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**HOUSE BILL NO. 1931****AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on Commerce and Labor  
on January 22, 2013)

(Patron Prior to Substitute—Delegate Comstock)

*A BILL to amend the Code of Virginia by adding in Article 1 of Chapter 3 of Title 40.1 a section numbered 40.1-28.7:4, relating to the release of an employee's personal identifying information.*

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Article 1 of Chapter 3 of Title 40.1 a section numbered 40.1-28.7:4 as follows:**

**§ 40.1-28.7:4. Release of employee's personal identifying information.**

A. As used in this section, "personal identifying information" means any of the following items of information about a current or former employee: home telephone number, mobile telephone number, email address, shift times, or work schedule.

B. An employer shall not, unless an exemption described in subsection C applies, be required to release, communicate, or distribute to a third party any current or former employee's personal identifying information.

C. The provisions of subsection B shall not apply to a release, communication, or distribution of personal identifying information that is:

1. Required pursuant to any applicable provision of federal law that preempts the provisions of this section; or

2. Ordered by a court of competent jurisdiction.

HOUSE SUBSTITUTE

HB1931H1