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SENATE BILL NO. 1034

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on the Judiciary

on _____)

(Patron Prior to Substitute--Senator McPike)

A BILL to amend and reenact § 18.2-429 of the Code of Virginia, relating to causing a telephone to ring or other device to signal with intent to annoy; emergency communications; penalty.

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-429 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-429. Causing a telephone, digital pager, or other device to ring or signal with intent to annoy; emergency communications; penalties.

A. Any person who, with or without intent to communicate but with intent to annoy any other person, causes any telephone or digital pager, not his own, to ring or to otherwise signal, and any person who permits or condones the use of any telephone under his control for such purpose, is guilty of a Class 3 misdemeanor. A second or subsequent conviction under this subsection is punishable as a Class 2 misdemeanor if such prior conviction occurred before the date of the offense charged.

B. Any person who, with or without intent to ~~converse,~~ communicate but with intent to annoy, harass, hinder, or delay emergency personnel in the performance of their duties as such, causes a telephone to ring or other device to signal, which is owned or leased for the purpose of receiving ~~emergency calls~~ communications by a public or private entity providing fire, police, or emergency medical services, and any person who knowingly permits the use of a telephone or other device under his control for such purpose, is guilty of a Class 1 misdemeanor.

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