

SENATE BILL NO. _____ HOUSE BILL NO. _____

A BILL to amend and reenact § 18.2-427 of the Code of Virginia, relating to use of profane, threatening, or indecent language over the telephone; cellular telephones and other wireless telecommunications devices.

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-427 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-427. Use of profane, threatening, or indecent language over public airways or by other methods.

Any person who uses obscene, vulgar, profane, lewd, lascivious, or indecent language, or makes any suggestion or proposal of an obscene nature, or threatens any illegal or immoral act with the intent to coerce, intimidate, or harass any person, over any telephone or citizens band radio, in this Commonwealth, is guilty of a Class 1 misdemeanor.

"Over any telephone" includes, for purposes of this section, any electronically transmitted communication producing a visual or electronic message that is received or transmitted by cellular telephone or other wireless telecommunications device.

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SUMMARY

Use of profane, threatening, or indecent language over the telephone; use of cellular telephones and other wireless telecommunications devices. Clarifies that the current statutory provision prohibiting the use of obscene, vulgar, or indecent language over the telephone applies to electronic communications, including visual or electronic messages, received or transmitted by a cellular phone or other wireless telecommunications device.