

SENATE BILL NO. 202

April 15, 2025, Introduced by Senator POLEHANKI and referred to Committee on Civil Rights, Judiciary, and Public Safety.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending section 411a (MCL 750.411a), as amended by 2012 PA 330.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 411a. (1) Except as otherwise provided in subsections (2)
2 and (3), a person who intentionally makes a false report of the
3 commission of a crime, or intentionally causes a false report of
4 the commission of a crime to be made, to a peace officer, police
5 agency of this state or of a local unit of government, 9-1-1

1 operator, or any other governmental employee or contractor or
2 employee of a contractor who is authorized to receive reports of a
3 crime, knowing the report is false, is guilty of a crime as
4 follows:

5 (a) Except as provided in subdivisions (b) ~~through (e)~~, **to**
6 **(f)**, if the report is a false report of a misdemeanor, the person
7 is guilty of a misdemeanor punishable by imprisonment for not more
8 than 93 days or a fine of not more than \$500.00, or both.

9 (b) Except as provided in subdivisions (c) ~~through (e)~~, **to**
10 **(f)**, if the report is a false report of a felony, the person is
11 guilty of a felony punishable by imprisonment for not more than 4
12 years or a fine of not more than \$2,000.00, or both.

13 **(c) Except as provided in subdivisions (d) to (f), if the**
14 **false report is made with the intent that it cause a response to**
15 **address the reported crime, regardless of whether or not a response**
16 **occurs, the person is guilty of a felony punishable by imprisonment**
17 **for 4 years or a fine of not more than \$2,000.00.**

18 ~~(d) (e)~~ Except as provided in subdivisions ~~(d) and (e)~~, **(e)**
19 **and (f)**, if the false report results in a response to address the
20 reported crime and a person incurs physical injury as a proximate
21 result of lawful conduct arising out of that response, the person
22 responsible for the false report is guilty of a felony punishable
23 by imprisonment for not more than 5 years or a fine of not more
24 than \$20,000.00, or both.

25 ~~(e) (d)~~ If the false report results in a response to address
26 the reported crime and a person incurs serious impairment of a body
27 function as a proximate result of lawful conduct arising out of
28 that response, the person responsible for the false report is
29 guilty of a felony punishable by imprisonment for not more than 10

1 years or a fine of not more than \$25,000.00, or both.

2 **(f)** ~~(e)~~—If the false report results in a response to address
 3 the reported crime and a person is killed as a proximate result of
 4 lawful conduct arising out of that response, the person responsible
 5 for the false report is guilty of a felony punishable by
 6 imprisonment for not more than 15 years or a fine of not less than
 7 \$25,000.00 or more than \$50,000.00, or both.

8 (2) A person shall not do either of the following:

9 (a) Knowingly make a false report of a violation or attempted
 10 violation of chapter XXXIII or section 327, 328, 397a, or 436 and
 11 communicate or cause the communication of the false report to any
 12 other person, knowing the report to be false.

13 (b) Threaten to violate chapter XXXIII or section 327, 328,
 14 397a, or 436 and communicate or cause the communication of the
 15 threat to any other person.

16 (3) A person who violates subsection (2) is guilty of a felony
 17 punishable as follows:

18 (a) Subject to subsection (1)(c) ~~through (e)~~, **to (f)**, for a
 19 first conviction under subsection (2), by imprisonment for not more
 20 than 4 years or a fine of not more than \$2,000.00, or both.

21 (b) Subject to subsection ~~(1)(d) and (e)~~, **(1)(e) and (f)**, for
 22 a second or subsequent conviction under subsection (2),
 23 imprisonment for not more than 10 years or a fine of not more than
 24 \$5,000.00, or both.

25 (4) A person shall not intentionally make or intentionally
 26 cause to be made a false report of a medical or other emergency to
 27 a peace officer, police agency of this state or of a local unit of
 28 government, firefighter or fire department of this state or a local
 29 unit of government of this state, 9-1-1 operator, medical first

1 responder, or any governmental employee or contractor or employee
2 of a contractor who is authorized to receive reports of medical or
3 other emergencies. A person who violates this subsection is guilty
4 of a crime as follows:

5 (a) Except as provided in subdivisions (b) ~~through~~**to** (d), the
6 person is guilty of a misdemeanor punishable by imprisonment for
7 not more than 93 days or a fine of not more than \$500.00, or both.

8 (b) Except as provided in subdivisions (c) and (d), if the
9 false report results in a response to address the reported medical
10 or other emergency and a person incurs physical injury as a
11 proximate result of lawful conduct arising out of that response,
12 the person responsible for the false report is guilty of a felony
13 punishable by imprisonment for not more than 5 years or a fine of
14 not more than \$20,000.00, or both.

15 (c) If the false report results in a response to address the
16 reported medical or other emergency and a person incurs serious
17 impairment of a body function as a proximate result of lawful
18 conduct arising out of that response, the person responsible for
19 the false report is guilty of a felony punishable by imprisonment
20 for not more than 10 years or a fine of not more than \$25,000.00,
21 or both.

22 (d) If the false report results in a response to address the
23 reported crime and a person is killed as a proximate result of
24 lawful conduct arising out of that response, the person responsible
25 for the false report is guilty of a felony punishable by
26 imprisonment for not more than 15 years or a fine of not less than
27 \$25,000.00 or more than \$50,000.00, or both.

28 (5) The court may order a person convicted under subsection
29 (2) or (4) to pay to the state or a local unit of government the

1 costs of responding to the false report or threat including, but
2 not limited to, use of police, fire, medical, or other emergency
3 response vehicles and teams, under section 1f of chapter IX of the
4 code of criminal procedure, 1927 PA 175, MCL 769.1f, unless
5 otherwise expressly provided for in this section.

6 (6) If the person ordered to pay costs under subsection (5) is
7 a juvenile under the jurisdiction of the family division of the
8 circuit court under chapter 10 of the revised judicature act of
9 1961, 1961 PA 236, MCL 600.1001 to 600.1043, all of the following
10 apply:

11 (a) If the court determines that the juvenile is or will be
12 unable to pay all of the costs ordered, after notice to the
13 juvenile's parent or parents and an opportunity for the parent or
14 parents to be heard, the court may order the parent or parents
15 having supervisory responsibility for the juvenile, at the time of
16 the acts ~~upon~~**on** which the order is based, to pay any portion of
17 the costs ordered that is outstanding. An order under this
18 subsection does not relieve the juvenile of ~~his or her~~**the**
19 **juvenile's** obligation to pay the costs as ordered, but the amount
20 owed by the juvenile ~~shall~~**must** be offset by any amount paid by ~~his~~
21 ~~or her~~**the juvenile's** parent. As used in this subsection, "parent"
22 does not include a foster parent.

23 (b) If the court orders a parent to pay costs under
24 subdivision (a), the court shall take into account the financial
25 resources of the parent and the burden that the payment of the
26 costs will impose, with due regard to any other moral or legal
27 financial obligations that the parent may have. If a parent is
28 required to pay the costs under subdivision (a), the court shall
29 provide for payment to be made in specified installments and within

1 a specified period of time.

2 (c) A parent who has been ordered to pay the costs under
3 subdivision (a) may petition the court for a modification of the
4 amount of the costs owed by the parent or for a cancellation of any
5 unpaid portion of the parent's obligation. The court shall cancel
6 all or part of the parent's obligation due if the court determines
7 that payment of the amount due will impose a manifest hardship on
8 the parent.

9 (7) A violation or attempted violation of this section occurs
10 if the communication of the false report originates in this state,
11 is intended to terminate in this state, or is intended to terminate
12 with a person who is in this state.

13 (8) A violation or attempted violation of this section may be
14 prosecuted in any jurisdiction in which the communication
15 originated or terminated.

16 (9) As used in this section:

17 (a) "Local unit of government" means:

18 (i) A city, village, township, or county.

19 (ii) A local or intermediate school district.

20 (iii) A public school academy.

21 (iv) A community college.

22 (b) "Medical first responder" means that term as defined in
23 section 20906 of the public health code, 1978 PA 368, MCL
24 333.20906.

25 (c) "Serious impairment of a body function" means that term as
26 defined in section 395.

27 (d) "State" includes, but is not limited to, a state
28 institution of higher education.

29 Enacting section 1. This amendatory act takes effect 90 days

1 after the date it is enacted into law.