

be punished by a fine of not more than five hundred dollars (\$500) or by imprisonment for not more than one (1) year or both.

§ 11-35-18. EXPLOSIVES OR OTHER DANGEROUS SUBSTANCE OR CONTRIVANCE; FALSE REPORTS AS TO LOCATION; PUNISHMENT.—Whoever, knowing the same to be false, transmits or causes to be transmitted to any person by telephone or other means a communication falsely reporting the location of any explosive or other dangerous substance or contrivance thereby causing anxiety, unrest, fear, or personal discomfort to any person or group of persons, shall be guilty of a felony and shall be punished by imprisonment at the adult correctional institution for not more than ten (10) years or by a fine of not more than one thousand dollars (\$1,000) or by both such fine and imprisonment.

§ 11-35-19. PROSECUTION.—The crimes described in sections 11-35-17 and 11-35-18 may be prosecuted and punished in the territorial jurisdiction in which the communication originates or is received. (Added Laws 1965, S.B. 92)

SOUTH CAROLINA

1967 NEW LAWS, REGULAR SESSION, PAGE 361, RATIFICATION NO. 602, LAWS 1967,
APPROVED JUNE 28, 1967

An Act to amend sections 16-552 and 16-552.1, Code of Laws of South Carolina, 1962, relating to the sending of obscene messages to a woman and to using indecent language over the telephone, so as to further provide therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 16-552, Code of Laws of South Carolina, 1962, is amended on line three by inserting “, except by telephone,” between “soever” and “communicate”. The Section when amended shall read as follows:

SEC. 16-552. Any person who shall anonymously write, print or by any other manner or means whatsoever, except by telephone, communicate, send or deliver to any woman or woman child within this State any obscene, profane, indecent, vulgar, suggestive or immoral message shall be guilty of a misdemeanor and, upon conviction, shall be punished in the discretion of the court.

SEC. 2. Section 16-552.1, Code of Laws of South Carolina, 1962, relating to using indecent language over the telephone, is amended by striking it in its entirety and inserting in lieu thereof the following so as to make it unlawful to use profane language over the telephone, to telephone repeatedly, and to fail to hang up a telephone:

SEC. 16-552.1. It shall be unlawful for any person anonymously or otherwise: (1) to use in a telephonic communication any words or language of a profane, vulgar, lewd, lascivious, or an indecent nature, or to threaten in a telephonic communication any unlawful act with the intent to coerce, intimidate, or harass another person, or to communicate or convey by telephone an obscene, vulgar, indecent, profane, suggestive, or immoral message to another person; (2) to telephone another repeatedly, whether or not conversation ensues, for the purpose of annoying or harassing another person or his family; (3) to make a telephone call and intentionally fail to hang up or disengage the connection, for the purpose of interfering with the telephone service of another; (4) to telephone another and make any false statements concerning either the death or injury of any member of the family of the person who is telephoned, with the intent to annoy, frighten or terrify that person; or (5) knowingly to permit any telephone under his control to be used for any purpose prohibited by this Section.

Any person violating either items (1), (2) or (4) shall be guilty of a misdemeanor and, upon conviction, shall be punished in the discretion of the court; and any person violating either items (3) or (5) shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine of not more than one hundred dollars or imprisonment for not more than thirty days.

SEC. 3. If any portion of this Act is declared to be unconstitutional or is found to be in conflict with any other provision of law, such determination shall not affect any remaining portions.

SEC. 4. All provisions of Sections 16-552 and 16-552.1, Code of Laws of South Carolina, 1962, shall remain in full force and effect insofar as they apply to and support prosecution for any violation thereof occurring prior to the effective date of this Act.

SEC. 5. This Act shall take effect upon approval by the Governor.

§ 16-552. VENUE FOR PROSECUTION UNDER § 16-552.1.—Venue for prosecution pursuant to the provisions of this act shall be either in the county wherein the