1 H. B. 2077 2 3 (By Delegate Iaquinta) [Introduced January 12, 2011; referred to the 4 5 Committee on Energy, Industry and Labor, Economic 6 Development and Small Business then the Judiciary.] 7 8 9 10 A BILL to amend the Code of West Virginia, 1931, as amended, by 11 adding thereto a new section, designated \$46A-6G-6, relating 12 to providing a criminal penalty for transmitting bulk 13 electronic mail messages which are unsolicited. 14 Be it enacted by the Legislature of West Virginia: 15 That the Code of West Virginia, 1931, as amended, be amended 16 by adding thereto a new section, designated §46A-6G-6, to read as 17 follows: 18 ARTICLE 6G. ELECTRONIC MAIL PROTECTION ACT. 19 §46A-6G-6. Unsolicited electronic mail prohibited. 20 Notwithstanding any other provision of law to the contrary, no 21 person may initiate the transmission of an unsolicited electronic 22 mail message, or a bulk electronic mail message from a computer 23 located in West Virginia or to an electronic mail address that the

- 1 sender knows, or has reason to know, is held by a West Virginia
- 2 resident. Any person who violates the provisions of this section
- 3 is guilty of a misdemeanor and, upon conviction thereof, shall be
- 4 fined no less than \$300 nor more than \$600.

NOTE: The purpose of this bill is to provide a criminal penalty for transmitting bulk electronic mail messages which are unsolicited.

This section is new; therefore, it has been completely underscored.