

HCS HB 1030 -- PERSONAL PRIVACY PROTECTION (Taylor (139))

COMMITTEE OF ORIGIN: Special Committee on Government Accountability

This bill creates provisions relating to the disclosure of personal information to public agencies.

This bill establishes the "Personal Privacy Protection Act", prohibiting public agencies from disclosing or requiring the disclosure of personal information, as defined in the bill. The bill prohibits public agencies from;

- (1) Requiring any individual to provide the public agency with personal information or otherwise compel the release of such personal information;
- (2) Requiring any entity exempt from federal income taxation under Section 501(c) of the Internal Revenue Code to provide a public agency with personal information or otherwise compel the release of personal information;
- (3) Releasing, publicizing, or otherwise publicly disclosing personal information in possession of the public agency; or
- (4) Requiring any current or prospective contractor or grantee with the public agency to provide the public agency with a list of entities exempt from federal income taxation under Section 501(c) of the Internal Revenue Code to which it has provided financial or nonfinancial support.

The bill shall not preclude any individual or entity from being required to comply with any of the following:

- (1) Submitting any report or disclosure required by this chapter or Chapter 130, RSMo;
- (2) Responding to any lawful request or subpoena for personal information from the Missouri Ethics Commission as a part of an investigation, or publicly disclosing personal information as a result of an enforcement action from the Missouri Ethics Commission pursuant to its authority in Sections 105.955 to 105.966
- (3) Responding to any lawful warrant for personal information issued by a court of competent jurisdiction;
- (4) Responding to any lawful request for discovery of personal information in litigation as provided in the bill;

(5) Admitting any personal information as relevant evidence before a court of competent jurisdiction. However, no court shall publicly reveal personal information absent a specific finding of good cause.

Any person or entity may bring a civil action for appropriate injunctive relief, damages, or both. Damages may be not less than \$2,500 to compensate for injury or loss caused by each violation of this bill and, for an intentional violation, a sum of money not to exceed three times the sum of damages assessed. A court may additionally award all or a portion of the costs of litigation, including reasonable attorney fees and witness fees, to the complainant in the action if the court determines that the award is appropriate. Furthermore, a person who knowingly violates this bill is guilty of a Class B misdemeanor.