ENROLLED

HOUSE BILL No. 540

(By Mr. Hynles and Mr. Seifert)

PASSED March 10, 1967

In Effect Ninety days from Passage

FILED IN THE OFFICE
ROBERT D. BAILEY
SECRETARY OF STATE
THIS DATE 3-20-67
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 embarrassing call or calls, or threats over telephone; penalty.

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

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

Any person convicted of an offense hereunder, shall be punished by a fine of not more than five hundred dollars or by imprisonment in the county jail for not more than 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 Tompkins
Chairman Senate Committee

Clayton C. Davidson
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Howard Ayers
Clerk of the Senate

C.L. Lamberson
Clerk of the House of Delegates

Howard W. Carson
President of the Senate

H. Tucker White
Speaker House of Delegates

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

Sarrett C. Smith
Governor
PRESENTED TO THE GOVERNOR

Date: 3/17/67
Time: 9:30 a.m.