

PROPOSED AMENDMENT

SB 232 # 4

DIGEST

False reports. Provides that certain sentencing enhancements only apply to the crime of false informing when they involve a report that a person is dangerous.

- 1 Page 12, delete lines 24 through 42, begin a new paragraph and
2 insert:
3 "SECTION 4. IC 35-44.1-2-3, AS AMENDED BY P.L.174-2021,
4 SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2024]: Sec. 3. (a) As used in this section, "consumer product"
6 has the meaning set forth in IC 35-45-8-1.
7 (b) As used in this section, "misconduct" means a violation of a
8 departmental rule or procedure of a law enforcement agency.
9 (c) A person who reports that:
10 (1) the person or another person has placed or intends to place an
11 explosive, a destructive device, or other destructive substance in
12 a building or transportation facility;
13 (2) there has been or there will be tampering with a consumer
14 product introduced into commerce; or
15 (3) there has been or will be placed or introduced a weapon of
16 mass destruction in a building or a place of assembly;
17 knowing the report to be false, commits false reporting, a Level 6
18 felony.
19 (d) A person who:
20 (1) gives:
21 (A) a false report of the commission of a crime; or
22 (B) false information to a law enforcement officer that relates
23 to the commission of a crime;
24 knowing the report or information to be false;
25 (2) gives a false alarm of fire to the fire department of a
26 governmental entity, knowing the alarm to be false;
27 (3) makes a false request for ambulance service to an ambulance

1 service provider, knowing the request to be false;

2 (4) gives a false report concerning a missing child (as defined in
3 IC 10-13-5-4) or missing endangered adult (as defined in
4 IC 12-7-2-131.3) or gives false information to a law enforcement
5 officer or a governmental entity that relates to a missing child or
6 missing endangered adult knowing the report or information to be
7 false;

8 (5) makes a complaint against a law enforcement officer to the
9 state or municipality (as defined in IC 8-1-13-3(b)) that employs
10 the officer:

11 (A) alleging the officer engaged in misconduct while
12 performing the officer's duties; and

13 (B) knowing the complaint to be false;

14 (6) makes a false report of a missing person, knowing the report
15 or information is false;

16 (7) gives a false report of actions, behavior, or conditions
17 concerning:

18 (A) a septic tank soil absorption system under IC 8-1-2-125 or
19 IC 13-26-5-2.5; or

20 (B) a septic tank soil absorption system or constructed wetland
21 septic system under IC 36-9-23-30.1;

22 knowing the report or information to be false; or

23 (8) makes a false report that a person is dangerous (as defined in
24 IC 35-47-14-1) knowing the report or information to be false;

25 commits false informing, a Class B misdemeanor **except as provided**
26 **in subsection (e).**

27 **(e) However,** The offense **described in subsection (d)** is:

28 **(1)** a Class A misdemeanor if it:

29 **(A)** substantially hinders any law enforcement process; ~~or if it~~

30 **(B)** results in harm to another person; ~~or~~

31 **(C)** **is committed under subsection (d)(8);**

32 **(2)** a Level 6 felony if it:

33 **(A)** **is committed under subsection (d)(8); and**

34 **(B)** **either:**

35 **(i)** **substantially hinders any law enforcement process; or**

36 **(ii)** **results in harm to another person; and**

37 **(3)** a Level 5 felony if it is committed under subsection (d)(8)
38 **and results in serious bodily injury or death to another**
39 **person."**

40 Page 13, delete lines 1 through 35.

- 1 Renumber all SECTIONS consecutively.
(Reference is to SB 232 as printed January 24, 2024.)