

AMENDED IN ASSEMBLY APRIL 24, 2014

AMENDED IN ASSEMBLY MARCH 28, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2457

Introduced by Assembly Member Levine

February 21, 2014

An act to add ~~Section 243.84~~ *Sections 241.9 and 243.87* to the Penal Code, relating to crimes.

LEGISLATIVE COUNSEL'S DIGEST

AB 2457, as amended, Levine. Assault and battery: stadium or arena: enhancement.

Existing law makes it a misdemeanor to commit an assault or a battery, except in specified instances, and makes these crimes punishable by a fine, not to exceed \$1,000 or \$2,000, respectively, or by imprisonment in a county jail not to exceed 6 months, or by both that fine and imprisonment.

~~This bill, for an assault or a battery that was committed on stadium or arena property on an event day, as defined, would require the imposition of an additional fine of \$10,000. bill would additionally make it a crime, punishable by a fine, as specified, punishment in the county jail not to exceed 6 months, or by both that fine and imprisonment, to commit an assault or battery on stadium or arena property on an event day. The bill would specify that this provision does not apply to players or sports officials. sports officials or athletes engaged in an event. By creating a new crime, this bill would impose a state-mandated local program.~~

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 241.9 is added to the Penal Code, to read:
- 2 241.9. (a) A person who commits an assault on stadium or
- 3 arena property on an event day shall be punished by a fine of up
- 4 to two thousand dollars (\$2,000), by imprisonment in the county
- 5 jail not exceeding six months, or by both that fine and
- 6 imprisonment.
- 7 (b) This section shall not apply to sports officials, as defined in
- 8 subdivision (b) of Section 243.8 or athletes engaged in an event.
- 9 (c) As used in this section, the following definitions shall apply:
- 10 (1) “Event day” means the period of time from 12 hours prior
- 11 to the start of an event at a stadium or arena through 12 hours
- 12 after the conclusion of the event, inclusive.
- 13 (2) “Stadium or arena” means a venue within the state that is
- 14 capable of seating an audience.
- 15 (3) “Stadium or arena property” means within or upon the
- 16 stadium or arena structure, the parking structure, and a parking
- 17 lot adjacent to or serving the stadium or arena.
- 18 (4) “Stadium or arena event” means an event at a stadium or
- 19 arena where the attendees have paid admission.
- 20 (d) This section does not limit or prevent prosecution under any
- 21 other applicable provision of law.
- 22 SEC. 2. Section 243.87 is added to the Penal Code, to read:
- 23 243.87. (a) A person who commits a battery on stadium or
- 24 arena property on an event day shall be punished by a fine of up
- 25 to four thousand dollars (\$4,000).
- 26 (b) This section shall not apply to sports officials, as defined in
- 27 subdivision (b) of Section 243.8 or athletes engaged in an event.
- 28 (c) As used in this section, the following definitions shall apply:

1 (1) “Event day” means the period of time from 12 hours prior
2 to the start of an event at a stadium or arena through 12 hours
3 after the conclusion of the event, inclusive.

4 (2) “Stadium or arena” means a venue within the state that is
5 capable of seating an audience.

6 (3) “Stadium or arena property” means within or upon the
7 stadium or arena structure, the parking structure, and a parking
8 lot adjacent to or serving the stadium or arena.

9 (4) “Stadium or arena event” means an event at a stadium or
10 arena with an audience of more than 1,000 people in attendance.

11 (d) This section does not limit or prevent prosecution under any
12 other applicable provision of law.

13 SEC. 3. No reimbursement is required by this act pursuant to
14 Section 6 of Article XIII B of the California Constitution because
15 the only costs that may be incurred by a local agency or school
16 district will be incurred because this act creates a new crime or
17 infraction, eliminates a crime or infraction, or changes the penalty
18 for a crime or infraction, within the meaning of Section 17556 of
19 the Government Code, or changes the definition of a crime within
20 the meaning of Section 6 of Article XIII B of the California
21 Constitution.

22 SECTION 1. ~~Section 243.84 is added to the Penal Code, to~~
23 ~~read:~~

24 ~~243.84. (a) If a person commits an assault or battery on stadium~~
25 ~~or arena property on an event day, the person shall be subject to~~
26 ~~an additional fine of up to ten thousand dollars (\$10,000).~~

27 ~~(b) This section shall not apply to players or sports officials, as~~
28 ~~defined in Section 243.8.~~

29 ~~(c) As used in this section, the following definitions shall apply:~~

30 ~~(1) “Event day” means the period of time from 12 hours prior~~
31 ~~to the start of an event at a stadium or arena through 12 hours after~~
32 ~~the conclusion of the event, inclusive.~~

33 ~~(2) “Stadium or arena” means a venue within the state that is~~
34 ~~capable of seating an audience of more than 5,000 people.~~

35 ~~(3) “Stadium or arena property” means within or upon the~~
36 ~~stadium or arena structure, the parking structure, and a parking lot~~
37 ~~adjacent to or serving the stadium or arena.~~

38 ~~(4) “Stadium or arena event” means an event at a stadium or~~
39 ~~arena with an audience of more than 1,000 people in attendance.~~

- 1 (d) ~~This section does not limit or prevent prosecution under any~~
- 2 ~~other applicable provision of law.~~

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