

HB0113 compared with HB0113S01

19 **76-9-105.5** , as renumbered and amended by Laws of Utah 2025, Chapter 173

20 **Utah Code Sections affected by Coordination Clause:**

21 **76-9-105.5 (05/06/26)** , as renumbered and amended by Laws of Utah 2025, Chapter 173

22

23 *Be it enacted by the Legislature of the state of Utah:*

24 Section 1. Section **76-9-105.5** is amended to read:

25 **76-9-105.5. Emergency reporting abuse.**

26 (1)

(a) As used in this section:

27 (i) "Emergency" means a situation in which property or human life is in jeopardy and the prompt
summoning of aid is essential to the preservation of human life or property.

28 (ii) "Party line" means a subscriber's line or telephone circuit:

29 (A) that consists of two or more connected main telephone stations; and

30 (B) where each telephone station has a distinctive ring or telephone number.

31 (iii) "Weapon of mass destruction" means the same as that term is defined in Section 76-15-301.

32 (b) Terms defined in Sections Section 76-1-101.5 apply to this section.

33 (2) An actor commits emergency reporting abuse if the actor:

34 (a) reports an emergency or causes an emergency to be reported, through any means, to a public,
private, or volunteer entity whose purpose is to respond to fire, police, or medical emergencies,
when the actor knows the reported emergency does not exist;

35 (b) makes a false report, or intentionally aids, abets, or causes another person to make a false report,
through any means to an emergency response service, including a law enforcement dispatcher or a
911 emergency response service, if the false report claims that:

36 (i) an emergency exists or will exist;

37 (ii) the emergency described in Subsection (2)(b)(i) involves an imminent or future threat of serious
bodily injury, serious physical injury, or death; and

38 (iii) the emergency described in Subsection (2)(b)(i) is occurring, or will occur, at a specified location;
or

39 (c) makes a false report after having previously made a false report, or intentionally aides, abets, or
causes a third party to make a false report, to an emergency response service, including a law

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enforcement dispatcher or a 911 emergency response service, alleging a violation of Section 63G-31-302 regarding a sex-designated changing room.

49 (3)

(a)

(i) Except as provided in Subsection [(3)(b)] ~~{(3)(a)(ii)}~~ (3)(b), ~~{(d)}~~ (c), or ~~{(e)}~~ (d), a violation of Subsection (2)(a) is a class B misdemeanor.

56 (b) Except as provided in Subsection (3)(c) or (d), a violation of Subsection (2)(a) is a class A misdemeanor if:

58 (i) the violation is the actor's third or subsequent conviction or adjudication under Subsection (2)(a) or (b); or

60 (ii)

(A) the actor was reckless as to whether the actor's violation could jeopardize the safety of any individual; and

62 (B) the actor's violation causes an emergency response, or a delay of an emergency response to another request for emergency services, that results in serious bodily injury to an individual or pecuniary loss equal to, or in excess, of \$5,000 in value.

66 (c) Except as provided in Subsection (3)(d), a violation of Subsection (2)(a) is a third degree felony if:

68 (i) the actor was reckless as to whether the actor's violation could jeopardize the safety of any individual; and

70 (ii) the actor's violation causes an emergency response, or a delay of an emergency response to another request for emergency services, that results in the death of any individual.

51 ~~[(b)]~~ (ii)~~{(d)}~~ A violation of Subsection (2)(a) is a second degree felony if the report is regarding a weapon of mass destruction.

53 ~~[(e)]~~ ~~(b)~~{(e)} A violation of Subsection (2)(b) is a second degree felony.

54 ~~[(d)]~~ ~~(c)~~{(f)} ~~{f}~~ **A** ~~{}~~ Except as provided in Subsection (3)(d) or (e), a violation of Subsection (2)(c) is a class B misdemeanor.

56 ~~{(d) Except as provided in Subsection (3)(a)(ii) or (e), a violation of Subsection (2)(a) or (e) is a third degree felony if the violation:}~~

58 ~~{(i) is the actor's third or subsequent conviction or adjudication under this section; or}~~

59 ~~{(ii) causes an emergency response, or a delay of an emergency response to another request for emergency services, that results in:}~~

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- 61 {~~(A) bodily injury or substantial bodily injury to an individual; or~~}
- 62 {~~(B) pecuniary loss equal to, or in excess, of \$5,000 in value.~~}
- 63 {~~(e) Except as provided in Subsection (3)(a)(ii), a violation of Subsection (2)(a) or (c) is a second~~
~~degree felony if the violation causes an emergency response, or a delay of an emergency response to~~
~~another request for emergency services, that results in:~~}
- 66 {~~(i) serious bodily injury to an individual; or~~}
- 67 {~~(ii) death to an individual.~~}
- 68 (4)
- (a) In addition to another penalty authorized by law, a court shall order an actor convicted of a violation of this section to:
- 70 (i) ~~[-to-]~~reimburse a federal, state, or local unit of government, or a private business, organization,
individual, or entity for all expenses and losses incurred in responding to the violation[-] ; and
- 73 (ii)
- (A) serve a minimum of four days {in jail} of incarceration; or
- 74 (B) perform a minimum of 40 hours of community service.
- 75 (b) The court may order that the actor pay less than the full amount of the costs described in Subsection ~~[(4)(a)]~~ (4)(a)(i) only if the court states on the record the reasons why the reimbursement would be inappropriate.

87 Section 2. **Effective date.**

Effective Date.

This bill takes effect on May 6, 2026.

89 Section 3. **Coordinating H.B. 113 with S.B. 99.**

If H.B. 113, Emergency Reporting Abuse Amendments, and S.B. 99, Emergency Reporting Offense Amendments, both pass and become law, the Legislature intends that, on May 6, 2026, Subsection 76-9-105.5(3) be amended to read:

"(3)(a) Except as provided in Subsection (3)(b), (f), or (g), a violation of Subsection (2)(a) is a class B misdemeanor.

(b) A violation of Subsection (2)(a) is a second degree felony if the report is regarding a weapon of mass destruction.

(c) A violation of Subsection (2)(b) is a second degree felony.

(d) A violation of Subsection (2)(c) is a class B misdemeanor.

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(e) Except as provided in Subsection (3)(f) or (g), a violation of Subsection (2)(d) is a class B misdemeanor.

(f) Except as provided in Subsection (3)(b) or (g), a violation of Subsection (2)(a) or (d) is a class A misdemeanor if:

(i) the violation is the actor's third or subsequent conviction or adjudication under Subsection (2)(a), (b), or (d); or

(ii) (A) the actor was reckless as to whether the actor's violation could jeopardize the safety of any individual; and

(B) the actor's violation causes an emergency response, or a delay of an emergency response to another request for emergency services, that results in serious bodily injury to an individual or pecuniary loss equal to, or in excess, of \$5,000 in value.

(g) Except as provided in Subsection (3)(b), a violation of Subsection (2)(a) or (d) is a third degree felony if:

(i) the actor was reckless as to whether the actor's violation could jeopardize the safety of any individual; and

(ii) the actor's violation causes an emergency response, or a delay of an emergency response to another request for emergency services, that results in the death of any individual."

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