

SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION

S.F. No. 2913

(SENATE AUTHORS: LIMMER and Westlin)

DATE	D-PG	OFFICIAL STATUS
03/15/2023	1793	Introduction and first reading Referred to Judiciary and Public Safety
03/22/2023	2139a	Comm report: To pass as amended Joint rule 2.03, referred to Rules and Administration
03/23/2023	2274	Author added Westlin Joint rule 3.02, returned to Judiciary and Public Safety

- 1.1 A bill for an act
- 1.2 relating to judiciary; requiring confidentiality of certain personal information of
- 1.3 justices, judges, and judicial staff; providing a penalty; proposing coding for new
- 1.4 law in Minnesota Statutes, chapter 609.
- 1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.6 Section 1. **[609.426] JUSTICES; JUDGES; JUDICIAL STAFF; VIOLATING**
- 1.7 **PRIVACY.**
- 1.8 (a) As used in this section:
- 1.9 (1) "judge" means every Minnesota district court, senior judge, and every judge of the
- 1.10 Minnesota Court of Appeals and every active, senior, recalled, or retired federal judge who
- 1.11 resides in Minnesota;
- 1.12 (2) "justice" means every justice of the Minnesota Supreme Court;
- 1.13 (3) "judicial staff" means all employees of the Minnesota Judicial Branch; and
- 1.14 (4) "personal information" means:
- 1.15 (i) the home address of a justice, judge, or judicial staff;
- 1.16 (ii) the home address of the spouse, domestic partner, or children of a justice, judge, or
- 1.17 judicial staff;
- 1.18 (iii) the telephone number or email address of a justice, judge, or judicial staff;
- 1.19 (iv) the name of any child of a justice, judge, or judicial staff; and
- 1.20 (v) the name of any child care facility or school that is attended by a child of a justice,
- 1.21 judge, or judicial staff.

2.1 (b) The personal information of all justices, judges, and judicial staff shall be confidential
2.2 and no person, business, association, or government entity shall publicly post, display, or
2.3 otherwise make available on the Internet the personally identifiable information about any
2.4 justice, judge, or judicial staff. Personal information shall be kept in a secure location where
2.5 it may be made available to authorized persons pursuant to law or as specifically authorized
2.6 in writing by a justice, judge, or judicial staff.

2.7 (c) If personal information about a justice, judge, or judicial staff is publicly available,
2.8 that justice, judge, or judicial staff may submit a sworn affidavit to the government entity
2.9 requesting that the personal information be removed. The affidavit shall:

2.10 (1) state that the individual whose information is to be kept confidential is a justice,
2.11 judge, or judicial staff;

2.12 (2) describe with specificity the personal information that the justice, judge, or judicial
2.13 staff seeks to remove; and

2.14 (3) state the name of the publication, website, or otherwise identify where the justice,
2.15 judge, or judicial staff's personal information is available to the public.

2.16 Upon receipt of an affidavit requesting removal of the personal information of a justice,
2.17 judge, or judicial staff, the government entity shall keep the information confidential and
2.18 shall not disclose the confidential information to anyone not specifically authorized by law
2.19 to view the information, unless disclosure is specifically authorized in writing by the justice,
2.20 judge, or judicial staff. If the government entity fails to remove the personal information
2.21 after an affidavit is submitted, the justice, judge, or judicial staff may seek a court order
2.22 compelling compliance, including injunctive relief.

2.23 (d) A person who knowingly publishes the personal information of any justice, judge,
2.24 or judicial staff in any publicly available publication, website, or media with the intent to
2.25 threaten, intimidate, or harass is guilty of a misdemeanor.

2.26 **EFFECTIVE DATE.** This section is effective August 1, 2023.