

2013 SESSION

INTRODUCED

13103414D

HOUSE BILL NO. 1914

Offered January 9, 2013

Prefiled January 8, 2013

A *BILL to amend the Code of Virginia by adding a section numbered 8.01-40.3, relating to civil cause of action for unauthorized sale, publication, etc., of criminal history record information.*

Patrons—Surovell and Loupassi

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 8.01-40.3 as follows:

§ 8.01-40.3. Unauthorized sale, publication, etc., of criminal history record information.

Any person who sells, offers for sale, publicizes, or offers for publication the criminal history record information of another person pertaining to that other person's charge or arrest for a criminal offense more than 120 days after the State Police has confirmed to the person charged or arrested that such information has been expunged pursuant to Title 16.1 or Title 19.2 when he knows or has reason to know that the information has been expunged shall be liable to the other person for actual damages or \$500, whichever is greater, in addition to reasonable attorney fees and costs.

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