

**Effective 5/9/2017**

**Superseded 5/7/2025**

**76-9-105 Making a false alarm -- Penalties.**

- (1) A person is guilty of making a false alarm if he initiates or circulates a report or warning of any fire, impending bombing, or other crime or catastrophe, knowing that the report or warning is false or baseless and is likely to cause evacuation of any building, place of assembly, or facility of public transport, to cause public inconvenience or alarm or action of any sort by any official or volunteer agency organized to deal with emergencies.
- (2)
  - (a) A person is guilty of a second degree felony if the person makes a false alarm relating to a weapon of mass destruction as defined in Section 76-10-401.
  - (b) A person is guilty of a third degree felony if:
    - (i) the person makes a false alarm alleging an ongoing act or event, or an imminent threat; and
    - (ii) the false alarm causes or threatens to cause bodily harm, serious bodily injury, or death to another person.
  - (c) Making a false alarm other than under Subsection (2)(a) or (b) is a class B misdemeanor.
- (3) In addition to any other penalty authorized by law, a court shall order any person convicted of a felony violation of this section to reimburse any federal, state, or local unit of government, or any private business, organization, individual, or entity for all expenses and losses incurred in responding to the violation, unless the court states on the record the reasons why the court finds the reimbursement would be inappropriate.