

# **WEST VIRGINIA LEGISLATURE**

**2023 REGULAR SESSION**

**Introduced**

## **Senate Bill 669**

By Senator Maroney

[Introduced February 17, 2023; 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 §61-2-17, relating to creating a new criminal offense prohibiting public  
3 disclosure of restricted information.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 2. CRIMES AGAINST THE PERSON.**

**§61-2-17. Prohibiting public disclosure of personal information on the internet; penalties.**

1 (a) For purposes of this section:

2 (1) "Immediate family" means a health care worker's spouse, child, or parent or any other  
3 blood relative who lives in the same residence as the health care worker;

4 (2) "Health care worker" means an employee, contracted healthcare provider, or individual  
5 -serving in a governance capacity of a hospital;

6 (3) "Hospital" means a facility licensed pursuant to the provisions of article five-b of this  
7 chapter and any acute care facility operated by the state government, that primarily provides  
8 inpatient diagnostic, treatment or rehabilitative services to injured, disabled or sick persons under  
9 the supervision of physicians;

10 (4) "Personal information" means the home address, home telephone number, personal  
11 mobile telephone number, pager number, personal e-mail address, or a personal photograph of a  
12 health care worker; directions to the home of a health care worker; or photographs of the home or  
13 vehicle of a healthcare worker.

14 (b) A person who knowingly makes the personal information of a health care worker, or a  
15 health care worker's immediate family, publicly available on the internet:

16 (1) With the intent to threaten, intimidate, or incite the commission of a crime of violence  
17 against that person; or

18 (2) With the intent and knowledge that the personal information will be used to threaten,  
19 intimidate, or facilitate the commission of a crime of violence against that person is guilty of a  
20 misdemeanor and, upon conviction thereof, shall be fined not more than \$500 or confined in jail

21 not more than one year, or both fined and confined.

22 (c) A health care worker may submit a written request to a state or local government official  
23 to remove personal information from records that are available on the internet. If a state or local  
24 government receives the written request, then the state or local government official shall not  
25 knowingly make available on the internet personal information about the health care worker or the  
26 health care worker's immediate family.

27 (d) A health care worker's written request to a state or local government official to remove  
28 records that the official makes available on the internet shall include:

29 (1) Evidence that the person submitting the request is a health care worker, as defined in  
30 this section; and

31 (2) An affirmation stating under penalty of perjury that the person submitting the request  
32 has reason to believe that the dissemination of the personal information contained in the records  
33 that the official makes available on the internet poses an imminent and serious threat to the  
34 person's safety or the safety of the person's immediate family.

NOTE: The purpose of this bill is to prohibit public disclosure of restricted information.

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