

COMMITTEE AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2172 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by
inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Cynthia Roe

Adopted: _____

Reading Clerk

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

PROPOSED COMMITTEE
SUBSTITUTE
FOR
HOUSE BILL NO. 2172

By: Roe

PROPOSED COMMITTEE SUBSTITUTE

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

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

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

Section 1176. A. Whoever, with the intent to threaten,
intimidate or harass, or facilitate another to threaten, intimidate
or harass, uses an electronic communication device to knowingly
publish, post or otherwise make publicly available personally
identifiable information of a peace officer, public official,
medical care provider, or crime victim, and as a result places that

1 peace officer, public official, medical care provider, or crime
2 victim in reasonable fear of death or serious bodily injury shall,
3 upon conviction, be guilty of a misdemeanor punishable by
4 imprisonment in the county jail for a term not to exceed six (6)
5 months, or by a fine not to exceed One Thousand Dollars (\$1,000.00),
6 or by both such fine and imprisonment. Upon conviction for a second
7 or subsequent violation, the person shall be punished by
8 imprisonment in the county jail for a term not to exceed one (1)
9 year, or by a fine not to exceed Two Thousand Dollars (\$2,000.00),
10 or by both such fine and imprisonment.

11 B. To the extent the provisions of Section A apply to medical
12 care providers, the protections provided herein shall not apply when
13 the incident is unrelated to the provider's professional duties.

14 C. As used in this section:

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

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

21 3. "Electronic communication device" means any cellular
22 telephone, facsimile, pager, computer or any device capable of
23 electronic communication;

1 4. "Medical care provider" means a doctor, resident, intern,
2 nurse, nurse practitioner, nurses' aide, ambulance attendant or
3 operator, paramedic, emergency medical technician, laboratory
4 technician, radiologic technologist, physical therapist, physician
5 assistant, chaplain of a health care facility, volunteer of a health
6 care facility, pharmacist, nursing student, medical student, member
7 of a hospital security force, and any other employee or contractor
8 working in or for a health care facility;

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

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

19 ~~6.~~ 7. "Public official" means any person elected or appointed
20 to a state office in the executive, legislative or judicial branch
21 of state government or other political subdivision of the state; and

22 ~~7.~~ 8. "Publish" means to circulate, deliver, distribute,
23 disseminate, transmit or otherwise make available to another person.

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

59-1-7612 TJ 02/21/23