

# WEST VIRGINIA CODE: §3-8-11

## **§3-8-11. Specific acts forbidden; penalties.**

(a) Any person who, directly or indirectly, by himself, or by any other person on his or her behalf, makes use of, or threatens to make use of, any force, violence or restraint, or inflict, or threatens to inflict, any damage, harm, or loss, upon or against any person, or by any other means attempt to intimidate or exert any undue influence, in order to induce that person to vote or refrain from voting, or on account of that person having voted or refrained from voting, at any election, or who, by abduction, duress or any fraudulent device or contrivance, impedes or prevents the free exercise of the suffrage by any elector, or thereby compels, induces, or prevails upon any elector either to vote or refrain from voting for or against any particular candidate or measure; or

(b) Any person who, being an employer, or acting for or on behalf of any employer, gives any notice or information to his or her employees, containing any threat, either express or implied, intended or calculated to influence the political view or actions of the workmen or employees; or

(c) Any person who, knowingly, makes or publishes, or causes to be made or published, any false statement in regard to any candidate, which statement is intended or tends to affect any voting at any election whatever; or

(d) Any person who pays any owner, publisher, editor or employee or any newspaper or other periodical, to advocate or oppose editorially, any candidate for nomination or election, or any political party, or any measure to be submitted to the vote of the people; or any owner, publisher, editor or employee, who solicits or accepts the payment is guilty of a misdemeanor, and, upon conviction thereof, shall be fined not more than \$10,000, or confined in jail for not more than one year, or, in the discretion of the court, shall be subject to both such fine and imprisonment.

(e) Any individual whose street number and street name or major business affiliation is disclosed to the public in violation of §3-8-6a of this code, and any treasurer whose address is disclosed to the public in violation of §3-8-6a of this code, shall provide notice of the violation to the government agency or government entity responsible for the disclosure via certified mail addressed to the lead employee for the government agency or government entity. If the governmental agency or government entity fails to remove or redact the information within 10 business days of the receipt of the notice, the aggrieved individual may recover a civil penalty in the amount of \$1,000 from the government agency or government entity responsible for each report on which that information is publicly disclosed.

(f) Any state or local officer or employee who knowingly and willfully discloses to the public an individual's street number and street name or major business affiliation in violation of

§3-8-6a of this code, or a treasurer's address in violation of §3-8-6a of this code, is guilty of a misdemeanor, and, upon conviction thereof, shall be fined not more than \$1,000, or confined in jail for not more than one year, or, in the discretion of the court, both fined and imprisoned.

WV Legislature