

**DAMAGE TO OR INTERRUPTION OF
COMMUNICATION DEVICE**

2000 GENERAL SESSION

STATE OF UTAH

Sponsor: Ron Allen

AN ACT RELATING TO CRIMINAL LAW; AMENDING THE OFFENSE OF INTERFERING WITH A COMMUNICATION DEVICE USED TO SUMMON EMERGENCY AID.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

76-6-108, as enacted by Chapter 25, Laws of Utah 1998

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **76-6-108** is amended to read:

76-6-108. Damage to or interruption of a communication device -- Penalty.

(1) As used in this section:

(a) "Communication device" means any device, including a telephone, cellular telephone, computer, or radio, which may be used in an attempt to summon police, fire, medical, or other emergency aid.

(b) "Emergency aid" means ~~[any situation in which: (i) property or human health or safety is in jeopardy; and (ii) the prompt summoning of aid is essential to the preservation of the property or human safety or health.]~~ aid or assistance, including law enforcement, fire, or medical services, commonly summoned by persons concerned with imminent or actual:

(i) jeopardy to any person's health or safety; or

(ii) damage to any person's property.

(2) A person is guilty of damage to or interruption of a communication device if the actor attempts to prohibit or interrupt, or prohibits or interrupts, another person's use of a communication ~~[equipment]~~ device when the other person is attempting to summon emergency aid or has communicated a desire to summon emergency aid, and in the process the actor:

- 28 (a) uses force, intimidation, or any other form of violence;
- 29 (b) destroys, disables, or damages a communication [equipment] device; or
- 30 (c) commits any other act in an attempt to prohibit or interrupt the person's use of a
- 31 communication device to summon emergency aid.
- 32 (3) Damage to or interruption of a communication device is a class B misdemeanor.

Legislative Review Note
as of 1-6-00 12:47 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel