

HOUSE BILL NO. HB0070

Digital identity protection.

Sponsored by: Select Committee on Blockchain, Financial
Technology and Digital Innovation Technology

A BILL

for

1 AN ACT relating to digital identity; allowing suit for
2 impersonation of digital identity as specified; amending
3 unlawful impersonation through electronic means to include
4 impersonation of digital identity; providing definitions;
5 and providing for an effective date.

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7 *Be It Enacted by the Legislature of the State of Wyoming:*

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9 **Section 1.** W.S. 40-30-103 is created to read:

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11 **40-30-103. Impersonation of digital identity;**
12 **remedies.**

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14 (a) Any person with a personal or organizational
15 digital identity may proceed by suit to enjoin the use of

1 any impersonations, counterfeits or imitations thereof and
2 any court of competent jurisdiction may grant injunctions
3 to restrain such use as may be by the said court deemed
4 just and reasonable, and may require the defendants to pay
5 to such person all profits derived from or all damages
6 suffered by reason of such wrongful use. The court, in its
7 discretion, may enter judgment for an amount not to exceed
8 three (3) times any profits or damages and reasonable
9 attorneys' fees of the prevailing party in cases where the
10 court finds the other party committed wrongful acts with
11 knowledge or in bad faith or otherwise as according to the
12 circumstances of the case.

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14 (b) The enumeration of any right or remedy herein
15 shall not affect a person's right to prosecute under any
16 penal law of this state.

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18 **Section 2.** W.S. 6-3-902(a)(intro) and (b) by creating
19 new paragraphs (iv) and (v) is amended to read:

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21 **6-3-902. Unlawful impersonation through electronic**
22 **means; penalties; definitions; civil remedies.**

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1 (a) A person is guilty of a misdemeanor punishable by
2 a fine of not more than one thousand dollars (\$1,000.00),
3 imprisonment for not more than one (1) year, or both, if he
4 knowingly and without consent intentionally impersonates
5 another person or that person's personal or organizational
6 digital identity through, or on, an internet website or by
7 other electronic means, including, but not limited to
8 spoofing, and:

9

10 (b) For purposes of this section:

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12 (iv) "Personal digital identity" means as
13 defined in W.S. 8-1-102(a)(xviii);

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15 (v) "Organizational digital identity" means as
16 defined in W.S. 8-1-102(a)(xix).

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18 **Section 3.** This act is effective July 1, 2022.

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(END)