

By Representative Ball

1                                   A bill to be entitled  
2           An act relating to unauthorized transmissions  
3           on telecommunications frequencies; amending s.  
4           843.165, F.S.; prohibiting an unauthorized  
5           person from transmitting over a radio frequency  
6           assigned to a governmental agency or an  
7           emergency medical services provider; providing  
8           penalties; providing exceptions; providing an  
9           effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13           Section 1. Section 843.165, Florida Statutes, is  
14 amended to read:15           843.165 Unauthorized transmissions and interference to  
16 governmental and associated ~~on police or fire~~ radio  
17 frequencies prohibited; penalties; exceptions.--18           (1) A ~~No~~ person may not ~~shall~~ transmit, or cause to be  
19 transmitted, over any radio frequency with knowledge that such  
20 frequency is assigned by the Federal Communications Commission  
21 to a state, county, or municipal governmental ~~fire or police~~  
22 agency, including, but not limited to, a law enforcement,  
23 fire, government administration, or emergency management  
24 agency or any public or private emergency medical services  
25 provider, any sounds, jamming device, jamming transmissions,  
26 or speech, or by radio frequency carrier wave except: those  
27 persons who are unless authorized in writing to do so by the  
28 agency's chief administrator; employees of the agency who are  
29 authorized to transmit by virtue of their duties with the  
30 agency; and those persons holding a valid station license

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1 assigned by the Federal Communications Commission to transmit  
2 on such frequencies ~~head of such agency.~~

3 (2) A person may not knowingly obstruct, jam, or  
4 interfere with radio transmissions made by volunteer  
5 communications personnel of any state, county, or municipal  
6 governmental agency, volunteers of any public or private  
7 emergency medical services provider, or volunteers in any  
8 established Skywarn program when the volunteers are providing  
9 communications support upon request of the governmental agency  
10 during tests, drills, field operations, or emergency events.

11 ~~(3)(2)~~ Any person who violates this section commits  
12 ~~subsection (1) is guilty of~~ a misdemeanor of the first degree,  
13 punishable as provided in s. 775.082 or s. 775.083.

14 ~~(4)(3)~~ It is lawful ~~not unlawful~~ for any person to  
15 transmit, or cause to be transmitted, speech or sounds over  
16 any authorized transmitter operating on ~~assigned to police or~~  
17 ~~fire~~ frequencies specified in subsection (1) when the person:

18 (a) ~~Such person~~ Has been commanded to do so by an  
19 authorized operator of the transmitter; ~~or~~

20 (b) ~~Such person~~ Is acting to summon assistance for the  
21 authorized operator who, for any reason, is unable to make the  
22 transmission; ~~or-~~

23 (c) Is a radio technician or installer who is testing,  
24 repairing, or installing radio equipment at the request of a  
25 state, county, or municipal governmental agency or licensed  
26 public or private emergency medical services provider.

27 Section 2. This act shall take effect July 1, 1999.

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SENATE SUMMARY

Prohibits unauthorized transmissions on governmental and  
emergency medical telecommunications radio frequencies.  
Prohibits interference with volunteer communications  
personnel when working on behalf of governmental  
agencies. Provides for exceptions and criminal penalties.