

1 SB204
2 216992-2
3 By Senator Livingston
4 RFD: Judiciary
5 First Read: 10-FEB-22

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4 ENGROSSED

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7 A BILL
8 TO BE ENTITLED
9 AN ACT

10
11 Relating to public safety; to prohibit the
12 disclosure of addresses or phone numbers of law enforcement
13 officers or legislators under certain circumstances; to
14 provide criminal penalties for violations; and in connection
15 therewith would have as its purpose or effect the requirement
16 of a new or increased expenditure of local funds within the
17 meaning of Amendment 621 of the Constitution of Alabama of
18 1901, as amended by Amendment 890, now appearing as Section
19 111.05 of the Official Recompilation of the Constitution of
20 Alabama of 1901, as amended.

21 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

22 Section 1. (a) For the purpose of this act, the
23 following terms shall have the following meanings:

24 (1) DISCLOSE. To transmit, publish, distribute,
25 advertise, or otherwise communicate information to any public
26 forum, including the Internet, by means of any device or
27 process.

1 (2) LAW ENFORCEMENT OFFICER. As used in this
2 section, the term includes an employee, as defined in Section
3 41-13-7 of the Code of Alabama 1975, for purposes of
4 nondisclosure of personal information in public records and
5 any spouse or dependent child of a law enforcement officer.

6 (3) PERSON. An individual, corporation, business
7 trust, estate, trust, partnership, limited liability company,
8 association, joint venture, government, governmental
9 subdivision, agency, instrumentality, public corporation, or
10 any other legal or commercial entity.

11 (b) (1) No person may knowingly disclose the home
12 address or unpublished phone number of any law enforcement
13 officer or member of the Legislature with the intent of
14 exposing the law enforcement officer or legislator to
15 harassment or the risk of harm to life or property of the law
16 enforcement officer or legislator, or with reckless disregard
17 of the possibility of such exposure.

18 (2) A violation of this section is a Class C
19 misdemeanor.

20 (3) Any person that knowingly violates subsection
21 (b) shall be liable to the individual or individuals residing
22 at the home address of the law enforcement officer or
23 legislator for damages, including pecuniary damages, which
24 occurred as a result of disclosing the address.

25 (c) In assessing damages under this subsection, the
26 court may award any of the following:

1 (1) Actual damages, but not less than liquidated
2 damages, computed at the rate of one thousand dollars (\$1,000)
3 for each violation of this act.

4 (2) Punitive damages.

5 (3) Reasonable attorney fees and other litigation
6 costs reasonably incurred.

7 (4) Any other preliminary and equitable relief as
8 the court determines to be appropriate.

9 Section 2. Although this bill would have as its
10 purpose or effect the requirement of a new or increased
11 expenditure of local funds, the bill is excluded from further
12 requirements and application under Amendment 621, as amended
13 by Amendment 890, now appearing as Section 111.05 of the
14 Official Recompilation of the Constitution of Alabama of 1901,
15 as amended, because the bill defines a new crime or amends the
16 definition of an existing crime.

17 Section 3. This act shall become effective on the
18 first day of the third month following its passage and
19 approval by the Governor, or its otherwise becoming law.

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Senate

Read for the first time and referred to the Senate
committee on Judiciary..... 10-FEB-22

Read for the second time and placed on the calen-
dar..... 23-FEB-22

Read for the third time and passed as amended 10-MAR-22

Yeas 27
Nays 0

Patrick Harris,
Secretary.