

Senate Bill 27

By: Senators Albers of the 56th, Robertson of the 29th, Williams of the 25th, Hodges of the 3rd, Watson of the 1st 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 penalties; to provide  
3 for a protective order; to provide for a civil action; to provide for venue; to provide for  
4 definitions; to provide for statutory construction; to provide for related matters; to repeal  
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

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

10 "16-5-97.

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

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

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

16 (3) 'Doxxing' means to transmit, send, or publish with malicious intent private or  
17 identifying information about an identifiable person on an electronic or social platform.

18 (4) 'Electronic or social platform' means a public website, computer application, or  
19 mobile application designed to facilitate communication between one or more persons.

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

28 (b) A person commits the offense of doxxing when:

29 (1) A person knowingly transmits, sends, or publishes a communication concerning an  
30 identifiable person with the intent to frighten, coerce, intimidate, threaten, abuse, or  
31 harass such identifiable person; and

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

35 (c) A victim of doxxing may petition the court for a protective order as provided for in  
36 subsection (d) of in Code Section 16-5-94.

37 (d)(1) A person who commits the offense of doxxing shall be guilty of a misdemeanor  
38 of a high and aggravated nature.

39 (2) For offenses that result in serious physical injury to the victim or the victim's  
40 immediate family member or household member, and for the second and each subsequent  
41 offense with or without serious physical injury, the person shall be guilty of a felony and  
42 shall be punished by imprisonment for not less than one year nor more than ten years.

43 (3) A person over the age of 20 who commits the offense of doxxing against a person  
44 under the age of 19 shall be guilty of a felony and shall be punished by imprisonment for  
45 not less than one year nor more than ten years.

46 (e) Any person, or his or her representative, harmed by monetary loss, serious physical  
47 injury, or death, as a result of doxxing may institute a civil action under this Code section  
48 and seek actual and punitive damages. In any civil action authorized by this Code section,  
49 the court shall award costs and expenses of litigation, including reasonable attorney's fees,  
50 to the prevailing party.

51 (f) An action brought pursuant to subsection (c) or (e) of this Code section may be brought  
52 by the victim, or the victim's representative in the case of death of the victim, in the  
53 superior court of the county:

54 (1) From which the communication originated;

55 (2) Where the victim received the communication; or

56 (3) Where the victim resides.

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

62 **SECTION 2.**

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