



General Assembly

Substitute Bill No. 6357

January Session, 2009

* HB06357PS_JUD031109 *

AN ACT CREATING THE OFFENSE OF CYBERSTALKING.

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

1 Section 1. (NEW) (*Effective October 1, 2009*) (a) A person is guilty of
2 cyberstalking when (1) such person, with intent to harass or intimidate
3 another person uses a computer, computer network or any other
4 electronic device to (A) broadcast or publish the picture, name, address
5 or phone number of another person without the other person's
6 consent; or (B) broadcast harassing, threatening or intimidating
7 content concerning another person; and (2) such conduct places the
8 other person in reasonable fear for such person's safety or the safety of
9 a member of his or her immediate family.

10 (b) The court may order, as a condition of probation, that the
11 defendant undergo any medical or psychiatric evaluation or treatment
12 deemed necessary by the court.

13 (c) This section shall not be construed to impair any constitutionally
14 protected activity, including, but not limited to, speech, protest or
15 assembly.

16 (d) Cyberstalking is a class A misdemeanor.

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

Section 1	<i>October 1, 2009</i>	New section
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PS

Joint Favorable Subst. C/R

JUD