

FLORIDA HOUSE OF REPRESENTATIVES BILL ANALYSIS

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BILL #: [CS/HB 279](#)

TITLE: Misuse of Emergency Communications Systems

SPONSOR(S): Partington

COMPANION BILL: [SB 278](#) (Wright)

LINKED BILLS: None

RELATED BILLS: None

Committee References

[Criminal Justice](#)

17 Y, 0 N, As CS



[Economic Infrastructure](#)

17 Y, 0 N



[Judiciary](#)

SUMMARY

Effect of the Bill:

CS/HB 279 revises offenses related to misusing the 911 system and requires a person who is convicted of misusing the 911 system to pay restitution for the cost of the emergency response. The bill:

- Creates a third degree felony if a person makes a false report of an emergency using the 911 system and the resulting emergency response results in great bodily harm, permanent disfigurement, or permanent injury.
- Creates a second degree felony if a person makes a false report of an emergency using the 911 system and the resulting emergency response results in death to any person.
- Deletes an enhanced penalty if a person misuses the 911 system and receives a service valued at \$100 or greater.
- Requires a court to order a person convicted of misusing the 911 system to pay restitution to a responding public safety agency and any other victim who suffers damage or injury, including full payment for any costs incurred by a responding public safety agency.

Fiscal or Economic Impact:

The bill may have an indeterminate positive prison bed impact by creating new felony offenses for misusing the 911 system which result in specified injury or death, which could lead to increased prison admissions. The bill requires a court to order a person who is convicted of misusing the 911 system to pay restitution to any responding public safety agency and any other victim who suffers damage or injury. To the extent that public safety agencies are expending funds by responding to emergency calls resulting from misuse of the 911 system, there may be an indeterminate positive fiscal impact on such agencies that would be eligible to receive restitution under the bill.

[JUMP TO](#)

[SUMMARY](#)

[ANALYSIS](#)

[RELEVANT INFORMATION](#)

[BILL HISTORY](#)

ANALYSIS

EFFECT OF THE BILL:

Misusing the 911 System

The bill provides enhanced penalties if the public safety agency response to a false report of an emergency that was made using the 911 system results in specified bodily injury or death. Under the bill, a person who misuses the 911 system by making a false report or complaint or by reporting false information that could lead to an emergency response commits a:

- Third degree felony,¹ if the emergency response by a public safety agency results in great bodily harm, permanent disfigurement, or permanent disability as a proximate result of lawful conduct arising out of the emergency response.
- Second degree felony,² if the emergency response by a public safety agency results in the death of any person as a proximate result of lawful conduct arising out of the emergency response. (Section [1](#))

¹ A third degree felony is punishable by up to five years imprisonment and a \$5,000 fine. [Ss. 775.082, 775.083, or 775.084, F.S.](#)

² A second degree felony is punishable by up to 15 years imprisonment and a \$10,000 fine. [Ss. 775.082, 775.083, or 775.084, F.S.](#)

STORAGE NAME: h0279c.EIS

DATE: 3/20/2025

The third degree felony offense created by the bill is ranked as a Level 2 offense on the [offense severity ranking chart](#) (OSRC). The second degree felony offense created by the bill is ranked as a Level 5 offense on the OSRC. (Section [2](#))

The bill deletes an enhanced penalty that makes misusing the 911 system punishable as a third degree felony if the value of the service obtained by misuse of the system is \$100 or greater. (Section [1](#))

The bill requires a court to order any person convicted of misusing the 911 system to pay restitution to a responding public safety agency and any other victim who suffers damage or injury as a proximate result of lawful conduct arising out of an emergency response. The bill specifies that the restitution must include the full payment of any cost incurred by such agency. (Section [1](#))

The effective date of the bill is July 1, 2025. (Section [3](#))

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

The bill may have an indeterminate positive prison bed impact by creating new felony offenses for misusing the 911 system which result in specified injury or death, which could lead to increased prison admissions.

LOCAL GOVERNMENT:

The bill requires a court to order a person who is convicted of misusing the 911 system to pay restitution to any responding public safety agency and any other victim who suffers damage or injury. To the extent that public safety agencies are expending funds by responding to emergency calls resulting from misuse of the 911 system, there may be an indeterminate positive fiscal impact on such agencies that would be eligible to receive restitution under the bill.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

False Reports of Emergencies

Misusing the 911 System

[Section 365.172, F.S.](#), prohibits a person from:

- Accessing the 911 system for the purpose of making a false alarm or complaint or reporting false information that could result in an emergency response of any public safety agency;³
- Knowingly using or attempting to use the 911 system for a purpose other than public safety assistance; or
- Knowingly using or attempting to use the 911 system in an effort to avoid any charge for service.

A violation is punishable as a first degree misdemeanor. A person commits a third degree felony if he or she misuses the 911 system and:

- The person has four prior convictions for misusing the 911 system; or
- The value of the service or the service charge obtained by misusing the 911 system exceeds \$100.⁴

The felony is unranked on the OSRC and thus defaults to a Level 1 offense.

False Reports of Crimes

[Section 817.49, F.S.](#), prohibits a person from willfully imparting, conveying, or causing to be imparted or conveyed to any law enforcement officer or employee of a public safety agency, false information or reports concerning the commission of any crime when the person knows the report is false and that no such crime has been committed. A

³ "Public safety agency" means a functional division of a public agency which provides firefighting, law enforcement, medical, or other emergency services. [S. 365.172\(3\)\(z\), F.S.](#)

⁴ [S. 365.172, F.S.](#)

violation is punishable as a first degree misdemeanor.⁵ If a person willfully makes a false report of a crime and the response by a public safety agency 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 a false report commits a third degree felony, which is ranked as a Level 3 offense on the offense severity ranking chart (OSRC).
- Death to any person as a proximate result of lawful conduct arising out of a response, the person making such a false report commits a second degree felony, which is ranked as a Level 6 offense on the OSRC.

A court must order a person who is convicted of making a false report of a crime to pay restitution, which must include full payment for any cost incurred by a responding public safety agency.⁶

Offense Severity Ranking Chart

Felony offenses subject to the Criminal Punishment Code (CPC) are listed in a single offense severity ranking chart (OSRC), which uses 10 offense levels to rank felonies from least severe (Level 1) to most severe (Level 10). Each felony offense is assigned to a level according to the severity of the offense, commensurate with the harm or potential for harm to the community that is caused by the offense, as determined by statute. A person’s primary offense, any other current offenses, and prior offenses are scored using the points designated for the offense severity level of each offense. The final calculation, following the scoresheet formula, determines the lowest permissible sentence that the trial court may impose, absent a valid reason for departure.⁷ If an offense is unranked, the CPC specifies a default level on the OSRC depending on the felony degree of the offense.⁸

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Criminal Justice Subcommittee	17 Y, 0 N, As CS	3/12/2025	Hall	Padgett
THE CHANGES ADOPTED BY THE COMMITTEE:	<ul style="list-style-type: none"> • Created a third degree felony if a person misuses the 911 system by making a false report and the emergency response results in great bodily harm, permanent disfigurement, or permanent disability, and ranked the crime as a Level 2 offense on the offense severity ranking chart (OSRC). • Created a second degree felony if a person misuses the 911 system by making a false report and the emergency response results in death to any person, ranked as a Level 5 offense on the OSRC. • Required a person who is convicted of misusing the 911 system to pay restitution to both the responding public safety agency <i>and</i> any other victim who suffers damage. 			
Economic Infrastructure Subcommittee	17 Y, 0 N	3/19/2025	Keating	Bauldree
Judiciary Committee				

THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.

⁵ [S. 817.49\(1\), F.S.](#)

⁶ [S. 817.49\(3\), F.S.](#)

⁷ [S. 921.0022, F.S.](#)

⁸ [S. 921.0023, F.S.](#)