

1 HB54  
2 156560-3  
3 By Representative Wood  
4 RFD: Public Safety and Homeland Security  
5 First Read: 14-JAN-14  
6 PFD: 11/18/2013



1 otherwise for use by law enforcement, fire service, 911  
2 personnel, or emergency personnel.

3 (b) Except as provided in subsection (c), a person  
4 commits the offense of interference with public safety  
5 communication if the person does any of the following:

6 (1) Knowingly and intentionally displaces, damages,  
7 removes, injures, tampers with, destroys, or renders  
8 inoperable any transmitter, receiver, transceiver, tower or  
9 antenna, or any cable, telegraph or telephone line, or  
10 equipment, wire, fiber, pole, computer equipment,  
11 telecommunication switch, dispatching equipment, or conduit  
12 belonging to, required, used, or intended to be used for  
13 public safety communication, or material or property  
14 appurtenant thereto.

15 (2) Knowingly and intentionally displaces, damages,  
16 removes, injures, tampers with, destroys, or renders  
17 inoperable any audible or visual device or outdoor speaker or  
18 siren which is intended to indiscriminately provide or  
19 generate mass notification, alert, or warning of persons in  
20 the event of an emergency, or the material or property  
21 appurtenant thereto.

22 (3) Knowingly and intentionally interferes with the  
23 transmission or reception of any data, communication, message,  
24 or public safety communication by any law enforcement, fire  
25 service, 911 personnel, or emergency service agency in order  
26 to hinder the agency in the fulfillment of its duties.

1           (4) Knowingly and intentionally operates, or permits  
2 to be operated, any apparatus in his or her possession, or  
3 under his or her direct or indirect control, which is capable  
4 of transmitting radio signals or telephone communications that  
5 interfere with or cause disruption of a public safety  
6 communication.

7           (5) Knowingly and intentionally intercepts any  
8 transmission of a public safety communication which is  
9 encrypted for the purpose of preventing the unauthorized  
10 access to sensitive information.

11           (c) Subsection (b) does not apply to any of the  
12 following:

13           (1) A certified law enforcement officer acting under  
14 color of law in performance of his or her duties.

15           (2) Any officer, operator, employee, or agent acting  
16 in an official capacity on behalf of an agency, authority, or  
17 organization which maintains or oversees public safety  
18 communication activities or equipment.

19           (3) A person who has permission in writing from the  
20 head of a law enforcement, fire service, public safety, or  
21 emergency service agency or organization to possess and use  
22 any radio transceiver or apparatus capable of transmitting or  
23 receiving messages or signals within a wavelength, channel, or  
24 talkgroup assigned to the agency granting the permission.

25           (4) Any utility personnel acting within the scope of  
26 his or duties.

1           (d) It shall be the duty of any law enforcement  
2 officer to seize and hold for evidence any equipment possessed  
3 or used in violation of this section, and upon conviction of  
4 the person possessing or using the equipment, the court shall  
5 order such equipment destroyed or forfeited to the State of  
6 Alabama or to the authorized jurisdiction making the arrest  
7 and prosecution of the offense.

8           (e) Interference with public safety communication is  
9 a Class C Felony.

10           Section 2. Although this bill would have as its  
11 purpose or effect the requirement of a new or increased  
12 expenditure of local funds, the bill is excluded from further  
13 requirements and application under Amendment 621 because the  
14 bill defines a new crime or amends the definition of an  
15 existing crime.

16           Section 3. This act shall become effective on the  
17 first day of the third month following its passage and  
18 approval by the Governor, or its otherwise becoming law.

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House of Representatives

Read for the first time and re-  
ferred to the House of Representa-  
tives committee on Public Safety  
and Homeland Security..... . . . . . 14-JAN-14

Read for the second time and placed  
on the calendar with 1 substitute  
and..... . . . . . 15-JAN-14

Read for the third time and passed  
as amended..... . . . . . 04-FEB-14

Yeas 92, Nays 0, Abstains 0

Jeff Woodard  
Clerk