

1 A bill to be entitled
 2 An act relating to cyberintimidation by publication;
 3 amending s. 836.115, F.S.; deleting the requirement
 4 that a person be placed in reasonable fear of bodily
 5 harm for a threat to fall within the statute;
 6 increasing the criminal penalty for violation;
 7 authorizing a civil action for violation; providing a
 8 clear and convincing standard of proof for plaintiffs
 9 in such actions; providing an effective date.

10

11 Be It Enacted by the Legislature of the State of Florida:

12

13 **Section 1. Subsection (2) of section 836.115, Florida**
 14 **Statutes, is amended, and subsection (3) is added to that**
 15 **section, to read:**

16 836.115 Cyberintimidation by publication.—

17 (2) It is unlawful for a person to electronically publish
 18 another person's personal identification information with the
 19 intent to, or with the intent that a third party will use the
 20 information to:

21 (a) Incite violence or commit a crime against the person;

22 or

23 (b) Threaten or harass the person, ~~placing such person in~~
 24 ~~reasonable fear of bodily harm.~~

25

26 | A person who violates this subsection commits a felony
27 | ~~misdemeanor~~ of the third ~~a first~~ degree, punishable as provided
28 | in s. 775.082, ~~or~~ s. 775.083, or s. 775.084.

29 | (3) A person whose personal identification information was
30 | electronically published in violation of subsection (2) may
31 | bring a civil action against the perpetrator to obtain all
32 | appropriate relief in order to prevent or remedy the violation,
33 | including injunctive relief, monetary damages, reasonable
34 | attorney fees and costs, or any other appropriate relief in law
35 | or in equity. To prevail in a civil action, an aggrieved person
36 | must establish a violation of subsection (2) by clear and
37 | convincing evidence.

38 | **Section 2.** This act shall take effect July 1, 2025.