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Date: (Filing No. S-)

CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
SENATE
131ST LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 186, L.D. 405, “An Act to Prevent False Reporting Leading to Evacuation, Shutdown or Lockdown”

Amend the bill by striking out the title and substituting the following:

'An Act Regarding False Public Alarms or Reports and Aggravated False Public Alarms or Reports'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 17-A MRSA §509, as amended by PL 1977, c. 510, §56, is further amended to read:

§509. False public alarm or report; aggravated false public alarm or report

- 1. A person is guilty of false public alarm or report if:
 - A. ~~He~~ The person knowingly gives or causes to be given false information to ~~any~~ a law enforcement officer, an emergency communications center or the enhanced 9-1-1 services established in Title 25, chapter 352 with the intent of inducing ~~such~~ the officer, the emergency communications center or any other emergency services personnel to believe that a crime has been committed or that another has committed a crime, knowing the information to be false; ~~or~~
 - B. ~~He~~ The person knowingly gives or causes to be given false information to ~~any~~ a law enforcement officer, a member of a fire fighting firefighting agency, including a volunteer fire department, an emergency communications center, the enhanced 9-1-1 services established in Title 25, chapter 352 or any other person knowing that ~~such~~ the other person is likely to communicate the information to a law enforcement officer ~~or~~, a member of a fire fighting firefighting agency, an emergency communications center or any other emergency services personnel concerning a fire, explosive or other similar substance ~~which that~~ that is capable of endangering the safety of persons, knowing that ~~such~~ the information is false, or knowing that ~~he~~ the person has no information relating to the fire, explosive or other similar substance.; or

COMMITTEE AMENDMENT

1 C. ~~He~~ The person knowingly gives or causes to be given false information concerning
2 an emergency to any an ambulance service, an emergency communications center, the
3 enhanced 9-1-1 services established in Title 25, chapter 352, any other emergency
4 services personnel or ~~to any~~ a government agency or public utility that deals with
5 emergencies involving danger to life or property, with the intent of inducing such the
6 service, personnel, agency, center or utility to respond to the reported emergency,
7 knowing ~~such~~ the information to be false.

8 A violation of this subsection is a Class D crime.

9 For the purposes of this subsection, "emergency communications center" means a state,
10 county or municipal government entity that receives calls by 9-1-1, business lines, radio or
11 other methods requesting public service or emergency response from public safety agencies
12 and, as appropriate, dispatches requests to public safety agencies and assists in coordinating
13 the response between agencies and other specialized professionals.

14 ~~2. False public alarm is a Class D crime.~~

15 3. A person is guilty of aggravated false public alarm or report if the person violates
16 subsection 1 and the violation causes the evacuation, shutdown or lockdown of a building,
17 school, public square or park, place of assembly or public transportation facility.

18 A violation of this subsection is a Class C crime.

19 **Sec. 2. 17-A MRSA §1501, sub-§8, ¶C,** as enacted by PL 2021, c. 170, §1, is
20 amended to read:

21 C. The discriminatory motive of the person in making a false public alarm or report or
22 an aggravated false public alarm in violation of section 509, ~~subsection 4;~~ and'

23 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
24 number to read consecutively.

25 **SUMMARY**

26 This amendment, which is the majority report of the committee, replaces the bill and
27 changes the title.

28 It adds emergency communications centers to the list of organizations that may receive
29 false information during the commission of the crimes of false public alarm or report and
30 aggravated false public alarm or report.

31 It defines "emergency communications center" to mean a state, county or municipal
32 government entity that receives calls by 9-1-1, business lines, radio or other methods
33 requesting public service or emergency response from public safety agencies and, as
34 appropriate, dispatches requests to public safety agencies and assists in coordinating the
35 response between agencies and other specialized professionals.

36 It removes language in the bill that would trigger the crime of aggravated false public
37 alarm or report if the violation generates an emergency response from a law enforcement
38 officer or agency, firefighter or firefighting agency or any other emergency services
39 personnel.

40 **FISCAL NOTE REQUIRED**
41 **(See attached)**