



General Assembly

February Session, 2020

***Raised Bill No. 291***

LCO No. 1707



Referred to Committee on ENERGY AND TECHNOLOGY

Introduced by:

(ET)

***AN ACT CONCERNING ELECTRONIC DISCLOSURE OF PERSONAL INFORMATION AND REQUIRING ONLINE POSTING OF CERTAIN SCHOOL SAFETY INFORMATION.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 53a-181d of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2020*):

3 (a) For the purposes of this section: [, "course of conduct"]

4 (1) "Course of conduct" means two or more acts, including, but not  
5 limited to, acts in which a person directly, indirectly or through a third  
6 party, by any action, method, device or means, including, but not  
7 limited to, electronic or social media, [(1)] (A) follows, lies in wait for,  
8 monitors, observes, surveils, threatens, harasses, communicates with or  
9 sends unwanted gifts to, a person, or [(2)] (B) interferes with a person's  
10 property; [, and "emotional distress"]

11 (2) "Emotional distress" means significant mental or psychological  
12 suffering or distress that may or may not require medical or other  
13 professional treatment or counseling;

14 (3) "Personally identifying information" means:

15 (A) Any information that can be used to distinguish or trace an  
16 individual's identity, such as name, prior legal name, alias, mother's  
17 maiden name, Social Security number, date or place of birth, address,  
18 phone number or biometric data;

19 (B) Any information that is linked or linkable to an individual, such  
20 as medical, financial, education, consumer or employment information,  
21 data or records; or

22 (C) Any other sensitive private information that is linked or linkable  
23 to a specific identifiable individual, such as gender identity, sexual  
24 orientation or any sexually intimate visual depiction; and

25 (4) "Serious inconvenience" means that a person significantly  
26 modifies the person's actions or routines in an attempt to avoid the actor  
27 or because of the actor's conduct. "Serious inconvenience" includes, but  
28 is not limited to, changing a telephone number, changing an electronic  
29 mail address, deleting or meaningfully changing or significantly  
30 decreasing use of the Internet, moving from an established residence,  
31 changing daily routines, changing routes to and from place of  
32 employment, changing employment or employment schedule or losing  
33 time from employment.

34 (b) A person is guilty of stalking in the second degree when:

35 (1) Such person knowingly engages in a course of conduct directed at  
36 a specific person that would cause a reasonable person to (A) fear for  
37 such person's physical safety or the physical safety of a third person, or  
38 (B) suffer emotional distress; or

39 (2) Such person intentionally, and for no legitimate purpose, engages  
40 in a course of conduct directed at a specific person that would cause a  
41 reasonable person to fear that such person's employment, business or  
42 career is threatened, where (A) such conduct consists of the actor  
43 telephoning to, appearing at or initiating communication or contact at

44 such other person's place of employment or business, provided the actor  
45 was previously and clearly informed to cease such conduct, and (B) such  
46 conduct does not consist of constitutionally protected activity; or

47 (3) Such person intentionally, and for no legitimate purpose, by  
48 means of electronic communication, including, but not limited to,  
49 electronic or social media, discloses a specific person's personally  
50 identifiable information without consent of the person, knowing such  
51 disclosure would cause a reasonable person to:

52 (A) Fear for such person's physical safety or the physical safety of a  
53 third person;

54 (B) Fear damage or destruction to or tampering with the property  
55 owned by or in possession or control of the person;

56 (C) Suffer emotional distress; or

57 (D) Suffer serious inconvenience.

58 (c) For the purposes of this section, a violation may be deemed to have  
59 been committed either at the place where the communication originated  
60 or at the place where it was received.

61 ~~[(c)]~~ (d) Stalking in the second degree is a class A misdemeanor.

62 Sec. 2. Section 53a-129e of the general statutes is repealed and the  
63 following is substituted in lieu thereof (*Effective October 1, 2020*):

64 (a) A person is guilty of trafficking in personal identifying  
65 information when such person sells, gives or otherwise transfers  
66 personal identifying information, as defined in section 53a-129a, of  
67 another person to a third person knowing that such information has  
68 been obtained without the authorization of such other person and that  
69 such third person intends to use such information for an unlawful  
70 purpose, including, but not limited to, a violation of section 53a-181d, as  
71 amended by this act.

72 (b) Trafficking in personal identifying information is a class D felony.

73 Sec. 3. (NEW) (*Effective October 1, 2020*) Any person aggrieved by a  
74 violation of subdivision (3) of subsection (b) of section 53a-181d of the  
75 general statutes, as amended by this act, may bring a civil action in the  
76 superior court for the judicial district where such person resides or the  
77 judicial district of Hartford against the person or persons who  
78 committed such violation to recover actual damages, statutory damages  
79 of not more than one thousand dollars for each violation, and a  
80 reasonable attorney's fee.

81 Sec. 4. Subsection (e) of section 10-221 of the general statutes is  
82 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
83 *2021*):

84 (e) Not later than July 1, 1990, each local and regional board of  
85 education shall adopt a written policy and procedures for dealing with  
86 youth suicide prevention and youth suicide attempts. Each such board  
87 of education may establish a student assistance program to identify risk  
88 factors for youth suicide, procedures to intervene with such youths,  
89 referral services and training for teachers and other school professionals  
90 and students who provide assistance in the program. Not later than July  
91 1, 2021, the board shall make such policy and procedures available on  
92 the Internet web site of the board and each individual school in the  
93 school district.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2020</i>	53a-181d
Sec. 2	<i>October 1, 2020</i>	53a-129e
Sec. 3	<i>October 1, 2020</i>	New section
Sec. 4	<i>July 1, 2021</i>	10-221(e)

**Statement of Purpose:**

To: (1) Extend the crime of stalking in the second degree to certain electronic disclosures of personal identifiable information without

consent, and establish a civil action for victims of such crime, and (2) require school boards to post existing suicide prevention policies and procedures on their Internet web sites.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*