



ENACTMENT NEWS

House Bill 462

“Swatting” – Falsely Reporting an Emergency

Effective April 3, 2023

On January 2, 2023, Governor DeWine signed House Bill 462 (Reps. Kevin Miller and Rick Carfagna) into law. The act creates the offense of “swatting.” It takes effect on April 3, 2023.

The bill establishes the offense of “swatting”: No person by means of a telecommunications device or service shall report or cause to be reported misleading information to a law enforcement agency, emergency service provider, or public safety answering point (9-1-1) knowing the information to be false or misleading, with reckless disregard as to whether the report may cause bodily harm to any individual as a direct result of an emergency response to the report, and under circumstances where the report is reasonably likely to cause an emergency response from a law enforcement agency, emergency service provider, or public safety answering point (9-1-1) and the report does cause an emergency response. This prohibition does not apply to someone conducting an authorized emergency drill.

A violation of this offense is a fourth-degree felony. If the violation results in serious physical harm to any person, it is a second-degree felony. The bill also classifies swatting as an offense of violence.

Prior to sentencing a person who commits this offense, the court shall enter an order directing any law enforcement agency or emergency service provider involved in the response who wishes to be reimbursed for costs incurred in the response to file with the court an itemized statement of those costs. The court may then order the offender to reimburse the agency for all or a portion of the cost as a financial sanction under R.C. 2929.18.

The Ohio House passed the bill by a vote of 68-14 on November 30, 2022, and the Senate passed the bill by a vote of 31-0 on December 14, 2022. The House voted to concur in Senate amendments by a vote of 75-6 the same day.