

26 officers across the country have been exposed to an increasing
 27 number of personal threats in connection with their public
 28 duties, and

29 WHEREAS, on July 19, 2020, an assailant went to the home of
 30 Esther Salas, a judge for the United States District Court for
 31 the District of New Jersey, impersonated a package delivery
 32 driver, shot and killed Daniel Anderl, the 20-year-old son of
 33 Judge Salas, and seriously wounded Mark Anderl, her husband, and

34 WHEREAS, in the lessons learned in the aftermath of this
 35 tragedy and in response to the continuous rise of threats
 36 against judicial officers, there is a need for judicial officers
 37 to protect the privacy of their personal identifying information
 38 and the personal identifying information of their immediate
 39 family members, NOW, THEREFORE,

40

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

42

43 Section 1. Section 38.24, Florida Statutes, is created to
 44 read:

45 38.24 Personal identifying information of judicial
 46 officers.-

47 (1) For purposes of this section, the term:

48 (a) "Immediate family member" means a judicial officer's
 49 spouse, parent, sibling, or child, or an individual to whom a
 50 judicial officer stands in loco parentis.

- 51 (b) "Judicial officer" means a current or former:
 52 1. Federal judge, including, but not limited to, a justice
 53 of the Supreme Court, district court judge, court of appeal
 54 judge, bankruptcy judge, military judge, federal magistrate, or
 55 federal administrative law judge.
 56 2. Circuit court judge.
 57 3. County court judge.
 58 4. Judge of compensation claims.
 59 5. Administrative law judge of the Division of
 60 Administrative Hearings.
 61 6. General magistrate.
 62 7. Special magistrate.
 63 8. General hearing officer.
 64 9. Special hearing officer.
 65 10. Judicial law clerk.
 66 11. Judicial staff attorney.
 67 12. Judicial assistant.

68
 69 The term includes any similarly situated officers not listed in
 70 this paragraph.

- 71 (c) "Personal identifying information" means:
 72 1. A home address, including a primary residence and any
 73 secondary residences.
 74 2. A home telephone number, personal cellular telephone
 75 number, or telephone number associated with a personal

76 | communications device.

77 | 3. An e-mail address, except an official government e-mail
 78 | address.

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

80 | 5. A date of birth.

81 | 6. Bank account, credit card, or debit card information.

82 | 7. A license plate number or other unique identifier of a
 83 | vehicle owned, leased, or regularly used by a judicial officer
 84 | or a judicial officer's immediate family member.

85 | 8. The name of a judicial officer's minor child.

86 | 9. The names and locations of schools and day care
 87 | facilities attended by the children of judicial officers.

88 | 10. Places of employment, except for information relating
 89 | to employment with a governmental agency.

90 | (2) A judicial officer or an immediate family member whose
 91 | personal identifying information is publicly posted or displayed
 92 | on the Internet may submit to the person who owns or operates
 93 | the Internet website on which such information is posted or
 94 | displayed a request to remove the information from the Internet.
 95 | The request must be in writing and identify the information
 96 | sought to be removed.

97 | (3)(a) Within 72 hours after receiving a written request
 98 | submitted in accordance with subsection (2), the person who owns
 99 | or operates the Internet website must remove the personal
 100 | identifying information identified in the written request from

101 the Internet without charge.

102 (b) A person may not repost or redisplay on the Internet
103 or transfer to any other person through any medium the personal
104 identifying information removed from the Internet pursuant to
105 paragraph (a).

106 (c) Paragraphs (a) and (b) do not apply to the personal
107 identifying information of a judicial officer or immediate
108 family member if the information is:

109 1. Relevant to a conflict of interest issue involving the
110 judicial officer.

111 2. Voluntarily posted or displayed on the Internet by the
112 judicial officer or immediate family member after October 1,
113 2023; or

114 3. Posted, displayed, or transferred at the request of the
115 judicial officer or immediate family member.

116 (4)(a) A judicial officer or an immediate family member
117 may bring an action seeking injunctive or declaratory relief in
118 a court of competent jurisdiction to enforce this section. If
119 the court grants injunctive or declaratory relief, the person
120 responsible for the violation of this section shall be required
121 to pay the judicial officer or immediate family member's court
122 costs and reasonable attorney fees.

123 (b) If a person knowingly violates an order granting
124 injunctive or declaratory relief, the court may award the
125 judicial officer or immediate family member an amount equal to

HB 409

2023

126 | the actual damages sustained by the judicial officer or
127 | immediate family member as a result of his or her personal
128 | identifying information being made public in addition to court
129 | costs and reasonable attorney fees.

130 | Section 2. This act shall take effect October 1, 2023.