

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

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

4 [H 1931]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That the Code of Virginia is amended by adding in Article 1 of Chapter 3 of Title 40.1 a**
8 **section numbered 40.1-28.7:4 as follows:**9 ***§ 40.1-28.7:4. Release of employee's personal identifying information.***10 *A. As used in this section, "personal identifying information" means any of the following items of*
11 *information about a current or former employee: home telephone number, mobile telephone number,*
12 *email address, shift times, or work schedule.*13 *B. An employer shall not, unless an exemption described in subsection C applies, be required to*
14 *release, communicate, or distribute to a third party any current or former employee's personal*
15 *identifying information.*16 *C. The provisions of subsection B shall not apply to a release, communication, or distribution of*
17 *personal identifying information that is:*18 *1. Required pursuant to any applicable provision of federal law that preempts the provisions of this*
19 *section or of state law that requires an employer to release, communicate, or distribute personal*
20 *identifying information;*21 *2. Ordered by a court of competent jurisdiction;*22 *3. Required pursuant to a warrant issued by a judicial officer; or*23 *4. Required by a subpoena issued in a pending civil or criminal case, or by discovery in a civil case.*

ENROLLED

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