SENATE BILL 20

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(PRE-FILED)

By: Senator Stone

Requested: October 18, 1999 Introduced and read first time: January 12, 2000 Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2

Telephone Misuse - Telephone Company Charges

3 FOR the purpose of requiring a person convicted of certain criminal conduct involving

- 4 telephone misuse to make restitution for certain telephone company charges;
- 5 prohibiting a telephone company from levying charges against certain
- 6 customers for the reporting or documenting of certain criminal conduct
- 7 involving telephone misuse; and generally relating to criminal conduct involving
- 8 telephone misuse and telephone company charges.

9 BY repealing and reenacting, with amendments,

- 10 Article 27 Crimes and Punishments
- 11 Section 555A
- 12 Annotated Code of Maryland
- 13 (1996 Replacement Volume and 1999 Supplement)

14 BY adding to

- 15 Article Public Utility Companies
- 16 Section 8-205
- 17 Annotated Code of Maryland
- 18 (1998 Volume and 1999 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

20 MARYLAND, That the Laws of Maryland read as follows:

21

Article 27 - Crimes and Punishments

22 555A.

23 (A) It is unlawful for any person to make use of telephone facilities or 24 equipment FOR:

25 (1) [for an] AN anonymous call or calls if in a manner reasonably to be 26 expected to annoy, abuse, torment, harass, or embarrass one or more persons;

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1 (2) [for repeated] REPEATED calls, if with intent to annoy, abuse, 2 torment, harass, or embarrass one or more persons; or

3 (3) [for any] ANY comment, request, suggestion or proposal which is 4 obscene, lewd, lascivious, filthy, or indecent.

5 (B) Any person violating any one of the provisions of this section is guilty of a 6 misdemeanor, and upon conviction thereof, shall:

7 (1) [be] BE subject to a fine of not more than \$500.00 or to imprisonment 8 for not more than three (3) years, or both, in the discretion of the court; AND

9 (2) MAKE RESTITUTION OF THE CHARGES LEVIED BY A TELEPHONE
10 COMPANY FOR A TELEPHONE NUMBER CHANGE, THE INSTALLATION OF A CALLER
11 IDENTIFICATION DEVICE, OR OTHER SERVICES PROVIDED TO A PERSON SEEKING
12 RELIEF FROM THE CONDUCT GIVING RISE TO THE CONVICTION.

13

Article - Public Utility Companies

14 8-205.

A TELEPHONE COMPANY MAY NOT LEVY CHARGES AGAINST A RESIDENTIAL
 CUSTOMER FOR CALLS MADE TO THE TELEPHONE COMPANY FOR THE PURPOSES OF
 REPORTING OR DOCUMENTING AN OCCURRENCE OF TELEPHONE MISUSE UNDER
 ARTICLE 27, § 555A OF THE CODE.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 20 October 1, 2000.

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