

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 18.2-186.4:1 of the Code of Virginia, relating to Internet publication of*
 3 *personal information; prohibition; attorneys for the Commonwealth.*

4 [H 745]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 18.2-186.4:1 of the Code of Virginia is amended and reenacted as follows:**8 **§ 18.2-186.4:1. Internet publication of personal information of certain public officials.**

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

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

20 C. If the Commonwealth publishes the public official's personal information on the Internet prior to
 21 receipt of a written demand by the official under subsection A, it shall remove the information from
 22 publication on the Internet within 48 hours of receipt of the written demand.

23 D. A written demand made by any public official pursuant to this section shall be effective for four
 24 years as follows:

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

27 2. For a federal or state judge or justice, if such public official continuously serves throughout the
 28 four-year period; *and*

29 3. *For an attorney for the Commonwealth, if such public official continuously serves throughout the*
 30 *four-year period.*

31 E. For purposes of this section:

32 "Commonwealth" means any agency or political subdivision of the Commonwealth of Virginia.

33 "Law-enforcement officer" means the same as that term is defined in § 9.1-101, 5 U.S.C. § 8331(20),
 34 excluding officers whose duties relate to detention as defined in 5 U.S.C. § 8331(20), and any other
 35 federal officer or agent who is credentialed with the authority to enforce federal law.

36 "Personal information" means home address, home telephone numbers, personal cell phone numbers,
 37 or personal email address.

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

41 "Public official" means any state or federal judge or justice ~~and any~~, law-enforcement officer, *or*
 42 *attorney for the Commonwealth.*

43 F. No provision of this section shall apply to lists of registered voters and persons who voted, voter
 44 registration records, or lists of absentee voters prepared or provided under Title 24.2.