

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Committee Substitute

for

Senate Bill 637

BY SENATORS TAYLOR, RUCKER, CHAPMAN, AND

OLIVERIO

[Originating in the Committee on the Judiciary;

reported February 15, 2024]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §5A-8-25, relating to a state or local government official removing publicly
3 available personal information on the internet in certain circumstances; and defining terms.

Be it enacted by the Legislature of West Virginia:

ARTICLE 8. PUBLIC RECORDS MANAGEMENT AND PRESERVATION ACT.

§5A-8-25. Personal information available on internet.

1 (a) For purposes of this section:

2 "Personal information" means the home address, home telephone number, personal
3 mobile telephone number, pager number, personal e-mail address, or a personal photograph or
4 video of an individual; directions to the home of an individual; or photographs or videos of the
5 home or personal vehicle of an individual.

6 (b) An individual may submit a written request to a state or local government official to
7 remove personal information from records maintained by that official that are publicly available on
8 the internet. If a state or local government official receives such a written request, then he or she
9 shall not knowingly make available on the internet personal information about the individual that
10 is in the records controlled by the state or local government official.

11 (c) An individual's written request to a state or local government official to remove
12 personal information from records made available on the internet shall include a statement,
13 notarized by a notary public duly licensed under §39-4-1 et seq. of this code, setting forth the
14 information that the individual is requesting the state or local government official to not make
15 publicly available on the internet.