1 A bill to be entitled 2 An act relating to personal information of judicial 3 officers and family members; creating s. 38.24, F.S.; 4 providing definitions; authorizing a judicial officer 5 or an immediate family member of a judicial officer to 6 request the removal of his or her personal identifying 7 information from the Internet in a specified manner; 8 requiring the removal of such information within a 9 certain period of time; prohibiting a person from taking certain actions; providing applicability; 10 11 authorizing a judicial officer or the immediate family 12 member of a judicial officer to bring an action 13 seeking certain relief; requiring a person to pay 14 certain court costs and attorney fees; authorizing a court to award certain damages, court costs, and 15 16 attorney fees; providing an effective date. 17 18 WHEREAS, Florida judicial officers perform the important 19 and essential function of interpreting Florida law and 20 administering justice in a fair and impartial manner, and 21 WHEREAS, when carrying out their public duties, judicial 22 officers must be able to act without fear of personal reprisal 23 from individuals affected by the decisions they make, and 24 WHEREAS, in recent years, as a result of the rise in the 25 use of social media and online access to information, judicial Page 1 of 6

CODING: Words stricken are deletions; words underlined are additions.

2023

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	<u>officers</u>
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.

Page 2 of 6

CODING: Words stricken are deletions; words underlined are additions.

FLORIDA	HOUSE	OF REP	RESENTA	TIVES
---------	-------	--------	---------	-------

51 "Judicial officer" means a current or former: (b) 52 1. Federal judge, including, but not limited to, a justice 53 of the Supreme Court, district court judge, court of appeal judge, bankruptcy judge, military judge, federal magistrate, or 54 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. 7. Special magistrate. 62 8. General hearing officer. 63 64 9. Special hearing officer. 10. Judicial law clerk. 65 11. Judicial staff attorney. 66 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. 2. A home telephone number, personal cellular telephone 74 75 number, or telephone number associated with a personal

Page 3 of 6

CODING: Words stricken are deletions; words underlined are additions.

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. 5. A date of birth. 80 6. Bank account, credit card, or debit card information. 81 82 7. A license plate number or other unique identifier of a vehicle owned, leased, or regularly used by a judicial officer 83 84 or a judicial officer's immediate family member. 85 The name of a judicial officer's minor child. 8. 86 9. The names and locations of schools and day care 87 facilities attended by the children of judicial officers. 10. Places of employment, except for information relating 88 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

Page 4 of 6

CODING: Words stricken are deletions; words underlined are additions.

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	<u>2023; or</u>
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
	Page 5 of 6

Page 5 of 6

CODING: Words stricken are deletions; words underlined are additions.

FLORIDA	HOUSE	OF REP	RESENTA	ATIVES
---------	-------	--------	---------	--------

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.

Page 6 of 6

CODING: Words stricken are deletions; words underlined are additions.