

By: McBride, Moak

To: Judiciary B

HOUSE BILL NO. 995

1 AN ACT TO CREATE THE CRIME OF FALSE REPORTING OF A CRIME AND
2 PRESCRIBE PENALTIES THEREFOR; TO AMEND SECTION 19-5-317,
3 MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED
4 PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 SECTION 1. It shall be unlawful for any person to report a
7 crime or any element of a crime to any law enforcement officer or
8 any officer of any court or any other official responsible for
9 receiving reports or crime, by any means, knowing that such report
10 is false. Any violation of this section where the falsely
11 reported crime would have been a misdemeanor, shall be punishable
12 as a misdemeanor by imprisonment in the county jail not to exceed
13 six (6) months or by fine not to exceed One Thousand Dollars
14 (\$1,000.00), or both. Any violation of this section where the
15 falsely reported crime would have been a felony, shall be
16 punishable as a felony, by imprisonment in the State Penitentiary
17 for no more than three (3) years or by fine not to exceed Five
18 Thousand Dollars (\$5,000.00), or both.

19 SECTION 2. Section 19-5-317, Mississippi Code of 1972, is
20 amended as follows:

21 19-5-317. (1) When there is not an emergency, no person
22 shall make a telephone call to an emergency telephone service and
23 knowingly or intentionally:

24 (a) Remain silent;

25 (b) Make abusive or harassing statements to an
26 emergency telephone service employee;

27 (c) Report the existence of an emergency; or

28 (d) Falsely report a crime.

29 (2) No person shall knowingly permit a telephone under his
30 control to be used by another person in a manner described in
31 subsection (1) of this section.

32 (3) Conviction of a first offense under this section is
33 punishable by a fine not to exceed Five Thousand Dollars
34 (\$5,000.00) or by imprisonment for a period of time not to exceed
35 one (1) year, or by both such fine and imprisonment. Conviction
36 of any subsequent offense under this section is punishable by a
37 fine not to exceed Ten Thousand Dollars (\$10,000.00) or by
38 imprisonment for a period of time not to exceed three (3) years,
39 or by both such fine and imprisonment.

40 (4) For the purpose of this section, "emergency telephone
41 service" shall mean a service established under Section 19-5-301
42 et seq., Mississippi Code of 1972, or established under the
43 provisions of a local and private act enacted prior to October 20,
44 1987.

45 (5) The penalty provided for in this section shall be in
46 addition to the penalty provided in Section 97-35-47.

47 SECTION 4. This act shall take effect and be in force from
48 and after July 1, 2000.