

Committee on Criminal Justice

CS/HB 371 — False Reports of Crimes

by Judiciary Committee and Rep. Brannan and others (CS/SB 1234 by Judiciary Committee and Senator Boyd)

The bill amends the current first degree misdemeanor offense of willful making of a false report of a crime to provide that this offense is committed by willfully imparting, conveying, or causing to be imparted or conveyed to a law enforcement officer or *employee of a public safety agency* false information or reports concerning the alleged commission of any crime under the laws of this state, knowing such information or report to be false, when no such crime has actually been committed.

The bill defines a “public safety agency” as a law enforcement agency, professional or volunteer fire department, emergency medical service, ambulance service, or other public entity that dispatches or provides first responder services to respond to crimes, to assist victims of crimes, or to apprehend offenders.

The bill also provides that if the willful making of a false report of a crime results in a response by a federal, state, district, municipal, or other public safety agency and the response results in:

- Great bodily harm, permanent disfigurement, or permanent disability to any person as a proximate result of lawful conduct arising out of a response, the person making such report commits a third degree felony; or
- Death to any person as a proximate result of lawful conduct arising out of a response, the person making such report commits a second degree felony.

A court shall order any person convicted of misdemeanor or felony willful making of a false report to pay restitution, which shall include full payment for any cost incurred by a responding public safety agency.

The bill also ranks these new felonies in the offense severity ranking chart of the Criminal Punishment Code.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 40-0; House 116-0