

Crimes; other; certain false crime reports; revise penalties for and provide for recovery of response costs.

CRIMES: Other; CRIMES: Explosives

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
by amending section 411a (MCL 750.411a), as amended by 1996 PA  
303.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 411a. (1) Except as provided in subsection (2), a  
2 person who intentionally makes a false report of the commission  
3 of a crime to a member of the Michigan state police, a sheriff or  
4 deputy sheriff, a police officer of a city or village, or any  
5 other peace officer of this state knowing the report is false is  
6 guilty of a crime as follows:

7       (a) If the report is a false report of a misdemeanor, the  
8 person is guilty of a misdemeanor punishable by imprisonment for  
9 not more than 93 days or a fine of not more than \$100.00, or  
10 both.

01799'99

JOJ

1 (b) If the report is a false report of a felony, the person  
2 is guilty of a felony punishable by ~~the lesser of the~~  
3 ~~following: (i) The penalty for the felony falsely reported.~~  
4 ~~(ii) Imprisonment~~ IMPRISONMENT for not more than 4 years or a  
5 fine of not more than \$2,000.00, or both.

6 (2) If the false report of a crime relates to a bombing,  
7 attempted bombing, or threat to bomb and the report is intention-  
8 ally communicated to ~~an individual described in subsection (1)~~  
9 ~~or to any other~~ person knowing the report is false, the person  
10 making the false report is guilty of a ~~crime~~ FELONY punishable  
11 ~~by the lesser of the following~~ AS FOLLOWS:

12 ~~(a) The penalty for the bombing, attempted bombing, or~~  
13 ~~threat to bomb falsely reported.~~

14 (A) ~~(b) Imprisonment~~ FOR A FIRST CONVICTION UNDER THIS  
15 SUBSECTION, BY IMPRISONMENT for not more than 4 years or a fine  
16 of not more than \$2,000.00, or both.

17 (B) FOR A SECOND OR SUBSEQUENT CONVICTION UNDER THIS SUBSEC-  
18 TION, IMPRISONMENT FOR NOT MORE THAN 10 YEARS OR A FINE OF NOT  
19 MORE THAN \$5,000.00, OR BOTH.

20 (3) THE COURT MAY ORDER A PERSON CONVICTED UNDER THIS SEC-  
21 TION TO PAY TO THE LOCAL UNIT OF GOVERNMENT THE COSTS OF RESPOND-  
22 ING TO THE FALSE REPORT INCLUDING, BUT NOT LIMITED TO, USE OF  
23 POLICE OR FIRE EMERGENCY RESPONSE VEHICLES AND TEAMS. THE COURT  
24 SHALL NOT ORDER A PERSON TO PAY COSTS OF MORE THAN \$2,500.00  
25 UNDER THIS SUBSECTION.