

Senate Bill 182

By: Senators Halpern of the 39th, Jones II of the 22nd, Jackson of the 41st, Jones of the 10th, Dixon of the 45th and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 7 of Chapter 5 of Title 16 of the Official Georgia Code Annotated, relating  
2 to stalking, so as to provide for the offense of doxxing; to provide for definitions; to provide  
3 for penalties; to provide for construction; to provide for related matters; to repeal conflicting  
4 laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Article 7 of Chapter 5 of Title 16 of the Official Georgia Code Annotated, relating to  
8 stalking, is amended by adding a new Code section, to read as follows:

9 "16-5-97.

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

11 (1) 'Actor' means a person accused of the offense of doxxing.

12 (2) 'Communication' means the electronic transmission of information of a person's  
13 choosing between or among points specified by such person without change in the  
14 information content form as sent and received.

15 (3) 'Doxxing' means to publish private or identifying information about a particular  
16 person on social media with malicious purpose.

17 (4) 'Social media platform' means a website or computer application designed to  
18 facilitate communication between one or more persons.

19 (5) 'Substantial life disruption' means that a person significantly modifies their actions  
20 or routines in an attempt to avoid the actor or the results of the actor's conduct or  
21 experiences a financial upset due to the actor's conduct. Such actions shall include, but  
22 shall not be limited to, changing a phone number, email address, deleting personal  
23 electronic accounts, significantly decreasing use of the internet, moving from an  
24 established residence, changing daily routines, changing routes to and from work,  
25 changing employment, changing a work schedule, losing time from work or a job, or  
26 experiencing a monetary loss exceeding \$500.00.

27 (b) A person commits the offense of doxxing on a social media platform when:

28 (1) A person knowingly doxxes or transmits, sends, or posts a communication  
29 concerning another identifiable person to a social media platform with the purpose to  
30 frighten, coerce, intimidate, threaten, abuse, or harass such identifiable person; and

31 (2) The communication causes such identifiable person to be in reasonable fear of  
32 endangerment, imminent physical or emotional injury, monetary loss, or substantial life  
33 disruption.

34 (c)(1) A person who commits the offense of doxxing shall be guilty of a misdemeanor.

35 (2) For offenses that result in serious physical injury to the victim or the victim's  
36 immediate family member or household member, and for the second and all subsequent  
37 offenses with or without serious physical injury, the defendant shall be guilty of a felony  
38 and shall be punished by imprisonment for not less than one year nor more than ten years.

39 (d) Any person harmed by monetary loss, serious physical injury, or death, as a result of  
40 doxxing may institute a civil action under this Code section and seek actual and punitive  
41 damages. In any civil action authorized by this Code section, the court shall award costs  
42 and expenses of litigation, including reasonable attorneys' fees, to the prevailing party.

43 (e) Nothing in this Code section shall be interpreted as preventing, prohibiting, limiting,  
44 or restricting the freedom of expression that is protected under the Georgia Constitution or  
45 the First Amendment to the United States Constitution; provided, however, that speech or  
46 conduct including, but not limited to, true threats or expressive activity directed to provoke  
47 imminent lawless actions and likely to produce it shall be prohibited."

48 **SECTION 2.**

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