

609.79 OBSCENE OR HARASSING TELEPHONE CALLS.

Subdivision 1. **Crime defined; obscene call.** Whoever,

(1) by means of a telephone,

(i) makes any comment, request, suggestion or proposal which is obscene, lewd, or lascivious,

(ii) with the intent to harass or intimidate another person, repeatedly makes telephone calls, whether or not conversation ensues, and thereby places the other person in reasonable fear of substantial bodily harm; places the person in reasonable fear that the person's family or household members will be subject to substantial bodily harm; or causes or would reasonably be expected to cause substantial emotional distress to the other person, or

(iii) with the intent to harass or intimidate any person at the called or notified number, makes or causes the telephone of another to repeatedly or continuously ring or receive electronic notifications and thereby places the other person in reasonable fear of substantial bodily harm; places the person in reasonable fear that the person's family or household members will be subject to substantial bodily harm; or causes or would reasonably be expected to cause substantial emotional distress as defined in section 609.749, subdivision 2, paragraph (a), clause (4), to the other person, or

(2) having control of a telephone, knowingly permits it to be used for any purpose prohibited by this section,

shall be guilty of a misdemeanor.

Subd. 1a. [Repealed, 1993 c 326 art 2 s 34]

Subd. 2. **Venue.** The offense may be prosecuted either at the place where the call is made or where it is received or, additionally in the case of wireless or electronic communication, where the sender or receiver resides.

History: 1963 c 753 art 1 s 609.79; 1969 c 174 s 1; 1986 c 444; 1987 c 307 s 5; 1989 c 261 s 7; 1993 c 326 art 2 s 23; 2005 c 136 art 17 s 48; 2020 c 96 s 4