WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

Senate Bill 637

By Senators Taylor, Rucker, Chapman, Oliverio

[Introduced February 5, 2024; 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 §61-3C-14d, relating to prohibiting public disclosure of an individual's personal

3   information on the internet in certain circumstances; defining terms; and providing

4   penalties.

Be it enacted by the Legislature of West Virginia:

ARTICLE 3C. WEST VIRGINIA COMPUTER CRIME AND ABUSE ACT.

§61-3C-14d. Prohibiting public disclosure of an individual's personal information on the

internet   in   certain   circumstances;   penalties.

1   (a) For purposes of this section, "personal information" means home address, home

2   telephone number, personal mobile telephone number, pager number, personal e-mail address, or

3   a personal photograph or video of an individual; directions to an individual's home; or photographs

4   or videos of an individual's home or personal vehicle.

5   (b) A person who knowingly, willfully, and intentionally makes the personal information of

6   another publicly available on the internet:

7   (1) With the intent to threaten, intimidate, or incite the commission of a crime of violence

8   against that person; or

9   (2) With the intent and knowledge that the personal information will be used to threaten,

10   intimidate, or facilitate the commission of a crime of violence against that person is guilty of a

11   misdemeanor and, upon conviction thereof, shall be fined not more than $500 or confined in jail

12   not more than six months, or both fined and confined. For a second or subsequent offense, the

13   person is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than

14   $1,000 or confined in jail for not more than one year, or both fined and confined.

NOTE: The purpose of this bill is to prohibit the public disclosure of an individual's personal information on the internet in certain circumstances; and provide penalty for violation.

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