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ASSEMBLY BILL NO. 399—COMMITTEE ON JUDICIARY

(ON BEHALF OF NEVADA SHERIFFS AND CHIEFS ASSOCIATION)

MARCH 16, 2001

Referred to Committee on Judiciary

SUMMARY—Provides for civil liability for false reporting of crime or emergency.
(BDR 3-422)

FISCAL NOTE: Effect on Local Government: Yes.
 Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to false reports; providing for civil liability for making a false report of a crime or an emergency; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** Chapter 41 of NRS is hereby amended by adding thereto a
2 new section to read as follows:
3 1. *A public agency may commence an action in the name of the*
4 *agency to recover the expense of an emergency response by the public*
5 *agency against any person who knowingly stages an emergency or makes*
6 *or causes to be made a false report of such an emergency to a public*
7 *agency that a felony or misdemeanor has been committed or that an*
8 *emergency exists.*
9 2. *A civil action may be brought pursuant to this section even if there*
10 *has been no criminal conviction for the false report.*
11 3. *If a public agency prevails in an action brought pursuant to this*
12 *section, the court may award the public agency the costs of the action*
13 *and reasonable attorney's fees.*
14 4. *For the purposes of this section, a person shall be deemed to have*
15 *caused a false report of an emergency to be made if the person*
16 *disseminated or caused to be disseminated information by any means of*
17 *public communication that resulted in an emergency response by a*
18 *public agency to the emergency.*
19 5. *As used in this section:*
20 (a) *"Expense of an emergency response" includes, without limitation,*
21 *the reasonable costs incurred by a public agency in making an*



1 *appropriate response to or investigation of a false report, including,*
2 *without limitation, the salary or wages of any person responding to or*
3 *investigating a false report, the deemed wages of any volunteer of a*
4 *public agency participating in the response or investigation, the costs for*
5 *use or operation of any equipment and the costs for the use or*
6 *expenditure of any resources, fuel or other materials.*

7 (b) “Public agency” means an agency, bureau, board, commission,
8 department or division of the State of Nevada or a political subdivision of
9 the State of Nevada that provides police, fire-fighting, rescue or
10 emergency medical services.

11 **Sec. 2.** The amendatory provisions of this act apply to a false report
12 that is made on or after the effective date of this act.

13 **Sec. 3.** This act becomes effective upon passage and approval.

