

ASSEMBLY BILL NO. 287—ASSEMBLYMEN FLORES, O’NEILL, JONES,
MOORE, CARRILLO; DICKMAN, DOOLING, ELLISON, FIORE,
GARDNER, JOINER, SEAMAN, SILBERKRAUS, SPIEGEL,
SPRINKLE, TROWBRIDGE, WHEELER AND WOODBURY

MARCH 13, 2015

JOINT SPONSORS: SENATORS SPEARMAN;
DENIS AND KIHUEN

Referred to Committee on Judiciary

SUMMARY—Prohibits a person from making or causing to be
made a 311 nonemergency telephone call under
certain circumstances. (BDR 15-922)

FISCAL NOTE: Effect on Local Government: Increases or Newly
Provides for Term of Imprisonment in County or City
Jail or Detention Facility.
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 crimes; prohibiting a person from making or
causing to be made a 311 nonemergency telephone call
under certain circumstances; providing penalties; and
providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law makes it a gross misdemeanor for a person to knowingly or
2 willfully make or cause to be made any telephonic access to a system established to
3 provide a telephone number to be used in an emergency if no actual or perceived
4 emergency exists. (NRS 207.245) This bill similarly makes it a gross misdemeanor
5 for a person to knowingly or willfully make or cause to be made a 311
6 nonemergency telephone call to report an emergency if no actual or perceived
7 emergency exists. This bill also makes it a category E felony for a person to
8 commit either offense if the person knew or reasonably should have known that his
9 or her conduct would create a risk which is likely to and actually results in the
10 death or serious bodily injury of another. This bill further provides that a person
11 who is convicted of a category E felony for such an offense is liable for any costs
12 incurred by any governmental entity as a result of his or her conduct.



* A B 2 8 7 *

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

- 1 **Section 1.** NRS 207.245 is hereby amended to read as follows:
2 207.245 1. ~~{As used in this section, "system" means a system~~
3 ~~established to provide a telephone number to be used in an~~
4 ~~emergency.~~
5 ~~2.~~ It is unlawful for any person knowingly or willfully to make
6 or cause to be made ~~{any}~~ :
7 (a) Any telephonic access to a system ; or
8 (b) A 311 nonemergency telephone call to report an
9 emergency,
10 ↳ if no actual or perceived emergency exists.
11 ~~{3. Any}~~
12 2. Except as otherwise provided in subsection 3, a person who
13 violates any provision of this section is guilty of a gross
14 misdemeanor.
15 3. A person who violates any provision of this section is guilty
16 of a category E felony and shall be punished as provided in NRS
17 193.130 if the person knew or reasonably should have known that
18 his or her conduct would create a risk which:
19 (a) Is likely to result in the death or serious bodily injury of
20 another; and
21 (b) Actually results in the death or serious bodily injury of
22 another.
23 4. A person who is convicted of a category E felony pursuant
24 to subsection 3 is liable for any costs incurred by any
25 governmental entity as a result of his or her conduct.
26 5. As used in this section:
27 (a) "Emergency" means a situation in which immediate
28 intervention is necessary to protect the physical safety of a person
29 or others from an immediate threat of physical injury or to protect
30 against an immediate threat of severe property damage, or any
31 other situation which is likely to cause a governmental entity to
32 provide services related to law enforcement, firefighting,
33 emergency medical care or public safety.
34 (b) "Governmental entity" means an institution, board,
35 commission, bureau, council, department, division, authority or
36 other unit of government of this State, including, without
37 limitation, an agency of this State or of a political subdivision.
38 (c) "System" means a system established to provide a
39 telephone number to be used in an emergency.

