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OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2004

ENROLLED

House Bill No. 4020

(By Mr. Speaker, Mr. Kiss, and Delegate Trump)

[By Request of the Executive]

Passed February 12, 2004

In Effect Ninety Days from Passage

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E N R O L L E D

H. B. 4020

(BY MR. SPEAKER, MR. KISS, AND DELEGATE TRUMP)

[BY REQUEST OF THE EXECUTIVE]

[Passed February 12, 2004; in effect ninety days from passage.]

AN ACT to amend the code of West Virginia, 1931, as amended, by adding thereto two new sections, designated §5A-8-21 and §5A-8-22, all relating to limiting disclosure of personal information maintained by the legislative, judicial or executive agencies of the state of West Virginia relating to state employees due to their state employment and creating lesser restrictions on information maintained by executive branch agencies on citizens generally.

Be it enacted by the Legislature of West Virginia:

That the code of West Virginia, 1931, as amended, be amended by adding thereto two new sections, designated §5A-8-21 and §5A-8-22, all to read as follows:

ARTICLE 8. PUBLIC RECORDS MANAGEMENT AND PRESERVATION.

§5A-8-21. Limitation on release of certain personal information maintained by state agencies and entities regarding state employees.

1 (a) The following personal information maintained by
2 executive, legislative or judicial branch agencies of the state of
3 West Virginia regarding persons in their capacity as state
4 officers, employees, retirees or the legal dependents thereof is
5 hereby deemed to be confidential and exempt from disclosure
6 to non-governmental entities in documents otherwise subject to
7 disclosure under the provisions of chapter twenty-nine-b of this
8 code:

9 (1) An individual's home address;

10 (2) An individual's social security number;

11 (3) An individual's credit or debit card numbers;

12 (4) An individual's driver's license identification number;

13 and

14 (5) An individual's marital status or maiden name.

15 (b) It is the policy of the state of West Virginia that the
16 information enumerated in subsection (a) of this section is
17 personal and confidential and should only be released to non-
18 governmental entities for such purposes as are authorized by
19 federal law or regulation, a provision of this code or a legisla-
20 tive rule promulgated pursuant to the provisions of chapter
21 twenty-nine-a of this code.

§5A-8-22. Personal information maintained by state entities.

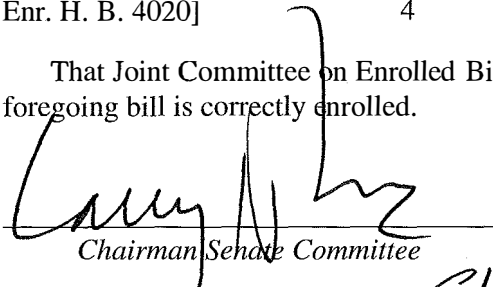
1 (a) The following information maintained by state execu-
2 tive branch agencies with respect to individuals and their
3 dependents, is personal information, exempted from disclosure
4 under the provisions of article one, chapter twenty nine-b of this
5 code, and may not be released to non-governmental entities:

6 (1) An individual's social security number; or

7 (2) An individual's credit or debit card number.

8 (b) Notwithstanding the provisions of subsection (a) of this
9 section, the information enumerated in said subsection may be
10 released for such purposes as are authorized by federal law or
11 regulation, a provision of this code or a legislative rule promul-
12 gated pursuant to the provisions of chapter twenty-nine-a of this
13 code.

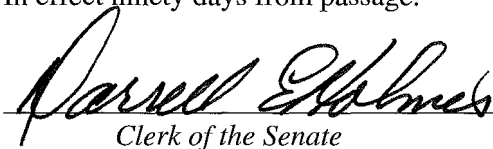
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


Chairman Senate Committee

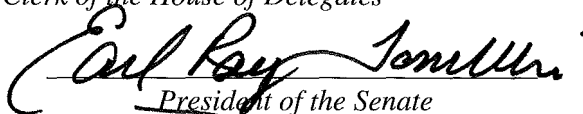

Chairman House Committee

Originating in the House.

In effect ninety days from passage.

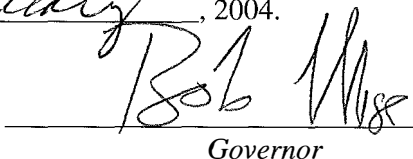

Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker of the House of Delegates

The within is approved this the 23rd
day of February, 2004.


Governor

PRESENTED TO THE
GOVERNOR

Date 2/17/04

Time 2:15 pm