

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Introduced

House Bill 3264

**FISCAL
NOTE**

BY DELEGATE PRITT

[Introduced March 16, 2021; Referred to the Committee on
the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §61-2-31, relating to creating a misdemeanor offense for the impersonation of
 3 a nonpublic figure on social media.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. CRIMES AGAINST THE PERSON.

§61-2-31. Crime of impersonation of a nonpublic figure; penalty.

1 (a) A person is guilty of the criminal impersonation of a nonpublic figure when such person
 2 impersonates another, on social media or otherwise, and commits an act in such assumed
 3 character with the intent to obtain a benefit, to injure, to humiliate, to ridicule, to defraud, or to
 4 deceive another. A person may also be guilty of criminal impersonation of a nonpublic figure when
 5 they engage in behavior, on social media or otherwise, with the intent to obtain a benefit, to injure,
 6 to humiliate, to ridicule, to defraud, or to deceive; uses an electronic device to impersonate a non-
 7 public figure; and such act results in personal injury or financial loss to that nonpublic figure, or
 8 the initiation of judicial proceedings against another.

9 (b) Any person who commits a criminal impersonation of a nonpublic figure is guilty of a
 10 misdemeanor and, upon conviction thereof, shall be confined in jail for not more than six months,
 11 or fined not more than \$1,000, or both fined and confined.

NOTE: The purpose of this bill is to create a misdemeanor crime for the impersonation of a nonpublic figure.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.