

FALSE EMERGENCY REPORTING AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ashlee Matthews

Senate Sponsor: Wayne A. Harper

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Joel K. Briscoe	Andrew Stoddard	
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LONG TITLE

General Description:

This bill concerns the offense of emergency reporting abuse.

Highlighted Provisions:

This bill:

- ▶ amends provisions and penalties relating to the offense of emergency reporting abuse; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

76-9-202, as last amended by Laws of Utah 2017, Chapter 462

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

Section 1. Section **76-9-202** is amended to read:

29 **76-9-202. Emergency reporting -- Interference -- False report.**

30 (1) As used in this section:

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

33 (b) "Party line" means a subscriber's line or telephone circuit:

34 (i) that consists of two or more connected main telephone stations; and

35 (ii) where each telephone station has a distinctive ring or telephone number.

36 (2) ~~[A person]~~ An actor is guilty of emergency reporting abuse if the ~~[person]~~ actor:

37 (a) intentionally refuses to yield or surrender the use of a party line or a public pay
38 telephone to another ~~[person]~~ individual upon being informed that the telephone is needed to
39 report a fire or summon police, medical, or other aid in case of emergency, unless the telephone
40 is likewise being used for an emergency call;

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

43 (c) reports an emergency or causes an emergency to be reported to any public, private,
44 or volunteer entity whose purpose is to respond to fire, police, or medical emergencies, when
45 the ~~[person]~~ actor knows the reported emergency does not exist; or

46 (d) makes a false report, or intentionally aids, abets, or causes a third party to make a
47 false report, to an emergency response service, including a law enforcement dispatcher or a 911
48 emergency response service, if the false report claims that:

49 (i) an ongoing emergency exists;

50 (ii) the emergency described in Subsection (2)(d)(i) currently involves, or involves an
51 imminent threat of, serious bodily injury, serious physical injury, or death; and

52 (iii) the emergency described in Subsection (2)(d)(i) is occurring at a specified
53 location.

54 (3) (a) A violation of Subsection (2)(a) or (b) is a class C misdemeanor.

55 (b) A violation of Subsection (2)(c) is a class B misdemeanor, except as provided
56 under Subsection (3)(c).

57 (c) A violation of Subsection (2)(c) is a second degree felony if the report is regarding
58 a weapon of mass destruction, as defined in Section 76-10-401.

59 (d) A violation of Subsection (2)(d):

60 (i) except as provided in Subsection (3)(d)(ii), is a third degree felony; or

61 (ii) is a second degree felony if[;]:

62 (A) while acting in response to the report, the emergency [~~responders cause~~] responder
63 causes physical injury to [a person] an individual at the location described in Subsection
64 (2)(d)(iii)[-]; or

65 (B) the actor makes the false report or aids, abets, or causes a third party to make the
66 false report with intent to ambush, attack, or otherwise harm a responding law enforcement
67 officer or emergency responder.

68 (4) (a) In addition to any other penalty authorized by law, a court shall order [~~any~~
69 ~~person~~] an actor convicted of a violation of this section to reimburse:

70 (i) any federal, state, or local unit of government, or any private business, organization,
71 individual, or entity for all expenses and losses incurred in responding to the violation; and

72 (ii) [~~any person~~] an individual described in Subsection (3)(d)(ii) for the costs for the
73 treatment of the physical injury and any psychological injury caused by the offense.

74 (b) The court may order that the defendant pay less than the full amount of the costs
75 described in Subsection (4)(a) only if the court states on the record the reasons why the
76 reimbursement would be inappropriate.