Stricken language would be deleted from and underlined language would be added to present law. Act 905 of the Regular Session

1	State of Arkansas	As Engrossed: \$3/14/11	
2	88th General Assembly	A Bill	
3	Regular Session, 2011		SENATE BILL 214
4			
5	By: Senator L. Chesterfield		
6			
7		For An Act To Be Entitled	
8	AN ACT TO) ESTABLISH THE CRIME OF CYBERBULLYING	; AND
9	FOR OTHER	R PURPOSES.	
10			
11			
12		Subtitle	
13	TO I	ESTABLISH THE CRIME OF CYBERBULLYING.	
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15			
16	BE IT ENACTED BY THE	GENERAL ASSEMBLY OF THE STATE OF ARKA	INSAS:
17			
18	SECTION 1. Ark	ansas Code Title 5, Chapter 71, Subch	apter 2 is amended
19	to create a new secti	ion to read as follows:	
20	<u>5-71-217. Cybe</u>	erbullying.	
21	<u>(a)</u> As used in	this section:	
22	<u>(1)</u> "Com	mmunication" means the electronic comm	nunication of
23	information of a pers	son's choosing between or among points	specified by the
24	<u>person without change</u>	e in the form or content of the inform	nation as sent and
25	received; and		
26	<u>(2)</u> "Ele	ectronic means" means any textual, vis	sual, written, or
27	oral communication of	f any kind made through the use of a c	computer online
28	<u>service, Internet ser</u>	rvice, telephone, or any other means o	of electronic
29	<u>communication, inclue</u>	ding without limitation to a local bui	<u>lletin board</u>
30	<u>service, an Internet</u>	chat room, electronic mail, a social	<u>networking site, or</u>
31	<u>an online messaging s</u>	service.	
32	<u>(b) A person c</u>	commits the offense of cyberbullying i	<u>lf:</u>
33	<u>(1) He</u>	or she transmits, sends, or posts	a communication
34	<u>by electonic means</u>	with the purpose to frighten, coer	rce, intimidate,
35	threaten, abuse, ha	arass, or alarm another person; and	d



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1	(2) The transmission was in furtherance of severe, repeated, or
2	hostile behavior toward the other person.
3	(c) The offense of cyberbullying may be prosecuted in the county where
4	the defendant was located when he or she transmitted, sent, or posted a
5	communication by electronic means, in the county where the communication by
6	electronic means was received by the person, or in the county where the
7	person targeted by the electronic communications resides.
8	(d) Cyberbullying is a Class B misdemeanor.
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10	/s/L. Chesterfield
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13	APPROVED: 04/01/2011
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