

Cyberbullying

This Act defines cyberbullying and establishes prison sentences and fines for people who commit cyberbullying.

Submitted as:

Louisiana

[Act 989 of 2010](#)

Status: Enacted into law in 2010.

Suggested State Legislation

(Title, enacting clause, etc.)

1 Section 1. [*Short Title.*] This Act shall be cited as “An Act to Address Cyberbullying.”

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3 Section 2. [*Definitions.*] As used in this Act:

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(1) “Cable operator” means any person or group of people who provides cable service over a cable system and directly, or through one or more affiliates, owns a significant interest in such cable system, or who otherwise controls or is responsible for, through any arrangement, the management and operation of such a cable system.

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(2) “Cyberbullying” is the transmission of any electronic textual, visual, written, or oral communication with the malicious and willful intent to coerce, abuse, torment, or intimidate a person under the age of [eighteen].

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(3) “Electronic textual, visual, written, or oral communication” means any communication of any kind made through the use of a computer online service, Internet service, or any other means of electronic communication, including but not limited to a local bulletin board service, Internet chat room, electronic mail, or online messaging service.

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(4) “Interactive computer service” means any information service, system, or access software provider that provides or enables computer access by multiple users to a computer server, including a service or system that provides access to the Internet and such systems operated or services offered by libraries or educational institutions.

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(5) “Telecommunications service” means the offering of telecommunications for a fee directly to the public, regardless of the facilities used.

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14 Section 3. [*Penalties for Cyberbullying.*]

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(A) Except as provided in paragraph (B) of this section, whoever commits the crime of cyberbullying shall be fined not more than [five hundred] dollars, imprisoned for not more than [six] months, or both.

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(B) When the offender is under the age of [seventeen], the disposition of the matter shall be governed exclusively by the provisions of [insert citation].

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(C) The provisions of this Act shall not apply to a cable operator, a provider of an interactive computer service, or a provider of a telecommunications service, as defined by this Act.

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(D) The provisions of this Act shall not be construed to prohibit or restrict religious free speech pursuant to the [state constitution.]

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Section 4. [*Severability.*] [Insert severability clause.]

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Section 5. [*Repealer.*] [Insert repealer clause.]

Section 6. [*Effective Date.*] [Insert effective date.]