

**ASSEMBLY, No. 4406**

**STATE OF NEW JERSEY**  
**221st LEGISLATURE**

INTRODUCED MAY 16, 2024

**Sponsored by:**

**Assemblywoman VICTORIA A. FLYNN**

**District 13 (Monmouth)**

**Assemblyman GERRY SCHARFENBERGER**

**District 13 (Monmouth)**

**SYNOPSIS**

Prohibits posting, publishing on the Internet, or disclosing certain information regarding military personnel.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning certain information regarding military  
2 personnel and supplementing Title 2C of the New Jersey Statutes  
3 and Titles 47 and 56 of the Revised Statutes.

4  
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6 *of New Jersey:*

7  
8 1. A person shall not knowingly, with purpose to expose  
9 another to harassment or risk of harm to life or property, or in  
10 reckless disregard of the probability of such exposure, post or  
11 publish on the Internet the home address or unpublished home  
12 telephone number of any member of the Armed Forces of the  
13 United States or the New Jersey National Guard or a spouse or child  
14 of any member of the Armed Forces of the United States or the New  
15 Jersey National Guard. A reckless violation of this section is a  
16 crime of the fourth degree. A purposeful violation of this section is  
17 a crime of the third degree.

18  
19 2. A State or local governmental agency shall not knowingly  
20 post or publish on the Internet the home address or unpublished  
21 home telephone number of any member of the Armed Forces of the  
22 United States or the New Jersey National Guard without first  
23 obtaining the written permission of that member.

24  
25 3. a. A person, business, or association shall not disclose on  
26 the Internet the home address or unpublished home telephone  
27 number of a member of the Armed Forces of the United States or  
28 the New Jersey National Guard under circumstances in which a  
29 reasonable person would believe that providing that information  
30 would expose another to harassment or risk of harm to life or  
31 property.

32 b. A person, business, or association that violates subsection a.  
33 of this section shall be liable to the member of the Armed Forces of  
34 the United States or the New Jersey National Guard, or any other  
35 person residing at the home address of the member of the Armed  
36 Forces of the United States or the New Jersey National Guard, who  
37 may bring a civil action in the Superior Court.

38 c. The court may award:

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

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

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

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

47 d. For the purposes of this section, "disclose" shall mean to  
48 solicit, sell, manufacture, give, provide, lend, trade, mail, deliver,

1 transfer, publish, distribute, circulate, disseminate, present, exhibit,  
2 advertise, or offer.

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4 4. This act shall take effect immediately.

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STATEMENT

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9 This bill prohibits persons, State and local agencies, and  
10 businesses from posting or publishing on the Internet the home  
11 addresses or unpublished home telephone numbers of members of  
12 the Armed Forces of the United States or the New Jersey National  
13 Guard.

14 The bill makes it a crime for a person to knowingly, with  
15 purpose to expose another to harassment or risk of harm to life or  
16 property, or in reckless disregard of the probability of this exposure,  
17 post or publish on the Internet the home address or unpublished  
18 telephone number of a member of the Armed Forces of the United  
19 States or the New Jersey National Guard, or spouse or child of that  
20 member.

21 If a person recklessly violates this provision, it is a crime of the  
22 fourth degree. A fourth degree crime is punishable by  
23 imprisonment of up to 18 months, a fine of up to \$10,000, or both.  
24 If a person purposefully violates this provision, it is a crime of the  
25 third degree. A third degree crime is punishable by imprisonment  
26 of three to five years, a fine of up to \$15,000, or both.

27 The bill also prohibits State or local agencies from posting or  
28 publishing on the Internet the home address or unpublished home  
29 telephone number of a member of the Armed Forces of the United  
30 States or the New Jersey National Guard without first obtaining the  
31 member's written consent.

32 In addition, under the provisions of this bill, persons, businesses,  
33 and associations are prohibited from disclosing on the Internet the  
34 home address or unpublished home telephone number of a member  
35 of the Armed Forces of the United States or the New Jersey  
36 National Guard under circumstances in which a reasonable person  
37 would believe that providing that information would expose another  
38 to harassment or risk of harm to life or property.

39 The bill provides that persons, businesses, or associations are  
40 liable to members of the Armed Forces of the United States or the  
41 New Jersey National Guard, or any other person residing at the  
42 home of the member for violating the provisions of the bill. The  
43 bill authorizes the member or person to bring a civil action in  
44 Superior Court.

45 Under the bill, the court may award: (1) actual damages, but not  
46 less than liquidated damages computed at the rate of \$1,000 for  
47 each violation of this act; (2) punitive damages upon proof of  
48 willful or reckless disregard of the law; (3) reasonable attorney's

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1 fees and other litigation costs reasonably incurred; and (4) any other  
2 preliminary and equitable relief as the court determines to be  
3 appropriate.

4 The bill defines “disclose” as soliciting, selling, manufacturing,  
5 giving, providing, lending, trading, mailing, delivering, transferring,  
6 publishing, distributing, circulating, disseminating, presenting,  
7 exhibiting, advertising, or offering.