

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Originating

House Bill 3134

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[Originating in the Committee on Judiciary; reported

on March 12, 2021]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §61-2-17 of the Code of West Virginia, 1931, as amended, creating a new
3 criminal offense prohibiting public disclosure of restricted information.

Be it enacted by the Legislature of West Virginia:

§61-2-17. Prohibiting public disclosure of restricted information; penalties.

4 (a) A person who knowingly makes the restricted personal information of another person
5 or the person's immediate family member publicly available:

6 (1) With the intent to threaten, intimidate, or incite the commission of a crime of violence
7 against that person; or

8 (2) With the intent and knowledge that the restricted personal information will be used to
9 threaten, intimidate, or facilitate the commission of a crime of violence against that person;

10 is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$500
11 or confined in jail not more than one year, or both fined and confined.

12 (b) A person who knowingly makes the restricted personal information about a grand or
13 petit juror, witness, law enforcement officer in any court of the State of West Virginia, an informant,
14 a witness in a State investigation or prosecution, or the immediate family member of a grand or
15 petit juror, witness, law enforcement officer in any court of the State of West Virginia, an informant,
16 or witness in a State investigation or prosecution publicly available:

17 (1) With the intent to threaten, intimidate, or incite the commission of a crime of violence
18 against the person; or

19 (2) With the intent and knowledge that the restricted personal information will be used to
20 threaten, intimidate, or facilitate the commission of a crime of violence against that person;

21 is guilty of a felony and, upon conviction thereof, shall be fined not more than \$5,000 or
22 imprisoned in a state correctional facility not more than five years, or both fined and imprisoned.

23 (c) For the purposes of this section “restricted personal information” means social security
24 number, credit card number, mobile telephone number, unlisted home telephone number, driver
25 license number, home address, whether a primary or secondary residence or personal email.