WEST virginia legislature

**FISCAL NOTE**

2021 regular session

Introduced

House Bill 3264

By Delegate Pritt

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

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

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

(b) Any person who commits a criminal impersonation of a nonpublic figure is guilty of a misdemeanor and, upon conviction thereof, shall be confined in jail for not more than six months, 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.