



General Assembly

Substitute Bill No. 356

February Session, 2008

* SB00356PS_JUD030508 *

AN ACT CREATING THE OFFENSE OF CYBER STALKING.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2008*) (a) A person is guilty of
2 cyber stalking when such person uses a computer, computer network
3 or any other electronic device to (1) broadcast or publish the picture,
4 name, address or phone number of a person without such person's
5 consent for the purpose of harassing and intimidating such person; or
6 (2) broadcast harassing, threatening or intimidating content concerning
7 another person for the purpose of harassing and intimidating such
8 person.

9 (b) For the purposes of this section, "harassing and intimidating"
10 means a knowing and wilful course of conduct directed at a specific
11 person that causes emotional distress by placing such person in
12 reasonable fear for such person's safety or the safety of a member of his
13 or her immediate family, by establishing a pattern of harassing and
14 intimidating behavior, and that serves no legitimate purpose.

15 (c) Cyber stalking is a class A misdemeanor.

16 (d) The court may order, as a condition of probation, that the
17 defendant undergo any medical or psychiatric evaluation or treatment
18 deemed necessary by the court.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2008</i>	New section
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PS

Joint Favorable Subst. C/R

JUD