

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.

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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.