

ORIGINAL HOUSE
BILL NO. HB0070

ENROLLED ACT NO. 7, HOUSE OF REPRESENTATIVES

SIXTY-SIXTH LEGISLATURE OF THE STATE OF WYOMING
2022 BUDGET SESSION

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

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

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

40-30-103. Impersonation of digital identity; remedies.

(a) Any person with a personal or organizational digital identity may proceed by suit to enjoin the use of any impersonations, counterfeits or imitations thereof and any court of competent jurisdiction may grant injunctions to restrain such use as may be by the said court deemed just and reasonable, and may require the defendants to pay to such person all profits derived from or all damages suffered by reason of such wrongful use. The court, in its discretion, may enter judgment for an amount not to exceed three (3) times any profits or damages and reasonable attorneys' fees of the prevailing party in cases where the court finds the other party committed wrongful acts with knowledge or in bad faith or otherwise as according to the circumstances of the case.

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

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

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

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

(b) For purposes of this section:

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

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

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

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk