

1 A bill to be entitled
 2 An act relating to obscene or harassing telephone
 3 calls; amending s. 365.16, F.S.; revising a
 4 prohibition on telephone calls made for certain
 5 purposes; increasing the classification of certain
 6 offenses involving telephone calls; providing an
 7 effective date.

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

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 11 Section 1. Subsection (1) of section 365.16, Florida
 12 Statutes, is amended to read:

13 365.16 Obscene or harassing telephone calls.—

14 (1) Whoever:

15 (a) Makes a telephone call and ~~to a location at which the~~
 16 ~~person receiving the call has a reasonable expectation of~~
 17 ~~privacy~~; during such call makes any comment, request,
 18 suggestion, or proposal which is obscene, lewd, lascivious,
 19 filthy, vulgar, or indecent; and by such call or such language
 20 intends to offend, annoy, abuse, threaten, or harass any person
 21 at the called number;

22 (b) Makes a telephone call, whether or not conversation
 23 ensues, without disclosing his or her identity and with intent
 24 to annoy, abuse, threaten, or harass any person at the called
 25 number;

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26 (c) Makes or causes the telephone of another repeatedly or
27 continuously to ring, with intent to harass any person at the
28 called number; or

29 (d) Makes repeated telephone calls, during which
30 conversation ensues, solely to harass any person at the called
31 number,

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33 commits ~~is guilty of a felony misdemeanor~~ of the third ~~second~~
34 degree, punishable as provided in s. 775.082, ~~or~~ s. 775.083, or
35 s. 775.084.

36 Section 2. This act shall take effect October 1, 2023.