



2019 SENATE BILL 363

August 22, 2019 - Introduced by Senators COWLES, WANGGAARD, BEWLEY, JACQUE, MARKLEIN, NASS, OLSEN and L. TAYLOR, cosponsored by Representatives VORPAGEL, DUCHOW, ANDERSON, BRANDTJEN, BROSTOFF, DITTRICH, EDMING, GUNDRUM, JAMES, MURPHY, NOVAK, PLUMER, SINICKI, SKOWRONSKI, TITTL, VRUWINK, THIESFELDT, BORN and WICHGERS. Referred to Committee on Judiciary and Public Safety.

1 **AN ACT** *to create* 947.014 of the statutes; **relating to:** falsely reporting an
2 emergency and providing a penalty.

Analysis by the Legislative Reference Bureau

Under this bill, it is a Class I felony to engage in the behavior known as “swatting,” which means falsely reporting an emergency to a public safety entity, knowing that no emergency exists, with the intent to elicit a response from an emergency response team. In addition, under the bill, it is a Class H felony to engage in swatting if the incident results in physical harm to any person.

Under current law, certain false emergency reports result in a fine or a misdemeanor conviction, depending on the circumstances of the report. A false report of a bomb threat or a threat to release a harmful substance is a Class I felony, and a false terrorist threat is a Class G felony.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 947.014 of the statutes is created to read:
4 **947.014 Falsely reporting an emergency. (1)** In this section:

SENATE BILL 363**SECTION 1**

1 (a) "Emergency" means any of the following:

2 1. A condition that results in or could result in the response of a public official
3 in an authorized emergency vehicle, aircraft, or vessel.

4 2. A condition that jeopardizes or could jeopardize public safety and results in
5 or could result in the evacuation of any area, building, structure, vehicle, or other
6 place that an individual may enter.

7 (b) "Swatting" means knowingly falsely reporting to any public safety entity
8 that an emergency exists, with the intent to elicit a response from any public safety
9 entity's emergency response team.

10 (2) Whoever commits an act of swatting is guilty of a Class I felony.

11 (3) Whoever violates sub. (2) is guilty of a Class H felony if the violation
12 resulted in physical harm to any person.

13 (END)