

**First Regular Session  
Sixty-third General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 01-0196.01 Michael Dohr

**HOUSE BILL 01-1045**

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**HOUSE SPONSORSHIP**

**Clapp**

**SENATE SPONSORSHIP**

**(None)**

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**House Committees**

Criminal Justice

**Senate Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING AN INCREASE IN THE FINE FOR ASSAULTS ON SPORTS**  
102             **OFFICIALS.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

Imposes a mandatory minimum \$1000 fine on a defendant convicted of third degree assault when the victim is a sports official and the assault is related to the victim's actions as a sports official at a sporting event.

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1     *Be it enacted by the General Assembly of the State of Colorado:*

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

1           **SECTION 1.** 18-1-106 (1), Colorado Revised Statutes, is  
2 amended, and the said 18-1-106 is further amended BY THE ADDITION  
3 OF A NEW SUBSECTION, to read:

4           **18-1-106. Misdemeanors classified - penalties.**

5 (1) Misdemeanors are divided into three classes which are distinguished  
6 from one another by the following penalties which are authorized upon  
7 conviction except as provided in ~~subsection~~ SUBSECTIONS (1.5) AND (1.7)  
8 of this section:

9	<b>Class</b>	<b>Minimum Sentence</b>	<b>Maximum Sentence</b>
10	1	Six months imprisonment, or	Eighteen months imprisonment,
11		five hundred dollars fine, or	or five thousand dollars fine,
12		both	or both
13	2	Three months imprisonment,	Twelve months imprisonment,
14		or two hundred fifty dollars	or one thousand dollars fine,
15		fine, or both	or both
16	3	Fifty dollars fine	Six months imprisonment, or
17			seven hundred fifty dollars
18			fine, or both

19 No term of imprisonment for conviction of a misdemeanor shall be served  
20 in any state correctional facility unless served concurrently with a term for  
21 conviction of a felony.

22           (1.7) (a) IF A DEFENDANT IS CONVICTED OF ASSAULT IN THE THIRD  
23 DEGREE PURSUANT TO SECTION 18-3-204 AND THE VICTIM IS A SPORTS  
24 OFFICIAL AND THE ASSAULT IS RELATED TO ACTIONS TAKEN BY THE VICTIM  
25 IN HIS OR HER CAPACITY AS A SPORTS OFFICIAL DURING A SPORTING EVENT,  
26 NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1) OF THIS SECTION,  
27 THE COURT SHALL IMPOSE ON THE DEFENDANT A FINE OF AT LEAST ONE

1 THOUSAND DOLLARS, BUT NOT MORE THAN FIVE THOUSAND DOLLARS. IN  
2 ADDITION TO SUCH FINE, THE COURT MAY SENTENCE THE DEFENDANT TO A  
3 TERM OF IMPRISONMENT PURSUANT TO SUBSECTION (1) OF THIS SECTION.

4 (b) AS USED IN THIS SUBSECTION (1.7):

5 (I) "SPORTING EVENT" MEANS ANY ORGANIZED ATHLETIC ACTIVITY  
6 SPONSORED BY ANY PUBLIC OR PRIVATE SCHOOL, COLLEGE, UNIVERSITY,  
7 COMMUNITY, BUSINESS, OR NON-PROFIT ORGANIZATION OR ANY ATHLETIC  
8 EVENT THAT IS A PROFESSIONAL OR SEMI-PROFESSIONAL EVENT.

9 (II) "SPORTS OFFICIAL" MEANS A PERSON AT A SPORTING EVENT  
10 WHO IS DESIGNATED TO ENFORCE THE RULES OF THE EVENT, INCLUDING BUT  
11 NOT LIMITED TO AN UMPIRE OR REFEREE, OR A PERSON AT A SPORTING  
12 EVENT WHO SUPERVISES OR ASSISTS THE PARTICIPANTS, INCLUDING BUT  
13 NOT LIMITED TO A COACH, MANAGER, TRAINER, ATHLETIC DIRECTOR, OR  
14 ADMINISTRATOR.

15 **SECTION 2. Effective date - applicability.** (1) This act shall  
16 take effect at 12:01 a.m. on the day following the expiration of the  
17 ninety-day period after final adjournment of the general assembly that is  
18 allowed for submitting a referendum petition pursuant to article V, section  
19 1 (3) of the state constitution; except that, if a referendum petition is filed  
20 against this act or an item, section, or part of this act within such period,  
21 then the act, item, section, or part, if approved by the people, shall take  
22 effect on the date of the official declaration of the vote thereon by  
23 proclamation of the governor.

24 (2) The provisions of this act shall apply to offenses committed on  
25 or after the applicable effective date of this act.