

SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 72  
AN ACT

To repeal sections 509.520 and 565.240, RSMo, and to enact in lieu thereof nine new sections relating to judicial privacy, with penalty provisions.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Sections 509.520 and 565.240, RSMo, are  
2 repealed and nine new sections enacted in lieu thereof, to be  
3 known as sections 476.1300, 476.1302, 476.1304, 476.1306,  
4 476.1308, 476.1310, 476.1313, 509.520, and 565.240, to read as  
5 follows:

476.1300. 1. Sections 476.1300 to 476.1310 shall be  
2 known and may be cited as the "Judicial Privacy Act".

3 2. As used in sections 476.1300 to 476.1310, the  
4 following terms mean:

5 (1) "Government agency", all agencies, authorities,  
6 boards, commissions, departments, institutions, offices, and  
7 any other bodies politic and corporate of the state created  
8 by the constitution or statute, whether in the executive,  
9 judicial, or legislative branch; all units and corporate  
10 outgrowths created by executive order of the governor or any  
11 constitutional officer, by the supreme court, or by  
12 resolution of the general assembly; agencies, authorities,  
13 boards, commissions, departments, institutions, offices, and  
14 any other bodies politic and corporate of a political  
15 subdivision, including school districts; and any public  
16 governmental body as that term is defined in section 610.010;

17           (2) "Home address", a judicial officer's permanent  
18 residence and any secondary residences affirmatively  
19 identified by the judicial officer, but does not include a  
20 judicial officer's work address;

21           (3) "Immediate family", a judicial officer's spouse,  
22 child, adoptive child, foster child, parent, or any  
23 unmarried companion of the judicial officer or other  
24 familial relative of the judicial officer or the judicial  
25 officer's spouse who lives in the same residence;

26           (4) "Judicial officer", actively employed, formerly  
27 employed, or retired:

28           (a) Justices of the Supreme Court of the United States;

29           (b) Judges of the United States Court of Appeals;

30           (c) Judges and magistrate judges of the United States  
31 District Courts;

32           (d) Judges of the United States Bankruptcy Court;

33           (e) Judges of the Missouri supreme court;

34           (f) Judges of the Missouri court of appeals;

35           (g) Judges and commissioners of the Missouri circuit  
36 courts, including of the divisions of a circuit court; and

37           (h) Prosecuting or circuit attorney, or assistant  
38 prosecuting or circuit attorney;

39           (5) "Personal information", a home address, home  
40 telephone number, mobile telephone number, pager number,  
41 personal email address, Social Security number, federal tax  
42 identification number, checking and savings account numbers,  
43 credit card numbers, marital status, and identity of  
44 children under eighteen years of age;

45           (6) "Publicly available content", any written,  
46 printed, or electronic document or record that provides  
47 information or that serves as a document or record  
48 maintained, controlled, or in the possession of a government  
49 agency that may be obtained by any person or entity, from

50 the internet, from the government agency upon request either  
51 free of charge or for a fee, or in response to a request  
52 pursuant to chapter 610 or the federal Freedom of  
53 Information Act, 5 U.S.C. Section 552, as amended;

54 (7) "Publicly post or display", to communicate to  
55 another or to otherwise make available to the general public;

56 (8) "Written request", written or electronic notice  
57 signed by:

58 (a) A state judicial officer and submitted to the  
59 clerk of the Missouri supreme court or the clerk's designee;  
60 or

61 (b) A federal judicial officer and submitted to that  
62 judicial officer's clerk of the court or the clerk's  
63 designee;

64 that is transmitted by the applicable clerk to a government  
65 agency, person, business, or association to request such  
66 government agency, person, business, or association refrain  
67 from posting or displaying publicly available content that  
68 includes the judicial officer's personal information.

476.1302. 1. A government agency shall not publicly  
2 post or display publicly available content that includes a  
3 judicial officer's personal information, provided that the  
4 government agency has received a written request that the  
5 agency refrain from disclosing the judicial officer's  
6 personal information. After a government agency has  
7 received a written request, the government agency shall  
8 remove the judicial officer's personal information from  
9 publicly available content within five business days. After  
10 the government agency has removed the judicial officer's  
11 personal information from publicly available content, the  
12 government agency shall not publicly post or display the  
13 judicial officer's personal information and the judicial  
14 officer's personal information shall be exempted from the

15 provisions of chapter 610, unless the government agency has  
16 received written consent from the judicial officer to make  
17 the personal information available to the public.

18 2. If a government agency fails to comply with a  
19 written request to refrain from disclosing personal  
20 information, the judicial officer may bring an action  
21 seeking injunctive or declaratory relief in any court of  
22 competent jurisdiction. If the court grants injunctive or  
23 declaratory relief, the court may award costs and reasonable  
24 attorney's fees to the judicial officer.

476.1304. 1. No person, business, or association  
2 shall publicly post or display on the internet publicly  
3 available content that includes a judicial officer's  
4 personal information, provided that the judicial officer has  
5 made a written request to the person, business, or  
6 association that it refrain from disclosing the personal  
7 information.

8 2. No person, business, or association shall solicit,  
9 sell, or trade on the internet a judicial officer's personal  
10 information for purposes of tampering with a judicial  
11 officer in violation of section 575.095 or with the intent  
12 to pose an imminent and serious threat to the health and  
13 safety of the judicial officer or the judicial officer's  
14 immediate family.

15 3. As prohibited in this section, persons, businesses,  
16 or associations posting, displaying, soliciting, selling, or  
17 trading a judicial officer's personal information on the  
18 internet includes, but is not limited to, internet phone  
19 directories, internet search engines, internet data  
20 aggregators, and internet service providers.

476.1306. 1. After a person, business, or association  
2 has received a written request from a judicial officer to  
3 protect the privacy of the officer's personal information,

4 that person, business, or association shall have five  
5 business days to remove the personal information from the  
6 internet.

7 2. After a person, business, or association has  
8 received a written request from a judicial officer, that  
9 person, business, or association shall ensure that the  
10 judicial officer's personal information is not made  
11 available on any website or subsidiary website controlled by  
12 that person, business, or association.

13 3. After receiving a judicial officer's written  
14 request, no person, business, or association shall make  
15 public the judicial officer's personal information to any  
16 other person, business, or association through any medium.

476.1308. A judicial officer whose personal  
2 information is made public as a result of a violation of  
3 sections 476.1304 to 476.1306 may bring an action seeking  
4 injunctive or declaratory relief in any court of competent  
5 jurisdiction. If the court grants injunctive or declaratory  
6 relief, the person, business, or association responsible for  
7 the violation shall be required to pay the judicial  
8 officer's costs and reasonable attorney's fees.

476.1310. 1. No government agency, person, business,  
2 or association shall be found to have violated any provision  
3 of sections 476.1300 to 476.1310 if the judicial officer  
4 fails to submit a written request calling for the protection  
5 of the judicial officer's personal information.

6 2. A written request shall be valid if:

7 (1) The judicial officer sends a written request  
8 directly to a government agency, person, business, or  
9 association; or

10 (2) If the judicial officer complies with a Missouri  
11 supreme court rule for a state judicial officer to file the  
12 written request with the clerk of the Missouri supreme court

13 or the clerk's designee to notify government agencies and  
14 such notice is properly delivered by mail or electronic  
15 format.

16 3. In each quarter of a calendar year, the clerk of  
17 the Missouri supreme court or the clerk's designee shall  
18 provide a list of all state judicial officers who have  
19 submitted a written request under this section to the  
20 appropriate officer with ultimate supervisory authority for  
21 a government agency. The officer shall promptly provide a  
22 copy of the list to all government agencies under his or her  
23 supervision. Receipt of the written request list compiled  
24 by the clerk of the Missouri supreme court or the clerk's  
25 designee by a government agency shall constitute a written  
26 request to that government agency for the purposes of  
27 sections 476.1300 to 476.1310.

28 4. The chief clerk or circuit clerk of the court where  
29 the judicial officer serves may submit a written request on  
30 the judicial officer's behalf, provided that the judicial  
31 officer gives written consent to the clerk and provided that  
32 the clerk agrees to furnish a copy of that consent when a  
33 written request is made. The chief clerk or circuit clerk  
34 shall submit the written request as provided by subsection 2  
35 of this section.

36 5. A judicial officer's written request shall specify  
37 what personal information shall be maintained as private.  
38 If a judicial officer wishes to identify a secondary  
39 residence as a home address, the designation shall be made  
40 in the written request. A judicial officer shall disclose  
41 the identity of his or her immediate family and indicate  
42 that the personal information of those members of the  
43 immediate family shall also be excluded to the extent that  
44 it could reasonably be expected to reveal the personal  
45 information of the judicial officer.

46 6. A judicial officer's written request is valid until  
47 the judicial officer provides the government agency, person,  
48 business, or association with written consent to release the  
49 personal information. A judicial officer's written request  
50 expires on such judicial officer's death.

51 7. The provisions of sections 476.1300 to 476.1310  
52 shall not apply to any disclosure of personal information of  
53 a judicial officer or a member of a judicial officer's  
54 immediate family as required by Article VIII, Section 23 of  
55 the Missouri Constitution, sections 105.470 to 105.482,  
56 section 105.498, and chapter 130.

476.1313. 1. Notwithstanding any other provision of  
2 law to the contrary, a recorder of deeds shall meet the  
3 requirements of the provisions of 476.1300 to 476.1310 by  
4 complying with this section. As used in this section, the  
5 following terms mean:

6 (1) "Eligible documents", documents or instruments  
7 that are maintained by and located in the office of the  
8 recorder of deeds that are accessed electronically;

9 (2) "Immediate family", shall have the same meaning as  
10 in section 476.1300;

11 (3) "Indexes", indexes maintained by and located in  
12 the office of the recorder of deeds that are accessed  
13 electronically;

14 (4) "Judicial officer", shall have the same meaning as  
15 in section 476.1300;

16 (5) "Recorder of deeds", shall have the same meaning  
17 as in section 59.005;

18 (6) "Shielded", a prohibition against the general  
19 public's electronic access to eligible documents and the  
20 unique identifier and recording date contained in indexes  
21 for eligible documents;

22 (7) "Written request", written or electronic notice  
23 signed by:

24 (a) A state judicial officer and submitted to the  
25 clerk of the Missouri supreme court or the clerk's designee;  
26 or

27 (b) A federal judicial officer and submitted to that  
28 judicial officer's clerk of the court or the clerk's  
29 designee;

30 that is transmitted electronically by the applicable clerk  
31 to a recorder of deeds to request that eligible documents be  
32 shielded.

33 2. Written requests transmitted to a recorder of deeds  
34 shall only include information specific to eligible  
35 documents maintained by that county. Any written request  
36 transmitted to a recorder of deeds shall include the  
37 requesting judicial officer's full legal name or legal alias  
38 and a document locator number for each eligible document for  
39 which the judicial officer is requesting shielding. If the  
40 judicial officer is not a party to the instrument but is  
41 requesting shielding for an eligible document in which an  
42 immediate family member is a party to the instrument, the  
43 full legal name or legal alias of the immediate family  
44 member shall also be provided.

45 3. Not more than five business days after the date on  
46 which the recorder of deeds receives the written request,  
47 the recorder of deeds shall shield the eligible documents  
48 listed in the written request. Within five business days of  
49 receipt, the recorder of deeds shall electronically reply to  
50 the written request with a list of any document locator  
51 numbers submitted under subsection 2 of this section not  
52 found in the records maintained by that recorder of deeds.

53 4. If the full legal name or legal alias of the  
54 judicial officer or immediate family member provided does

55 not appear on an eligible document listed in the written  
56 request, the recorder of deeds may electronically reply to  
57 the written request with this information. The recorder of  
58 deeds may delay shielding such eligible document until  
59 electronic confirmation is received from the applicable  
60 court clerk or judicial officer.

61 5. In order to shield subsequent eligible documents,  
62 the judicial officer shall present to the recorder of deeds  
63 at the time of recording a copy of their written request.  
64 The recorder of deeds shall ensure that the eligible  
65 document is shielded within five business days.

66 6. Eligible documents shall remain shielded until the  
67 recorder of deeds receives a court order or notarized  
68 affidavit signed by the judicial officer directing the  
69 recorder of deeds to terminate shielding.

70 7. The provisions of this section shall not prohibit  
71 access to a shielded eligible document by an individual or  
72 entity that provides to the recorder of deeds a court order  
73 or notarized affidavit signed by the judicial officer.

74 8. No recorder of deeds shall be liable for any  
75 damages under this section, provided the recorder of deeds  
76 made a good faith effort to comply with the provisions of  
77 this section. No recorder of deeds shall be liable for the  
78 release of any eligible document or any data from any  
79 eligible document that was released or accessed prior to the  
80 eligible document being shielded pursuant to this section.

509.520. 1. Notwithstanding any provision of law to  
2 the contrary, beginning August 28, [2009] 2023, pleadings,  
3 attachments, or exhibits filed with the court in any case,  
4 as well as any judgments issued by the court, shall not  
5 include:

6 (1) The full Social Security number of any party or  
7 any child who is the subject to an order of custody or  
8 support;

9 (2) The full credit card number or other financial  
10 account number of any party;

11 (3) Any personal identifying information, including  
12 name, address, and year of birth, of a minor and, if  
13 applicable, any next friend. Such information shall be  
14 provided in a confidential information filing sheet  
15 contemporaneously filed with the court or entered by the  
16 court, which shall not be subject to public inspection or  
17 availability.

18 2. Contemporaneously with the filing of every petition  
19 for dissolution of marriage, legal separation, motion for  
20 modification, action to establish paternity, and petition or  
21 motion for support or custody of a minor child, the filing  
22 party shall file a confidential case filing sheet with the  
23 court which shall not be subject to public inspection and  
24 which provides:

25 (1) The name and address of the current employer and  
26 the Social Security number of the petitioner or movant, if a  
27 person;

28 (2) If known to the petitioner or movant, the name and  
29 address of the current employer and the Social Security  
30 number of the respondent; and

31 (3) The names, dates of birth, and Social Security  
32 numbers of any children subject to the action.

33 3. Contemporaneously with the filing of every  
34 responsive pleading petition for dissolution of marriage,  
35 legal separation, motion for modification, action to  
36 establish paternity, and petition or motion for support or  
37 custody of a minor child, the responding party shall file a

38 confidential case filing sheet with the court which shall  
39 not be subject to public inspection and which provides:

40 (1) The name and address of the current employer and  
41 the Social Security number of the responding party, if a  
42 person;

43 (2) If known to the responding party, the name and  
44 address of the current employer and the Social Security  
45 number of the petitioner or movant; and

46 (3) The names, dates of birth, and Social Security  
47 numbers of any children subject to the action.

48 4. The full Social Security number of any party or  
49 child subject to an order of custody or support shall be  
50 retained by the court on the confidential case filing sheet  
51 or other confidential record maintained in conjunction with  
52 the administration of the case. The full credit card number  
53 or other financial account number of any party may be  
54 retained by the court on a confidential record if it is  
55 necessary to maintain the number in conjunction with the  
56 administration of the case.

57 5. Any document described in subsection 1 of this  
58 section shall, in lieu of the full number, include only the  
59 last four digits of any such number.

60 6. Except as provided in section 452.430, the clerk  
61 shall not be required to redact any document described in  
62 subsection 1 of this section issued or filed before August  
63 28, 2009, prior to releasing the document to the public.

64 7. For good cause shown, the court may release  
65 information contained on the confidential case filing sheet;  
66 except that, any state agency acting under authority of  
67 chapter 454 shall have access to information contained  
68 herein without court order in carrying out their official  
69 duty.

565.240. 1. A person commits the offense of unlawful  
2 posting of certain information over the internet if he or  
3 she knowingly posts the name, home address, Social Security  
4 number, telephone number, or any other personally  
5 identifiable information of any person on the internet  
6 intending to cause great bodily harm or death, or  
7 threatening to cause great bodily harm or death to such  
8 person.

9 2. The offense of unlawful posting of certain  
10 information over the internet is a class C misdemeanor,  
11 unless the person knowingly posts on the internet the name,  
12 home address, Social Security number, telephone number, or  
13 any other personally identifiable information of any law  
14 enforcement officer, corrections officer, parole officer,  
15 judge, commissioner, or prosecuting attorney, or of any  
16 immediate family member of such law enforcement officer,  
17 corrections officer, parole officer, judge, commissioner, or  
18 prosecuting attorney, intending to cause great bodily harm  
19 or death, or threatening to cause great bodily harm or  
20 death, in which case it is a class E felony, and if such  
21 intention or threat results in bodily harm or death to such  
22 person or immediate family member, the offense of unlawful  
23 posting of certain information over the internet is a class  
24 D felony.