

1 A bill to be entitled
 2 An act relating to the disclosure of public servants'
 3 personal information; providing legislative findings;
 4 creating s. 111.101, F.S.; providing definitions;
 5 providing that certain public employees and officials
 6 may provide a written notice to a data broker to
 7 prevent disclosure of specified personal data
 8 concerning themselves and related persons; prohibiting
 9 release of data after receipt of such notice;
 10 providing for actions against a data broker for
 11 failure to comply; providing for damages and costs;
 12 providing construction; providing an effective date.

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 14 Be It Enacted by the Legislature of the State of Florida:

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 16 **Section 1.** The Legislature finds that the state's judges,
 17 prosecutors, law enforcement officers, and other public servants
 18 play an essential role in the functioning of the government of
 19 the state, and that the nature of their public duties regularly
 20 places them in danger of death, serious physical injury,
 21 threats, intimidation, and other reprisals. Violence, threats,
 22 and intimidation targeted at such public servants and their
 23 families is on the rise. Technology has broadened access to the
 24 personal information of such persons, defined herein as
 25 "protected information," which can be and has been used to

26 facilitate violence, threats, and intimidation. Accordingly, the
27 provisions set forth herein are both necessary and appropriate
28 to protect the privacy, safety, and security of such public
29 servants and to prevent interference in the administration of
30 justice and the operation of government in the state.

31 **Section 2. Section 111.101, Florida Statutes, is created**
32 **to read:**

33 111.101 Nondisclosure of public servants' personal
34 information.—

35 (1) DEFINITIONS.—As used in this section, the term:

36 (a) "Assignee" means a person or entity to whom a covered
37 person's right to bring a civil action for a violation of
38 paragraph (2) (b) has been assigned, in writing, by the covered
39 person or his or her authorized agent.

40 (b) "Authorized agent" means any of the following persons
41 or entities authorized to submit or revoke a request for
42 nondisclosure of protected information on behalf of a covered
43 person and to engage in communications and enforcement related
44 thereto:

45 1. A designated trustee or other agent acting pursuant to
46 a written power of attorney or other legal instrument on behalf
47 of any covered person who is physically or mentally
48 incapacitated.

49 2. A parent or legal guardian on behalf of any child, who
50 is a minor, and who is otherwise entitled to nondisclosure

51 pursuant to this section.

52 3. A person or entity that has been appointed pursuant to
53 a written power of attorney by a covered person to act on the
54 covered person's behalf with respect to this section.

55 4. An agent acting on behalf of any federal judge, a
56 designee of the United States Marshals Service, or the clerk of
57 any United States District Court.

58 (c) "Covered person" means any of the following persons:

59 1. Active or former sworn law enforcement personnel or
60 active or former civilian personnel employed by a law
61 enforcement agency, including law enforcement officers;
62 correctional officers; correctional probation officers;
63 personnel of the Department of Children and Families whose
64 duties include the investigation of abuse, neglect,
65 exploitation, fraud, theft, or other criminal activities; and
66 personnel of the Department of Revenue or local governments
67 whose responsibilities include revenue collection and
68 enforcement or child support enforcement.

69 2. Current or former federal judges, justices of the
70 Supreme Court, district court of appeal judges; circuit court
71 judges; county court judges; and current judicial assistants.

72 3. Current or former general magistrates, special
73 magistrates, judges of compensation claims, administrative law
74 judges of the Division of Administrative Hearings, and child
75 support enforcement hearing officers.

76 4. Current or former state attorneys, assistant state
77 attorneys, statewide prosecutors, or assistant statewide
78 prosecutors.

79 5. Current or former juvenile probation officers, juvenile
80 probation supervisors, detention superintendents, assistant
81 detention superintendents, juvenile justice detention officers I
82 and II, juvenile justice detention officer supervisors, juvenile
83 justice residential officers, juvenile justice residential
84 officer supervisors I and II, juvenile justice counselors,
85 juvenile justice counselor supervisors, human services counselor
86 administrators, senior human services counselor administrators,
87 rehabilitation therapists, and social services counselors of the
88 Department of Juvenile Justice.

89 6. Current or former public defenders, assistant public
90 defenders, criminal conflict and civil regional counsel, and
91 assistant criminal conflict and civil regional counsel.

92 7. The parents, grandparents, siblings, spouses, children,
93 and grandchildren of persons identified in subparagraphs 1.-6.

94 8. A person sharing custody of a minor child with a person
95 identified in subparagraphs 1.-6.

96 9. A person sharing a primary residence with a person
97 identified in subparagraphs 1.-6.

98 10. Any person who holds or previously held a position in
99 another state comparable to those identified in subparagraphs
100 1.-6. and who has a home address in this state.

101 (d) "Data broker" means a person or entity that knowingly
102 collects or obtains the protected information of a consumer and
103 then discloses that information to a third party. The term does
104 not include any governmental agency and its representatives
105 acting in their official capacity.

106 (e) "Disclose" shall mean to solicit, sell, manufacture,
107 give, provide, lend, trade, mail, deliver, transfer, post,
108 publish, distribute, circulate, disseminate, present, exhibit,
109 advertise, offer, or include within a searchable list or
110 database, regardless of whether any other person or entity has
111 actually searched such list or database for such person's
112 information.

113 (f) "Federal judge" has the same meaning as in the Daniel
114 Anderl Judicial Security and Privacy Act of 2022, Pub. L. No.
115 117-263, div. E, title LIX, subtitle D, Dec. 23, 2022, 136 Stat.
116 3458.

117 (g) "Home addresses" means the dwelling location at which
118 a person resides and includes the physical address, mailing
119 address, street address, parcel identification number, plot
120 identification number, legal property description, neighborhood
121 name and lot number, GPS coordinates, and any other descriptive
122 property information that may reveal the home address.

123 (h) "Home telephone number" means any telephone number
124 used primarily for personal communications or associated with
125 personal communications devices, including a landline or

126 | cellular number.

127 | (i) "Judicial assistant" means a court employee assigned
 128 | to the following class codes: 8140, 8150, 8310, and 8320.

129 | (j) "Protected information" means:

130 | 1. A home address, including a primary residence or
 131 | secondary residences.

132 | 2. A home telephone number.

133 | 3. A personal e-mail address.

134 | 4. A social security number or driver license number.

135 | 5. A license plate number or other unique identifiers of a
 136 | vehicle owned, leased, or regularly used by the covered person.

137 | 6. The mobile advertising ID or other unique identifiers
 138 | used for tracking cellular phones or smart devices regularly
 139 | used by the covered person.

140 | (2) NONDISCLOSURE OF PROTECTED INFORMATION.—

141 | (a) A covered person or their authorized agent seeking to
 142 | prohibit the disclosure by a data broker of the protected
 143 | information of the covered person shall provide written notice
 144 | to the data broker referencing this section and requesting that
 145 | the data broker cease the disclosure of the covered person's
 146 | protected information, as described in such notice.

147 | (b) Upon notification pursuant to paragraph (a), and not
 148 | later than 10 business days following physical or electronic
 149 | receipt thereof, a data broker shall not disclose or redisclose,
 150 | including, but not limited to, on the Internet, the protected

151 information of the covered person.

152 (3) ENFORCEMENT.—

153 (a) A data broker that violates paragraph (2)(b) shall be
154 liable to the covered person or the covered person's assignee,
155 who may bring a civil action in circuit court.

156 (b) In any judicial proceeding hereunder, the standard of
157 fault shall be ordinary negligence, and it shall not be a
158 defense to liability in such proceeding that the covered
159 person's protected information is or was available to the public
160 from other sources or available by inspection of public records.
161 A party accessing a data broker's website or other products or
162 services for the purpose of determining whether the covered
163 person's protected information is disclosed therein shall not,
164 as a result of such access, be deemed to have agreed on behalf
165 of the covered person or the covered person's assignee to any
166 website terms and conditions, including waivers of claims or
167 limitations of liability, with respect to the covered person's
168 or the covered person's assignee's rights under this section. No
169 prior verification of a covered person's status shall be
170 required for the notice under paragraph (2)(a) to be effective,
171 but it shall be an affirmative defense to liability that a
172 person is not a covered person.

173 (c) A disclosure of protected information is not a
174 violation of this section if the disclosure is:

175 1. Made with the express authorization of the covered

176 person, contingent upon such authorization being provided
177 subsequent to the relevant nondisclosure request described in
178 paragraph (2) (b); or

179 2. For the sole purpose of facilitating a transaction
180 initiated by the covered person.

181 (d) For violations of paragraph (2) (b), the court shall
182 award:

183 1. The greater of actual damages or liquidated damages
184 computed at the rate of \$1,000 for each violation of paragraph
185 (2) (b).

186 2. Punitive damages upon proof of willful or reckless
187 disregard of the law.

188 3. Reasonable attorney fees and other litigation costs
189 reasonably incurred.

190 4. Any other preliminary and equitable relief as the court
191 determines to be appropriate.

192 (4) CONSTRUCTION.—

193 (a) This section shall be liberally construed in order to
194 accomplish its purpose.

195 (b) If any provision of this section or its application to
196 any person or circumstance is held invalid, the invalidity does
197 not affect other provisions or applications of this section that
198 can be given effect without the invalid provision or
199 application, and to this end the provisions of this section are
200 severable.

HB 1453

2025

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Section 3. This act shall take effect July 1, 2025.