HOUSE . . . . . No. 5059

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, February 9, 2026.

The committee on the Judiciary, to whom was referred the petition (accompanied by bill, House, No. 1766) of Daniel J. Hunt relative to the public posting or displaying of the personal information of certain protected judicial officials and their family members, reports recommending that the accompanying bill (House, No. 5059) ought to pass.

For the committee,

MICHAEL S. DAY.

FILED ON: 2/1/2026

HOUSE . . . . . No. 5059

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act relative to judicial security.

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

SECTION 1. The General Laws are hereby amended by inserting after chapter 222 the following chapter:-

CHAPTER 223. MASSACHUSETTS JUDICIAL SECURITY ACT

Section 1. For the purposes of this chapter the following words shall, unless the context clearly requires otherwise, have the following meanings:

"Data broker", an entity that collects and sells or licenses to third parties the personal information of an individual with whom the entity does not have a direct relationship.

"Government agency", a legal entity of state government established by the general court or by executive order as an agency, board, bureau, commission, council, department office or division within the executive branch of the commonwealth with a specific mission and which is subject to the control of the governor or a quasi-public entity.

"Immediate family", a judicial officer's spouse, child or parent or any other blood relative who lives in the same primary residence as the officer.

"Judicial officer", an actively employed or former: (i) justice of the supreme judicial court or appeals court; (ii) judge of the trial court; (iii) judge of the First Circuit Court of Appeals; (iv) judge or magistrate judge of the federal district court for the district of Massachusetts; (v) judge of the United States bankruptcy court; or (vi) appointed clerks of court given the title of magistrate by section 62B of chapter 221.

"Personal information", the home address, home telephone number, mobile telephone number, or personal email address of a judicial officer or immediate family member.

Section 2. (a) The office of court management within the trial court established by section 6B of chapter 211B shall administer a system to ensure the confidentiality of the personal information of judicial officers and their immediate family, including establishing and maintaining a confidential database of judicial officers, their immediate family and personal information.

(b) A judicial officer or their representative may submit a written request to the office signed by the judicial officer specifying that they wish to keep from being made public particular items of personal information and the identity and information of listed immediate family members. The judicial officer may include with this request a list of persons, businesses and associations they wish to bar from making this personal information public. At any time after submitting their confidentiality request to the office, the judicial officer may request further notice be given to additional listed persons, businesses or associations.

(c) The office shall, upon receipt of this request, immediately add the requested personal information into the confidential database and within 72 hours notify all government agencies and each person, business and association listed in the request. This notice shall be in writing and contain information necessary to ensure compliance with this chapter, including information outlining: (i) the requirements for removing personal information; (ii) the prohibition on the posting or transfer of personal information; (iii) the potential penalties for violations of theses prohibitions; and (iv) contact information to allow the recipient to verify the accuracy of the notice and answer questions regarding the notice.

(c) A judicial officer shall promptly notify the office of any change in personal information or immediate family information.

(e) The office shall promulgate regulations to effectuate this section including the manner and form of the request and develop procedures to review and process written requests and to respond to a data broker's confirmation request as required in section 4.

Section 3. (a) No government agency may publicly post or display publicly available content that includes the personal information of a judicial officer or their immediate family.

(b) A government agency, upon notice by the office of court management, shall within 72 hours remove the personal information from existing publicly available content and ensure that the information is not made available to the public on any website or subsidiary website controlled by the agency.

(c) This section shall not prohibit a government agency from disclosing the personal information if: (i) directed by a court order; (ii) requested by a law enforcement agency; (iii)

requested by a financial institution or title company for bona fide business purposes; or (iv) presented with a release permitting disclosure by the judicial officer.

Section 4. (a) No data broker shall knowingly sell, license, trade for consideration, transfer or purchase personal information of a judicial officer or their immediate family.

(b) Prior to all sale or license of personal data, a data broker shall confirm with the office of court management the absence of any personal information contained within the confidential database created in section 2.

(c) This section shall not apply to commercial entities engaged in the following activities: (i) using personal information internally or selling or providing data for transaction or service requested by or concerning the individual whose personal information is being transferred; (ii) providing publicly available information via real-time or near real-time alert services for health or safety purposes; (iii) a consumer reporting agency subject to the Fair Credit Reporting Act (15 U.S.C. 1681, et seq.); (iv) a financial institution subject to the Gramm-Each-Bliley Act (Public Law 106-102) and regulations implementing that Act; (v) a covered entity for purposes of the privacy regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d-2 note); and (vi) the collection and sale or licensing of personal information incidental to conducting the activities described in this sub-paragraph.

Section 5. (a) No person, business, or association shall publicly post or display the personal information of a judicial officer or their immediate family after receiving notice from the office of court management that the judicial officer requests confidentiality.

(b) After receiving notice, the person, business, or association shall, within 24 hours remove the personal information from existing publicly available content and ensure that the information is not made available to the public on any website or subsidiary website controlled by that person, business or association.

(c) After receiving notice, no person, business, or association shall transfer the personal information to any other person, business, or association through any medium.

(d) This section shall not apply to personal information: (i) voluntarily published by the judicial officer or their immediate family; (ii) released pursuant to a court order as permitted in section 7; or (iii) lawfully received from a government source.

Section 6. (a) A judicial officer whose personal information or immediate family information is transferred or made public as a result of a violation of this chapter may bring an action seeking injunctive or declaratory relief in any court of competent jurisdiction. If the court grants injunctive or declaratory relief, the government agency, data broker, person, business or association responsible for the violation shall be required to pay the judicial officer's costs and reasonable attorney's fees.

(b) A knowing violation of a court order granting injunctive or declaratory relief under this chapter shall result in an award to the aggrieved party of actual damages, court costs and reasonable attorney's fees.

Section 7. The office of court management shall not release personal information from the confidential database without the express written consent of the judicial officer except for court-ordered use as part of a news story, commentary, editorial or other speech on a matter of

public concern based on a judicial finding that the right of the public to the release of the information outweighs the privacy interests or safety concerns of the judicial officer.

Section 8. This Act shall take effect 120 days after the date of enactment of this Act.

SECTION 2. Section 4 of chapter 51 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by inserting, after subsection (e) the following subsection:-

(f) The name and address of any judicial officer or their immediate family, as both terms are defined in section 1 of chapter 9B, upon request shall not appear on the street list and such names shall not be disclosed to any person.