

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 1233

S.P. 427

In Senate, March 27, 2013

An Act Regarding Cyberbullying

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator CRAVEN of Androscoggin.
Cosponsored by Representative GATTINE of Westbrook and
Senators: LACHOWICZ of Kennebec, VALENTINO of York, Representatives: BEAULIEU
of Auburn, CASSIDY of Lubec, FARNSWORTH of Portland, KINNEY of Limington,
LAJOIE of Lewiston, LIBBY of Lewiston.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 17-A MRSA §517** is enacted to read:

3 **§517. Cyberbullying**

4 1. As used in this section, unless the context otherwise indicates, the following
5 terms have the following meanings.

6 A. "Bullying" has the same meaning as in Title 20-A, section 6554, subsection 2,
7 paragraph B.

8 B. "Cyberbullying" has the same meaning as in Title 20-A, section 6554, subsection
9 2, paragraph C.

10 2. A person is guilty of cyberbullying if:

11 A. The person engages in cyberbullying with the intent to bully another person.
12 Violation of this paragraph is a Class E crime; or

13 B. The person violates paragraph A and, at the time of the cyberbullying, the person
14 has 2 or more prior convictions under this section in which the victim was the same
15 person or for engaging in substantially similar conduct to that contained in this
16 paragraph in another jurisdiction. Section 9-A governs the use of prior convictions
17 when determining a sentence. Violation of this paragraph is a Class C crime.

18 **SUMMARY**

19 This bill establishes the crime of cyberbullying and makes a violation a Class E
20 crime. It references the definition of cyberbullying in the education statutes that defines
21 "cyberbullying" to mean bullying through the use of technology or any electronic
22 communication device.