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**HOUSE BILL NO. 556**

Offered January 11, 2012

Prefiled January 10, 2012

*A BILL to amend and reenact § 18.2-186.4:1 of the Code of Virginia, relating to Internet publication of personal information of certain public officials.*

Patron—Albo

Referred to Committee on Science and Technology

**Be it enacted by the General Assembly of Virginia:****1. That § 18.2-186.4:1 of the Code of Virginia is amended and reenacted as follows:**

§ 18.2-186.4:1. Internet publication of personal information of certain public officials.

A. The Commonwealth shall not publish on the Internet the personal information of any ~~law-enforcement officer~~ *public official* if a court has, pursuant to subsection B, ordered that the ~~officer's~~ *official's* personal information is prohibited from publication and the ~~officer~~ *official* has made a demand in writing to the Commonwealth, accompanied by the order of the court, that the Commonwealth not publish such information.

B. Any ~~law-enforcement officer~~ *public official* may petition a circuit court for an order prohibiting the publication on the Internet, by the Commonwealth, of the ~~officer's~~ *official's* personal information. The petition shall set forth the specific reasons that the ~~officer~~ *official* seeks the order. The court shall hold a hearing on the petition and shall issue such an order only if it finds that (i) there exists a threat to the ~~officer~~ *official* or a person who resides with him that would result from publication of the information, or (ii) the ~~officer~~ *official* has demonstrated a reasonable fear of a risk to his safety or the safety of someone who resides with him that would result from publication of the information on the Internet.

C. If the Commonwealth publishes the ~~law-enforcement officer's~~ *public official's* personal information on the Internet prior to receipt of a written demand by the ~~officer~~ *official* under subsection A, it shall remove the information from publication on the Internet within 48 hours of receipt of the written demand.

D. A written demand made by an ~~officer~~ *official* pursuant to this section shall be effective for four years, as follows:

1. For a law-enforcement officer, if the officer remains continuously employed as a law-enforcement officer throughout the four-year period;

2. For a member of the Governor's Cabinet identified in Chapter 2 (§ 2.2-200 et seq.), if the member continuously serves in the Governor's Cabinet throughout the four-year period; and

3. For an elected official or a federal or state judge, if such official continuously serves throughout the four-year period.

E. For purposes of this section:

"Commonwealth" ~~includes~~ *means* any agency or political subdivision of the Commonwealth of Virginia;

"Law-enforcement officer" ~~shall have~~ *means* the same definition as set forth as that term is defined in § 9.1-101;

"Personal information" means home address ~~or any personal~~, home telephone numbers; ~~and, personal cell phone numbers, or home email address.~~

"Publication" and "publishes" means intentionally communicating personal information to, or otherwise making personal information available to, and accessible by, the general public *through the Internet or other online service.*

"Public official" means any elected person, member of the Governor's Cabinet, state or federal judge or justice, and state or federal law-enforcement officer.

INTRODUCED

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