

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 1145

Short Title: Harrassing Communications.

(Public)

Sponsors: Senator Rand.

Referred to: Judiciary I.

April 15, 1999

A BILL TO BE ENTITLED

AN ACT TO AMEND THE LAW REGARDING CERTAIN TYPES OF
THREATENING, ANNOYING, OR HARASSING COMMUNICATIONS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-196 reads as rewritten:

"§ 14-196. Using profane, indecent or threatening language to any person over telephone; annoying or harassing by repeated telephoning or making false statements over telephone.

(a) It shall be unlawful for any person:

(1) ~~To use in telephonic communications any words or language of a profane, vulgar, lewd, lascivious or indecent character, nature or connotation;~~

(1a) To engage in communication with another repeatedly, whether or not conversation ensues, for the purpose of abusing, annoying, threatening, terrifying, harrassing, or embarrassing any individual;

(2) To use in telephonic communications a communication any words or language threatening to inflict bodily harm to any person or physical injury to the property of any person, or for the purpose of extorting money or other things of value from any person;

- 1 (3) To telephone another repeatedly, whether or not conversation ensues,
2 for the purpose of abusing, annoying, threatening, terrifying, harassing
3 or embarrassing any person at the called number;
- 4 (4) To make a telephone call and fail to hang up or disengage the
5 connection with the intent to disrupt the service of ~~another;~~ another or to
6 otherwise interfere with the telephone or other electronic
7 communications service of another with the intent to disrupt the service
8 of another;
- 9 (5) To ~~telephone~~ engage in communication with another and to knowingly
10 make any false statement concerning death, injury, illness,
11 disfigurement, indecent conduct or criminal conduct of the person
12 telephoned or of any member of his family or household with the intent
13 to abuse, annoy, threaten, terrify, harass, or embarrass;
- 14 (6) To knowingly permit any ~~telephone~~ communications device under his
15 control to be used for any purpose prohibited by this section.
- 16 (b) Any of the above offenses may be deemed to have been committed at either the
17 place at which the ~~telephone call or calls were~~ communication was made or at the place
18 where the ~~telephone call or calls were~~ communication was received. For purposes of this
19 section, the term ~~'telephonic communications'~~ 'communication' shall include ~~communications~~
20 ~~made or received by way of a telephone answering machine or recorder, telefacsimile machine,~~
21 ~~or computer modem.~~ letters or other written or printed material or transmissions, whether
22 signed or unsigned; telephone calls; cellular or other wireless telephonic transmissions;
23 facsimile transmissions; pager messages or transmissions; answering machine or voice
24 mail messages or transmissions; and electronic mail messages or other computerized or
25 electronic transmissions. For the purposes of this section, a 'communications device'
26 includes any device or means by which a 'communication' as is defined in this subsection
27 may be transmitted or otherwise delivered from one person to any person.
- 28 (c) Anyone violating the provisions of this section shall be guilty of a ~~Class 2~~ Class
29 1 misdemeanor."
- 30 Section 2. This act becomes effective December 1, 1999, and applies to
31 offenses committed on or after that date.