

as inserted by 1955, 235:1 and amended by 1957, 31:1, the following new section:

572:38-b Abusing or Obscene Telephone Calls.

I. It is unlawful for any person to make use of telephone equipment—

(a) For an anonymous call if in a manner reasonably to be expected to annoy, abuse, harass, disturb the peace or right of privacy of, or embarrass another person, whether or not conversation follows; or

(b) For repeated calls, if made with the intent to annoy, abuse, torment, harass, disturb the peace or right of privacy of, or embarrass another person, whether or not conversation follows; or

(c) To make any comment, request, suggestion, or proposal which is obscene, lewd, lascivious, or indecent to another person;

(d) To threaten to inflict injury or physical harm to the person or property of another; or

(e) With the intent to terrify or intimidate or threaten another person.

II. Any offense committed by the use of a telephone as set forth in this section may be deemed to have been committed either at the place where telephone call originated or at the place where the telephone call was received.

III. The use of obscene, lewd, lascivious, or indecent language as made unlawful by Paragraph I of this section is prima facie evidence of intent to annoy, abuse, torment, harass, disturb the peace or right of privacy of, or to embarrass, or to terrify, or intimidate or threaten another person.

IV. Any person violating any of the provisions of this section is guilty of a misdemeanor, and upon conviction, is subject to a fine of not more than two hundred dollars or to imprisonment for not more than six months, or both, in the discretion of the court, provided that if the telephone that is receiving the call is used as an emergency telephone to receive calls for police, medical or ambulance aid, for giving or receiving a fire alarm, or for civil defense use, the person found guilty may be punished by a fine of not more than five hundred dollars or by imprisonment for not more than one year, or both.

2. **EFFECTIVE DATE.**—This act shall take effect sixty days after its passage.

NEW JERSEY

NEW JERSEY STATUTES ANNOTATED, TITLE 2A, ADMINISTRATION OF CIVIL AND CRIMINAL JUSTICE, CHAPTER 170, DISORDERLY PERSONS GENERALLY

2A:170-29. OFFENSIVE LANGUAGE; MOLESTING OR INTERFERING WITH PERSON—

1. Any person who utters loud and offensive or profane or indecent language in any public street or other public place, public conveyance, or place to which the public is invited; or

2. Any person who in any place, public or private—

a. Addresses or makes audible and offensive remarks to or concerning any passing person; or

b. Obstructs, molests or interferes with any person lawfully therein; or

3. Any person who telephones another and addresses to such person any profane, lewd, lascivious, indecent or disgusting remarks; or

4. Any person who repeatedly telephones another for the purpose of annoying or molesting such person—

Is a disorderly person.

Any offense committed under paragraphs 3 or 4 of this section may be deemed to have taken place at either the place at which the telephone call was made or the place at which the telephone call was received. As amended L. 1965, c. 172, § 1.

NEW MEXICO

[1967 NEW LAWS, REGULAR SESSION, PAGE 743] CHAPTER 120, LAWS 1967 (APPROVED MARCH 24, 1967)

An act relating to crimes; prohibiting the use of the telephone to extort, threaten, harass or offend; prescribing penalties and venue; amending section