

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 or water management district, including, but not  
23 limited to, a law enforcement, fire, government  
24 administration, or emergency management agency or any public  
25 or private emergency medical services provider, any sounds,  
26 jamming device, jamming transmissions, or speech, or radio  
27 frequency carrier wave except: those persons who are ~~unless~~  
28 authorized in writing to do so by the agency's chief  
29 administrator; employees of the agency who are authorized to  
30 transmit by virtue of their duties with the agency; and those  
31 persons holding a valid station license assigned by the

1 Federal Communications Commission to transmit on such  
2 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, water management district, volunteers of  
7 any public or private emergency medical services provider, or  
8 volunteers in any established Skywarn program when the  
9 volunteers are providing communications support upon request  
10 of the governmental agency during tests, drills, field  
11 operations, or emergency events.

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

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

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

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

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

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