with a dangerous instrument.

17           (2) Assault in the third degree is a misdemeanor.

18           §707- Terroristic threatening against a sports official.

19           (1) A person commits the offense of terroristic threatening  
20 against a sports official if the person threatens, by word or  
21 conduct, to cause bodily injury to a sports official engaged in



1 the lawful discharge of the sports official's duties or to  
2 commit a felony with the intent to terrorize, or in reckless  
3 disregard of the risk of terrorizing, a sports official engaged  
4 in the lawful discharge of the sports official's duties.

5 (2) Terroristic threatening against a sports official is a  
6 class C felony."

7 SECTION 3. Section 707-711, Hawaii Revised Statutes, is  
8 amended by amending subsection (1) to read as follows:

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

- 11 (a) The person intentionally, knowingly, or recklessly  
12 causes substantial bodily injury to another;
- 13 (b) The person recklessly causes serious bodily injury to  
14 another;
- 15 (c) The person intentionally or knowingly causes bodily  
16 injury to a correctional worker, as defined in section  
17 710-1031(2), who is engaged in the performance of duty  
18 or who is within a correctional facility;
- 19 (d) The person intentionally or knowingly causes bodily  
20 injury to another with a dangerous instrument;



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

14          (f) The person intentionally or knowingly causes bodily  
15          injury to any emergency medical services provider who  
16          is engaged in the performance of duty. For the  
17          purposes of this paragraph, "emergency medical  
18          services provider" means emergency medical services  
19          personnel, as defined in section 321-222, and  
20          physicians, physician's assistants, nurses, nurse  
21          practitioners, certified registered nurse



1           anesthetists, respiratory therapists, laboratory  
2           technicians, radiology technicians, and social  
3           workers, providing services in the emergency room of a  
4           hospital;

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

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

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



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

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

14          (j) The person intentionally or knowingly causes bodily  
15                  injury to a person who is engaged in the performance  
16                  of duty at a health care facility as defined in  
17                  section 323D-2. For purposes of this paragraph, "a  
18                  person who is engaged in the performance of duty at a  
19                  health care facility" shall include health care  
20                  professionals as defined in section 451D-2, physician  
21                  assistants, surgical assistants, advanced practice



1 registered nurses, nurse aides, respiratory  
2 therapists, laboratory technicians, and radiology  
3 technicians;

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

8 (l) The person intentionally or knowingly causes bodily  
9 injury to a person, employed or contracted to work by  
10 a mutual benefit society, as defined in section  
11 432:1-104, to provide case management services to an  
12 individual in a hospital, health care provider's  
13 office, or home, while that person is engaged in the  
14 performance of those services ~~[or]~~; or

15 (m) The person intentionally or knowingly causes bodily  
16 injury to any sports official engaged in the lawful  
17 discharge of their duties."

18 SECTION 4. This Act does not affect rights and duties that  
19 matured, penalties that were incurred, and proceedings that were  
20 begun before its effective date.



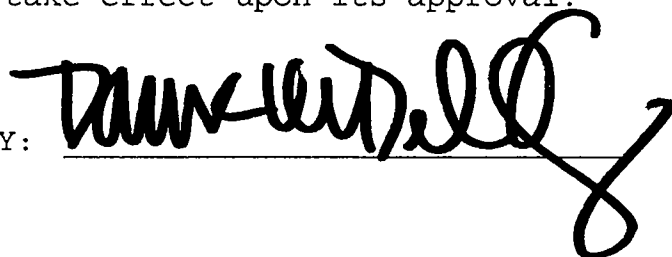
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1           SECTION 5. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3           SECTION 6. This Act shall take effect upon its approval.

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INTRODUCED BY: \_\_\_\_\_

A handwritten signature in black ink, appearing to read "Tammy Keith", is written over a horizontal line. The signature is stylized and cursive.



# S.B. NO. 2612

**Report Title:**

Sports Officials; Assault; Terroristic Threatening

**Description:**

Establishes the offenses of assault against a sports official in the first, second, and third degrees and the offense of terroristic threatening against a sports official.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

