

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1999

SESSION LAW 1999-262
SENATE BILL 956

AN ACT TO MAKE IT A CLASS 2 MISDEMEANOR TO USE IN TELEPHONIC OR ELECTRONIC-MAIL COMMUNICATIONS WITH ANOTHER PERSON ANY WORDS OR LANGUAGE THREATENING THAT PERSON'S CHILD, DEPENDENT, SIBLING, OR SPOUSE, AND TO MAKE IT A CLASS 1 MISDEMEANOR TO WILLFULLY THREATEN PHYSICAL INJURY TO THE CHILD, DEPENDENT, SIBLING, OR SPOUSE OF ANOTHER.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-196(a) reads as rewritten:

"(a) It shall be unlawful for any person:

- (1) To use in telephonic communications any words or language of a profane, vulgar, lewd, lascivious or indecent character, nature or connotation;
- (2) To use in telephonic or electronic-mail communications any words or language threatening to inflict bodily harm to any person or to that person's child, sibling, spouse, or dependent or physical injury to the property of any person, or for the purpose of extorting money or other things of value from any person;
- (3) To telephone another repeatedly, whether or not conversation ensues, for the purpose of abusing, annoying, threatening, terrifying, harassing or embarrassing any person at the called number;
- (4) To make a telephone call and fail to hang up or disengage the connection with the intent to disrupt the service of another;
- (5) To telephone another and to knowingly make any false statement concerning death, injury, illness, disfigurement, indecent conduct or criminal conduct of the person telephoned or of any member of his family or household with the intent to abuse, annoy, threaten, terrify, harass, or embarrass;
- (6) To knowingly permit any telephone under his control to be used for any purpose prohibited by this section."

Section 2. G.S. 14-277.1(a) reads as rewritten:

"(a) A person is guilty of a Class 1 misdemeanor if without lawful authority:

- (1) He willfully threatens to physically injure the person or that person's child, sibling, spouse, or dependent or willfully threatens to damage the property of another;

- (2) The threat is communicated to the other person, orally, in writing, or by any other means;
- (3) The threat is made in a manner and under circumstances which would cause a reasonable person to believe that the threat is likely to be carried out; and
- (4) The person threatened believes that the threat will be carried out."

Section 3. This act becomes effective December 1, 1999.

In the General Assembly read three times and ratified this the 28th day of June, 1999.

s/ Dennis A. Wicker
President of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ James B. Hunt, Jr.
Governor

Approved 1:04 p.m. this 9th day of July, 1999