SENATE DOCKET, NO. 929 FILED ON: 1/17/2013

SENATE . . . . . No. 1200

The Commonwealth of Massachusetts

PRESENTED BY:

James T. Welch

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to zero tolerance for violence and aggression by adults at youth sporting events.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
James T. Welch	*Hampden*
Angelo J. Puppolo, Jr.	*12th Hampden*
Karen E. Spilka	*Second Middlesex and Norfolk*

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SENATE . . . . . No. 1200

By Mr. Welch, a petition (accompanied by bill, Senate, No. 1200) of James T. Welch, Angelo J. Puppolo, Jr. and Karen E. Spilka for legislation relative to zero tolerance for violence and aggression by adults at youth sporting events. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

An Act relative to zero tolerance for violence and aggression by adults at youth sporting events.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. SHORT TITLE

This act may be cited as the “Zero Tolerance for Violence at Youth Sporting Events”

SECTION 2. Chapter 22 of the General Laws is hereby amended by inserting after section 21 the following Section:

Section 22:

Section 1. DEFINITIONS

(a) "Youth sporting event" means any event, including but not limited to games, practices, and scrimmages, sanctioned by a town, school district, county, the Commonwealth, or any other athletic association recognized by the Commonwealth.

(b) "Five regions of the commonwealth" means Boston Metro which includes Suffolk County; East which includes Essex, Middlesex, and Norfolk counties; South which includes Bristol, Plymouth, Barnstable, Dukes, and Nantucket counties; Central which includes Worcester county; Western which includes Franklin, Hampshire, Hampden, and Berkshire counties

Section 2. COUNCIL AGAINST VIOLENCE AND AGGRESSION AT YOUTH ACTIVITIES—COMPOSITION AND DUTIES

(a) There is created within the Department of Public Safety a Council Against Violence and Aggression at Youth Activities (hereafter, the Council) composed of 1 representative from each of the 5 regions in the Commonwealth to be appointed by the Governor for a total of 5 members

20 i.each representative shall be appointed to a three year term of service

21 (b) The Council shall

22 i. elect a Chair from among the Council members by a simple majority of the
23 Council members

24 ii. be voluntary in nature and no member shall receive compensation for his or her
25 participation on the Council

26 iii. meet once a month or more frequently if determined necessary by the Chair

27 iv. create, administer, and maintain a statewide Code of Conduct to be implemented
28 at youth sporting events

29 v. hear complaints of incidents of adult violence and aggression at youth sporting
30 events

31 vi. review the evidence of the incidents specified in subsection (b)(v) of this section

32 vii. have the discretion and authority to impose a ban on attendance at any and all
33 youth sporting events where a preponderance of the evidence specified in subsection (b)(vi) of
34 this section tends to show acts of violence or aggression at a youth sporting event as defined in
35 section 1 (a) of this chapter

36 1. a simple majority of the Council shall be required to impose a ban

37 2. the length of the ban shall be within the discretion of the Council

38 3. a ban on attendance without conviction of the offense in question shall be
39 within the discretion of the Council

40 4. an individual who is banned from youth sporting events shall have the
41 opportunity to appeal the Council's decision within 15 days of the decision

42 viii. conduct a monthly review of the complaints, findings and decisions and
43 compile a report to be delivered to the Department of Public Safety

44 ix. establish and maintain a public electronic registry with the name, photo, current
45 address, description of the offense, and location of the offense for individuals who have received
46 a ban as specified in subsection (b)(vii) of this section

47 1. funding for the establishment and maintenance of this registry shall be
48 allocated from the increased penalties as specified in the c. 265 §§ 13N, 43B, and 43C.

SECTION 3. Chapter 265 of the General Laws is hereby amended by inserting after section 13M, the following Section:

Section 13N. Assault and battery at a youth sporting event; definitions; penalties

(1) Definition:

(a) Youth Sporting Event: Any event, including but not limited to games, practices, and scrimmages, sanctioned by a town, school district, county, the Commonwealth, or any other athletic association recognized by the Commonwealth.

(2) Whoever commits an assault or an assault and battery pursuant to c. 265 §13A on another at any sanctioned youth sporting event as defined in subsection (1)(a) of this section, shall be punished by imprisonment in the house of correction for not less than 90 days nor more than 2 ½ years or by a fine of not less than $500 nor more than $5,000 or both.

SECTION 4. Chapter 265 of the General Laws is hereby amended by inserting after section 43A, the following sections:

Section 43B: Stalking at a youth sporting event; penalties

(1) Whoever engages in stalking pursuant to c. 265 §43 at any sanctioned youth sporting event as defined in c. 265 §13N(1) (a), shall be punished by imprisonment in the house of correction for not less than 60 days nor more than 5 years or by a fine of not less than $500 nor more than $5,000 or both.

Section 43C: Criminal harassment at a youth sporting event; penalties

(1) Whoever commits criminal harassment pursuant to c. 265 §43A at any sanctioned youth sporting event as defined in c. 265 §13N(1)(a), shall be punished by imprisonment in the house of correction for not less than 30 days nor more than 5 years or by a fine of not less than $500 nor more than $5,000 or both.