

SENATE BILL No. 398

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-44.1-2-3.

Synopsis: False reporting. Specifies that a law enforcement officer who, knowing that information is false or misleading, includes the false or misleading information in a police report commits false informing, a Class A misdemeanor.

Effective: July 1, 2025.

Taylor G

January 13, 2025, read first time and referred to Committee on Corrections and Criminal Law.



First Regular Session of the 124th General Assembly (2025)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2024 Regular Session of the General Assembly.

SENATE BILL No. 398

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 35-44.1-2-3, AS AMENDED BY P.L.104-2024,
2 SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2025]: Sec. 3. (a) As used in this section, "consumer product"
4 has the meaning set forth in IC 35-45-8-1.
5 (b) As used in this section, "misconduct" means a violation of a
6 departmental rule or procedure of a law enforcement agency.
7 (c) A person who reports that:
8 (1) the person or another person has placed or intends to place an
9 explosive, a destructive device, or other destructive substance in
10 a building or transportation facility;
11 (2) there has been or there will be tampering with a consumer
12 product introduced into commerce; or
13 (3) there has been or will be placed or introduced a weapon of
14 mass destruction in a building or a place of assembly;
15 knowing the report to be false, commits false reporting, a Level 6
16 felony.
17 (d) A person who:



- 1 (1) gives:
 2 (A) a false report of the commission of a crime; or
 3 (B) false information to a law enforcement officer that relates
 4 to the commission of a crime;
 5 knowing the report or information to be false;
 6 (2) gives a false alarm of fire to the fire department of a
 7 governmental entity, knowing the alarm to be false;
 8 (3) makes a false request for ambulance service to an ambulance
 9 service provider, knowing the request to be false;
 10 (4) gives a false report concerning a missing child (as defined in
 11 IC 10-13-5-4), missing veteran at risk (as defined in
 12 IC 12-7-2-197.3), or missing endangered adult (as defined in
 13 IC 12-7-2-131.3) or gives false information to a law enforcement
 14 officer or a governmental entity that relates to a missing child,
 15 missing veteran at risk, or missing endangered adult knowing the
 16 report or information to be false;
 17 (5) makes a complaint against a law enforcement officer to the
 18 state or municipality (as defined in IC 8-1-13-3(b)) that employs
 19 the officer:
 20 (A) alleging the officer engaged in misconduct while
 21 performing the officer's duties; and
 22 (B) knowing the complaint to be false;
 23 (6) makes a false report of a missing person, knowing the report
 24 or information is false;
 25 (7) gives a false report of actions, behavior, or conditions
 26 concerning:
 27 (A) a septic tank soil absorption system under IC 8-1-2-125 or
 28 IC 13-26-5-2.5; or
 29 (B) a septic tank soil absorption system or constructed wetland
 30 septic system under IC 36-9-23-30.1;
 31 knowing the report or information to be false; ~~or~~
 32 (8) makes a false report that a person is dangerous (as defined in
 33 IC 35-47-14-1) knowing the report or information to be false; **or**
 34 **(9) being a law enforcement officer, includes false or**
 35 **materially misleading information in a police report, knowing**
 36 **the information to be false or materially misleading;**
 37 commits false informing, a Class B misdemeanor except as provided
 38 in subsection (e).
 39 (e) The offense described in subsection (d) is:
 40 (1) a Class A misdemeanor if it:
 41 (A) substantially hinders any law enforcement process;
 42 (B) results in harm to another person; ~~or~~



1 (C) is committed under subsection (d)(8); **or**
2 **(D) is committed by a law enforcement officer under**
3 **subsection (d)(9);**
4 (2) a Level 6 felony if it:
5 (A) is committed under subsection (d)(8); and
6 (B) either:
7 (i) substantially hinders any law enforcement process; or
8 (ii) results in harm to another person; and
9 (3) a Level 5 felony if it is committed under subsection (d)(8) and
10 results in serious bodily injury or death to another person.

