

2020 SPECIAL SESSION I

INTRODUCED

20200624D

HOUSE BILL NO. 5067

Offered August 18, 2020

Prefiled August 18, 2020

A BILL to amend and reenact § 18.2-186.4 of the Code of Virginia, relating to use of a person's identity with the intent to coerce, intimidate, or harass; public officials; penalty.

Patron—McGuire

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-186.4 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-186.4. Use of a person's identity with the intent to coerce, intimidate, or harass; penalty.

It shall be unlawful for any person, with the intent to coerce, intimidate, or harass another person, to publish the person's name or photograph along with identifying information as defined in clauses (iii) through (ix), or clause (xii) of subsection C of § 18.2-186.3, or identification of the person's primary residence address *or the primary residence address of the person's family or household member as defined in § 16.1-228*. Any person who violates this section is guilty of a Class 1 misdemeanor.

Any person who violates this section knowing or having reason to know that person is a ~~law-enforcement officer~~ *public official*, as defined in § ~~9.1-401~~ *18.2-186.4:1*, is guilty of a Class 6 felony. The sentence shall include a mandatory minimum term of confinement of six months.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 1289 of the Acts of Assembly of 2020 requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

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