

SENATE No. 1151

The Commonwealth of Massachusetts

PRESENTED BY:

John C. Velis

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to establish the Massachusetts Judicial Security Act.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>John C. Velis</i>	<i>Second Hampden and Hampshire</i>	
<i>Steven G. Xiarhos</i>	<i>5th Barnstable</i>	<i>3/1/2021</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>3/9/2021</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>5/7/2021</i>

SENATE No. 1151

By Mr. Velis, a petition (accompanied by bill, Senate, No. 1151) of John C. Velis, Steven G. Xiarhos and Michael O. Moore for legislation to establish the Massachusetts Judicial Security Act. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act to establish the Massachusetts Judicial Security Act.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. The General Laws are hereby amended by inserting after chapter 221C the
2 following chapter:-

3 CHAPTER 221D. MASSACHUSETTS JUDICIAL SECURITY ACT

4 Section 1. Definitions

5 (1) As used in this chapter, the following words shall, unless the context clearly requires
6 otherwise, have the following meanings:

7 “data broker” a commercial entity that collects, assembles, or maintains personal
8 information concerning an individual who is not a customer or an employee of that entity in
9 order to sell the information or provide third party access to the information.

10 "immediate family" the spouse, child, or parent or any other blood relative who lives in
11 the same residence as a justice or retired justice of the supreme judicial court, appeals court or
12 trial court.

13 "personal information" the Social Security number, home address, home phone number,
14 mobile phone number, or personal email of, and identifiable to, that individual.

15 "Protected Individual" a justice or retired justice of the supreme judicial court or appeals
16 court, a judge, recall judge or retired judge of the trial court.

17 Section 2.

18 (a) No state agency, county agency or municipal agency shall publicly post or display the
19 personal information of any protected individual on the internet without first obtaining the
20 written permission of that individual.

21 (b) Each protected individual may file a written notice of their status as a protected
22 individual, for themselves and immediate family to any state agency, county agency or municipal
23 agency; and ask each state agency, county agency or municipal agency to mark as confidential
24 that protected individual's personal information.

25 (c) Upon receipt of a written request in accordance with this section, the state agency,
26 county agency or municipal agency shall remove the protected individual's personal information
27 from publicly available content within 72 hours.

28 Section 3.

29 (a) It shall be unlawful for a data broker to sell, license, trade, purchase, or otherwise
30 provide or make available for consideration a protected individual's personal information.

31 (b) No person, business, or association shall publicly post or publicly display the personal
32 information of a protected individual or a protected individual's immediate family on the internet
33 if the protected individual has, either directly or through an agent, made a written request of the
34 data broker, person, business, or association to not disclose said personal information.

35 (c) A data broker, person, business, or association, shall upon receipt of a written request
36 in accordance with this section, remove the personal information in question from the internet
37 within 72 hours.

38 (d) A data broker, person, business, or association shall ensure, after receiving a written
39 request in accordance with this section, that the protected individual's personal information is not
40 made available on any website or subsidiary website controlled by that data broker, person,
41 business, or association.

42 (e) After receiving a protected individual's written request, no data broker, person,
43 business, or association shall transfer the judges' personally identifiable information to any other
44 person, business, or association through any medium.

45 (f) An at-risk individual whose judges' personally identifiable information is made public
46 as a result of a violation of this Act may bring an action seeking injunctive or declaratory relief
47 in any court of competent jurisdiction. If the court grants injunctive or declaratory relief, the
48 person, business, or association responsible for the violation shall be required to pay the at-risk
49 individual's costs and reasonable attorney's fees.

50 Section 4.

51 This Act shall take effect 120 days after the date of enactment of this Act.