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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 247

01/11/2023

Authored by Quam

The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy

1.1 A bill for an act

1.2 relating to public safety; providing criminal penalty for substantial bodily harm

1.3 caused by response for fictitious emergency; providing restitution for public

1.4 agencies and victims affected by the reporting of a fictitious emergency; amending

1.5 Minnesota Statutes 2022, section 609.78, subdivision 2a, by adding a subdivision.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2022, section 609.78, subdivision 2a, is amended to read:

1.8 Subd. 2a. **Felony offense; reporting fictitious emergency resulting in serious**

1.9 **injury.** Whoever violates subdivision 2, clause (2), is guilty of a felony and may be sentenced

1.10 as follows:

1.11 (1) to imprisonment for not more than ten years or to payment of a fine of not more than

1.12 \$20,000, or both, if the call triggers an emergency response and, as a result of the response,

1.13 someone suffers great bodily harm or death; or

1.14 (2) to imprisonment of not more than three years or to payment of a fine of not more

1.15 than \$10,000, or both, if the call triggers an emergency response and as a result of the

1.16 response, someone suffers substantial bodily harm.

1.17 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to crimes

1.18 committed on or after that date.

2.1 Sec. 2. Minnesota Statutes 2022, section 609.78, is amended by adding a subdivision to
2.2 read:

2.3 Subd. 2c. **Restitution.** (a) The court, while imposing a sentence on a person convicted
2.4 under subdivision 2, clause (2), shall order the person to make full and complete restitution
2.5 to:

2.6 (1) the public agency for the reasonable costs of the emergency response by that public
2.7 agency; and

2.8 (2) a direct victim of the fictitious emergency.

2.9 (b) A restitution payment under paragraph (a) does not limit the liability for damages
2.10 in a civil action or proceeding for an amount greater than the restitution payment.