

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

SESSION LAW 2001-148
SENATE BILL 1004

AN ACT TO AMEND THE LAW REGARDING INTERFERENCE WITH
EMERGENCY COMMUNICATIONS AND TO INCREASE THE CRIMINAL
PENALTY FOR THAT OFFENSE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 14-286.2 reads as rewritten:

"§ 14-286.2. Interfering with emergency communication.

(a) Offense. – A person ~~who, without authorization, who~~ intentionally interferes with an emergency ~~radio~~ communication, knowing that the communication is an emergency communication, and who is not making an emergency communication himself, is guilty of a Class A1 misdemeanor. In addition, a person who interferes with a communications instrument or other emergency equipment with the intent to prevent an emergency communication is guilty of a Class A1 misdemeanor. ~~misdemeanor and is punishable by:~~

- (1) ~~Class 1 misdemeanor if, as a result of the interference, serious bodily injury or property damage in excess of one thousand dollars (\$1,000) occurs; or~~
- (2) ~~Class 2 misdemeanor if a result described in subdivision (1) does not occur.~~

(b) ~~"Emergency Communication" Defined. — As used in this section, the term "emergency communication" means a communication not governed by Federal law relating that an individual is or is reasonably believed to be in imminent danger of serious bodily injury or that property is or is reasonably believed to be in imminent danger of substantial damage.~~

(b1) Definitions. – The following definitions apply in this section:

- (1) Emergency communication. – The term includes communications to law enforcement agencies or other emergency personnel, or other individuals, relating or intending to relate that an individual is or is reasonably believed to be, or reasonably believes himself or another person to be, in imminent danger of bodily injury, or that an individual reasonably believes that his property or the property of another is in imminent danger of substantial damage, injury, or theft.
- (2) Intentional interference. – The term includes forcefully removing a communications instrument or other emergency equipment from the possession of another, hiding a communications instrument or other emergency equipment from another, or otherwise making a communications instrument or other emergency equipment unavailable to another, disconnecting a communications instrument or other emergency equipment, removing a communications instrument from its connection to communications lines or wavelengths, damaging or otherwise interfering with communications equipment or connections between a communications instrument and communications lines or wavelengths, disabling a theft-prevention alarm system, providing false information to cancel an earlier call or otherwise falsely indicating that emergency assistance is no longer needed when it is,

and any other type of interference that makes it difficult or impossible to make an emergency communication or that conveys a false impression that emergency assistance is unnecessary when it is needed."

SECTION 2. This act becomes effective December 1, 2001, and applies to offenses committed on or after that date.

In the General Assembly read three times and ratified this the 23rd day of May, 2001.

s/ Beverly E. Perdue
President of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 11:25 a.m. this 31st day of May, 2001