

HB287 ENGROSSED



1 TUAN19-2
2 By Representatives Stringer, Brown, Woods, Shaver, Standridge,
3 Bolton, Pettus, Lipscomb, Moore (P), Estes, Harrison, Marques,
4 Sorrells, Paschal, Oliver
5 RFD: Judiciary
6 First Read: 11-Apr-23
7
8 2023 Regular Session



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A BILL
TO BE ENTITLED
AN ACT

Relating to crimes and offenses; to create the crime of doxing; to establish penalties for violations; and in connection therewith would have as its purpose or effect the requirement of a new or increased expenditure of local funds within the meaning of Section 111.05 of the Constitution of Alabama of 2022.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) For the purposes of this section, the following terms have the following meanings:

(1) FIREFIGHTER. The term as defined in Section 36-21-180, Code of Alabama 1975.

(2) GOVERNMENTAL FUNCTION. The term as defined in Section 13A-10-1, Code of Alabama 1975.

(3) LAW ENFORCEMENT OFFICER. An officer employed by the state, county, or municipality who is certified by the Alabama Police Officer's Standards and Training Commission and who has the power of arrest.

(4) PERSONAL IDENTIFYING INFORMATION. Includes, but is not limited to, all of the following:



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29 a. Home address.

30 b. Photographs or information of the victim's children,
31 including the schools they attend.

32 c. Any other information that would enable the victim
33 to be harassed, threatened, or harmed.

34 (5) PUBLIC SERVANT. The term as defined in Section
35 13A-10-1, Code of Alabama 1975.

36 (b) An individual commits the crime of doxing if he or
37 she does either of the following:

38 (1) Intentionally electronically publishes, posts, or
39 provides personal identifying information of another
40 individual, with the intent that others will use that
41 information to harass or harm that other individual, and the
42 other individual is actually harassed or harmed.

43 (2) Intentionally electronically publishes, posts, or
44 provides personal identifying information of a law enforcement
45 officer, firefighter, or public servant, with the intent that
46 others will use that information to harass, harm, or impede
47 the duties of that law enforcement officer, firefighter, or
48 public servant, and the law enforcement officer, firefighter,
49 or public servant is actually harassed, harmed, or impeded
50 from performing his or her governmental function.

51 (c) (1) A violation of subsection (b) is a Class A
52 misdemeanor.

53 (2) A second or subsequent violation of subsection (b)
54 is a Class C felony.

55 (d) Nothing in this act shall be construed to limit any
56 of the following:



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57 (1) Political speech protected by the First Amendment
58 of the United States Constitution.

59 (2) The publication of contact information of public
60 officials by any individual or organization for the purpose of
61 encouraging citizens to lobby the public official for or
62 against any policy or legislative act. For purposes of this
63 subdivision, contact information means work address, work
64 email, or work phone number.

65 Section 2. Although this bill would have as its purpose
66 or effect the requirement of a new or increased expenditure of
67 local funds, the bill is excluded from further requirements
68 and application under Section 111.05 of the Constitution of
69 Alabama of 2022, because the bill defines a new crime or
70 amends the definition of an existing crime.

71 Section 3. This act shall become effective on the first
72 day of the third month following its passage and approval by
73 the Governor, or its otherwise becoming law.



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House of Representatives

Read for the first time and referred11-Apr-23
to the House of Representatives
committee on Judiciary

Read for the second time and placed27-Apr-23
on the calendar:
1 amendment

Read for the third time and passed09-May-23
as amended
Yeas 98
Nays 0
Abstains 2

John Treadwell
Clerk