

SENATE BILL SUMMARY

Prepared by the Division of Legislative Information for the Senate Bill **AS ORIGINALLY FILED**. For more detail, see Senate Bill Analyses, if available, prepared by the Senate's professional committee staff.

SB 1082 Stalking by Senator Ring

Redefines "harass," "credible threat," and "cyberstalk."
Defines "electronic communication" and "electronic communication device."

Defines "immediate family" as spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as if a family, and persons who are parents of a child in common regardless of whether they have been married. With the exception of persons who have a child in common, the immediate family members must be currently residing or have within the previous 6 months resided together in the same single dwelling unit. By the definition, additional persons are included against whom the commission of aggravated stalking results in a third degree felony.

Provides that any person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person commits the offense of aggravated stalking, a felony of the third degree.

Provides that any person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person and purposefully engages in a course of conduct involving a credible threat with intent to place that person or the person's immediate family in reasonable fear of death or bodily injury commits the offense of aggravated stalking, a felony of the second degree.

Provides for reclassification of criminal penalties for certain other stalking offenses if the person conceals his or her identification from the victim, uses the electronic bandwidth of another person, or destroys evidence of a person's violation. Provides for a civil cause of action and remedies. Provides that the civil remedies are in addition to any other civil, administrative, or criminal remedies provided by law. (See bill for details)