

TEXAS

VERNON'S PENAL CODE OF THE STATE OF TEXAS ANNOTATED

Article 476. PROFANE LANGUAGE OVER TELEPHONE.—Whoever uses any vulgar, profane, obscene, or indecent language over or through any telephone or who ever uses any telephone in any manner with intent to harass, annoy, torment, abuse, threaten or intimidate another, except if such call be for a lawful business purpose, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00), or by imprisonment in the county jail for not less than one (1) month nor more than twelve (12) months, or by both such fine and imprisonment. (Acts 1909, p. 87, Laws 1965, H.B. 391)

UTAH

[1967 NEW LAWS, REGULAR SESSION, PAGE 19.] (HOUSE BILL NO. 10) (APPROVED FEBRUARY 16, 1967)

An Act relating to crimes; prohibiting the use of the telephone for the purpose of terrifying, intimidating, harassing, or offending another person.

Be it enacted by the Legislature of the State of Utah:

SECTION 1. It shall be unlawful for any person with intent to threaten, frighten, annoy or offend another to anonymously telephone another and (1) address to or about such person any obscene, lewd or profane language or to suggest any lewd or lascivious act or to address to such other person any threat to inflict injury or physical harm to the person or property of the person addressed or any member of his family, or (2) to disturb the peace, quiet or right of privacy of any person at the place where the telephone call or calls are received by repeated anonymous or unidentified calls whether or not conversation ensues.

The use of obscene, lewd or profane language or the making of a threat shall be prima facie evidence of intent to annoy or offend.

SEC. 2. It shall be unlawful for any person to anonymously telephone another and knowingly make any false statement concerning injury, death, disfigurement, indecent conduct or criminal conduct of the person telephoned or any member of his family with intent to terrify, intimidate, harass or annoy.

The making of a false statement as herein set out shall be prima facie evidence of intent to terrify, intimidate, harass or annoy.

SEC. 3. Any offense committed by use of a telephone as herein set out may be deemed to have been committed at either the place at which the telephone call or calls were made or at the place where the telephone call or calls were received.

SEC. 4. Any person who violates any provision of this Act shall on first conviction be fined not more than \$299.00 or be imprisoned in the county jail for not more than six months, or both, and upon a subsequent conviction for violation of this Act, the offender shall be fined not more than \$1,000.00 or be imprisoned in the state prison for not more than three years, or both.

SEC. 5. The provisions of this Act are hereby declared to be severable. If any of its sections, provisions, exceptions, sentences, clauses, phrases or parts are adjudged by a court of competent jurisdiction to be unconstitutional or void, the remainder of this Act shall continue in full force and effect, it being the legislative intent, now hereby declared, that this Act would have been adopted even if such unconstitutional or void matter had not been included therein.

VERMONT

(1967 NEW LAWS, REGULAR SESSION, PAGE 239) APPROVED APRIL 15, 1967

An Act to prohibit use of telephones to terrify, intimidate, threaten, harass or annoy.

It is hereby enacted by the General Assembly of the State of Vermont:

Section 1. Section 1027 is added to 13 V.S.A. to read:

SECTION 1027. DISTURBING PEACE BY USE OF TELEPHONE.—(a) A person who, with intent to terrify, intimidate, threaten, harass or annoy, telephones another and (i) makes any request, suggestion or proposal which is obscene, lewd,