

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 certain nonemergency telephone calls 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.

~

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 certain nonemergency telephone calls
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 nonemergency
6 telephone call to report an emergency on any nonemergency telephone line
7 maintained by a governmental entity if no actual or perceived emergency exists.
8 This bill also makes it a category E felony for a person to commit either offense if
9 the person intended to initiate an emergency response and the emergency response
10 initiated by that person results in the death or serious bodily injury of another. This
11 bill further provides that a person who is convicted of a category E felony for such
12 an offense is liable for any costs incurred by any governmental entity as a result of
13 his or her conduct. Finally, this bill provides that if a defendant who is charged with



a violation of the provisions of this bill suffers from a mental illness or is intellectually disabled, the court may, if appropriate, assign the defendant to a program for the treatment of mental illness or intellectual disabilities.

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

Section 1. NRS 207.245 is hereby amended to read as follows:

207.245 1. ~~[As used in this section, "system" means a system established to provide a telephone number to be used in an emergency.~~

~~—2.]~~ It is unlawful for any person knowingly or willfully to make or cause to be made ~~[any]~~ :

(a) Any telephonic access to a system ; or

(b) A nonemergency telephone call to report an emergency on any nonemergency telephone line maintained by a governmental entity,

↳ if no actual or perceived emergency exists.

~~[3.—Any]~~

2. Except as otherwise provided in subsection 3, a person who violates any provision of this section is guilty of a gross misdemeanor.

3. A person who violates any provision of this section is guilty of a category E felony and shall be punished as provided in NRS 193.130 if:

(a) The person intended to initiate an emergency response by law enforcement, firefighting, emergency medical care or public safety personnel when no actual emergency exists; and

(b) The emergency response initiated by the person results in the death or serious bodily injury of another.

4. A person who is convicted of a category E felony pursuant to subsection 3 is liable for any costs incurred by any governmental entity as a result of his or her conduct.

5. If a defendant who is charged with a violation of this section suffers from a mental illness or is intellectually disabled, the court may, if appropriate, take any action authorized by law for the purpose of having the defendant assigned to a program established pursuant to NRS 176A.250.

6. As used in this section:

(a) "Emergency" means a situation in which immediate intervention is necessary to protect the physical safety of a person or others from an immediate threat of physical injury or to protect against an immediate threat of severe property damage, or any other situation which is likely to cause a governmental entity to



1 *provide services related to law enforcement, firefighting,*
2 *emergency medical care or public safety.*

3 (b) “Governmental entity” means an institution, board,
4 commission, bureau, council, department, division, authority or
5 other unit of government of this State, including, without
6 limitation, an agency of this State or of a political subdivision.

7 (c) “System” means a system established to provide a
8 telephone number to be used in an emergency.

