

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 3815

(SENATE AUTHORS: LIMMER)

DATE
02/19/2024

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Introduction and first reading
Referred to Judiciary and Public Safety

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to public safety; establishing a felony offense for reporting a fictitious
1.3 emergency and directing the emergency response to the home of certain individuals;
1.4 making a conforming change; amending Minnesota Statutes 2022, section 609.78,
1.5 subdivision 3, by adding a subdivision.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2022, section 609.78, is amended by adding a subdivision
1.8 to read:

1.9 Subd. 2c. Felony offense; reporting fictitious emergency resulting in response to
1.10 the home of certain officials. Whoever violates subdivision 2, clause (2), is guilty of a
1.11 felony and may be sentenced to imprisonment for not more than one year or to payment of
1.12 a fine of not more than \$5,000, or both, if the person places the call with the intent of
1.13 prompting an emergency response to the home of:

1.14 (1) an elected official;

1.15 (2) a judge as defined in section 609.221, subdivision 6, clause (5);

1.16 (3) a prosecuting attorney as defined in section 609.221, subdivision 6, clause (4);

1.17 (4) an employee of a correctional facility as defined in section 241.021, subdivision 1i;

1.18 or

1.19 (5) a peace officer as defined in section 626.84, subdivision 1, paragraph (c).

1.20 EFFECTIVE DATE. This section is effective August 1, 2024, and applies to crimes
1.21 committed on or after that date.

2.1 Sec. 2. Minnesota Statutes 2022, section 609.78, subdivision 3, is amended to read:

2.2 Subd. 3. **Definition.** (a) Except as provided in paragraph (b), for purposes of this section,
2.3 "emergency call" means:

2.4 (1) a 911 call;

2.5 (2) any call for emergency medical or ambulance service; or

2.6 (3) any call for assistance from a police or fire department or for other assistance needed
2.7 in an emergency to avoid serious harm to person or property,

2.8 and an emergency exists.

2.9 (b) As used in subdivisions 1, clause (6); 2, clause (2); ~~and 2a;~~ and 2c:

2.10 (1) "call" includes the use of any method of communication including, but not limited
2.11 to: telephones, facsimiles, Voice over Internet Protocols, email messages, text messages,
2.12 and electronic transmissions of an image or video; and

2.13 (2) "emergency call" has the meaning given in paragraph (a) but does not require the
2.14 existence of an emergency.

2.15 **EFFECTIVE DATE.** This section is effective August 1, 2024.