

1 AN ACT relating to falsely reporting an incident.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 519.040 is amended to read as follows:

4 (1) A person is guilty of falsely reporting an incident when the person:

5 (a) Knowingly causes a false alarm of fire or other emergency to be transmitted  
6 to or within any organization, official or volunteer, that deals with  
7 emergencies involving danger to life or property, and the false report results  
8 in an emergency response; or

9 (b) Reports to law enforcement authorities an offense or incident within their  
10 official concern knowing that it did not occur; or

11 (c) Furnishes law enforcement authorities with information allegedly relating to  
12 an offense or incident within their official concern when the person knows he  
13 or she has no information relating to such offense or incident; or

14 (d) Knowingly gives false information to any law enforcement officer with intent  
15 to implicate another; or

16 (e) Initiates or circulates a report or warning of an alleged occurrence or  
17 impending occurrence of a fire or other emergency under circumstances likely  
18 to cause public inconvenience or alarm when the person knows the  
19 information reported, conveyed, or circulated is false or baseless, and the false  
20 report results in an emergency response.

21 (2) (a) Falsely reporting an incident under subsection (1)(b) or (c) ~~or (d)~~ of this  
22 section is a Class A misdemeanor.

23 (b) ***Falsely reporting an incident under subsection (1)(d) of this section is a***  
24 ***Class A misdemeanor unless the false report implicates another of a felony,***  
25 ***in which case it is a felony of the same class as the offense of the accused***  
26 ***crime in the false report.***

27 (c) Falsely reporting an incident under subsection (1)(a) or (e) of this section is a

1           Class D felony.

2   (3) Any violation under this section may be prosecuted in any county where:

3       (a) The defendant resides;

4       (b) The false report was communicated; or

5       (c) There was an emergency response to the false report.

6   (4) (a) The court, in imposing a sentence on a defendant who has been convicted of  
7       any offense under this section, shall order restitution to:

8       1. Any agency or organization for the reasonable costs of the emergency  
9       response incurred by that agency or organization resulting from the false  
10      report; and

11      2. Any person who suffered damages caused by the agency or organization  
12      that provided an emergency response.

13   (b) An order of restitution under this subsection shall, for the purpose of  
14      enforcement, be treated as a civil judgment.