

HB 1427 -- Harassment

Sponsor: Biermann

This bill expands the crime of harassment to include when a person knowingly and anonymously makes or causes to be made a communication to another person which is a threat to commit any felony and in so doing frightens, intimidates, or causes emotional distress to the other person.

The definition of "course of conduct" is revised as it relates to the crime of stalking to include illegal wire tapping or the use of cellular phones, the Internet, cameras or videos, or global positioning systems or any other type of tracking device; and the definition of "harasses" is revised to include written or printed communication or transmission, telephone or other wireless telephonic communication, and electronic mail messages or other computerized or electronic transmissions. A person will be guilty of aggravated stalking if the person purposely, through his or her course of conduct, harasses or follows with the intent of harassing another person and at any time during the course of conduct possesses a deadly weapon.

The bill also creates the crime of cyber stalking when a person knowingly and without lawful justification either harasses another person through the use of electronic or technological means on two or more occasions or creates and maintains an Internet web site or web page which is accessible to one or more third parties for at least 24 hours which contains statements harassing another person and also transmits a threat of bodily harm, sexual assault, confinement, or restraint directed toward the victim or a family member of the victim; which places the victim or family member of the victim in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement, or restraint; or which knowingly solicits the commission of a crime by any person directed toward the victim or a family member of the victim. Anyone committing the crime will be guilty of a class A misdemeanor.