

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1967



ENROLLED

Com. Sub. for

HOUSE BILL No. 540

(By Mr. Myler and Mr. Seibert)



PASSED March 10, 1967

In Effect Twenty day from Passage



FILED IN THE OFFICE
ROBERT D. BAILEY
SECRETARY OF STATE
THIS DATE 3-20-67

540

ENROLLED

Com. Sub. for House Bill No. 540

(By MR. MYLES and MR. SEIBERT)

[Passed March 10, 1967; in effect ninety days from passage.]

AN ACT to amend and reenact section sixteen, article eight, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the penalty for profanity, obscene, indecent or vulgar language, annoying, abusive, tormenting, harassing or embarrassing call or calls or threats over the telephone.

Be it enacted by the Legislature of West Virginia:

That section sixteen, article eight, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

**ARTICLE 8. CRIMES AGAINST CHASTITY, MORALITY AND
DECENCY.**

**§61-8-16. Profanity, obscene, indecent or vulgar language,
annoying, abusive, tormenting, harassing, or embar-
rassing call or calls, or threats over telephone; pen-
alty.**

1 If any person shall make use of any telephone facility
2 or equipment for, (1) placing any anonymous call or calls
3 in a manner which could reasonably be expected to annoy,
4 abuse, torment, harass or embarrass any person, (2) pro-
5 fanely cursing, swearing at or abusing another, or using
6 profane, obscene, indecent or vulgar language, or (3)
7 threatening to commit a crime against any person, he
8 shall be guilty of a misdemeanor.

9 Any offense committed under this section may be
10 deemed to have taken place at the place at which
11 the telephone call was made or placed, or the place at
12 which the telephone call was received.

13 Any person convicted of an offense hereunder, shall be
14 punished by a fine of not more than five hundred dollars
15 or by imprisonment in the county jail for not more than
16 six months, or by both such fine and imprisonment.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

William Tompco
Chairman Senate Committee

Clayton C. Davidson
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Howard Meyer
Clerk of the Senate

C. Blankenship
Clerk of the House of Delegates

Howard W. Carson
President of the Senate

H. Jackson White
Speaker House of Delegates

The within approved this the 17
day of March, 1967.

Street C. Smith
Governor



PRESENTED TO THE
GOVERNOR

Date 3/17/67

Time 9:30 a.m.