

Department of Legislative Services  
Maryland General Assembly  
2022 Session

**FISCAL AND POLICY NOTE**  
**Third Reader - Revised**

Senate Bill 881

(Senator Waldstreicher, *et al.*)

Judicial Proceedings

Judiciary

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**Task Force to Study the Practice Known as "Swatting"**

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This bill establishes the Task Force to Study the Practice Known as “Swatting” to be staffed by the Office of the Attorney General (OAG). The task force must (1) study the laws applicable to, and otherwise relating to, the practice known as “swatting” and (2) make recommendations relating to legislative changes needed to prohibit the practice known as “swatting.” By June 1, 2023, the task force must report its findings and recommendations to the Governor and the General Assembly. Task force members may not receive compensation but are entitled to reimbursement for expenses, as specified. **The bill takes effect June 1, 2022, and remains in effect for one year and nine months. While the bill states that it terminates February 28, 2023, one year and nine months from June 1, 2022, is February 29, 2024.**

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**Fiscal Summary**

**State Effect:** OAG did not respond to a request for information regarding the fiscal effect of this legislation. Nevertheless, any expense reimbursements for task force members and staffing costs for OAG are assumed to be minimal and absorbable within existing budgeted resources. Revenues are not affected.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** While there is no statutory definition of “swatting,” the term is often used to refer to the making of fake calls to 9-1-1 in an effort to elicit a significant response by

law enforcement and other emergency services personnel. Several statutory prohibitions are related to this type of conduct, as described below.

*Section 9-501 of the Criminal Law Article (False Statement – To Law Enforcement Officer)*

Generally, a person is prohibited from making, or causing to be made, a statement, report, or complaint that the person knows to be false as a whole or in material part, to a law enforcement officer with the intent to deceive and to cause an investigation or other action to be taken as a result of the statement, report, or complaint. Violators are guilty of a misdemeanor, punishable by imprisonment for up to six months and/or a \$500 maximum fine.

*Section 9-503 (False Statements – To Public Official Concerning Crime or Hazard)*

A person may not make or cause to be made a statement or report that the person knows to be false as a whole or in material part to an official or unit of government, as specified, concerning the commission of a crime or the existence of a condition that is imminently dangerous to public safety or health, with the intent that the official or unit investigate, consider, or act upon the statement or report. A violator is guilty of a misdemeanor, punishable by imprisonment for up to six months and/or a \$500 maximum fine.

*Section 9-504 (False Statement – Destructive Device or Toxic Material)*

With specified exceptions, a person may not circulate or transmit to another, with intent that it be acted on, a statement or rumor that the person knows to be false about the location or possible detonation of a destructive device or the location or possible release of toxic material. A violator is guilty of a felony, punishable by imprisonment for up to 10 years and/or a fine of up to \$10,000. In addition to these penalties, a court may order a person convicted or found to have committed a delinquent act under § 9-504 to pay restitution, as specified.

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### **Additional Information**

**Prior Introductions:** None.

**Designated Cross File:** None.

**Information Source(s):** Caroline, Howard, Montgomery, and Prince George’s counties; Comptroller’s Office; Maryland State Commission on Criminal Sentencing Policy; Judiciary (Administrative Office of the Courts); Office of the Public Defender; University System of Maryland; Morgan State University; Department of General Services; Maryland Department of Health; Department of Natural Resources; Department of Public Safety and Correctional Services; Department of State Police; Maryland Department of Transportation; Department of Legislative Services

**Fiscal Note History:** First Reader - February 25, 2022  
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