SENATE BILL No. 1607

November 6, 2008, Introduced by Senator SWITALSKI 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 ASSAULTS OR ASSAULTS AND BATTERS AN

2   INDIVIDUAL WHILE THE INDIVIDUAL IS PERFORMING HIS OR HER DUTIES AS

3   A SPORTS OFFICIAL OR BECAUSE OF THE INDIVIDUAL'S STATUS AS A SPORTS

4   OFFICIAL IS GUILTY OF A MISDEMEANOR PUNISHABLE BY 1 OF THE

5   FOLLOWING:

6   (A) IMPRISONMENT FOR NOT MORE THAN 93 DAYS OR A FINE OF NOT

7   MORE THAN $1,000.00, OR BOTH.

8   (B) BOTH OF THE FOLLOWING:

9   (*i*) IMPRISONMENT FOR NOT MORE THAN 93 DAYS OR A FINE OF NOT

10   MORE THAN $500.00, OR BOTH.

1   (*ii*) NOT MORE THAN 100 HOURS OF COMMUNITY SERVICE AS A SPORTS

2   OFFICIAL IN THE SAME SPORT AND IN THE SAME POSITION AS THE

3   INDIVIDUAL HE OR SHE ASSAULTED OR ASSAULTED AND BATTERED.

4   (2) THE COURT SHALL ORDER A PERSON CONVICTED OF VIOLATING THIS

5   SECTION TO BE EVALUATED BY A MENTAL HEALTH PROFESSIONAL FOR

6   PURPOSES OF ANGER MANAGEMENT. IF THE COURT DETERMINES THAT THE

7   PERSON WOULD BENEFIT FROM A COURSE OF TREATMENT IN ANGER

8   MANAGEMENT, THE COURT SHALL PLACE THE INDIVIDUAL ON PROBATION AND

9   ORDER THE INDIVIDUAL TO UNDERGO THAT TREATMENT AT HIS OR HER OWN

10   EXPENSE AS A CONDITION OF THAT PROBATION.

11   (3) AS USED IN THIS SECTION:

12   (A) "MENTAL HEATH PROFESSIONAL" MEANS THAT TERM AS DEFINED IN

13   SECTION 100B(14)(A) THROUGH (E) OF THE MENTAL HEALTH CODE, 1974 PA

14   258, MCL 330.1100B.

15   (B) "SPORTING EVENT" MEANS AN ORGANIZED COMPETITIVE ATHLETIC

16   ACTIVITY BETWEEN 2 OR MORE INDIVIDUALS.

17   (C) "SPORTS OFFICIAL" MEANS AN INDIVIDUAL WHO DOES EITHER OF

18   THE FOLLOWING:

19   (*i*) OFFICIALLY ADMINISTERS OR OFFICIALLY ASSISTS IN

20   ADMINISTERING THE RULES AT ANY SPORTING EVENT.

21   (*ii*) COACHES OR ASSISTS IN COACHING INDIVIDUALS INVOLVED IN ANY

22   SPORTING EVENT.