

HOUSE No. 3130

The Commonwealth of Massachusetts

PRESENTED BY:

David T. Vieira

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to swatting.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

David T. Vieira

3rd Barnstable

Timothy R. Whelan

1st Barnstable

HOUSE No. 3130

By Mr. Vieira of Falmouth, a petition (accompanied by bill, House, No. 3130) of David T. Vieira and Timothy R. Whelan relative to the penalties for providing false information to public safety personnel and causing the unnecessary dispatch of emergency personnel. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1649 OF 2015-2016.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to swatting.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1

2 Chapter 269 Section 14B is hereby amended by adding the following

3

4 (c) Whoever willfully and maliciously communicates with a PSAP or police officer, or
5 causes a communication to be made to a PSAP or police officer, which communication transmits
6 information which the person knows or has reason to know is false and which results in the
7 dispatch of emergency services to a nonexistent emergency, with the intent to annoy or harass
8 another person and if police are dispatched as a result of the telephone call, shall be punished by
9 imprisonment in the house of correction for not more than 2 ½ years, or by a fine of not more

10 than \$2,500, or by both such fine and imprisonment. Whoever commits a second or subsequent
11 violation of this section shall be punished by imprisonment in the house of correction for not
12 more than 2 ½ years or by imprisonment in the state prison for not more than 5 years or by a fine
13 of not more than \$7,500, or by both such fine and imprisonment.

14 (d) Whoever willfully and maliciously communicates with a PSAP or police officer, or
15 causes a communication to be made to a PSAP or police officer, which communication transmits
16 information which the person knows or has reason to know is false and which results in the
17 dispatch of emergency services to a nonexistent emergency, with the intent to annoy or harass
18 another person and if police are dispatched and any person sustains bodily injury as a result of
19 conduct arising out of and in the course of the police being dispatched, shall be punished by
20 imprisonment in the house of correction for not more than 2 ½ years, or by imprisonment in the
21 state prison for not more than 5 years, by a fine of not more than \$5,000 or by both such fine and
22 imprisonment. Whoever commits a second or subsequent violation of this section shall be
23 punished by imprisonment in the house of correction for not more than 2 ½ years or by
24 imprisonment in the state prison for not more than 10 years or by a fine of not more than
25 \$10,000, or by both such fine and imprisonment.

26 (e) Whoever willfully and maliciously communicates with a PSAP or police officer, or
27 causes a communication to be made to a PSAP or police officer, which communication transmits
28 information which the person knows or has reason to know is false and which results in the
29 dispatch of emergency services to a nonexistent emergency, with the intent to annoy or harass
30 another person and if police are dispatched and any person sustained death as a result of conduct
31 arising out of and in the course of the police being dispatched, is guilty of manslaughter
32 punishable under Chapter 265 Section 13

33

(f) This section shall not apply to telephone calls made in good faith.