

SENATE, No. 2980

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED MARCH 18, 2024

Sponsored by:

Senator LATHAM TIVER

District 8 (Atlantic and Burlington)

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11 publish on the Internet the home address or unpublished home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20 post or publish on the Internet the home address or unpublished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26 the Internet the home address or unpublished home telephone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,

S2980 TIVER

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

3

4 4. This act shall take effect immediately.

5

6

7

STATEMENT

8

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

S2980 TIVER

4

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.