

2009 SESSION

INTRODUCED

092346216

SENATE BILL NO. 1330

Offered January 14, 2009

Prefiled January 14, 2009

A *BILL to amend the Code of Virginia by adding a section numbered 2.2-2903.2, relating to the Virginia Personnel Act; malfeasance in office; penalties; damages.*

Patron—Cuccinelli

Referred to Committee on General Laws and Technology

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 2.2-2903.2 as follows:

§ 2.2-2903.2. *Malfeasance in office or employment; knowing disclosure of confidential personal information; penalty; damages.*

A. *Any person who willfully and knowingly discloses personal information, the disclosure of which is prohibited by law, shall be guilty of malfeasance in office or employment. Upon conviction thereof, the judge or jury trying the case, in addition to any other fine or penalty provided by law, may order the forfeiture of such office or employment.*

B. *In addition, a person aggrieved by a violation of subsection A shall be entitled to institute an action to recover actual damages or \$500, whichever is greater, for each violation. If the aggrieved party prevails, he shall be awarded reasonable attorney's fees and court costs. Actions under this section may be brought in the general district court or circuit court of the residence of the aggrieved party or of the City of Richmond.*

C. *The provisions of this section shall apply to all persons exempted from this chapter pursuant to § 2.2-2905, except those persons enumerated in subdivisions 1, 6, 9, 12, and 17 thereof.*

D. *As used in this section, "personal information" means the same as that term is defined in § 2.2-3801.*

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