

SENATE BILL NO. 328—SENATOR CANNIZZARO

MARCH 18, 2019

Referred to Committee on Judiciary

SUMMARY—Prohibits certain communications that are obscene, threatening or annoying. (BDR 15-70)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to crimes; prohibiting certain communications that are obscene, threatening or annoying; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law makes it unlawful for a person to willfully make a telephone call:
2 (1) addressing the person receiving the call with any obscene language,
3 representation or suggestion to or about that person; (2) threatening to inflict injury
4 on that person, the property of that person or the family of that person; or (3) with
5 the intent to annoy another. (NRS 201.255) This bill prohibits a person from
6 willfully making a communication through the use of an electronic communication
7 device in such an obscene, threatening or annoying manner.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 201.255 is hereby amended to read as follows:
2 201.255 1. Any person who willfully makes a telephone call
3 *or a communication through the use of an electronic*
4 *communication device* and addresses any obscene language,
5 representation or suggestion to or about any person receiving such
6 call *or communication* or addresses to such other person any threat
7 to inflict injury to the person or property of the person addressed or
8 any member of the person’s family is guilty of a misdemeanor.
9 2. Every person who makes a telephone call *or a*
10 *communication through the use of an electronic communication*
11 *device* with intent to annoy another is, whether or not conversation



1 ensues from making the telephone call **H** *or communication*, guilty
2 of a misdemeanor.

3 3. Any violation of subsections 1 and 2 is committed at the
4 place at which the telephone call or calls *or communication or*
5 *communications* were made and at the place where the telephone
6 call or calls *or communication or communications* were received,
7 and may be prosecuted at either place.

8 4. *As used in this section, "electronic communication device"*
9 *means any electronic device that is capable of transmitting or*
10 *distributing data or an image, including, without limitation, a*
11 *cellular phone, personal digital assistant, computer, computer*
12 *network or computer system.*

