

A-Engrossed

House Bill 4151

Ordered by the House February 18
Including House Amendments dated February 18

Sponsored by Representatives EDWARDS, WRIGHT, LEVY B, BOICE; Representatives BUNCH, EVANS, GOMBERG, HELFRICH, LEWIS, MANNIX, MCINTIRE, NATHANSON, OSBORNE, OWENS, RIEKE SMITH, SCHARF, SKARLATOS, SOSA, Senators DRAZAN, PROZANSKI, SMITH DB, THATCHER (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act changes the crime of initiating a false report. (Flesch Readability Score: 69.7). Increases the penalties for the crime of initiating a false report when *[the report]* a person **intentionally causes** an enhanced law enforcement response *[that results in]* and **recklessly causes** serious physical injury or death **as a result of the response**. Punishes by a maximum of five years' imprisonment, \$125,000 fine, or both.

A BILL FOR AN ACT

1 Relating to initiating a false report; amending ORS 162.375.

2 **Be It Enacted by the People of the State of Oregon:**

3 **SECTION 1.** ORS 162.375 is amended to read:

4 162.375. (1) A person commits the crime of initiating a false report if the person knowingly initiates a false alarm or report that is transmitted to a fire department, law enforcement agency or other organization that deals with emergencies involving danger to life or property.

5 (2)(a) Initiating a false report is a Class A misdemeanor.

6 (b) **Notwithstanding paragraph (a) of this subsection, initiating a false report is a Class**
7 **C felony if the false report is of such nature that the person initiating the report intention-**
8 **ally causes the deployment of an enhanced law enforcement response and recklessly**
9 **causes serious physical injury to or the death of another person as a result of the enhanced**
10 **law enforcement response.**

11 (3) The Oregon Criminal Justice Commission shall classify initiating a false report as
12 described in subsection (2)(b) of this section as a person felony under the rules of the com-
13 mission.

14 [(3)(a)] (4) The court shall include in the sentence of any person convicted under this section a
15 requirement that the person repay the costs incurred in responding to and investigating the false
16 report.

17 [(b) *If the response to the false report involved the deployment of a law enforcement special weap-*
18 *ons and tactics (SWAT) team or a similar law enforcement group, the court shall impose, and may not*
19 *suspend, a term of incarceration of:*]

20 [(A) *At least 10 days.*]

21 [(B) *At least 30 days if the deployment resulted in death or serious physical injury to another*
22 *person.*]

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 (5) As used in this section, "enhanced law enforcement response" means a response by
2 a law enforcement agency that, based on the information received, involves the dispatch of
3 two or more officers or units and one or more of the following:

(a) The dispatch of specialized or tactical teams;

(b) The establishment of a perimeter, the evacuation of bystanders or restriction of public access;

(c) The use or deployment of specialized equipment, including armored vehicles, breach-tools or aircraft; or

(d) The initiation of emergency procedures such as a shelter-in-place directive or the activation of rapid response protocols.