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# HOUSE BILL No. 1051

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 35-42-2-5.7; IC 35-44-2-2.

**Synopsis:** False reporting. Provides that a person who makes a false report commits a Class C felony if, in response to the false report, a physician prescribes diagnostic testing or medical treatment. Makes it a Class C felony for a person to disseminate a substance with the intent to cause a reasonable person to believe that the substance is a weapon of mass destruction. Provides enhanced penalties if dissemination of the substance results in diagnostic testing, medical treatment, or serious bodily injury.

**Effective:** July 1, 2002.

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### Duncan

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January 8, 2002, read first time and referred to Committee on Rules and Legislative Procedures.

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Second Regular Session 112th General Assembly (2002)

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 2001 General Assembly.

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# HOUSE BILL No. 1051



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 35-42-2-5.7 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2002]: **Sec. 5.7. A person who knowingly or intentionally places  
4 or disseminates a device or substance with the intent to cause a  
5 reasonable person to believe that the device or substance is a  
6 weapon of mass destruction commits malicious mischief, a Class C  
7 felony. However, the offense is a Class B felony if, as a result of the  
8 offense:**

9 (1) **a physician prescribes diagnostic testing or medical  
10 treatment for any person other than the person who made the  
11 false report; or**

12 (2) **a person suffers serious bodily injury.**

13 SECTION 2. IC 35-44-2-2, AS AMENDED BY P.L.156-2001,  
14 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
15 JULY 1, 2002]: Sec. 2. (a) As used in this section, "consumer product"  
16 has the meaning set forth in IC 35-45-8-1.

17 (b) A person who reports, by telephone, telegraph, mail, or other



1 written or oral communication, that:  
2 (1) the person or another person has placed or intends to place an  
3 explosive or other destructive substance in a building or  
4 transportation facility;  
5 (2) there has been or there will be tampering with a consumer  
6 product introduced into commerce; or  
7 (3) there has been or will be placed or introduced a weapon of  
8 mass destruction in a building or a place of assembly;  
9 knowing the report to be false commits false reporting, a Class D  
10 felony. **However, the offense is a Class C felony if, as a result of the**  
11 **false report, a physician prescribes diagnostic testing or medical**  
12 **treatment for any person other than the person who made the false**  
13 **report.**  
14 (c) A person who:  
15 (1) gives a false report of the commission of a crime or gives false  
16 information in the official investigation of the commission of a  
17 crime, knowing the report or information to be false;  
18 (2) gives a false alarm of fire to the fire department of a  
19 governmental entity, knowing the alarm to be false;  
20 (3) makes a false request for ambulance service to an ambulance  
21 service provider, knowing the request to be false; or  
22 (4) gives a false report concerning a missing child (as defined in  
23 IC 10-1-7-2) or gives false information in the official  
24 investigation of a missing child knowing the report or information  
25 to be false;  
26 commits false informing, a Class B misdemeanor. However, the offense  
27 is a Class A misdemeanor if it substantially hinders any law  
28 enforcement process or if it results in harm to an innocent person.

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