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**HOUSE BILL NO. 2106**

Offered January 9, 2019

Prefiled January 8, 2019

A *BILL to amend and reenact § 18.2-152.7:1 of the Code of Virginia, relating to harassment by computer and electronic means; penalty.*

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Patrons—Morefield and Roem

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Referred to Committee on Science and Technology**Be it enacted by the General Assembly of Virginia:****1. That § 18.2-152.7:1 of the Code of Virginia is amended and reenacted as follows:****§ 18.2-152.7:1. Harassment by computer and electronic means; penalty.**

A. If any person, with the intent to coerce, intimidate, or harass any person, ~~shall use~~ (i) uses a computer or computer network to communicate obscene, vulgar, profane, lewd, lascivious, or indecent language, or ~~make~~ makes any suggestion or proposal of an obscene nature, or ~~threaten~~ threatens any illegal or immoral act; (ii) engages in a continuing course of conduct of communication by electronic means or by using a computer or computer network to make disparaging statements about such person's physical characteristics, sexuality, sexual activity, or mental or physical health or condition; (iii) creates a fake profile of such person on any Internet website or social media platform; (iv) pretends to be another person in any Internet chat room, electronic mail message, or instant electronic message; (v) posts a real or altered image of such person on the Internet; or (vi) accesses, alters, copies, or erases any content of a computer, computer network, or password protected account on any network or social media platform, he ~~shall be~~ is guilty of a Class 1 misdemeanor.

B. However, if any person age 18 or older commits a violation of this section involving a child victim, the penalty upon conviction shall include a mandatory minimum term of confinement of 10 days and a mandatory minimum fine of \$250. If any person age 18 or older has previously been convicted of a violation of this section involving a child victim, a second or subsequent conviction of a violation of this section involving a child victim shall include a mandatory minimum term of confinement of 30 days and a mandatory minimum fine of \$500.

INTRODUCED

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