



[First Reprint]  
SENATE, No. 291

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Senators GORMLEY, LYNCH, Matheussen and Baer

1 AN ACT concerning certain false emergency calls and amending  
2 N.J.S.2C:33-3 <sup>1</sup>and P.L.1989, c.3<sup>1</sup>.

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

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

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

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

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

27 d. For the purposes of this section, "in fact" means that strict  
28 liability is imposed.

29 e. A person is guilty of a disorderly persons offense if the person  
30 knowingly places a call to a 9-1-1 emergency telephone system

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup> Assembly floor amendments adopted March 28, 1996.

1 without purpose of reporting the need for 9-1-1 service.

2 (cf: P.L.1994, c.115, s.1)

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4 <sup>1</sup>2. Section 10 of P.L.1989, c.3 (C.52:17C-10) is amended to read  
5 as follows:

6 10. a. Whenever possible and practicable, telephone companies  
7 shall forward to jurisdictional public safety answering points via  
8 enhanced 9-1-1 network features, the telephone number and street  
9 address of any telephone used to place a 9-1-1 call. Subscriber  
10 information provided in accordance with this section shall be used only  
11 for the purpose of responding to emergency calls or for the  
12 investigation of false or intentionally misleading reports of incidents  
13 requiring emergency service.

14 b. No telephone company, person providing commercial mobile  
15 radio service as defined in 47 U.S.C. §332(d), public safety answering  
16 point, agents of, or manufacturer supplying equipment to a telephone  
17 company or PSAP, shall be liable to any person who uses the enhanced  
18 9-1-1 service established under this act for release of the information  
19 specified in this section, including non-published telephone numbers,  
20 or for failure of any equipment or procedure in connection with the  
21 enhanced 9-1-1 service or for any act or the omission of any act  
22 committed while in the training for or in rendering PSAP services in  
23 good faith and in accordance with this act.<sup>1</sup>

24 (cf: P.L.1989, c.3)

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26 <sup>1</sup>~~2.~~ 3.<sup>1</sup> This act shall take effect immediately.

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31 Criminalizes placement of false calls to 9-1-1 system as a disorderly  
32 persons offense.

1       2. This act shall take effect immediately.

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4       *SPONSORS'*       STATEMENT

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6       This bill would provide that a person who knowingly places a call  
7 to a 9-1-1 emergency telephone system without purpose of reporting  
8 the need for 9-1-1 service is guilty of a disorderly persons offense.

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14 Criminalizes placement of false calls to 9-1-1 system as a disorderly  
persons offense.

## STATEMENT TO

### **SENATE, No. 291**

with Assembly Floor Amendments  
(Proposed By Assemblyman BLEE)

ADOPTED: MARCH 28, 1996

The purpose of this Assembly amendment is to add commercial mobile communication providers to those who are afforded immunity relating to the release of certain information associated with 9-1-1 calls. Under this amendment, a commercial mobile communications provider, just like a telephone company, would be able to release information relating to a subscriber who is being investigated for placing "false alarm" or "intentionally misleading" calls to 9-1-1. Without immunity, these providers would not be able to assist law enforcement agencies investigating persons alleged to be placing "false alarm" 9-1-1 calls since the release of that subscriber information could possibly result in that subscriber bringing a civil action against the provider.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

**SENATE, No. 291**

**STATE OF NEW JERSEY**

DATED: FEBRUARY 15, 1996

The Assembly Law and Public Safety Committee favorably reports Senate Bill No. 291.

Senate Bill No. 291 amends N.J.S.2C:33-3 to provide that a person who knowingly places a call to a 9-1-1 emergency telephone system for a purpose other than that of reporting the need for a 9-1-1 service is guilty of a disorderly persons offense. A disorderly persons offense is punishable by a term of imprisonment for a period of not more than six months, a fine not to exceed \$1,000, or both.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

**SENATE, No. 291**

**STATE OF NEW JERSEY**

DATED: JANUARY 18, 1996

The Senate Judiciary Committee reports favorably Senate Bill No. 291.

This bill provides that a person who knowingly places a call to a 9-1-1 emergency telephone system without the purpose of reporting the need for 9-1-1 service is guilty of a disorderly persons offense. Disorderly persons offenses are punishable by imprisonment for up to six months, a fine of up to \$1,000.00 or both.

This bill was prefiled for introduction in the 1996 session pending technical review. As reported, the bill includes the changes as required by technical review which has been performed.