

116TH CONGRESS
1ST SESSION

H. R. 156

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 an emergency response.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 2019

Mr. ENGEL 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 an emergency response.

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 2019”.

1 **SEC. 2. TRANSMISSION OF MISLEADING OR INACCURATE**
2 **CALLER ID INFORMATION WITH INTENT TO**
3 **TRIGGER EMERGENCY 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 EMERGENCY
12 RESPONSE.—

13 “(i) CRIMINAL VIOLATION.—Any per-
14 son who violates this subsection with the
15 intent to trigger an emergency response in
16 the absence of circumstances requiring
17 such a response shall—

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

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

25 “(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 (I), (II), or (III)
7 of clause (iii) that incurs expenses in
8 making or incident to the response de-
9 scribed in clause (i) for such expenses.

10 “(II) LIABILITY.—A person or-
11 dered to make reimbursement under
12 this clause shall be jointly and sever-
13 ally liable for such expenses with each
14 other person, if any, who is ordered to
15 make reimbursement under this clause
16 for the same expenses.

17 “(III) CIVIL JUDGMENT.—An
18 order of reimbursement under this
19 clause shall, for the purposes of en-
20 forcement, be treated as a civil judg-
21 ment.

22 “(iii) EMERGENCY RESPONSE DE-
23 FINED.—In this subparagraph, the term
24 ‘emergency response’ means any action to
25 protect life, health, or property by—

1 “(I) a law enforcement agency of
2 the United States, a State, or a polit-
3 ical subdivision of a State;

4 “(II) an agency of the United
5 States, a State, or a political subdivi-
6 sion of a State, or a private not-for-
7 profit organization, that provides fire,
8 rescue, or emergency medical services;
9 or

10 “(III) a public safety answering
11 point (as defined in section 222).”.

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