

The House Committee on Judiciary, Non-Civil offers 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-Doxing 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 spouse, parent, child, sibling, stepchild,
15 stepparent, grandparent, coworker, an individual in a dating relationship with such person

16 as defined in Code Section 19-13A-1, or any individual who lives in the same household
17 as such person.

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

21 (3) 'Personally identifiable information' means information or combination of
22 information, whether publicly available or not, that is, or includes within it, a person's
23 residence or address, location, employer, prior legal name, social security number, phone
24 number, or likely future location based on such person's history of visiting such location.
25 Personally identifiable information does not include the display of a property address
26 provided on a real estate or mapping platform when the address is not displayed or
27 disclosed in connection with any information identifying the owner or occupant.

28 (4) 'Post' means to deliver, distribute, disseminate, or transmit to more than one person
29 through a social media platform, email, or text message, whether through audio, image,
30 text, or video.

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

38 (6) 'Social media platform' shall have the same meaning as provided in Code Section
39 50-29-20.

40 (7) 'Stalking' shall have the same meaning as provided in Article 7 of Chapter 5 of this
41 title.

42 (b)(1) A person commits the offense of doxing when he or she intentionally posts
43 personally identifiable information of a second individual, or of a person of a close
44 relation to such second individual, without such second individual's consent and does so
45 with reckless disregard as to whether the information in such post will cause a third party
46 who could read, receive, view, or watch the post, to cause such second individual, or a
47 person of a close relation to such second individual, to:

48 (A) Be placed in actual fear of stalking, serious bodily injury, or death, as a result
49 therefrom; or

50 (B) Suffer a significant economic injury or mental anguish as a result therefrom.

51 (2) A person shall be guilty of a misdemeanor by committing the offense of doxing
52 prohibited under paragraph (1) of this subsection, except that upon a second or
53 subsequent conviction for doxing, such person shall be guilty of a felony and punished
54 by imprisonment for not less than one nor more than two years, a fine of not less than
55 \$5,000.00, or both.

56 (c)(1) A person commits the offense of aggravated doxing when he or she posts
57 personally identifiable information of a second individual, or of a person of a close
58 relation to such second individual, without such second individual's consent and does so
59 with the intent for such post to cause such second individual, or a person of a close
60 relation to such second individual, to:

61 (A) Be placed in actual fear of stalking, serious bodily injury, or death; or

62 (B) Suffer a significant economic injury or mental anguish;

63 from a third party who could read, receive, view, or watch such post.

64 (2) For purposes of this subsection, for a person to be guilty of the offense of aggravated
65 doxing, the second individual, or a person of a close relation to such second individual,
66 must have been placed in actual fear of stalking, serious bodily injury, or death, or
67 suffered a significant economic injury or mental anguish.

68 (3) A person shall be guilty of a felony by committing the offense of aggravated doxing
69 prohibited under paragraph (1) of this subsection and punished by imprisonment of not
70 less than two years nor more than five years, a fine of \$5,000.00, or both. Upon a second
71 or subsequent conviction of aggravated doxing, a person shall be punished by
72 imprisonment for not less than five nor more than ten years, a fine of \$10,000.00, or both.

73 (4) Any person who violates this subsection which results in the person whose
74 information was made public suffering serious bodily injury or death shall be punished
75 as a party to the crime as provided in Article 2 of Chapter 2 of this title.

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

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

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

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

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

88 (1) Prevent, prohibit, limit, or restrict the freedom of expression that is protected under
89 the Georgia Constitution or the First Amendment to the United States Constitution;
90 provided, however, that speech or conduct involving true threats or expressive activity
91 directed to provoke and likely to produce imminent lawless actions shall be prohibited,
92 as per this Code section;

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

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

97 (4) Prohibit any activity protected under the Constitution of the United States or the
98 Georgia Constitution.

99 (f) For purposes of determining jurisdiction, an offense shall be deemed to be committed
100 in this state if the post that constitutes such offense either originates in this state or is
101 received in this state.

102 (g) The offenses of doxing and aggravated doxing shall be considered to have been
103 committed in the county or counties where the:

104 (1) Defendant was located when he or she posted the personally identifiable information:

105 or

106 (2) Person resides whose personally identifiable information was posted."

107 **SECTION 3.**

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

110 **SECTION 4.**

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