

March 7, 1967
Place On Calendar
judiciary 3-14 Pass 5-5-67

House File 363
By COMMITTEE ON COMMERCE

Passed House, Date 3-10-67 Passed Senate, Date 5-11-67

Vote: Ayes 110 Nays 8 Vote: Ayes 49 Nays 0

*Motion to
Reconsider laid
on Table 3-10
Motion To reconsider
lost 3-10*

Approved May 25, 1967

A BILL FOR

An Act relating to the use of the telephone for the purpose of terrifying, intimidating, threatening, harassing, annoying or offending another person, and providing a punishment therefor.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. It shall be unlawful for any person, with intent
2 to terrify, intimidate, threaten, harass, annoy or offend, to
3 telephone another and use any obscene, lewd or profane language
4 or suggest any lewd or lascivious act, or threaten to inflict
5 injury or physical harm to the person or property of any per-
6 son. It shall also be unlawful to attempt to extort money or
7 other thing of value from any person, or to otherwise disturb
8 by repeated anonymous telephone calls the peace, quiet or
9 right of privacy of any person at the place where the telephone
10 call or calls were received.

1 Sec. 2. The use of obscene, lewd or profane language or
2 the making of a threat or statement as set forth in this Act
3 shall be prima facie evidence of intent to terrify, intimidate,
4 threaten, harass, annoy or offend.

1 Sec. 3. Any offense committed by use of a telephone as set
2 forth herein shall be deemed to have been committed at either
3 the place where the telephone call or calls originated or at
4 the place where the telephone call or calls were received.

1 Sec. 4. Any violation of this Act shall be punishable by
2 a fine of not more than five hundred (500) dollars, or by im-
3 prisonment in the county jail for not to exceed one (1) year,
4 or by both such fine and imprisonment.

EXPLANATION

There is no present statute covering the use of the telephone for the purpose of making annoying or obscene telephone calls.

This bill establishes such a statute and provides a penalty therefor.

1 Amend House File 363 by adding thereto the following new
2 section:
3 "Sec. 5. Upon the request of any peace officer or court
4 and a subscriber reported to have received telephone calls in
5 violation of this Act, every telephone company operating in
6 this state shall install equipment on the telephone of the
7 subscriber to trace the telephone calls received on the
8 subscriber's telephone. The information resulting from such
9 investigation shall be made available to the persons making
10 the request for assistance. Every telephone company operating
11 in this state shall have equipment necessary to begin every
12 investigation required by this Act within twenty-four (24)
13 hours."

Filed - ~~Lost~~ 3-10-67
March 9, 1967

By LIPSKY of Linn

- 1 Amend the Lipsky amendment to House File 363, filed March
- 2 by striking from line three (3) the words "any peace officer^{9th,}
- 3 inserting in lieu thereof the words "district or municipal".

Filed and adopted
March 10, 1967 ✓

By McCARTNEY of Floyd

- 1 Amend the Lipsky amendment to House File 363, filed March 9th,
- 2 by striking from line six (6) the word "shall" and insert in
- 3 thereof the word "may". lieu

Filed and lost
March 10, 1967 ✓

By PALMER of Polk

- 1 Amend the Lipsky amendment to House File 363 by
- 2 striking the word "persons" in line nine (9) and by
- 3 inserting in lieu thereof the words "subscriber alone".

Filed and adopted
March 10, 1967 ✓

By O'MALLEY of Polk

- 1 Amend the Lipsky amendment to House File 363 by striking
- 2 all after the word "necessary" in line eleven (11) and
- 3 inserting in lieu thereof the words "to assist in the
- 4 investigation."

Filed and adopted
March 10, 1967 ✓

By HOLDEN of Scott

- 1 Amend the Lipsky Amendment to House File 363 by striking
- 2 all of line 5 after the comma following the word "Act"
- 3 and insert in lieu thereof the following:
- 4 "any telephone company providing the
- 5 terminal service to the complaining
- 6 subscriber in"

Filed and lost
March 10, 1967 ✓

By BEARDSLEY of Polk
