

1 AN ACT relating to personally identifiable information.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 61 IS CREATED TO
4 READ AS FOLLOWS:

5 (1) As used in this section:

6 (a) "Covered person" means a judicial officer or an immediate family member
7 of a judicial officer;

8 (b) "Disclose" means to post, display, publish, or otherwise make publicly
9 available;

10 (c) "Immediate family member" means:

11 1. A spouse, child, parent, or person under the familial custody or care of
12 a judicial officer; or

13 2. Any other familial relative who resides in the same household as the
14 judicial officer;

15 (d) "Judicial officer" means any active or senior judge and includes a:

16 1. Justice of the United States or a judge of the United States as those
17 terms are defined in 28 U.S.C. sec. 451;

18 2. Bankruptcy judge appointed under 28 U.S.C. sec. 152 or recalled
19 pursuant to 28 U.S.C. sec. 375;

20 3. United States magistrate judge appointed under 28 U.S.C. sec. 631 or
21 recalled pursuant to 28 U.S.C. sec. 375;

22 4. Judge confirmed by the United States Senate and empowered by
23 statute in any commonwealth, territory, or possession to perform the
24 duties of a federal judge;

25 5. Judge of the United States Court of Federal Claims appointed under
26 28 U.S.C. sec. 171; and

27 6. Justice, judge, trial commissioner, or domestic relations commissioner

1 of the Kentucky Court of Justice;

2 (e) "Personally identifiable information" means data that can identify a
3 covered person and includes:

4 1. Date of birth;

5 2. Biometric, health, or medical data, or insurance information;

6 3. Residence addresses of the covered person;

7 4. Home or cellular telephone numbers;

8 5. Personal email addresses;

9 6. Identities of the children of a judicial officer and names and locations
10 of schools and daycare facilities they attend;

11 7. Social Security number; and

12 8. The name of an immediate family member's employer; and

13 (f) "Written request" means a notice signed by a covered person requesting a
14 government agency refrain from posting or displaying publicly available
15 content that includes the personally identifiable information of the covered
16 person.

17 (2) (a) A government agency shall not disclose the personally identifiable
18 information of any covered person if the covered person has made a written
19 request to the government agency that this personally identifiable
20 information not be disclosed.

21 (b) Upon receipt of the written request, personally identifiable information
22 shall be removed from publicly available content within seventy-two (72)
23 hours.

24 (c) A request under this subsection may be made on behalf of a minor who is a
25 covered person by a parent or guardian of the minor.

26 (3) After the government agency has removed the personally identifiable information
27 from publicly available content, the government agency shall not publicly post or

- 1 otherwise release the information unless the covered person voluntarily publishes
2 the information on the internet after the effective date of this Act.
3 (4) A covered person may bring a civil action seeking injunctive or declaratory relief
4 to enforce this section in any court of competent jurisdiction.