

1 A bill to be entitled
 2 An act relating to the misuse of emergency
 3 communications systems; amending s. 365.172, F.S.;
 4 providing enhanced criminal penalties for a specified
 5 violation relating to the use of emergency
 6 communications services which results in bodily injury
 7 or property damage; requiring courts to order
 8 restitution for certain violations; providing
 9 requirements for such restitution; providing an
 10 effective date.

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 12 Be It Enacted by the Legislature of the State of Florida:

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 14 **Section 1. Subsection (14) of section 365.172, Florida**
 15 **Statutes, is amended to read:**

16 365.172 Emergency communications.—

17 (14) MISUSE OF 911, E911, OR NG911 SYSTEM; PENALTY.—911,
 18 E911, and NG911 service must be used solely for emergency
 19 communications by the public.

20 (a) A any person who does any of the following commits a
 21 misdemeanor of the first degree, punishable as provided in s.
 22 775.082 or s. 775.083:

23 1. Accesses the number 911 for the purpose of making a
 24 false alarm or complaint or reporting false information that
 25 could result in the emergency response of any public safety

26 | agency.~~;~~ ~~any person who~~

27 | 2. Knowingly uses or attempts to use such service for a
 28 | purpose other than obtaining public safety assistance.~~;~~ ~~or any~~
 29 | ~~person who~~

30 | 3. Knowingly uses or attempts to use such service in an
 31 | effort to avoid any charge for service, ~~commits a misdemeanor of~~
 32 | ~~the first degree, punishable as provided in s. 775.082 or s.~~
 33 | ~~775.083.~~

34 | (b) If a person violates subparagraph (a)1. and during the
 35 | violation the subsequent emergency response results in bodily
 36 | injury or property damage as a proximate result of lawful
 37 | conduct arising out of the emergency response, the person
 38 | commits a felony of the third degree, punishable as provided in
 39 | s. 775.082, s. 775.083, or s. 775.084.

40 | (c) After being convicted of unauthorized use of emergency
 41 | communications services such service four times, a person who
 42 | continues to engage in such unauthorized use commits a felony of
 43 | the third degree, punishable as provided in s. 775.082, s.
 44 | 775.083, or s. 775.084.

45 | (d) A court shall order any person convicted of violating
 46 | this subsection to pay restitution to a responding public safety
 47 | agency. The restitution must include the full payment of any
 48 | cost incurred by such agency, including bodily injury or
 49 | property damage caused by the response ~~In addition, if the value~~
 50 | ~~of the service or the service charge obtained in a manner~~

51 ~~prohibited by this subsection exceeds \$100, the person~~
52 ~~committing the offense commits a felony of the third degree,~~
53 ~~punishable as provided in s. 775.082, s. 775.083, or s. 775.084.~~

54 **Section 2.** This act shall take effect upon becoming a law.