Legislation Details (With Text)

File #:	Int 0482-2003 **Version:** A	**Name:**	Trespassing upon the playing area of a professional sporting event a misdemeanor.
Type:	Introduction	**Status:**	Enacted
		In control:	Committee on Public Safety
On agenda:	5/28/2003		
Enactment date:	10/20/2003	**Enactment #:**	2003/061

Title: A Local Law to amend the administrative code of the city of New York, in relation to making it a misdemeanor to trespass upon the playing area of a professional sporting event and imposing a civil penalty for those who interfere with a professional sporting event.

Sponsors: Gifford Miller, Peter F. Vallone, Jr., Joseph P. Addabbo, Jr., Leroy G. Comrie, Jr., Lewis A. Fidler, James F. Gennaro, Melinda R. Katz, John C. Liu, Michael C. Nelson, Christine C. Quinn, Domenic M. Recchia, Jr., James Sanders, Jr., Albert Vann, David I. Weprin

Indexes:

Attachments: 1. Cover Sheet, 2. Memo In Support, 3. Committee Report 6/20, 4. Hearing Transcript 6/20, 5. Committee Report 9/12, 6. Hearing Transcript 9/12, 7. Local Law, 8. Hearing Transcript - Stated Meeting 9/30

Date	Ver.	Action By	Action	Result
5/28/2003	*	City Council	Introduced by Council	
5/28/2003	*	City Council	Referred to Comm by Council	
6/20/2003	*	Committee on Public Safety	Hearing Held by Committee	
6/20/2003	*	Committee on Public Safety	Laid Over by Committee	
9/12/2003	*	Committee on Public Safety	Hearing Held by Committee	
9/12/2003	A	Committee on Public Safety	Approved by Committee	Pass
9/12/2003	*	Committee on Public Safety	Amended by Committee	
9/12/2003	*	Committee on Public Safety	Amendment Proposed by Comm	
9/17/2003	A	City Council	Laid Over by Council	
9/30/2003	A	City Council	Approved by Council	Pass
9/30/2003	A	City Council	Sent to Mayor by Council	
10/20/2003	A	Mayor	Hearing Held by Mayor	
10/20/2003	A	Mayor	Signed Into Law by Mayor	
10/21/2003	A	City Council	Recved from Mayor by Council	

Proposed Int. No. 482-A

By the Speaker (Council Member Miller) and Council Members Vallone Jr., Addabbo Jr., Comrie, Fidler, Gennaro, Katz, Liu, Nelson, Quinn, Recchia Jr., Sanders Jr., Vann and Weprin

A Local Law to amend the administrative code of the city of New York, in relation to making it a misdemeanor to trespass upon the playing area of a professional sporting event and imposing a civil penalty for those who interfere with a professional sporting event.

Be it enacted by the Council as follows:

Section One. Legislative findings and intent. Recently, there has been an increase in the number of unruly fans at professional sporting events. These fans have become more violent by trespassing onto the playing area of a professional sporting event and attacking players, coaches and sports officials.

Two episodes of violence and fan disruption, during the play of professional baseball, merely seven months apart, illustrate this problem. The first incident at the home of the Chicago White Sox involved a father-son duo that jumped over the box-seat railing and injured the opposing team's first base coach, who has hearing damage from that incident. The second incident occurred when a 24-year old man ran onto the field, raced over to the first base umpire and wrapped his arms around him. This occurred after three separate instances in earlier innings of fans running onto the field. Barry Mano, President of the National Association of Sports Officials, states: "We're out in harm's way and things are worse today than ever before."

The City Council, in an effort to protect sport participants at professional sporting events in New York City, and to dissuade lawless fans from committing injury and mayhem, creates a new section of the administrative code that makes it a Class A misdemeanor to trespass onto the playing area of a professional sporting event and implements a structure of civil penalties for such unruly fans. This legislation does not include athletic competition or practice that is played by a college or university team, nor shall it include any interscholastic or intramural athletic activity or youth athletic activity sponsored by a primary, middle, junior high, high school, community or municipal recreation department.

§2. Chapter one of title 10 of the administrative code of the city of New York is amended to add a new section 10-162, to read as follows:

§10-162 Interference with professional sporting event.

a. Definitions. For the purposes of this section, the following terms shall have the following meanings:

1. Professional Sporting Event. An athletic competition or practice involving a professional team. The duration of said competition or practice is to include the period from the opening of the venue's gates to the public, to the closing of the gates after the event.

2. Playing Area. Any area designated for use by players, coaches, officials or other team or league personnel that is on, or adjacent to, the area of play during the period from the opening of the venue's gates to the public, to the closing of the gates after the event.

3. Sports Participant. An umpire, referee, player, coach, manager, security employee, groundskeeper, stadium operations employee, or any other sanctioned participant in which the professional sporting event is taking place**.**

b. Prohibition & Penalties**.**

1. Any person who knowingly enters or remains unlawfully upon the playing area of a professional sporting event shall be

powered by Legistar™

guilty of a misdemeanor punishable by imprisonment of not more than one year, a fine of not more than one thousand dollars, or both.

2 Any person who shall disrupt a professional sporting event by knowingly entering or remaining unlawfully upon a playing area of a professional sporting event, shall be liable, to any person or entity injured or aggrieved by such action, for a civil penalty of not less than $1,000 and not more than $5,000. Any person, while knowingly entering or remaining unlawfully upon the playing area of a professional sporting event, who shall strike, slap, kick or otherwise subject to physical contact a sports participant or who shall attempt to strike, slap, kick or otherwise subject to physical contact a sports participant shall be liable, to any person or entity injured or aggrieved by such action, for a civil penalty of not less than $10,000 and not more than $25,000. Such civil penalties shall be in addition to any criminal penalties and/or sanctions that may be imposed, and such civil penalties shall not limit or preclude any cause of action available to any person or entity injured or aggrieved by such action.

§3. This local law shall take effect immediately.

TB
LS#
9/3/03

powered by Legistar™