

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 2172

By: Roe

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5  
6 AS INTRODUCED

7 An Act relating to crimes and punishments; amending  
8 21 O.S. 2021, Section 1176, as amended by Section 4,  
9 Chapter 318, O.S.L. 2022 (21 O.S. Supp. 2022, Section  
10 1176), which relates to using electronic  
11 communication devices to publish identifying  
12 information; expanding scope of crime; adding  
13 definition; and providing an effective date.

14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. AMENDATORY 21 O.S. 2021, Section 1176, as  
16 amended by Section 4, Chapter 318, O.S.L. 2022 (21 O.S. Supp. 2022,  
17 Section 1176), is amended to read as follows:

18 Section 1176. A. Whoever, with the intent to threaten,  
19 intimidate or harass, or facilitate another to threaten, intimidate  
20 or harass, uses an electronic communication device to knowingly  
21 publish, post or otherwise make publicly available personally  
22 identifiable information of a peace officer, public official,  
23 medical care provider, or crime victim, and as a result places that  
24 peace officer, public official, medical care provider, or crime  
victim in reasonable fear of death or serious bodily injury shall,

1 upon conviction, be guilty of a misdemeanor punishable by  
2 imprisonment in the county jail for a term not to exceed six (6)  
3 months, or by a fine not to exceed One Thousand Dollars (\$1,000.00),  
4 or by both such fine and imprisonment. Upon conviction for a second  
5 or subsequent violation, the person shall be punished by  
6 imprisonment in the county jail for a term not to exceed one (1)  
7 year, or by a fine not to exceed Two Thousand Dollars (\$2,000.00),  
8 or by both such fine and imprisonment.

9 B. As used in this section:

10 1. "Crime victim" shall have the same meaning as that term is  
11 defined in Section 142A-1 of this title;

12 2. "Electronic communication" shall have the same meaning as  
13 that term is defined in Section 1172 of this title. Electronic  
14 communication does not include broadcast transmissions or similar  
15 communications that are not targeted at any specific individual;

16 3. "Electronic communication device" means any cellular  
17 telephone, facsimile, pager, computer or any device capable of  
18 electronic communication;

19 4. "Medical care provider" means a doctor, resident, intern,  
20 nurse, nurse practitioner, nurses' aide, ambulance attendant or  
21 operator, paramedic, emergency medical technician, laboratory  
22 technician, radiologic technologist, physical therapist, physician  
23 assistant, chaplain of a health care facility, volunteer of a health  
24 care facility, pharmacist, nursing student, medical student, member

1 of a hospital security force, and any other employee or contractor  
2 working in or for a health care facility;

3 5. "Peace officer" shall have the same meaning as that term is  
4 defined in Section 99 of this title;

5 ~~5.~~ 6. "Personally identifiable information" means information  
6 which can identify an individual including, but not limited to,  
7 name, birth date, place of birth, mother's maiden name, biometric  
8 records, Social Security number, official state- or government-  
9 issued driver license or identification number, government passport  
10 number, employer or taxpayer identification number or any other  
11 information that is linked or linkable to an individual, such as  
12 medical, educational, financial or employment information;

13 ~~6.~~ 7. "Public official" means any person elected or appointed  
14 to a state office in the executive, legislative or judicial branch  
15 of state government or other political subdivision of the state; and

16 ~~7.~~ 8. "Publish" means to circulate, deliver, distribute,  
17 disseminate, transmit or otherwise make available to another person.

18 SECTION 2. This act shall become effective November 1, 2023.

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20 59-1-6195            GRS            01/13/23

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