

April 1, 1999

H 813. PROHIBIT CYBERSTALKING. TO MAKE CYBERSTALKING A CRIMINAL OFFENSE.

Criminalizes (1) the use of electronic mail or other electronic communications with the intent to harass, threaten, annoy, terrify, defame or embarrass anyone, and (2) the introduction of any computer virus into electronic mail or electronic communication. Makes offense (1) above a Class 1 misdemeanor, or Class A1 misdemeanor for recidivists or persons under court order to refrain from contact with the victim. Makes offense (2) a Class H felony. Establishes locus of the crime as where the electronic mail or communication was originally sent, received, or first viewed by any person. Excludes peaceable, nonviolent or nonthreatening activity intended to express political views, to provide lawful information to others, or that is otherwise constitutionally protected. Permits providers of electronic mail and communications services to give information or conduct surveillance with a court order.

Intro. by Hensley.

Ref. to Judiciary II

GS 14

April 19, 1999

H 813. PROHIBIT CYBERSTALKING. Intro. 4/1/99. House committee substitute makes the following changes to 1st edition. Redefines virus as a program or set of instructions including a virus, Trojan horse, boot sector, macro, logic bomb, worm, or hoax, the purpose of which is to replicate itself and to destroy, damage, or infect software or hardware designed to transmit or receive electronic mail or electronic communication.

April 22, 1999

H 813. PROHIBIT CYBERSTALKING. Intro. 4/1/99. House committee substitute makes the following changes to 2nd edition. Makes clear that offense occurs when the communication was originally sent or received in this state, or first viewed by any person in this state.

June 27, 2000

H 813. PROHIBIT CYBERSTALKING/DOM. VIOL. Intro. 3/31/99. Senate committee substitute makes the following changes to 3rd edition. Expands specific prohibitions on threats and harassment communicated by electronic mail. Adds prohibition against knowingly permitting an electronic communications device under one's control from being used for prohibited purposes. Changes penalties for violation to a Class 2 misdemeanor (was, Class 1, with certain offenses rated as Class A1). Deletes felony provision for use of electronic mail to introduce viruses. Authorizes courts to require attendance at domestic abuser treatment programs as a special condition of probation.