

HB 3047 -1, -2 STAFF MEASURE SUMMARY

House Committee On Judiciary

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Meeting Dates: 3/1, 3/3, 3/10, 3/17, 3/22, 3/24, 3/25, 3/30

WHAT THE MEASURE DOES:

Creates civil cause of action for the improper disclosure of personal information. Provides that the plaintiff must prove that the defendant knowingly, and without consent, disclosed the personal information of the plaintiff with the intent to harass, humiliate, or injure the plaintiff. Requires that the plaintiff further prove that he or she was actually harassed, humiliated, or injured by the disclosure and that a reasonable person would also have been harassed, humiliated, or injured by the disclosure. Provides that a plaintiff who proves their claim is eligible for economic and noneconomic damages, punitive damages, injunctive relief, reasonable attorney fees, and other appropriate equitable relief. Imposes two year statute of limitations. Defines "disclose" and "personal information."

ISSUES DISCUSSED:

- Personal experiences with doxing
- Consequences of doxing
- Concerns about current language regarding intent

EFFECT OF AMENDMENT:

-1 Adds Emergency Clause.

-2 Replaces measure. Creates civil cause of action for the improper disclosure of personal information. Provides that the plaintiff must prove that the defendant knowingly, and without consent, disclosed the personal information of the plaintiff with the intent to stalk, harass, or injure the plaintiff. Requires that the plaintiff further prove that he or she was actually stalked, harassed, or injured by the disclosure and that a reasonable person would also have been stalked, harassed, or injured by the disclosure. Provides that a plaintiff who proves their claim is eligible for economic and noneconomic damages, punitive damages, injunctive relief, reasonable attorney fees, and other appropriate equitable relief. Imposes two year statute of limitations. Defines "disclose," "injure," "harass," "personal information," and "stalk."

BACKGROUND:

The disclosure of an individual's personal information for the purpose of harassing or harming the individual, sometimes referred to as "doxing," has become increasingly common as the internet has grown and become more accessible. Nationwide, the number of laws directly addressing doxing are limited though an individual committing doxing will sometimes violate other statutes.

House Bill 3047 creates a civil cause of action for the intentional disclosure of an individual's personal information with the intent to harass, humiliate, or injure that individual.