2019 Regular Session

ACT No. 355

HOUSE BILL NO. 184

BY REPRESENTATIVE HENRY

1	AN ACT
2	To enact R.S. 14:38.4 and 63.5, relative to school athletic and recreational athletic contests;
3	to create the crime of harassment of a school or recreation athletic contest official;
4	to create the crime of entry or remaining on site of a school athletic or recreation
5	athletic contest after being forbidden; to provide for definitions; to provide for
6	penalties; and to provide for related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 14:38.4 and 63.5 are hereby enacted to read as follows:
9	§38.4. Harassment of a school or recreation athletic contest official
10	A.(1) No person shall engage in the harassment of a school athletic or
11	recreation athletic contest official that occurs under either of the following
12	circumstances:
13	(a) While the school athletic or recreation athletic contest official is actively
14	engaged in the conducting, supervising, refereeing, or officiating of a school-
15	sanctioned interscholastic athletic contest or a sanctioned recreation athletic contest.
16	(b) In the immediate vicinity of a school-sanctioned interscholastic athletic
17	contest or a sanctioned recreation athletic contest and is based on the official's
18	performance in the conducting, supervising, refereeing, or officiating of a school-
19	sanctioned interscholastic athletic contest or a sanctioned recreation athletic contest.
20	(2) For purposes of this Paragraph, "harassment" shall include verbal or non-
21	verbal behavior by the offender that would cause a reasonable person to be placed
22	in fear of receiving bodily harm.

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1	B. For purposes of this Section:
2	(1) "Recreation athletic contest official" means any referee, umpire, coach,
3	instructor, administrator, staff person, or recreation employee of any public or quasi
4	public recreation program.
5	(2) "School athletic contest official" means any referee, umpire, coach,
6	instructor, administrator, staff person, or school or school board employee of any
7	public or private elementary and secondary school.
8	C.(1) Whoever commits the crime of harassment of a school or recreation
9	athletic contest official shall be fined not more than five hundred dollars, imprisoned
10	without hard labor for not more than ninety days, or both.
11	(2)(a) In addition to any other penalty imposed, the court shall order the
12	offender to perform forty hours of court-approved community service work.
13	(b) In addition to any other penalty imposed, the court shall order the
14	offender to participate in a court-approved counseling program which may include
15	anger management, abusive behavior intervention groups, or any other type of
16	counseling deemed appropriate by the court. Any costs associated with the
17	counseling program shall be borne by the offender.
18	(c) Participation in the community service and counseling program required
19	by the provisions of Subparagraphs (a) and (b) of this Paragraph shall not be
20	suspended.
21	(d) Failure to successfully complete the community service work and
22	counseling program, as determined by the supervisor of the program to which he is
23	assigned, may result in revocation of probation.
24	* * *
25	§63.5. Entry or remaining on site of a school or recreation athletic contest after
26	being forbidden
27	A. No person shall without authority go into or upon or remain in or upon,
28	or attempt to go into or upon or remain in or upon, any immovable property or other
29	site or location that belongs to another and that is used for any school athletic contest
30	or recreation athletic contest, including any area in the immediate vicinity of the site

or location of the athletic contest, after having been forbidden to do so, either orally or in writing, by any owner, lessee, or custodian of the property or by any other authorized person.

B. Whoever violates the provisions of this Section shall be fined not more than five hundred dollars, imprisoned without hard labor for not more than six months, or both.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

ENROLLED

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APPROVED: _____