

By: McBride, Moak

To: Judiciary B

HOUSE BILL NO. 995
(As Passed the House)

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. A violation of this section shall be a misdemeanor and,
11 upon conviction, shall be punishable by imprisonment in the county
12 jail not to exceed six (6) months or by fine not to exceed One
13 Thousand Dollars (\$1,000.00), or both.

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

16 19-5-317. (1) When there is not an emergency, no person
17 shall make a telephone call to an emergency telephone service and
18 knowingly or intentionally:

19 (a) Remain silent;

20 (b) Make abusive or harassing statements to an
21 emergency telephone service employee;

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

23 (d) Falsely report a crime.

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

27 (3) Conviction of a first offense under this section is

28 punishable by a fine not to exceed Five Thousand Dollars
29 (\$5,000.00) or by imprisonment for a period of time not to exceed
30 one (1) year, or by both such fine and imprisonment. Conviction
31 of any subsequent offense under this section is punishable by a
32 fine not to exceed Ten Thousand Dollars (\$10,000.00) or by
33 imprisonment for a period of time not to exceed three (3) years,
34 or by both such fine and imprisonment.

35 (4) For the purpose of this section, "emergency telephone
36 service" shall mean a service established under Section 19-5-301
37 et seq., Mississippi Code of 1972, or established under the
38 provisions of a local and private act enacted prior to October 20,
39 1987.

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

42 SECTION 3. This act shall take effect and be in force from
43 and after July 1, 2000.