

House Bill 125

By: Representatives Cameron of the 1st, Crowe of the 118th, Reeves of the 99th, and Gullett of the 19th

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 16 of the Official Code of Georgia Annotated, relating to crimes and
2 offenses, so as to provide for the offense of online menacing of a peace officer; to provide
3 for definitions; to provide for penalties; to provide for related matters; to provide for an
4 effective date and applicability; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, is
8 amended by adding a new Code section to read as follows:

9 "16-10-97.1.

10 (a) As used in this Code section, the term:

11 (1) 'Immediate family member' means a spouse, child, sibling, or parent or the spouse
12 of a child, sibling, or parent.

13 (2) 'Peace officer' shall have the same meaning as set forth in Code Section 35-8-2.

14 (3) 'Personal information' means:

15 (A) The name or former name, home address, employment address, vehicle license
16 plate number, home or personal mobile phone number, personal email address, or social

17 security number of an individual or an immediate family member of such individual;
18 or
19 (B) A photograph of an individual or an immediate family member of such individual.
20 (b) A person commits the offense of online menacing of a peace officer when such person
21 intentionally posts, publishes, or makes publicly available in any online setting any
22 personal information about a peace officer or a peace officer's immediate family member
23 coupled with any threat or suggestion of or request for physical injury, serious physical
24 injury, or violence of any kind against such peace officer or such peace officer's immediate
25 family member.
26 (c) A person convicted under subsection (b) of this Code section shall be guilty of a felony
27 and, upon conviction thereof, shall be punished by imprisonment for not less than one nor
28 more than ten years, a fine not to exceed \$25,000.00, or both. At the time of sentencing,
29 the judge is authorized to issue a permanent restraining order against the offender to protect
30 the peace officer and any immediate family members of such peace officer.
31 (d) In a proceeding under this article, the crime will be considered to have been committed
32 in any county where the person whose personal information was published resides or is
33 found, or in any county in which any other part of the offense took place, regardless of
34 whether the defendant was ever actually in such county."

35 **SECTION 2.**

36 This Act shall become effective upon its approval by the Governor or upon its becoming law
37 without such approval, and shall apply to all offenses committed on or after such date.

38 **SECTION 3.**

39 All laws and parts of laws in conflict with this Act are repealed.