

**House File 2043 - Introduced**

HOUSE FILE 2043

BY KRESSIG

**A BILL FOR**

1 An Act relating to civil liability of sports officials,  
2 providing criminal penalties for assault of sports  
3 officials, and including effective date and applicability  
4 provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 671B.1 Definition.

2 "*Sports official*" means the same as defined in section  
3 708.3A.

4 Sec. 2. NEW SECTION. 671B.2 Sports officials — limitation  
5 of liability.

6 A sports official who officiates an athletic contest at any  
7 level of competition in this state shall not be liable to any  
8 person in any civil action for injuries or damages claimed to  
9 have arisen due to actions or inactions within the confines of  
10 the athletic facility at which the athletic contest is played  
11 related in any manner to the sports official's officiating  
12 duties.

13 Sec. 3. NEW SECTION. 671B.3 Sports officials — liability  
14 protection not applicable.

15 This chapter does not apply to a sports official who causes  
16 injury or damage to a person by actions or inactions that are  
17 intentional, malicious, or grossly negligent.

18 Sec. 4. Section 708.3A, subsections 1, 2, 3, and 4, Code  
19 2020, are amended to read as follows:

20 1. A person who commits an assault, as defined in section  
21 708.1, against a peace officer, jailer, correctional staff,  
22 member or employee of the board of parole, health care  
23 provider, employee of the department of human services,  
24 employee of the department of revenue, ~~or~~ fire fighter, whether  
25 paid or volunteer, or sports official, with the knowledge that  
26 the person against whom the assault is committed is a peace  
27 officer, jailer, correctional staff, member or employee of  
28 the board of parole, health care provider, employee of the  
29 department of human services, employee of the department of  
30 revenue, ~~or~~ fire fighter, or sports official and with the  
31 intent to inflict a serious injury upon the peace officer,  
32 jailer, correctional staff, member or employee of the board of  
33 parole, health care provider, employee of the department of  
34 human services, employee of the department of revenue, ~~or~~ fire  
35 fighter, or sports official, is guilty of a class "D" felony.

1 2. A person who commits an assault, as defined in section  
2 708.1, against a peace officer, jailer, correctional staff,  
3 member or employee of the board of parole, health care  
4 provider, employee of the department of human services,  
5 employee of the department of revenue, ~~or~~ fire fighter,  
6 whether paid or volunteer, or sports official, who knows that  
7 the person against whom the assault is committed is a peace  
8 officer, jailer, correctional staff, member or employee of  
9 the board of parole, health care provider, employee of the  
10 department of human services, employee of the department of  
11 revenue, ~~or~~ fire fighter or sports official, and who uses or  
12 displays a dangerous weapon in connection with the assault, is  
13 guilty of a class "D" felony.

14 3. A person who commits an assault, as defined in section  
15 708.1, against a peace officer, jailer, correctional staff,  
16 member or employee of the board of parole, health care  
17 provider, employee of the department of human services,  
18 employee of the department of revenue, ~~or~~ fire fighter, whether  
19 paid or volunteer, or sports official who knows that the person  
20 against whom the assault is committed is a peace officer,  
21 jailer, correctional staff, member or employee of the board of  
22 parole, health care provider, employee of the department of  
23 human services, employee of the department of revenue, ~~or~~ fire  
24 fighter, or sports official, and who causes bodily injury or  
25 mental illness, is guilty of an aggravated misdemeanor.

26 4. Any other assault, as defined in [section 708.1](#), committed  
27 against a peace officer, jailer, correctional staff, member or  
28 employee of the board of parole, health care provider, employee  
29 of the department of human services, employee of the department  
30 of revenue, ~~or~~ fire fighter, whether paid or volunteer, or  
31 sports official, by a person who knows that the person against  
32 whom the assault is committed is a peace officer, jailer,  
33 correctional staff, member or employee of the board of parole,  
34 health care provider, employee of the department of human  
35 services, employee of the department of revenue, ~~or~~ fire

1 fighter, or sports official, is a serious misdemeanor.

2 Sec. 5. Section 708.3A, subsection 5, Code 2020, is amended  
3 by adding the following new paragraph:

4 NEW PARAGRAPH. *f.* "*Sports official*" means an individual  
5 who serves as a referee, umpire, or linesman, or in a similar  
6 capacity, at any athletic contest, including a charity event,  
7 and who is a member of or registered with a local, state,  
8 regional, or national organization that is engaged, in part,  
9 in providing education and training to referees, umpires,  
10 linesman, or persons in similar capacities. "*Sports official*"  
11 also includes an individual who volunteers as a referee,  
12 umpire, or linesman, or in a similar capacity, at any athletic  
13 contest, including a charity event.

14 Sec. 6. EFFECTIVE DATE. This Act, being deemed of immediate  
15 importance, takes effect upon enactment.

16 Sec. 7. APPLICABILITY. The following apply to legal actions  
17 commenced after the effective date of this Act, including legal  
18 actions that allege actions or inactions of a sports official  
19 that occurred prior to the effective date of this Act:

- 20 1. The section of this Act enacting section 671B.1.
- 21 2. The section of this Act enacting section 671B.2.
- 22 3. The section of this Act enacting section 671B.3.

23 EXPLANATION

24 The inclusion of this explanation does not constitute agreement with  
25 the explanation's substance by the members of the general assembly.

26 This bill provides that a sports official who officiates  
27 an athletic contest at any level of competition in Iowa shall  
28 not be liable to any person in any civil action for injuries  
29 or damages claimed to have arisen due to actions or inactions  
30 within the confines of the athletic facility at which the  
31 athletic contest is played related in any manner to the sports  
32 official's officiating duties. This provision does not apply  
33 to a sports official who causes injury or damage to a person  
34 by actions or inactions that are intentional, malicious, or  
35 grossly negligent. The bill applies to legal actions commenced

1 after the effective date of the bill, including legal actions  
2 that allege actions or inactions of a sports official that  
3 occurred prior to the effective date of the bill.

4 The bill provides that a person who commits an assault  
5 against a sports official, with the knowledge that the person  
6 against whom the assault is committed is a sports official,  
7 and with the intent to commit a serious injury, is guilty of a  
8 class "D" felony. The bill provides that a person who commits  
9 an assault against a sports official, who knows that the person  
10 against whom the assault is committed is a sports official, and  
11 who uses or displays a dangerous weapon in connection with the  
12 assault, is guilty of a class "D" felony. The bill provides  
13 that a person who commits an assault against a sports official,  
14 who knows that the person against whom the assault is committed  
15 is a sports official, and who causes bodily injury or mental  
16 illness, is guilty of an aggravated misdemeanor. The bill  
17 provides that any other assault committed against a sports  
18 official by a person who knows that the person against whom  
19 the assault is committed is a sports official is a serious  
20 misdemeanor. A class "D" felony is punishable by confinement  
21 for no more than five years and a fine of at least \$750 but  
22 not more than \$7,500. An aggravated misdemeanor is punishable  
23 by confinement for no more than two years and a fine of at  
24 least \$625 but not more than \$6,250. A serious misdemeanor is  
25 punishable by confinement for no more than one year and a fine  
26 of at least \$315 but not more than \$1,875.

27 The bill defines "sports official" as an individual who  
28 serves as a referee, umpire, or linesman, or in a similar  
29 capacity, at any athletic contest, including a charity event,  
30 and who is a member of or registered with a local, state,  
31 regional, or national organization that is engaged, in part, in  
32 providing education and training to sports officials. "Sports  
33 official" also includes an individual who volunteers as a  
34 referee, umpire, or linesman, or in a similar capacity, at any  
35 athletic contest, including a charity event.

1 The bill takes effect upon enactment.