

HOUSE BILL NO. 507

INTRODUCED BY SAYLES, VAN VALKENBURG, CLARK, GRINDE,  
STOVALL, BOHLINGER, GILBERT, SMITH, SQUIRES, WANZENRIED,  
REHBEIN, ELLIS, SCHWINDEN, QUILICI, L. NELSON, RANEY,  
KADAS, HARPER, TASH, GRIMES, BIRD

IN THE HOUSE

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| FEBRUARY 6, 1993  | INTRODUCED AND REFERRED TO COMMITTEE<br>ON JUDICIARY.           |
|                   | FIRST READING.  |
| FEBRUARY 19, 1993 | COMMITTEE RECOMMEND BILL<br>DO PASS AS AMENDED. REPORT ADOPTED. |
| FEBRUARY 20, 1993 | PRINTING REPORT.  |
| FEBRUARY 22, 1993 | SECOND READING, DO PASS.  |
| FEBRUARY 23, 1993 | ENGROSSING REPORT.  |
| FEBRUARY 24, 1993 | THIRD READING, PASSED.<br>AYES, 60; NOES, 39.                   |
|                   | TRANSMITTED TO SENATE.  |

IN THE SENATE

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| MARCH 1, 1993  | INTRODUCED AND REFERRED TO COMMITTEE<br>ON JUDICIARY.                      |
|                | FIRST READING.   |
| MARCH 24, 1993 | COMMITTEE RECOMMEND BILL BE<br>CONCURRED IN AS AMENDED. REPORT<br>ADOPTED. |
| MARCH 27, 1993 | SECOND READING, CONCURRED IN.  |
| MARCH 29, 1993 | THIRD READING, CONCURRED IN.<br>AYES, 41; NOES, 6.                         |
|                | RETURNED TO HOUSE WITH AMENDMENTS.   |

IN THE HOUSE

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| APRIL 1, 1993 | SECOND READING, AMENDMENTS<br>CONCURRED IN. |
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APRIL 2, 1993

THIRD READING, AMENDMENTS  
CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 House BILL NO. 507  
 2 INTRODUCED BY Sayles Van Vleetburg Clark Grande  
 3 Stonall Billings Dillert Smith Spence Winters  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT LIMITING THE LIABILITY Rang  
 5 OF SPORTS OFFICIALS; AND CREATING THE CRIMINAL OFFENSE OF Schulze Smith Winters  
 6 ASSAULT UPON A SPORTS OFFICIAL." Task James Bird

7  
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 NEW SECTION. Section 1. Liability limit for sports  
 10 officials. A person acting as an official at an athletic  
 11 contest in any sport at any level of amateur or professional  
 12 competition is not liable for any act or omission in the  
 13 scope and course of the officiating unless the act or  
 14 omission is gross negligence or willful or wanton  
 15 misconduct. This section does not apply to an employee of  
 16 the state or of a local government acting in the course and  
 17 scope of employment.

18 NEW SECTION. Section 2. Assault upon sports official.  
 19 (1) A person commits the offense of assault upon a sports  
 20 official if, while a sports official is acting as an  
 21 official at an athletic contest in any sport at any level of  
 22 amateur or professional competition, the person:

23 (a) purposely or knowingly causes bodily injury to the  
 24 sports official;

25 (b) negligently causes bodily injury to the sports

1 official with a weapon;

2 (c) purposely or knowingly makes physical contact of an  
 3 insulting or provoking nature with the sports official; or

4 (d) purposely or knowingly causes reasonable  
 5 apprehension of bodily injury in the sports official.

6 (2) A person convicted of assault upon a sports  
 7 official shall be fined an amount not to exceed \$1,000 or be  
 8 imprisoned in the county jail for any term not to exceed 12  
 9 months, or both.

10 NEW SECTION. Section 3. Codification instruction. (1)  
 11 [Section 1] is intended to be codified as an integral part  
 12 of Title 27, chapter 1, part 7, and the provisions of Title  
 13 27, chapter 1, part 7, apply to [section 1].

14 (2) [Section 2] is intended to be codified as an  
 15 integral part of Title 45, chapter 5, part 2, and the  
 16 provisions of Title 45 apply to [section 2].

-End-

APPROVED BY COMMITTEE  
ON JUDICIARY

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STOVALL, BOHLINGER, GILBERT, SMITH, SQUIRES, WANZENRIED,  
REHBEIN, ELLIS, SCHWINDEN, QUILICI, L. NELSON, RANEY,  
KADAS, HARPER, TASH, GRIMES, BIRD

A BILL FOR AN ACT ENTITLED: "AN ACT LIMITING THE LIABILITY  
OF SPORTS OFFICIALS; AND CREATING THE CRIMINAL OFFENSE OF  
ASSAULT UPON A SPORTS OFFICIAL."

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

**NEW SECTION. Section 1. Liability limit for sports officials.** A person acting as an official at an athletic contest in any sport at any level of amateur or professional competition is not liable for any act or omission in the scope and course of the officiating THAT IS ALLEGED TO HAVE AFFECTED THE OUTCOME OF THE CONTEST unless the act or omission is gross negligence or willful or wanton misconduct. This section does not apply to an employee of the state or of a local government acting in the course and scope of employment.

**NEW SECTION. Section 2. Assault upon sports official.**  
(1) A person commits the offense of assault upon a sports official if, while a sports official is acting as an official at an athletic contest in any sport at any level of

amateur or professional competition, the person:

(a) purposely or knowingly causes bodily injury to the sports official;

(b) negligently causes bodily injury to the sports official with a weapon;

(c) purposely or knowingly makes physical contact of an insulting or provoking nature with the sports official; or

(d) purposely or knowingly causes reasonable apprehension of bodily injury in the sports official.

(2) A person convicted of assault upon a sports official shall be fined an amount not to exceed \$1,000 or be imprisoned in the county jail for any term not to exceed 12 months, or both.

**NEW SECTION. Section 3. Codification instruction.** (1) [Section 1] is intended to be codified as an integral part of Title 27, chapter 1, part 7, and the provisions of Title 27, chapter 1, part 7, apply to [section 1].

(2) [Section 2] is intended to be codified as an integral part of Title 45, chapter 5, part 2, and the provisions of Title 45 apply to [section 2].

-End-

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(2) [Section 2] is intended to be codified as an integral part of Title 45, chapter 5, part 2, and the provisions of Title 45 apply to [section 2].

-End-

SENATE STANDING COMMITTEE REPORT

Page 1 of 1  
March 24, 1993

MR. PRESIDENT:

We, your committee on Judiciary having had under consideration House Bill No. 507 (first reading copy -- blue), respectfully report that House Bill No. 507 be amended as follows and as so amended be concurred in.

Signed: W. Yellowtail  
Senator William "Bill" Yellowtail, Chair

That such amendments read:

1. Title, lines 7 and 8.  
Following: "ACT" on line 7  
Strike: remainder of line 7 through "AND" on line 8
2. Page 1, lines 12 through 21.  
Strike: section 1 in its entirety  
Renumber: subsequent sections
3. Page 2, line 12.  
Following: "exceed"  
Strike: "12"  
Insert: "6"
4. Page 2, lines 14 through 17.  
Strike: subsection (1) in its entirety
5. Page 2, line 18.  
Strike: "(2)"  
Following: "Section"  
Strike: "2"  
Insert: "1"
6. Page 2, line 20.  
Strike: "2"  
Insert: "1"

-END-

AM  
Amd. Coord.  
Sec. of Senate

Rye  
Senator Carrying Bill

SENATE  
HB 507  
661224SC.San

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(c) purposely or knowingly makes physical contact of an  
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(d) purposely or knowingly causes reasonable  
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(2) A person convicted of assault upon a sports  
official shall be fined an amount not to exceed \$1,000 or be  
imprisoned in the county jail for any term not to exceed 12  
6 months, or both.

NEW SECTION. Section 2. Codification instruction. "[I]  
{Section 1} is intended to be codified as an integral part  
of Title 27, chapter 17, part 7, and the provisions of Title  
27, chapter 17, part 7, apply to {section 1}.

{2} [Section 2 1] is intended to be codified as an  
integral part of Title 45, chapter 5, part 2, and the  
provisions of Title 45 apply to [section 2 1].

-End-