

**Senate Bill No. 2057**

**CHAPTER 521**

An act to amend Section 148.3 of the Penal Code, relating to crime.

[Approved by Governor September 13, 2002. Filed  
with Secretary of State September 13, 2002.]

LEGISLATIVE COUNSEL'S DIGEST

SB 2057, O'Connell. Crime.

Existing law provides that any individual who reports to specified agencies that an emergency exists knowing that the report is false is punishable by imprisonment in a county jail for a period not exceeding one year, a fine not exceeding \$1,000, or by both that imprisonment and fine. An emergency includes any condition which results in, or could result in, the response of a public official in an authorized emergency vehicle.

This bill would expand this provision to include any condition that results in, or could result in, the response of a public official in an authorized emergency vehicle, aircraft, or vessel. By expanding the scope of a crime, the bill would impose a state-mandated local program.

Existing law provides that any individual who reports to specified agencies that an emergency exists knowing that the report is false, where great bodily injury or death is sustained by any person as a result of the report, is guilty of a felony.

This bill would also require that the individual knew or should have known that the response to the report is likely to cause death or great bodily injury.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

*The people of the State of California do enact as follows:*

SECTION 1. Section 148.3 of the Penal Code is amended to read:

148.3. (a) Any individual who reports, or causes any report to be made, to any city, county, city and county, or state department, district, agency, division, commission, or board, that an "emergency" exists, knowing that the report is false, is guilty of a misdemeanor and upon



conviction thereof shall be punishable by imprisonment in the county jail for a period not exceeding one year, or by a fine not exceeding one thousand dollars (\$1,000), or by both that imprisonment and fine.

(b) Any individual who reports, or causes any report to be made, to any city, county, city and county, or state department, district, agency, division, commission, or board, that an “emergency” exists, and who knows that the report is false, and who knows or should know that the response to the report is likely to cause death or great bodily injury, and great bodily injury or death is sustained by any person as a result of the false report, is guilty of a felony and upon conviction thereof shall be punishable by imprisonment in the state prison, or by a fine of not more than ten thousand dollars (\$10,000), or by both that imprisonment and fine.

(c) “Emergency” as used in this section means any condition which results in, or which could result in, the response of a public official in an authorized emergency vehicle, aircraft, or vessel, or any condition which jeopardizes or could jeopardize public safety and results in, or could result in, the evacuation of any area, building, structure, vehicle, or of any other place which any individual may enter.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

