

1 AN ACT relating to privacy for attorneys involved in criminal actions.

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

3 ➔Section 1. KRS 61.7991 is amended to read as follows:

4 (1) As used in this section:

5 (a) "Covered person" means: ~~{a}~~

6 1. A judicial officer or an immediate family member of a judicial officer;

7 2. A Commonwealth's attorney or assistant Commonwealth's attorney;

8 3. A county attorney or assistant county attorney;

9 4. An attorney employed by:

10 a. The Department of Public Advocacy;

11 b. The Office of the United States Attorneys; or

12 c. Western Kentucky Federal Community Defender, Inc.; or

13 5. An attorney appointed to a Criminal Justice Act panel to represent
14 indigent clients;

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

17 (c) "Immediate family member" means:

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

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

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

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

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

27 3. United States magistrate judge appointed under 28 U.S.C. sec. 631 or

1 recalled pursuant to 28 U.S.C. sec. 375;

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

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

7 6. Justice, judge, trial commissioner, or domestic relations commissioner
8 of the Kentucky Court of Justice;

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

11 1. Date of birth;

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

13 3. Residence addresses of the covered person;

14 4. Home or cellular telephone numbers;

15 5. Personal email addresses;

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

18 7. Social Security number; and

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

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

24 (2) (a) A government agency shall not disclose the personally identifiable
25 information of any covered person if the covered person has made a written
26 request to the government agency that this personally identifiable information
27 not be disclosed.

- 1 (b) Upon receipt of the written request, personally identifiable information shall
2 be removed from publicly available content within seventy-two (72) hours.
- 3 (c) A request under this subsection may be made on behalf of a minor who is a
4 covered person by a parent or guardian of the minor.
- 5 (3) (a) After the government agency has removed the personally identifiable
6 information from publicly available content, the government agency shall not
7 publicly post or otherwise release the information.
- 8 (b) Publication of personally identifiable information by the covered person
9 removes any prohibition under paragraph (a) of this subsection~~[unless the~~
10 ~~covered person voluntarily publishes the information on the internet after June~~
11 ~~27, 2025]~~.
- 12 (4) A covered person may bring a civil action seeking injunctive or declaratory relief to
13 enforce this section in any court of competent jurisdiction.
- 14 (5) This section shall not apply to any financial disclosure required under this
15 chapter.