

525.085 Dissemination of personally identifying information.

- (1) For the purposes of this section:
 - (a) "Dissemination" means electronically publishing, posting, or otherwise disclosing information to a public Internet site or public forum;
 - (b) "Household member" means a person who regularly resides in the household or who within the six (6) months preceding the conduct of the offense regularly resided in the household;
 - (c) "Immediate family member" means a parent, grandparent, spouse, child, stepchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, sibling, brother-in-law, sister-in-law, or grandchild; and
 - (d) "Personally identifying information" means information that identifies or reasonably can be used to identify an individual, including but not limited to:
 1. Social Security number or other government-issued identifier;
 2. Date of birth;
 3. Home or physical address;
 4. Electronic-mail address or telephone number;
 5. Financial account number or credit or debit card number;
 6. Biometric, health, or medical data, or insurance information; or
 7. School or employment locations.
- (2) A person is guilty of disseminating personally identifying information about another person when, with the intent to intimidate, abuse, threaten, harass, or frighten a person who resides in the Commonwealth, he or she:
 - (a) Intentionally disseminates the personally identifying information of the person or a person's immediate family member or household member; and
 - (b) The dissemination would cause a reasonable person to be in fear of physical injury to himself or herself, or to his or her immediate family member or household member.
- (3) This section shall apply to electronic communications originating within or accessible within the Commonwealth.
- (4) Disseminating personally identifying information is a Class A misdemeanor, unless the dissemination results in:
 - (a) Physical injury to the victim or to a victim's immediate family member or household member, in which case it is a Class D felony;
 - (b) Serious physical injury to the victim or to a victim's immediate family member or household member, in which case it is a Class C felony; or
 - (c) Death of the victim or of a victim's immediate family member or household member, in which case it is a Class B felony.
- (5) Nothing in this section shall be construed to impose liability on a broadband Internet access service provider, a telecommunications service provider, an interconnected VoIP provider, or a mobile service provider as defined in 47 U.S.C. sec. 153, a commercial mobile service provider as defined in 47 U.S.C. sec. 332(d),

or a cable operator as defined in 47 U.S.C. sec. 522, when acting in its capacity as a provider of those services.

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