

The Senate Committee on Judiciary offered the following substitute to SB 27:

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 invasion of privacy, so as to provide for the offenses of doxing and aggravated
3 doxing; to provide for penalties; to provide for definitions; to provide for construction; to
4 provide for a short title; to provide for related matters; to provide for an effective date and
5 applicability; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 This Act shall be known and may be cited as the "Georgia Anti-Doxxing Act."

9 **SECTION 2.**

10 Article 3 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to
11 invasion of privacy, is amended by adding a new Code section to read as follows:

12 "16-11-93.

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

14 (1) 'Close relation' means a person's current or former spouse, parent, child, sibling,
15 stepchild, stepparent, grandparent, coworker, an individual in a dating relationship with

16 such person as defined in Code Section 19-13A-1, or any individual who regularly resides
17 or, within the prior six months, regularly resided, in the same household as such person.

18 (2) 'Mental anguish' means emotional distress or suffering as evidenced by a reasonably
19 held anxiety, fear, torment, or apprehension of physical harm resulting from the posting
20 or publication of a person's personally identifiable information.

21 (3) 'Personally identifiable information' means:

22 (A) Any information or combination of information, whether publicly available or not,
23 that can be used to distinguish or trace a person's identity, residence, location, or
24 employer, including but not limited to such person's name, prior legal name, alias,
25 mother's maiden name, social security number, date or place of birth, address, phone
26 number, religious practices or affiliation, employment information, academic status, life
27 activities, or biometric data; and

28 (B) Any sensitive private information regarding a person, such as gender identity,
29 sexual orientation, or any sexually intimate or explicit visual depiction.

30 (4) 'Post' means to circulate, deliver, distribute, disseminate, transmit, or otherwise make
31 available to one or more persons through electronic communication, including but not
32 limited to social media platforms and services.

33 (5) 'Reckless' means a gross deviation from the standard of care which a reasonable
34 person would exercise.

35 (6) 'Significant economic injury' means reasonable financial costs or expenses incurred
36 by an alleged victim as a result of mental anguish proximately caused by the posting of
37 that person's personally identifiable information, including, but not limited to, moving
38 from an established residence, changing daily routines, changing routes or modes of
39 transportation to and from work, changing employment or work schedules, losing time
40 from a work or job, damage to personal or real property, or experiencing a monetary loss
41 of not less than \$500.00.

42 (7) 'Stalking' shall have the same meaning as contained in Article 7 of Chapter 5 of this
43 title.

44 (b)(1) A person commits the offense of doxing when such person intentionally posts
45 another person's personally identifying information without their consent and does so
46 with reckless disregard for whether the information would be reasonably likely to be used
47 by another party to cause the person whose information is posted to be placed in
48 reasonable fear of stalking, serious bodily injury or death to oneself or a close relation,
49 or to suffer a significant economic injury or mental anguish as a result therefrom.

50 (2) A person shall be guilty of a misdemeanor by committing the offense of doxing
51 prohibited under paragraph (1) of this subsection, except that upon a second or
52 subsequent conviction for doxing, the person shall be guilty of a high and aggravated
53 misdemeanor.

54 (c)(1) A person commits the offense of aggravated doxing when such person posts
55 another person's personally identifying information without their consent with the intent
56 that another person engage in conduct that is likely to or does cause the person whose
57 information is posted, or his or her close relation, to suffer death or bodily injury.

58 (2) A person who commits the offense of aggravated doxing is guilty of a felony and,
59 upon conviction thereof, shall be punished by imprisonment of not less than one nor more
60 than three years, a fine of not less than \$1,000.00 nor more than \$10,000.00, or both.

61 (d) It shall not be an offense under this Code section for a person to:

62 (1) Provide another person's personally identifiable information in connection with the
63 reporting of criminal activity to an official, agent, or employee of a law enforcement
64 agency, protective services agency, criminal investigations agency, intelligence agency,
65 or homeland security agency of the State of Georgia or of the United States when the
66 person making the report reasonably believes it is true;

67 (2) Disseminate another person's personally identifiable information for the purpose of
68 or in connection with the reporting of conduct reasonably believed to be unlawful; or

69 (3) Provide another person's personally identifiable information in connection with
70 lawful and constitutionally protected activity as it pertains to speech, assembly, and
71 petition.

72 (e) Nothing in this Code section shall be construed in any manner to:

73 (1) Prevent, prohibit, limit, or restrict the freedom of expression that is protected under
74 the Georgia Constitution or the First Amendment to the United States Constitution;
75 provided, however, that speech or conduct including, but not limited to, true threats or
76 expressive activity directed to provoke and likely to produce imminent lawless actions
77 shall be prohibited;

78 (2) Conflict with the provisions of the federal Communication Decency Act, 47 U.S.C.
79 Section 230;

80 (3) Conflict with the provisions of the federal Civil Rights Act of 1871, 42 U.S.C.
81 Section 1983; or

82 (4) Prohibit any activity protected under the Constitution of the United States or the
83 Georgia Constitution."

84 **SECTION 3.**

85 This Act shall become effective on July 1, 2025, and shall apply to all offenses committed
86 on or after such date.

87 **SECTION 4.**

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