

114TH CONGRESS
1ST SESSION

H. R. 2031

To amend the Communications Act of 1934 to provide for enhanced penalties for the transmission of misleading or inaccurate caller identification information with the intent to trigger a response by a law enforcement agency.

IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 2015

Mr. ENGEL (for himself, Mr. DESJARLAIS, Ms. CLARK of Massachusetts, and Mr. REICHERT) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Communications Act of 1934 to provide for enhanced penalties for the transmission of misleading or inaccurate caller identification information with the intent to trigger a response by a law enforcement agency.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Anti-Swatting Act of
5 2015”.

1 **SEC. 2. TRANSMISSION OF MISLEADING OR INACCURATE**
2 **CALLER ID INFORMATION WITH INTENT TO**
3 **TRIGGER LAW ENFORCEMENT RESPONSE.**

4 Section 227(e)(5) of the Communications Act of
5 1934 (47 U.S.C. 227(e)(5)) is amended—

6 (1) in subparagraph (B), by striking “Any per-
7 son” and inserting “Except as provided in subpara-
8 graph (C), any person”; and

9 (2) by adding at the end the following:

10 “(C) ENHANCED PENALTIES FOR VIOLA-
11 TION WITH INTENT TO TRIGGER LAW ENFORCE-
12 MENT RESPONSE.—

13 “(i) CRIMINAL VIOLATION.—Any per-
14 son who violates this subsection with the
15 intent to trigger a response by a law en-
16 forcement agency in the absence of cir-
17 cumstances requiring such a response
18 shall—

19 “(I) be fined under title 18,
20 United States Code, or imprisoned not
21 more than 5 years, or both; or

22 “(II) if serious bodily injury re-
23 sults, be fined under title 18, United
24 States Code, or imprisoned not more
25 than 20 years, or both.

26 “(ii) REIMBURSEMENT.—

1 “(I) IN GENERAL.—The court, in
2 imposing a sentence on a defendant
3 who has been convicted of an offense
4 under clause (i), shall order the de-
5 fendant to reimburse any entity de-
6 scribed in subclause (II) that incurs
7 expenses in making or incident to the
8 response described in clause (i) for
9 such expenses.

10 “(II) ENTITY DESCRIBED.—An
11 entity is described in this subclause if
12 the entity is—

13 “(aa) a law enforcement
14 agency of the United States, a
15 State, or a political subdivision of
16 a State; or

17 “(bb) an agency of the
18 United States, a State, or a polit-
19 ical subdivision of a State, or a
20 private not-for-profit organiza-
21 tion, that provides fire, rescue, or
22 emergency medical services.

23 “(III) LIABILITY.—A person or-
24 dered to make reimbursement under
25 this clause shall be jointly and sever-

1 ally liable for such expenses with each
2 other person, if any, who is ordered to
3 make reimbursement under this clause
4 for the same expenses.

5 “(IV) CIVIL JUDGMENT.—An
6 order of reimbursement under this
7 clause shall, for the purposes of en-
8 forcement, be treated as a civil judg-
9 ment.”.

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