

40A-20-1 New Mexico Statutes Annotated, 1953 Compilation (being Laws 1963, Chapter 303, Section 20-1); and enacting a new section 40A-20-8 New Mexico Statutes Annotated, 1953 Compilation,

Be it enacted by the Legislature of the State of New Mexico:

SECTION 1. [Statutory provisions relating to the crime of disorderly conduct were amended].

SECTION 2. A new Section 40A-20-8. New Mexico Statutes Annotated, 1953 Compilation, is enacted to read:

T40A-20-8. USE OF TELEPHONE TO TERRIFY, INTIMIDATE, THREATEN, HARASS, ANNOY, OR OFFEND—PENALTY.—

A. It shall be unlawful for any person, with intent to terrify, intimidate, threaten, harass, annoy or offend, to telephone another and use any obscene, lewd or profane language or suggest any lewd, criminal or lascivious act, or threaten to inflict injury or physical harm to the person or property of any person. It shall also be unlawful for any person to attempt by telephone to extort money or other thing of value from any other person, or to otherwise disturb by repeated anonymous telephone calls the peace, quiet or right of privacy of any other person at the place where the telephone call or calls were received, or to maliciously make a telephone call, whether or not conversation ensues, with intent to annoy or disturb another, or to disrupt the telecommunications of another.

B. The use of obscene, lewd or profane language or the making of a threat or statement as set forth in Subsection A shall be prima facie evidence of intent to terrify, intimidate, threaten, harass, annoy or offend.

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

NEW YORK

M'KINNEY'S CONSOLIDATED LAWS OF NEW YORK ANNOTATED, REVISED PENAL LAW,
EFFECTIVE SEPTEMBER 1, 1967

TITLE N—OFFENSES AGAINST PUBLIC ORDER, PUBLIC SENSIBILITIES, AND THE RIGHT TO PRIVACY

ARTICLE 240—OFFENSES AGAINST PUBLIC ORDER

§ 240.30. AGGRAVATED HARASSMENT—

A person is guilty of aggravated harassment when, with intent to harass, annoy or alarm another person, he:

1. Communicates with a person, anonymously or otherwise, by telephone, or by telegraph, mail or any other form of written communication, in a manner likely to cause annoyance or alarm; or

2. Makes a telephone call, whether or not a conversation ensues, with no purpose of legitimate communication.

Aggravated harassment is a class A misdemeanor.

§ 240.50 FALSELY REPORTING AN INCIDENT—

A person is guilty of falsely reporting an incident when, knowing the information reported, conveyed or circulated to be false or baseless—

1. Initiates or circulates a false report or warning of an alleged occurrence or impending occurrence of a fire, explosion, crime, catastrophe or emergency under circumstances in which it is not unlikely that public alarm or inconvenience will result; or

2. Reports, by word or action, to any official or quasi-official agency or organization having the function of dealing with emergencies involving danger to life or property, an alleged occurrence or impending occurrence of a fire, explosion or other catastrophe or emergency which did not in fact occur or does not in fact exist; or

3. Gratuitously reports to a law enforcement officer or agency (a) the alleged occurrence of an offense or incident which did not in fact occur; or (b) an allegedly impending occurrence of an offense or incident which in fact is not about to occur; or (c) false information relating to an actual offense or incident or to the alleged implication of some person therein.

Falsely reporting an incident is a class B misdemeanor.