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.)

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

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

(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.

(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].

(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.

(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.

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

Section 3. [Penalties for Cyberbullying.]

(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.

(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].

(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.

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

Section 4. [Severability.] [Insert severability clause.]
Section 5. [Repealer.] [Insert repealer clause.]

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