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SENATE, No. 1447
STATE OF NEW JERSEY
216th LEGISLATURE

INTRODUCED FEBRUARY 27, 2014

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SYNOPSIS

Prohibits posting, publishing on the Internet, or disclosing certain information regarding law enforcement officers.

CURRENT VERSION OF TEXT

As reported by the Senate Law and Public Safety Committee on December 11, 2014, with amendments.

An Act concerning certain information 1[on] regarding1 law enforcement officers and supplementing Title 2C of the New Jersey Statutes 1[, Title 47 of the Revised Statutes, Title 56] and Titles 47 and 561 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. ¹[No] A¹ person shall ¹not¹ knowingly ¹,with purpose to expose another to harassment or risk of harm to life or property, or in reckless disregard of the probability of such exposure,¹ post ¹or publish on the Internet¹ the home address or unpublished home telephone number of any retired law enforcement officer, law enforcement officer or ¹[a law enforcement

officer's]¹ spouse or child ¹[on the Internet] of a law enforcement officer¹. A reckless¹ violation of this section is a ¹[disorderly persons offense. A violation of this section that leads to bodily injury shall be a]¹ crime of the fourth degree. A purposeful¹ violation of this section ¹[that leads to serious bodily injury shall be] is¹ a crime of the third degree.

2. ¹[No] A¹ State or local governmental agency shall not knowingly¹ post or publish on the Internet¹ the home address or unpublished home telephone number of any retired law enforcement officer or law enforcement officer ¹[on the Internet]¹ without first obtaining the written permission of that law enforcement officer or retired law enforcement officer.

3. a. ¹[No] A¹ person, business, or association shall ¹[solicit, sell, or trade] not disclose¹ on the Internet the home address or unpublished home telephone number of a law enforcement officer or retired law enforcement officer ¹[with the intent to cause imminent serious bodily injury to the law enforcement officer, the retired law enforcement officer or any person residing at the retired law enforcement officer's or law enforcement officer's home address] under circumstances in which a reasonable person would believe that providing that information would expose another to harassment or risk of harm to life or property¹.

b. A ¹person, business, or association that violates subsection a. of this section shall be liable to the¹ law enforcement officer ¹[or],¹ retired law enforcement officer ¹[whose home address or unpublished home telephone number is solicited, sold or traded on the Internet in violation of subsection a. of this section, may bring an action in any court of competent jurisdiction against the person, business, or association that violates the provisions of this section.

c. A violation of any provision of this section shall be an unlawful practice pursuant to P.L.1960, c.39 (C.56:8-1 et seq.) and shall be subject to all remedies and penalties available pursuant to that law] , or any other person residing at the home address of the law enforcement officer or retired law enforcement officer, who may bring a civil action in the Superior Court.

c. The court may award:

(1) actual damages, but not less than liquidated damages computed at the rate of \$1,000 for each violation of this act;

(2) punitive damages upon proof of willful or reckless disregard of the law;

(3) reasonable attorney's fees and other litigation costs reasonably incurred; and

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

d. For the purposes of this section, "disclose" shall mean to solicit, sell, manufacture, give, provide, lend, trade, mail, deliver, transfer, publish, distribute, circulate, disseminate, present, exhibit, advertise or offer¹.

4. This act shall take effect immediately.