

## **132nd MAINE LEGISLATURE**

## FIRST REGULAR SESSION-2025

**Legislative Document** 

No. 537

H.P. 356

House of Representatives, February 11, 2025

## An Act to Prohibit the Doxing of a Minor and to Authorize a Related Civil Action

Reference to the Committee on Judiciary suggested and ordered printed.

R(+ B. Hunt

ROBERT B. HUNT Clerk

Presented by Representative SACHS of Freeport. Cosponsored by Senator CARNEY of Cumberland and Representatives: BRENNAN of Portland, DHALAC of South Portland, KUHN of Falmouth, MOONEN of Portland, OSHER of Orono, RANA of Bangor.

1	Be it enacted by the People of the State of Maine as follows:
2	Sec. 1. 14 MRSA c. 765 is enacted to read:
3	CHAPTER 765
4	DOXING OF MINOR PROHIBITED; CIVIL ACTION AUTHORIZED
5	§9101. Definitions
6 7	As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.
8 9 10 11 12	<b>1.</b> Close relation. "Close relation" means, with respect to a person, a current or former spouse or domestic partner, parent, child, sibling, stepchild, stepparent or grandparent of that person; a person who regularly resides or within the prior 6 months resided in the same household as that person; a person with a significant personal or professional relationship with that person; or a pet of that person or of that person's household or family.
13 14 15	<b>2. Disclosure.</b> "Disclosure" means the dissemination, distribution, circulation, sharing, posting, publishing, transmittal or release of information through electronic or other means.
16 17 18	3. Doxing. "Doxing" means the knowing disclosure of personal identifying information of a person, without that person's consent, and when that disclosure is intended to cause, and in fact either directly or indirectly causes:
19 20	A. A course of conduct directed at or concerning that person that constitutes stalking under Title 17-A, section 210-A;
21	B. Physical harm to that person;
22	C. Serious damage to the property of that person; or
23 24	D. That person to reasonably fear for that person's own physical safety or to reasonably fear for the physical safety of a close relation of that person.
25	4. Minor. "Minor" means a person who has not attained 18 years of age.
26 27 28	<u>5. Personal identifying information</u> . "Personal identifying information" means any of the following information concerning a person that the person has not made and has not authorized another person to make readily apparent to the public:
29	A. Biometric data;
30	B. Home address, work address or e-mail address;
31	C. Home telephone number or cellular telephone number;
32 33	D. Social security number, driver's license number or state-issued identification card number;
34	E. Credit or debit card number; and
35 36 37	<u>F.</u> Medical, financial, educational, consumer or employment information or records in combination with the person's legal name or prior legal name, alias, photograph or likeness, mother's name or any prior legal name or date or place of birth.

## 1 §9102. Doxing of minor prohibited 2 A person may not engage in conduct that constitutes doxing when the target of the doxing is a minor. A person that violates this section may be subject to a civil action for 3 4 damages pursuant to section 9103. 5 §9103. Civil action for damages 6 In accordance with the provisions of this section, a family member, legal guardian or representative of a minor who is a target of doxing in violation of section 9102 may bring 7 a civil action on behalf of the minor for injunctive relief, actual damages, compensatory 8 9 damages, punitive damages, any combination of those remedies or any other appropriate 10 relief. 1. Attorney's fees and costs. A plaintiff who prevails in a civil action under this 11 12 section is entitled to an award of attorney's fees and costs. 13 2. Treble damages. A plaintiff who proves by a preponderance of the evidence that 14 the doxing of a minor was motivated by the race, color, religion, ethnicity, national origin, citizenship status, sex, gender, sexual orientation, gender identity or expression, physical 15 or mental health condition or disability of the minor or of a close relation of the minor is 16 17 entitled to up to treble damages in addition to any other remedy. 3. Defenses. It is a defense to a civil action brought pursuant to this section that a 18 person disclosed personal identifying information of a minor for the sole purpose of: 19 20 A. Reporting conduct that was reasonably believed to be unlawful or to constitute a 21 crime to a law enforcement officer or law enforcement agency; 22 B. Publishing, disseminating or reporting conduct by a public official, law enforcement officer or law enforcement agency that was reasonably believed to be 23 unlawful, to constitute a crime or to constitute an abuse of authority; or 24 25 C. Engaging in lawful activity protected by the Constitution of Maine and the United States Constitution pertaining to speech, assembly, press or petition, including to 26 address a matter of public concern. 27 28 **SUMMARY** 29 This bill prohibits a person from engaging in conduct that constitutes doxing when the 30 target of the doxing is a minor. It also authorizes a family member, legal guardian or 31 representative of a minor who is a target of doxing in violation of that prohibition to bring 32 a civil action on behalf of the minor for injunctive relief, actual damages, compensatory 33 damages, punitive damages, any combination of those remedies or any other appropriate 34 relief. 35 Under the bill, doxing is defined as the knowing disclosure of personal identifying information of a person, without that person's consent, and when that disclosure is intended 36 37 to cause, and in fact either directly or indirectly causes: 38 1. A course of conduct directed at or concerning that person that constitutes stalking 39 pursuant to the Maine Revised Statutes, Title 17-A, section 210-A; 40 2. Physical harm to that person; 41 3. Serious damage to the property of that person; or

- 4. That person to reasonably fear for that person's own physical safety or to reasonably
  fear for the physical safety of a close relation of that person.
- The bill sets out a number of defenses to this authorized civil action, including when the disclosure of personal identifying information of a minor was for the sole purpose of engaging in lawful and constitutionally protected activity pertaining to speech, assembly, press or petition, including to address a matter of public concern.