

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

SB 18 expands Section 30-20-16 so that swatting is now included in this statute along with making a bomb scare and making a shooting threat. Swatting consists of knowingly making a false or misleading report to a public safety agency of an ongoing emergency or threat of violence with the intent to cause an immediate response from a public safety agency. Swatting would be a fourth degree felony. Swatting would be included in the reimbursement subsection of the statute, which has been reworded slightly.

In addition, SB 18 increases the penalty for making a shooting threat from a misdemeanor to a fourth degree felony, so that all three crimes in this statute would have the same penalty.

Finally, SB 18 defines “public safety agency” as “a law enforcement, firefighting or emergency medical services agency or a public safety answering point operating in accordance with the Enhanced 911 Act.”

FISCAL IMPLICATIONS

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

SIGNIFICANT ISSUES

There are some Federal laws that cover swatting activity. See Congressional Research Service, “School Swatting: Overview of Federal Criminal Law” (Oct. 2023), available at: <https://crsreports.congress.gov/product/pdf/LSB/LSB11063>, but no specific Federal law that directly criminalizes swatting (though a bill was introduced in Congress to do just that on January 13, 2025). As part of the effort to track what anecdotally seems to be an increase in swatting, the FBI established a database to track swatting incidents in 2023. (Belanger, “FBI finally tracks “swatting” incidents as attacks increase nationwide”, Ars Technica (June 2023), <https://arstechnica.com/tech-policy/2023/06/fbi-finally-tracks-swatting-incidents-as-attacks-increase-nationwide/>). A handful of states have passed laws directly criminalizing swatting, most recently Ohio.

It is difficult to determine what the effect of passing SB 18 would be on the state’s prison population, but the penalties included in the bill could lead to more people being incarcerated by the Corrections Department as the penalty for shooting threats is being increased from a misdemeanor to a felony. The average per day cost to incarcerate someone in the state’s prison system is \$155.63/day; this average includes private and public facilities. Additionally, increasing a penalty from a misdemeanor to a felony has implications for increased collateral

consequences of a conviction.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS