

HB0113S01 compared with HB0113S02

17 **Other Special Clauses:**

18 None

19 **Utah Code Sections Affected:**

20 AMENDS:

21 **76-9-105.5**, as renumbered and amended by Laws of Utah 2025, Chapter 173

22 **76-9-105.6, as enacted by Laws of Utah 2025, Chapter 173**

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

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

26 **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.

30 ~~[(ii) "Party line" means a subscriber's line or telephone circuit:]~~

31 ~~[(A) that consists of two or more connected main telephone stations; and]~~

32 ~~[(B) where each telephone station has a distinctive ring or telephone number.]~~

33 ~~[(iii)]~~ (ii) "Weapon of mass destruction" means the same as that term is defined in Section
76-15-301.

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

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

37 (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;

40 (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:

44 (i) an emergency exists or will exist;

45 (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

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- (iii) the emergency described in Subsection (2)(b)(i) is occurring, or will occur, at a specified location; or
- 49 (c) makes a false report after having previously made a false report, or intentionally aides aids, abets, or causes a third party to make a false report, to an emergency response service, including a law enforcement dispatcher or a 911 emergency response service, alleging a violation of Section 63G-31-302 regarding a sex-designated changing room [-] ; or
- 55 (d)
- (i) under circumstances not amounting to an offense described in Subsection (2)(a) or (b), contacts, through any means, a 911 emergency response service, when the actor knows, or reasonably should know, that no actual or perceived emergency, crime, or other circumstance jeopardizing public safety exists; and
- 59 (ii) has previously been informed by a 911 response service dispatcher, a law enforcement officer, or a prosecuting attorney that the circumstance the actor is reporting to a 911 emergency response service, or a substantially similar circumstance, is not a circumstance that is appropriate for being reported to a 911 emergency response service.
- 54 (3)
- (a) Except as provided in Subsection ~~{(3)(b){}}~~ ~~(3)(b), (c), or (d)~~, (f), or (g), 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 ~~{(e) Except as provided in Subsection (3)(d), a violation of Subsection (2)(a) is a third degree felony if: }~~
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- {(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.~~}
- 73 ~~{(b){}} ~~{(d)}~~~~ A violation of Subsection (2)(a) is a second degree felony if the report is regarding a weapon of mass destruction.
- 75 ~~{(c){}} ~~{(e)}~~~~ A violation of Subsection (2)(b) is a second degree felony.
- 76 ~~{(d){}} ~~{(f)}~~~~ A violation of Subsection (2)(c) is a class B misdemeanor.
- 70 (e) Except as provided in Subsection (3)(f) or (g), a violation of Subsection (2)(d) is a class B misdemeanor.
- 72 (f) Except as provided in Subsection (3)(b) or (g), a violation of Subsection (2)(a) or (d) is a class A misdemeanor if:
- 74 (i) the violation is the actor's third or subsequent conviction or adjudication under Subsection (2)(a), (b), or (d); or
- 76 (ii)
- (A) the actor was reckless as to whether the actor's violation could jeopardize the safety of any individual; and
- 78 (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.
- 82 (g) Except as provided in Subsection (3)(b), a violation of Subsection (2)(a) or (d) is a third degree felony if:
- 84 (i) the actor was reckless as to whether the actor's violation could jeopardize the safety of any individual; and
- 86 (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.
- 77 (4)
- (a) In addition to another penalty authorized by law, a court shall order an actor convicted of a violation of this section to:
- 79 (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

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82 (ii)

(A) serve a minimum of four days of incarceration; or

83 (B) perform a minimum of 40 hours of community service.

84 (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.

99 Section 2. Section 76-9-105.6 is amended to read:

76-9-105.6. Prohibited use of a party line or public pay telephone in an emergency.

102 (1)

(a) As used in this section:

103 (i) "Emergency" means the same as that term is defined in Section 76-9-105.5.

104 (ii) "Party line" means [~~the same as that term is defined in Section 76-9-105.5.~~] a subscriber's line
or telephone circuit:

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

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

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

109 (2) An actor commits prohibited use of a party line or public pay telephone in an emergency if the actor:

111 (a) intentionally refuses to yield or surrender the use of a party line or a public pay telephone to another
individual upon being informed that the party line or public pay telephone is needed to report a fire
or summon police, medical, or other aid in case of an emergency; or

115 (b) asks for or requests the use of a party line or a public pay telephone on the pretext that an emergency
exists, knowing that no emergency exists.

117 (3) A violation of Subsection (2) is a class C misdemeanor.

118 (4) Subsection (2)(a) does not apply if the actor refuses to yield or surrender the use of the party line or
public pay telephone because the actor is using the party line or public pay telephone to report an
emergency.

121 (5)

(a) In addition to another penalty authorized by law, a court shall order an actor convicted of a violation
of this section 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.

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- (b) The court may order that the actor pay less than the full amount of the costs described in Subsection (5)(a) only if the court states on the record the reasons why the full reimbursement would be inappropriate.

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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.

(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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Section 3. Effective date.

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Effective Date.

This bill takes effect on May 6, 2026.

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