



General Assembly

Bill No. 7602

November 15, Special
Session, 2001

LCO No. 9308

Referred to Committee on No Committee

Introduced by:

REP. LYONS, 146th Dist.

SEN. SULLIVAN, 5th Dist.

***AN ACT CONCERNING FALSELY REPORTING AN INCIDENT,
BREACH OF THE PEACE AND THREATENING.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 53a-180 of the general statutes is repealed and the
2 following is substituted in lieu thereof:

3 (a) A person is guilty of falsely reporting an incident in the first
4 degree when, knowing the information reported, conveyed or
5 circulated to be false or baseless, [he] such person: (1) Initiates or
6 circulates a false report or warning of an alleged occurrence or
7 impending occurrence of a fire, explosion, [crime,] catastrophe or
8 emergency under circumstances in which it is likely that public alarm
9 or inconvenience will result; or (2) reports, by word or action, to any
10 official or quasi-official agency or organization having the function of
11 dealing with emergencies involving danger to life or property, an
12 alleged occurrence or impending occurrence of a fire, explosion or
13 other catastrophe or emergency which did not in fact occur or does not
14 in fact exist. [; or (3) gratuitously reports to a law enforcement officer

15 or agency (A) the alleged occurrence of an offense or incident which
16 did not in fact occur, (B) an allegedly impending occurrence of an
17 offense or incident which in fact is not about to occur, or (C) false
18 information relating to an actual offense or incident or to the alleged
19 implication of some person therein.]

20 (b) Falsely reporting an incident in the first degree is a class [A
21 misdemeanor] D felony.

22 Sec. 2. (NEW) (a) A person is guilty of falsely reporting an incident
23 in the second degree when, knowing the information reported,
24 conveyed or circulated to be false or baseless, such person gratuitously
25 reports to a law enforcement officer or agency (1) the alleged
26 occurrence of an offense or incident which did not in fact occur, (2) an
27 allegedly impending occurrence of an offense or incident which in fact
28 is not about to occur, or (3) false information relating to an actual
29 offense or incident or to the alleged implication of some person
30 therein.

31 (b) Falsely reporting an incident in the second degree is a class A
32 misdemeanor.

33 Sec. 3. Section 53a-180a of the general statutes is repealed and the
34 following is substituted in lieu thereof:

35 (a) A person is guilty of falsely reporting an incident resulting in
36 serious physical injury or death when [he] such person commits the
37 crime of falsely reporting an incident in the first degree as provided in
38 section 53a-180, as amended by this act, or falsely reporting an incident
39 in the second degree as provided in section 2 of this act, and such false
40 report results in the serious physical injury or death of another person.

41 (b) Falsely reporting an incident resulting in serious physical injury
42 or death is a class [D] C felony.

43 Sec. 4. Section 53a-180b of the general statutes is repealed and the
44 following is substituted in lieu thereof:

45 (a) A person is guilty of falsely reporting an incident concerning
46 serious physical injury or death when [he] such person commits the
47 crime of falsely reporting an incident in the second degree as provided
48 in section [53a-180] 2 of this act and such false report is of the alleged
49 occurrence or impending occurrence of the serious physical injury or
50 death of another person.

51 (b) Falsely reporting an incident concerning serious physical injury
52 or death is a class D felony.

53 Sec. 5. (NEW) (a) A person is guilty of breach of the peace in the first
54 degree when, with intent to cause inconvenience, annoyance or alarm,
55 or recklessly creating a risk thereof, such person places a nonfunctional
56 imitation of an explosive or incendiary device or an imitation of a
57 hazardous substance in a public place or in a place or manner likely to
58 be discovered by another person.

59 (b) For the purposes of this section: (1) "Hazardous substance"
60 means any physical, chemical, biological or radiological substance or
61 matter which, because of its quantity, concentration or physical,
62 chemical or infectious characteristics, may cause or significantly
63 contribute to an increase in mortality or an increase in serious
64 irreversible or incapacitating reversible illness, or pose a substantial
65 present or potential hazard to human health, and (2) "public place"
66 means any area that is used or held out for use by the public whether
67 owned or operated by public or private interests.

68 (c) Breach of the peace in the first degree is a class D felony.

69 Sec. 6. Section 53a-181 of the general statutes is repealed and the
70 following is substituted in lieu thereof:

71 (a) A person is guilty of breach of the peace in the second degree
72 when, with intent to cause inconvenience, annoyance or alarm, or
73 recklessly creating a risk thereof, [he] such person: (1) Engages in
74 fighting or in violent, tumultuous or threatening behavior in a public

75 place; or (2) assaults or strikes another; or (3) threatens to commit any
76 crime against another person or [his] such other person's property; or
77 (4) publicly exhibits, distributes, posts up or advertises any offensive,
78 indecent or abusive matter concerning any person; or (5) in a public
79 place, uses abusive or obscene language or makes an obscene gesture;
80 or (6) creates a public and hazardous or physically offensive condition
81 by any act which [he] such person is not licensed or privileged to do. [;
82 or (7) places a nonfunctional imitation of an explosive or incendiary
83 device in a public place.] For purposes of this section, "public place"
84 means any area that is used or held out for use by the public whether
85 owned or operated by public or private interests.

86 (b) Breach of the peace in the second degree is a class B
87 misdemeanor. [except that violation of subdivision (7) of subsection
88 (a) of this section is a class A misdemeanor.]

89 Sec. 7. (NEW) (a) A person is guilty of threatening in the first degree
90 when such person (1) threatens to commit any crime of violence or any
91 crime involving the use of a hazardous substance with the intent to
92 terrorize another person, to cause evacuation of a building, place of
93 assembly or facility of public transportation or otherwise to cause
94 serious public inconvenience, or (2) threatens to commit such crime of
95 violence or crime involving the use of a hazardous substance in
96 reckless disregard of the risk of causing such terror, evacuation or
97 inconvenience.

98 (b) For the purposes of this section, "hazardous substance" means
99 any physical, chemical, biological or radiological substance or matter
100 which, because of its quantity, concentration or physical, chemical or
101 infectious characteristics, may cause or significantly contribute to an
102 increase in mortality or an increase in serious irreversible or
103 incapacitating reversible illness, or pose a substantial present or
104 potential hazard to human health.

105 (c) Threatening in the first degree is a class D felony.

106 Sec. 8. Section 53a-62 of the general statutes is repealed and the
107 following is substituted in lieu thereof:

108 (a) A person is guilty of threatening in the second degree when, [:
109 (1) By] by physical threat, [he] such person intentionally places or
110 attempts to place another person in fear of imminent serious physical
111 injury. [, or (2) he threatens to commit any crime of violence with the
112 intent to terrorize another, to cause evacuation of a building, place of
113 assembly , or facility of public transportation, or otherwise to cause
114 serious public inconvenience, or (3) he threatens to commit such crime
115 in reckless disregard of the risk of causing such terror or
116 inconvenience.]

117 (b) Threatening in the second degree is a class A misdemeanor.

118 Sec. 9. This act shall take effect January 1, 2002.