

TITLE 6: CRIMES AND CRIMINAL PROCEDURE
DIVISION 1 : CRIMES AGAINST THE PERSON

§ 1472. Stalking.

(a) Any person who purposefully engages in a course of conduct directed at a specific person and knows or should know that the course of conduct would cause a reasonable person to:

- (1) fear for his or her safety or the safety of a third person; or
- (2) suffer other emotional distress is guilty of stalking.

(b) In any prosecution under this law, it shall not be a defense that:

- (1) the actor was not given actual notice that the course of conduct was unwanted; or
- (2) the actor did not intend to cause the victim fear or other emotional distress.

(c) A person commits the crime of stalking in the first degree if the person violates subsection (a) and:

(1) the defendant violated any order prohibiting contact with the victim;
or

(2) the defendant was convicted of stalking any person within the previous 10 years; or

(3) the defendant used force or a weapon or threatened to use force or a weapon; or

(4) the victim is a minor.

(d) All acts of stalking not described in subsection (c) constitute the crime of stalking in the second degree.

(e) Stalking in the first degree is a felony punishable by imprisonment of up to four years, by a fine of up to \$2,000, or both.

(f) Stalking in the second degree is a felony punishable by imprisonment of up to one year, by a fine of up to \$1,000, or both.

Source: [PL 14-9](#), § 3 (1509), modified; repealed and re-enacted by [PL 20-28](#) § 5 (Dec. 11, 2017).

Commission Comment: [Historical comments removed.]