

HB 1505 -- Cyber Harassment

Sponsor: Smith (14)

This bill creates the crime of cyber harassment when a person, if for the purpose of frightening or disturbing another person, transmits or causes the transmission of an electronic communication, knowingly permits an electronic communication to be transmitted to another person from an electronic communications device under his or her control and does so anonymously or repeatedly, uses coarse language offensive to a person of average sensibility, or threatens to commit a felony. Cyber harassment will be a class A misdemeanor unless committed by an adult against a child, in which case, it will be a class D felony.

The penalty for the crimes of harassment and stalking is increased from a class A misdemeanor to a class D felony when committed by an adult against a child. A second or subsequent offense of stalking within five years of a previous finding or plea of guilt will be a class C felony when committed by an adult against a child.