

House Bill 716

By: Representative Holt of the 112<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 3 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated,  
2 relating to invasions of privacy, so as to prohibit the publication of certain information  
3 relating to minors under certain circumstances; to provide for definitions; to provide for  
4 penalties; to provide for venue; to provide for exceptions; to provide for related matters; to  
5 repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 3 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to  
9 invasions of privacy, is amended by adding a new Part 3 to read as follows:

10 Part 3

11 16-11-90.

12 (a) As used in this Code section, the term:

13 (1) 'Child' means any individual who is under the age of 18 years.

14 (2) 'Personal identifying information' means a postal address, e-mail address, or  
15 telephone number.

16 (3) 'Publish' means dissemination to any person.

17 (b) A person shall not knowingly publish, in print or electronically, a child's personal  
18 identifying information without the written consent of such child's parent or guardian. A  
19 person convicted of violating this subsection shall be guilty of a misdemeanor.

20 (c) A person shall be subject to prosecution in this state pursuant to Code Section 17-2-1  
21 for any conduct made unlawful by this Code section which the person engages in while:

22 (1) Either within or outside of this state if, by such conduct, the person commits a  
23 violation of this Code section which involves an individual who resides in this state; or

- 24 (2) Within this state if, by such conduct, the person commits a violation of this Code  
25 section which involves an individual who resides within or outside this state.
- 26 (d) The provisions of subsection (b) of this Code section shall not apply to:
- 27 (1) The activities of law enforcement and prosecution agencies in the investigation and  
28 prosecution of criminal offenses; or
- 29 (2) Legitimate medical, scientific, or educational activities.
- 30 (e) Any violation of this Code section shall constitute a separate offense and shall not  
31 merge with any other crimes set forth in this title."

32 **SECTION 2.**

33 All laws and parts of laws in conflict with this Act are repealed.