PROHIBIT DOXING

House Bill 6205 as introduced
Sponsor: Rep. John Chirkun

House Bill 6206 as introduced
Sponsor: Rep. Beth Griffin

Committee: Judiciary
Complete to 9-24-20

SUMMARY:

House Bill 6206 would amend the Michigan Penal Code to make certain conduct referred to as “doxing” a crime, and House Bill 6205 would add the felony penalties for doxing conduct causing serious injury or death to the victim to the sentencing guidelines in the Code of Criminal Procedure. Doxing typically refers to the practice of obtaining personal or nonpublic information about a person and posting it on the internet, usually to embarrass or harass that person.

House Bill 6206 would provide that a person who, with malicious intent, publishes private or identifying information about a specific individual on the internet is guilty of a misdemeanor punishable by imprisonment for up to 93 days or a fine of up to $500, or both. (A 93-day maximum term of imprisonment triggers certain fingerprinting and records retention requirements, including a search of the national fingerprint database, and enables tracking of repeat offenses.)

Second or subsequent offense: A second or subsequent offense would be a misdemeanor punishable by imprisonment for up to one year or a fine of up to $1,000, or both.

Violation causing serious injury or death: If the violation (whether a first or subsequent offense) involved a continuous pattern of harassing or intimidating behavior and the person by that violation caused serious injury to the victim, the person would be guilty of a felony punishable by imprisonment for up to five years or a fine of up to $5,000, or both. If the violation caused the death of the victim, the person would be guilty of felony punishable by imprisonment for up to ten years or a fine of up to $10,000, or both.

Serious injury would mean permanent, serious disfigurement, serious impairment of health, or serious impairment of a bodily function of a person.

Proposed MCL 750.411y
**House Bill 6205** would place the maximum terms of imprisonment for the felony offenses of doxing within the sentencing guidelines portion of the Code of Criminal Procedure. Under the bill, publishing private or identifying information on the internet with malicious intent causing serious injury would be a Class E felony against a person with a maximum term of imprisonment of five years. The same conduct causing death would be a Class D felony against a person with a ten-year maximum term of imprisonment.

House Bill 6205 is tie-barred to HB 6206, which means that it could not take effect unless HB 6206 were also enacted.

MCL 777.16t

Each bill would take effect 90 days after its enactment.

**FISCAL IMPACT:**

A fiscal analysis is in progress.