

LEGISLATIVE HISTORY CHECKLIST
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NJSA: 2C:33-3

LAWS OF: 1994 **CHAPTER:** 115

BILL NO: A1280

SPONSOR(S): Heck and others

DATE INTRODUCED: February 7, 1994

COMMITTEE: **ASSEMBLY:** Judiciary
SENATE: Judiciary

AMENDED DURING PASSAGE: Yes **Amendments during passage**
 First reprint enacted **denoted by superscript numbers**

DATE OF PASSAGE: **ASSEMBLY:** March 28, 1994
SENATE: September 19, 1994

DATE OF APPROVAL: October 12, 1994

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes
SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KBG:pp

[FIRST REPRINT]
ASSEMBLY, No. 1280
STATE OF NEW JERSEY

INTRODUCED FEBRUARY 7, 1994

By Assemblywoman HECK, Assemblymen ROMA and Zisa

1 AN ACT concerning false alarms and amending N.J.S.2C:33-3.

2

3 BE IT ENACTED *by the Senate and General Assembly of the*
4 *State of New Jersey:*

5 1. N.J.S.2C:33-3 is amended to read as follows:

6 2C:33-3. False Public Alarms. a. Except as provided in
7 subsection b. or c., a person is guilty of a crime of the fourth
8 degree if he initiates or circulates a report or warning of an
9 impending fire, explosion, bombing, crime, catastrophe or
10 emergency knowing that the report or warning is false or baseless
11 and that it is likely to cause evacuation of a building, place of
12 assembly, or facility of public transport, or to cause public
13 inconveniences or alarm. A person is guilty of a crime of the
14 fourth degree if he knowingly causes such false alarm to be
15 transmitted to or within any organization, official or volunteer,
16 for dealing with emergencies involving danger to life or property.

17 b. A person is guilty of a crime of the third degree if in
18 addition to the report or warning initiated, circulated or
19 transmitted under subsection a., he places or causes to be placed
20 any false or facsimile bomb in a building, place of assembly, or
21 facility of public transport or in a place likely to cause public
22 inconvenience or alarm.

23 c. A person is guilty of a crime of the third degree if a
24 violation of subsection a. of this section ¹in fact¹ results in
25 ¹serious¹ bodily injury to another person. A person is guilty of a
26 crime of the second degree if a violation of subsection a. of this
27 section ¹in fact¹ results in ¹[serious bodily injury to another
28 person. A person is guilty of a crime of the first degree if a
29 violation of subsection a. of this section results in]¹ death.

30 ¹d. For the purposes of this section, "in fact" means that strict
31 liability is imposed.¹

32 (cf: P.L.1987, c.6, s.1)

33 2. This act shall take effect immediately.

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38 Upgrades the crime of reporting a false alarm under certain
39 circumstances.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in the
above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AJL committee amendments adopted March 21, 1994.

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14 fourth degree if he knowingly causes such false alarm to be
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18 addition to the report or warning initiated, circulated or
19 transmitted under subsection a., he places or causes to be placed
20 any false or facsimile bomb in a building, place of assembly, or
21 facility of public transport or in a place likely to cause public
22 inconvenience or alarm.

23 c. A person is guilty of a crime of the third degree if a
24 violation of subsection a. of this section results in bodily injury to
25 another person. A person is guilty of a crime of the second
26 degree if a violation of subsection a. of this section results in
27 serious bodily injury to another person. A person is guilty of a
28 crime of the first degree if a violation of subsection a. of this
29 section results in death.

30 (cf: P.L.1987, c.6, s.1)

31 2. This act shall take effect immediately.

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STATEMENT

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36 This bill was prompted by the recent events in Paramus where
37 Police Officer Vincent Brock, a 12-year veteran of the Paramus
38 police force, was killed when he lost control of his patrol car
39 after he responded to a false alarm. The current provisions of
40 the law do not address the issue with regard to injury or death of
41 another person resulting from a filing of a false report. This bill
42 would make it a crime of the third degree if a person initiates,

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in the
above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 circulates or transmits a false report or false warning of an
2 impending fire, explosion, bombing, crime catastrophe or
3 emergency which results in bodily injury to another person. In
4 addition, this bill would make it a crime of the second degree if a
5 person reports a false alarm and it results in serious bodily injury
6 to another and a crime of the first degree when it results in death.
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11 Upgrades the crime of reporting a false alarm under certain
12 circumstances.

ASSEMBLY JUDICIARY, LAW AND PUBLIC SAFETY
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1280

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 21, 1994

The Assembly Judiciary, Law and Public Safety Committee reports favorably and with committee amendments Assembly Bill No. 1280.

This bill would make it a crime of the third degree if a person initiates, circulates or transmits a false report or false warning of an impending fire, explosion, bombing, crime catastrophe or emergency which results in bodily injury to another person. In addition, this bill would make it a crime of the second degree if a person reports a false alarm and it results in serious bodily injury to another and a crime of the first degree when it results in death.

This bill was prompted by events in Paramus where Police Officer Vincent Brock, a 12-year veteran of the Paramus police force, was killed when he lost control of his patrol car after he responded to a false alarm. The current provisions of the law do not address the issue with regard to injury or death of another person resulting from a filing of a false report.

The committee amended the bill to provide that a person is guilty of a crime of the third degree if a violation "in fact" results in serious bodily injury and that a person is guilty of a crime of the second degree if the violation "in fact" results in death. The amendments define the term "in fact" to mean that strict liability is imposed.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

[FIRST REPRINT]

ASSEMBLY, No. 1280

STATE OF NEW JERSEY

DATED: MAY 5, 1994

The Senate Judiciary Committee reports favorably Assembly Bill No. 1280 (1R).

Under present N.J.S. 2C:33-3, a person who causes a false public alarm is guilty of a crime of the fourth degree. The bill would raise the penalties for making a false public alarm if that false alarm results in injury or death. The introduction of this bills was prompted by recent events in Paramus where a police officer was killed when he lost control of his patrol car after he responded to a false alarm. This bill provides that a person making a false public alarm is guilty of a crime of the third degree if serious bodily injury results. The person would be guilty of a crime of the second degree if a death results from the making of a false public alarm.