

HB 371 – False Reports of Crimes (Similar SB 1234)

This bill amends s. 817.49, F.S., creating multiple felonies for false reports of commission of crimes that result in specific outcomes. A **Level 3, 3rd degree felony** is created for when a willful making of a false report results in “a response by a federal, state, district, municipal, or other public safety agency to address the reported crime and the combined cost incurred by all responding agencies exceeds \$1,000.” A **Level 6, 2nd degree felony** is created for when this act results in “great bodily harm, permanent disfigurement, or permanent disability as a proximate result of lawful conduct arising out of a response.” A **Level 8, 1st degree felony** is created for when this act results in “death as a proximate result of lawful conduct arising out of a response.” All other false reports will remain 1st degree misdemeanors.

Per FDLE, in FY 18-19, there were 178 arrests for making false reports of commission of crimes, with 77 guilty/convicted charges and 37 adjudication withheld charges. There were 124 arrests in FY 19-20, with 59 guilty/convicted and 12 adjudications withheld. It is not known how many of these incidents fell under the bill’s amended language.

In FY 18-19, the incarceration rate for a Level 3, 3rd degree felony was 9.8%, and in FY 19-20 the incarceration rate was 8.8%. The incarceration rate for a Level 6, 2nd degree felony was 43.7% in FY 18-19, and in FY 19-20 the incarceration rate was 40.8%. The incarceration rate for a Level 8, 1st degree felony was 69.1% in FY 18-19, and in FY 19-20 the incarceration rate was 61.9%.

CONFERENCE ADOPTED ESTIMATE: Positive Moderate

Requested by: House & Senate