

**HOUSE . . . . . No. 3467**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***David T. Vieira***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to swatting.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>David T. Vieira</i>	<i>3rd Barnstable</i>	<i>1/17/2019</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>	<i>1/24/2019</i>
<i>Shaunna L. O'Connell</i>	<i>3rd Bristol</i>	<i>2/1/2019</i>

**HOUSE . . . . . No. 3467**

By Mr. Vieira of Falmouth, a petition (accompanied by bill, House, No. 3467) of David T. Vieira, Timothy R. Whelan and Shaunna L. O'Connell for legislation to establish a criminal penalty for certain actions resulting in the dispatch of emergency services to nonexistent emergencies. The Judiciary.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-First General Court  
(2019-2020)**

An Act relative to swatting.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Chapter 269 Section 14B is hereby amended by adding the following: -

2 (c) Whoever willfully and maliciously communicates with a PSAP or police officer, or

3 causes a communication to be made to a PSAP or police officer, which communication transmits

4 information which the person knows or has reason to know is false and which results in the

5 dispatch of emergency services to a nonexistent emergency, with the intent to annoy or harass

6 another person and if police are dispatched as a result of the telephone call, shall be punished by

7 imprisonment in the house of correction for not more than 2 ½ years, or by a fine of not more

8 than \$2,500, or by both such fine and imprisonment. Whoever commits a second or subsequent

9 violation of this section shall be punished by imprisonment in the house of correction for not

10 more than 2 ½ years or by imprisonment in the state prison for not more than 5 years or by a fine

11 of not more than \$7,500, or by both such fine and imprisonment.

12 (d) Whoever willfully and maliciously communicates with a PSAP or police officer, or  
13 causes a communication to be made to a PSAP or police officer, which communication transmits  
14 information which the person knows or has reason to know is false and which results in the  
15 dispatch of emergency services to a nonexistent emergency, with the intent to annoy or harass  
16 another person and if police are dispatched and any person sustains bodily injury as a result of  
17 conduct arising out of and in the course of the police being dispatched, shall be punished by  
18 imprisonment in the house of correction for not more than 2 ½ years, or by imprisonment in the  
19 state prison for not more than 5 years, by a fine of not more than \$5,000 or by both such fine and  
20 imprisonment. Whoever commits a second or subsequent violation of this section shall be  
21 punished by imprisonment in the house of correction for not more than 2 ½ years or by  
22 imprisonment in the state prison for not more than 10 years or by a fine of not more than  
23 \$10,000, or by both such fine and imprisonment.

24 (e) Whoever willfully and maliciously communicates with a PSAP or police officer, or  
25 causes a communication to be made to a PSAP or police officer, which communication transmits  
26 information which the person knows or has reason to know is false and which results in the  
27 dispatch of emergency services to a nonexistent emergency, with the intent to annoy or harass  
28 another person and if police are dispatched and any person sustained death as a result of conduct  
29 arising out of and in the course of the police being dispatched, is guilty of manslaughter  
30 punishable under Chapter 265 Section 13.

31 (f) This section shall not apply to telephone calls made in good faith.