

# HOUSE BILL No. 4088

January 23, 2007, Introduced by Reps. Rick Jones, Polidori, Knollenberg, Garfield, Constan, Spade, Gonzales, Wojno, Gillard, Lemmons, Bieda, Donigan, Nofs, Leland, Pearce, LaJoy and Meekhof and referred to the Committee on Judiciary.

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
(MCL 750.1 to 750.568) by adding section 81e.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1        SEC. 81E. (1) A PERSON WHO IS NOT A SPORTS PARTICIPANT WHO  
2        ASSAULTS, OR ASSAULTS AND BATTERS, A SPORTS PARTICIPANT IMMEDIATELY  
3        PRECEDING, DURING, OR IMMEDIATELY AFTER THE SPORTS EVENT UNDER  
4        EITHER OF THE FOLLOWING CIRCUMSTANCES IS GUILTY OF A FELONY  
5        PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 2 YEARS OR A FINE OF  
6        NOT MORE THAN \$2,000.00, OR BOTH:

7        (A) THE SPORTS PARTICIPANT IS PERFORMING DUTIES OR  
8        RESPONSIBILITIES IN HIS OR HER CAPACITY AS A SPORTS PARTICIPANT.

9        (B) THE ASSAULT, OR ASSAULT AND BATTERY, IS CARRIED OUT IN

1 RETALIATION FOR OR ON ACCOUNT OF THE SPORTS PARTICIPANT'S  
2 PERFORMANCE OF A DUTY OR RESPONSIBILITY WITHIN HIS OR HER CAPACITY  
3 AS A SPORTS PARTICIPANT.

4 (2) AS USED IN THIS SECTION, "SPORTS PARTICIPANT" MEANS AN  
5 INDIVIDUAL WHO IS PARTICIPATING IN ANY OFFICIAL CAPACITY IN AN  
6 ORGANIZED ATHLETIC COMPETITION BETWEEN INDIVIDUALS, INCLUDING, BUT  
7 NOT LIMITED TO, 1 OR MORE OF THE FOLLOWING:

- 8 (A) AN ATHLETE.
- 9 (B) A REFEREE.
- 10 (C) AN UMPIRE.
- 11 (D) A LINESMAN.
- 12 (E) A COACH.
- 13 (F) AN INSTRUCTOR.
- 14 (G) AN ADMINISTRATOR.
- 15 (H) A STAFF MEMBER.