

telephonic communication originated or the county where it was received. (1961 (52) 451)

SOUTH DAKOTA

[1967 NEW LAWS, REGULAR SESSION, P. 81] (SENATE BILL NO. 97) APPROVED
MARCH 6, 1967

An act making it unlawful to use a telephone for purposes of terrorizing, threatening, harassing, or annoying another person or for the purpose of extorting money or other things of value from any person, or knowingly permit the use of a telephone for any of such purposes.

Be it enacted by the Legislature of the State of South Dakota:

SECTION 1. It shall be unlawful for any person to use a telephone for any of the following purposes:

(a) To call another person with intent to terrorize, intimidate, threaten, harass, or annoy such person by using any obscene or lewd language or by suggesting any lewd or lascivious act.

(b) To call another person with intent to threaten to inflict physical harm or injury to any person or property.

(c) To call another person with intent to extort money or other things of value.

(d) To call another person with intent to disturb any person by repeated anonymous telephone calls or intentionally failing to replace the receiver or disengage the telephone connection.

It shall be unlawful for any person to knowingly permit any telephone under his control to be used for any purposes prohibited by this Act.

SEC. 2. The use of obscene or lewd language or the making of a threat or lewd suggestion or the failure to replace the telephone receiver as set forth in this Act shall be prima facie evidence of the intent to terrorize, intimidate, threaten, harass, annoy or disturb another person.

SEC. 3. Any offense committed by use of a telephone as set forth in this Act 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.

SEC. 4. Any violation of this Act shall be punishable by a fine of not more than five hundred dollars or by imprisonment in the county jail not to exceed one year or by both such fine and imprisonment.

SEC. 5. If any provision of this Act is declared unconstitutional or the applic