

SECOND REGULAR SESSION

# HOUSE BILL NO. 1695

## 93RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES DONNELLY (Sponsor), MEINERS, ROORDA, WILDBERGER, YAEGER, DARROUGH, SANDERS BROOKS, WALSH, KRATKY, ZWEIFEL, HUGHES, LOWE (44), SALVA, JOHNSON (47), YOUNG, WRIGHT-JONES, BROWN (30), HUNTER, COOPER (120), VOGT, DEEKEN, LOEHNER, JONES, BLACK, JOHNSON (61), STORCH AND LOW (39) (Co-sponsors).

Read 1st time February 7, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

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### AN ACT

To amend chapter 576, RSMo, by adding thereto one new section relating to the Missouri Political Cyberfraud Act, with penalty provisions.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 576, RSMo, is amended by adding thereto one new section, to be known as section 576.090, to read as follows:

**576.090. 1. This act shall be known and may be cited as the "Missouri Political Cyberfraud Act".**

**2. As used in this section, the following words and phrases mean:**

**(1) "Domain name", any alphanumeric designation that is registered with or assigned by any domain name registrar, domain name registry, or other domain registration authority as part of an electronic address on the Internet;**

**(2) "Political cyberfraud", a knowing and willful act concerning a political web site that is committed with the intent to deny a person access to a political web site, deny a person the opportunity to register a domain name for a political web site, or cause a person reasonably to believe that a political web site has been posted by a person other than the person who posted the web site, and would cause a reasonable person, after reading the web site, to believe the site actually represents the views of the proponent or opponent of**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

13 a ballot measure. Political cyberfraud includes, but is not limited to, any of the following  
14 acts:

15 (a) Intentionally diverting or redirecting access to a political web site to another  
16 person's web site by the use of a similar domain name, meta-tags, or other electronic  
17 measures;

18 (b) Intentionally preventing or denying exit from a political web site by the use of  
19 frames, hyperlinks, mousetrapping, popup screens, or other electronic measures;

20 (c) Registering a domain name that is similar to another domain name for a  
21 political web site;

22 (d) Intentionally preventing the use of a domain name for a political web site by  
23 registering and holding the domain name or by reselling it to another with the intent of  
24 preventing its use, or both;

25 (3) "Political web site", a web site that urges or appears to urge the support or  
26 opposition of a ballot measure.

27 3. It is unlawful for a person, with intent to mislead, deceive, or defraud, to commit  
28 an act of political cyberfraud. Such violation shall be a class B misdemeanor. The court  
29 may also order the transfer of a domain name as restitution.

30 4. This section shall not apply to a domain name registrar, registry, or registration  
31 authority.

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