

## House Bill No. 433

An act relating to unauthorized transmissions on telecommunications frequencies; amending s. 843.165, F.S.; prohibiting an unauthorized person from transmitting over a radio frequency assigned to a governmental agency or an emergency medical services provider; providing penalties; providing exceptions; providing an effective date.

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

Section 1. Section 843.165, Florida Statutes, is amended to read:

843.165 Unauthorized transmissions and interference to governmental and associated on-police or fire radio frequencies prohibited; penalties; exceptions.—

(1) ~~A No person may not shall~~ transmit, or cause to be transmitted, over any radio frequency with knowledge that such frequency is assigned by the Federal Communications Commission to a state, county, or municipal governmental fire or police agency or water management district, including, but not limited to, a law enforcement, fire, government administration, or emergency management agency or any public or private emergency medical services provider, any sounds, jamming device, jamming transmissions, or speech, or radio frequency carrier wave except: those persons who are unless authorized in writing to do so by the agency's chief administrator; employees of the agency who are authorized to transmit by virtue of their duties with the agency; and those persons holding a valid station license assigned by the Federal Communications Commission to transmit on such frequencies head of such agency.

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

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

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

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

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

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

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

Approved by the Governor June 17, 1999.

Filed in Office Secretary of State June 17, 1999.