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SENATE BILL NO. 825

Offered January 14, 2015

Prefiled January 5, 2015

A *BILL to amend the Code of Virginia by adding a section numbered 8.01-40.3, relating to digital impersonation; penalty.*

Patron—Martin

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. Digital impersonation; civil action; statute of limitations.

A. If a person knowingly and without authorization credibly impersonates a living individual on a social networking site with the intent to maliciously injure or defraud the person impersonated, the person impersonated may sue and recover damages for injuries he sustained due to the impersonation. In addition, the person impersonated may file a petition for an injunction against the person doing the impersonation to prevent and restrain the impersonation. For purposes of this section, injury may include injury to the character or reputation of the person being impersonated.

B. No action shall be commenced under this section more than 20 years after the death of the aggrieved person.

C. The court may award an aggrieved person costs and attorney fees.

INTRODUCED

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