

1 A bill to be entitled
2 An act relating to cyberintimidation by publication;
3 amending s. 836.115, F.S.; requiring that specified
4 information has been electronically published without
5 consent in order to constitute a violation; removing
6 the requirement that an offender intend that a person
7 be placed in reasonable fear of bodily harm when
8 making a threat or harassing the person; increasing
9 the criminal penalty for a violation; creating a civil
10 cause of action; requiring a clear and convincing
11 standard of evidence in such actions; providing an
12 effective date.

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14 Be It Enacted by the Legislature of the State of Florida:
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16 **Section 1. Subsection (2) of section 836.115, Florida**
17 **Statutes, is amended, and subsection (3) is added to that**
18 **section, to read:**

19 836.115 Cyberintimidation by publication.—

20 (2) ~~It is unlawful for~~ A person may not ~~to~~ electronically
21 publish another person's personal identification information,
22 without such person's consent, and ~~with the intent to, or with~~
23 ~~the intent that a third party will use the information to:~~

24 (a) With the intent to harass, threaten, or incite the
25 commission of violence ~~or commit a crime~~ against the person

26 whose information is published; or

27 (b) With the intent or knowledge that the information will
28 be used by a third party to ~~threaten or~~ harass, threaten, or
29 facilitate the commission of violence against the person whose
30 information is published, ~~placing such person in reasonable fear~~
31 ~~of bodily harm.~~

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33 A person who violates this subsection commits a felony
34 ~~misdemeanor~~ of the third ~~a first~~ degree, punishable as provided
35 in s. 775.082, ~~or~~ s. 775.083, or s. 775.084.

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

45 **Section 2.** This act shall take effect October 1, 2025.