

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 5427

By Delegates Ridenour, Butler, Masters, Phillips,
Martin, Funkhouser, Kimble, Mallow, B. Ward,
Jennings, and Holstein

[Introduced February 10, 2026; referred to the
Committee on the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article,
 2 designated §61-8G-1, §61-8G-2, §61-8G-3, §61-8G-4, §61-8G-5, §61-8G-6, §61-8G-7,
 3 §61-8G-8, §61-8G-9, and §61-8G-10, relating to the "Anti Doxxing and Privacy Protection
 4 Act"; creating short title; establishing finding and purpose; defining terms; prohibiting
 5 certain acts; establishing criminal penalties; establishing civil remedies; establishing
 6 procedures to allow redaction of personal information in certain circumstances; providing
 7 for enforcement and oversight of provision; providing for severability; and establishing an
 8 effective date.

Be it enacted by the Legislature of West Virginia:

ARTICLE 8G. ANTI-DOXXING AND PRIVACY PROTECTION

§61-8G-1. Short title.

1 This article may be cited as the "Anti-Doxxing and Privacy Protection Act."

§61-8G-2. Legislative findings and purpose.

1 (a) The Legislature finds that:

2 (1) The malicious publication of personally identifiable information, commonly referred to
 3 as "doxxing," has increasingly been used to harass, intimidate, stalk, threaten, and endanger
 4 individuals, including law-enforcement officers, healthcare workers, judicial officers, educators,
 5 public officials, and private citizens;

6 (2) Advances in electronic communications allow for the rapid and widespread
 7 dissemination of personal information, significantly increasing the risk of physical harm, economic
 8 loss, reputational damage, and severe emotional distress;

9 (3) Existing provisions of state law do not sufficiently address the intentional or reckless
 10 disclosure of personal information when such disclosure is intended to facilitate harassment,
 11 intimidation, threats, stalking, or violence by the actor or by third parties; and

12 (4) While the Constitution protects freedom of speech and of the press, those protections
 13 do not extend to conduct intended to facilitate violence, threats, stalking, or targeted harassment.

- 14 (b) The purpose of this article is to:
- 15 (1) Prohibit the malicious publication of personally identifiable information without consent
- 16 and with intent to cause harm or serious distress;
- 17 (2) Establish clear criminal penalties and civil remedies for victims of doxxing;
- 18 (3) Provide lawful mechanisms for the removal or redaction of personal information when
- 19 public disclosure presents a credible safety risk; and
- 20 (4) Safeguard constitutionally protected speech, journalism, public records access, and
- 21 matters of legitimate public concern.

§61-8G-3. Definitions.

- 1 As used in this article:
- 2 (1) "Doxxing" means the knowing and intentional publication, disclosure, distribution, or
- 3 transmission of another person's personally identifiable information without consent, with the
- 4 intent to, or with reckless disregard for whether such publication will:
- 5 (A) Intimidate, harass, threaten, stalk, or coerce the individual;
- 6 (B) Facilitate or incite harassment, threats, or violence by third parties; or
- 7 (C) Place the individual or an immediate family member in reasonable fear of death, bodily
- 8 injury, stalking, or substantial economic harm.
- 9 (2) "Personally identifiable information" or "PII" means information that identifies or could
- 10 reasonably be used to identify or locate a specific individual, including, but not limited to:
- 11 (A) Home or physical address;
- 12 (B) Personal telephone number, email address, or electronic login credentials;
- 13 (C) Date of birth; Social Security number; driver's license number; state identification
- 14 number; or passport number;
- 15 (D) Financial account numbers, payment card numbers, or financial access credentials;
- 16 (E) Employment location, work schedule, or school enrollment information;
- 17 (F) Real-time or precise geolocation data;

18 (G) Nonpublic medical, health, or employment records;

19 (H) Names, addresses, or PII of immediate family members; or

20 (I) Images or video depicting the individual's private residence, personal vehicle, or
21 immediate family when not taken in a public setting.

22 (3) "Publish" means to communicate, post, distribute, transmit, or otherwise make
23 information available to one or more persons, by electronic, digital, printed, or any other means.

24 (4) "Consent" means express, affirmative authorization provided voluntarily by the
25 individual whose information is disclosed and not obtained through coercion, deception, or fraud.

§61-8G-4. Prohibited acts; exclusions.

1 (a) A person may not knowingly publish or cause to be published another individual's
2 personally identifiable information, without consent, when acting with the intent or reckless
3 disregard described in §61-8G-3 of this code.

4 (b) Each act of publication or republication constitutes a separate offense.

5 (c) This section does not apply to:

6 (1) Lawful disclosures made pursuant to the West Virginia Freedom of Information Act or
7 other public-records laws, subject to statutory exemptions;

8 (2) Disclosures made in judicial proceedings, pursuant to court order, subpoena, or lawful
9 law-enforcement activity;

10 (3) Good-faith news reporting, commentary, or academic research concerning matters of
11 legitimate public concern, provided the disclosure is not made with intent to facilitate harassment
12 or harm, as described in §61-8G-3 of this code, and reasonable steps are taken to minimize
13 unnecessary risk; or

14 (4) Information voluntarily made publicly available by the individual in a manner reasonably
15 accessible to the general public, unless republished with the intent or reckless disregard described
16 in §61-8G-3 of this code.

§61-8G-5. Criminal penalties.

1 (a) A person who violates this article is guilty of a misdemeanor and, upon conviction, shall
2 be confined in jail for not more than one year and fined not more than \$1,000.

3 (b) A second or subsequent conviction under this article is a felony and, upon conviction,
4 the person shall be imprisoned in a state correctional facility for not less than one nor more than
5 five years and fined not less than \$1,000 nor more than \$5,000.

6 (c) A violation involving a victim who is a law-enforcement officer, correctional officer,
7 firefighter, emergency medical services provider, healthcare worker, judge, prosecutor, educator,
8 public official, or a member of such person’s immediate family constitutes an aggravated offense
9 punishable by imprisonment not less than one nor more than five years and fined not less than
10 \$5,000 nor more than \$25,000.

§61-8G-6. Civil remedies.

- 1 (a) A person injured by a violation of this article may bring a civil action for:
- 2 (1) Temporary or permanent injunctive relief, including removal or takedown orders;
- 3 (2) Actual damages, including costs of relocation, security measures, lost income, or other
- 4 consequential losses;
- 5 (3) Statutory damages of not less than \$1,000 nor more than \$25,000 per violation, at the
- 6 discretion of the court; and
- 7 (4) Reasonable attorney fees and court costs.

8 (b) The remedies provided by this section are cumulative and do not preclude criminal
9 prosecution or other remedies provided by law.

§61-8G-7. Redaction of personal information from government records.

1 (a) State and local government agencies shall establish procedures allowing individuals to
2 request the redaction or withholding of personally identifiable information from publicly accessible
3 government records upon a showing of a credible safety risk.

4 (b) Priority consideration shall be afforded to individuals employed in sensitive or safety-
5 critical positions, including law enforcement, corrections, prosecution, judiciary, public defense,

6 healthcare, emergency services, and education.

7 (c) An agency shall grant a redaction request unless a compelling public interest clearly
8 outweighs the demonstrated safety risk.

9 (d) Agencies shall provide written determinations and an administrative appeal process.

§61-8G-8. Enforcement and oversight.

1 (a) The Attorney General may investigate violations of this article, bring civil enforcement
2 actions, and promulgate rules necessary to implement this article.

3 (b) State agencies shall adopt policies, safeguards, and training programs to prevent
4 unauthorized disclosure of personally identifiable information.

5 (c) The Attorney General shall submit an annual report to the Legislature summarizing
6 enforcement actions and recommendations.

§61-8G-9. Severability.

1 If any provision of this article is held invalid, such invalidity does not affect other provisions
2 that can be given effect without the invalid provision.

§61-8G-10. Effective date.

1 This article shall take effect on April 1, 2026.

NOTE: The purpose of this bill is to create the "Anti-Doxxing and Privacy Protection Act."

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