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HOUSE BILL NO. 39

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee for Courts of Justice
on January 30, 2012)

(Patron Prior to Substitute—Delegate Tata)

A BILL to amend and reenact § 18.2-429 of the Code of Virginia, relating to causing telephones or digital pagers to ring with intent to annoy; 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 telephone or pager to ring with intent to annoy.

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 ~~shall be~~, is guilty of a Class 3 misdemeanor. *A second or subsequent violation of this subsection is punishable as a Class 1 misdemeanor.*

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

HOUSE SUBSTITUTE

HB39H1