

HB 291 -- OFFENSE OF MAKING A FALSE REPORT

SPONSOR: Roberts (161)

This bill specifies that a person commits the offense of making a false report if he or she knowingly makes a false report or causes a false report to be made to a law enforcement officer, security officer, fire department or other organization, official, or volunteer with reckless disregard of causing bodily harm to any person as a direct result of an emergency response.

The offense of making a false report is a class B misdemeanor if the report is a false report of a misdemeanor offense, and it is class C felony if the report is a false report of a felony offense. The offense is a class B felony if the report results in death or grievous bodily injury as a proximate result of lawful conduct arising out of the response. A person under 18 years old who violates this section is guilty of an infraction for the first offense and a class C misdemeanor for a second or subsequent violation. The minor must appear before a juvenile court or, in lieu, complete 30 hours of community service or pay a fine not to exceed \$250.

This legislation does not impose liability on a person who contacts law enforcement to report unlawful conduct or conflict with the Communication Decency Act or the Civil Rights Act.

A person who is a victim of the offense may bring a civil action against the person who made the false report and may recover damages or other equitable relief, as well as reasonable attorneys' fees.

This bill is the same as HB 2580 (2020).