

The House Committee on Judiciary Non-Civil offers the following substitute to HB 590:

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 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 provided 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, home or personal mobile number, personal email address, or social security  
17 number of an individual or an immediate family member of such individual; or

18 (B) A photograph of such individual or an immediate family member of such  
19 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 of 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 identifying 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.