

**HOUSE BILL NO. 1134**

Introduced by

Representatives Heilman, Henderson, Hoverson, S. Olson, D. Johnston, Wolff, VanWinkle  
Senators Cory, Paulson

1 A BILL for an Act to create and enact a new section to chapter 12.1-17 of the North Dakota  
2 Century Code, relating to the dissemination of personally identifying information; to provide a  
3 penalty; and to declare an emergency.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 12.1-17 of the North Dakota Century Code is created  
6 and enacted as follows:

7 **Dissemination of personally identifying information prohibited - Penalty.**

8 1. As used in this section:

- 9 a. "Dissemination" means electronically publishing, posting, or otherwise disclosing  
10 information to a public internet site or public forum.
- 11 b. "Household member" means an individual who:  
12 (1) Regularly resides in the household; or  
13 (2) Within the six months preceding the conduct of the offense regularly resided  
14 in the household.
- 15 c. "Immediate family member" means a parent, grandparent, spouse, child,  
16 stepchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, sibling,  
17 brother-in-law, sister-in-law, or grandchild.
- 18 d. "Personally identifying information" means information that identifies or  
19 reasonably can be used to identify an individual, including:  
20 (1) Social security number or other government-issued identifier;  
21 (2) Date of birth;  
22 (3) Home or physical address;  
23 (4) Electronic mail address or telephone number;  
24 (5) Financial account number or credit or debit card number;

1                   (6) Biometric, health, or medical data, or insurance information; and

2                   (7) School or employment location.

3       2. A person is guilty of disseminating personally identifying information if, with the intent  
4       to intimidate, abuse, threaten, harass, or frighten an individual who resides in the  
5       state:

6       a. The person intentionally disseminates the personally identifying information of an  
7       individual or that individual's immediate family member or household member;

8                   and

9       b. The dissemination would reasonably cause an individual to be in fear of physical  
10       injury to themselves, or to the individual's immediate family member or household  
11       member.

12       3. This section applies to all electronic communications originating within or accessible  
13       within the state.

14       4. Disseminating personally identifying information is a class A misdemeanor, unless the  
15       dissemination results in:

16       a. Bodily injury to the individual or to the individual's immediate family member or  
17       household member, in which case it is a class C felony;

18       b. Substantial or serious bodily injury to the individual or to the individual's  
19       immediate family member or household member, in which case it is a class B  
20       felony; or

21       c. Death of the individual or of the individual's immediate family member or  
22       household member, in which case it is a class A felony.

23       **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.