

SENATE No. 1381

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 adoption of the accompanying bill:

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

PETITION OF:

NAME:

James T. Welch

DISTRICT/ADDRESS:

Hampden

SENATE No. 1381

By Mr. Welch, a petition (accompanied by bill, Senate, No. 1381) of James T. Welch for legislation relative to zero tolerance for violence and aggression by adults at youth sporting events. Public Safety and Homeland Security.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1327 OF 2015-2016.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

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:

1 SECTION 1. SHORT TITLE

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

3 SECTION 2. Chapter 22 of the General Laws is hereby amended by inserting after

4 section 22 the following Section:

5 Section 23:

6 Section 1. DEFINITIONS

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

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

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

16 (a) There is created within the Department of Public Safety a Council Against Violence
17 and Aggression at Youth Activities (hereafter, the Council) composed of 1 representative from
18 each of the 5 regions in the Commonwealth to be appointed by the Governor for a total of 5
19 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 Council
23 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 at
28 youth sporting events

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

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

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

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

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

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

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

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

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

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

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

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

51 (1) Definition:

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

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

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

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

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

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

67 (1) Whoever commits criminal harassment pursuant to c. 265 §43A at any sanctioned
68 youth sporting event as defined in c. 265 §13N(1) (a), shall be punished by imprisonment in the
69 house of correction for not less than 30 days nor more than 5 years or by a fine of not less than
70 \$500 nor more than \$5,000 or both.