

**Senate File 2023 - Introduced**

SENATE FILE 2023

BY BOLKCOM

**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 through 4, Code 2020,  
19 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, and who is a member of  
7 or registered with a local, state, regional, or national  
8 organization that is engaged, in part, in providing education  
9 and training to referees, umpires, linesman, or persons in  
10 similar capacities.

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

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

- 17 1. The section of this Act enacting section 671B.1.
- 18 2. The section of this Act enacting section 671B.2.
- 19 3. The section of this Act enacting section 671B.3.

20 EXPLANATION

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

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

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

24 The bill defines "sports official" as an individual who  
25 serves as a referee, umpire, or linesman, or in a similar  
26 capacity, at any athletic contest, and who is a member of  
27 or registered with a local, state, regional, or national  
28 organization that is engaged, in part, in providing education  
29 and training to sports officials.

30 The bill takes effect upon enactment.