

# VIRGINIA ACTS OF ASSEMBLY -- 2019 SESSION

## CHAPTER 476

*An Act to amend the Code of Virginia by adding a section numbered 18.2-429.1, relating to false caller identification information; penalty.*

[H 2170]

Approved March 18, 2019

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

**1. That the Code of Virginia is amended by adding a section numbered 18.2-429.1 as follows:**

***§ 18.2-429.1. False caller identification information; penalty.***

*A. For the purposes of this section:*

*"Caller identification information" means data that identifies the identity of the caller or the caller's telephone number to the recipient of a telephone call or to the recipient's telephone network.*

*"False caller identification information" means data that misrepresents the identity of the caller or the caller's telephone number to the recipient of a telephone call or to the recipient's telephone network.*

*B. Any person who, with the intent to defraud, intimidate, or harass, causes a telephone to ring and engages in conduct that results in the display of false caller identification information on the called party's telephone is guilty of a Class 3 misdemeanor. A second or subsequent conviction under this subsection is punishable as a Class 2 misdemeanor if the prior conviction occurred before the date of the offense charged.*

*C. This section shall not apply to:*

*1. The blocking of caller identification information;*

*2. Any law-enforcement agencies or any law-enforcement officer while he is engaged in the performance of his official duties;*

*3. Any intelligence or security agency of the federal government or any employee of such agency while he is engaged in the performance of his official duties; or*

*4. Any telecommunications, broadband, or Voice-over-Internet protocol service provider that is (i) acting in its capacity as an intermediary for the transmission of telephone service between the caller and the recipient, (ii) providing or configuring a service or service feature as requested by a customer, (iii) acting in a manner that is authorized or required by law, or (iv) engaging in other conduct that is a necessary incident to the provision of service.*