

REFERENCE TITLE: eligible persons; personal information; internet

State of Arizona
House of Representatives
Forty-ninth Legislature
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2009

HB 2380

Introduced by
Representatives Weiers JP, Barnes, Gowan, Kavanagh, Stevens: Crump,
Reagan, Seel, Waters

AN ACT

AMENDING SECTION 13-2401, ARIZONA REVISED STATUTES; RELATING TO OBSTRUCTION
OF PUBLIC ADMINISTRATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 13-2401, Arizona Revised Statutes, is amended to
3 read:
4 13-2401. Personal information on the internet; exception;
5 classification; definitions
6 A. It is unlawful for a person to ~~knowingly~~ INTENTIONALLY COMMUNICATE
7 OR make available on the ~~world wide web~~ INTERNET the personal information of
8 ~~a peace officer, justice, judge, commissioner, public defender or prosecutor~~
9 ~~if the dissemination of the personal information poses an imminent and~~
10 ~~serious threat to the peace officer's, justice's, judge's, commissioner's,~~
11 ~~public defender's or prosecutor's safety or the safety of that person's~~
12 ~~immediate family and the threat is reasonably apparent to the person making~~
13 ~~the information available on the world wide web to be serious and imminent~~ AN
14 ELIGIBLE PERSON IF THE ELIGIBLE PERSON MAKES A WRITTEN DEMAND OF THE PERSON
15 TO NOT COMMUNICATE OR MAKE AVAILABLE THE ELIGIBLE PERSON'S PERSONAL
16 INFORMATION. A WRITTEN DEMAND IS EFFECTIVE FOR FOUR YEARS AND SHALL INCLUDE
17 THE FOLLOWING INFORMATION:
18 1. THE ELIGIBLE PERSON'S NAME AND, IF APPLICABLE, ANY IMMEDIATE FAMILY
19 MEMBER'S NAME.
20 2. THE DATE OF THE DEMAND.
21 3. THE REASON WHY THE ELIGIBLE PERSON REASONABLY BELIEVES THAT THE
22 ELIGIBLE PERSON'S LIFE OR SAFETY OR THAT OF AN IMMEDIATE FAMILY MEMBER IS IN
23 DANGER AND THAT NOT COMMUNICATING OR MAKING AVAILABLE THE ELIGIBLE PERSON'S
24 PERSONAL INFORMATION WILL SERVE TO REDUCE THE DANGER.
25 B. It is not a violation of this section if an employee of a county
26 recorder, county treasurer or county assessor publishes personal information,
27 in good faith, on the ~~web-site~~ WEBSITE of the county recorder, county
28 treasurer or county assessor in the ordinary course of carrying out public
29 functions.
30 C. A violation of subsection A is a class 5 felony.
31 D. For the purposes of this section:
32 1. "Commissioner" means a commissioner of the superior court.
33 2. "ELIGIBLE PERSON" MEANS A CURRENT OR RETIRED PEACE OFFICER,
34 JUSTICE, JUDGE, COMMISSIONER, PUBLIC DEFENDER OR PROSECUTOR.
35 ~~2-~~ 3. "Immediate family" means a peace officer's, justice's, judge's,
36 commissioner's, public defender's or prosecutor's spouse, child or parent and
37 any other adult who lives in the same residence as the person.
38 ~~3-~~ 4. "Judge" means a judge of the United States district court, the
39 United States court of appeals, the United States magistrate court, the
40 United States bankruptcy court, the Arizona court of appeals, the superior
41 court or a municipal court.
42 ~~4-~~ 5. "Justice" means a justice of the United States or Arizona
43 supreme court or a justice of the peace.
44 ~~5-~~ 6. "Personal information" means a peace officer's, justice's,
45 judge's, commissioner's, public defender's or prosecutor's home address, home

1 telephone number, pager number, personal photograph, directions to the
2 person's home or photographs of the person's home or vehicle.
3 ~~6.~~ 7. "Prosecutor" means a county attorney, a municipal prosecutor,
4 the attorney general or a United States attorney and includes an assistant or
5 deputy United States attorney, county attorney, municipal prosecutor or
6 attorney general.
7 ~~7.~~ 8. "Public defender" means a federal public defender, county
8 public defender, county legal defender or county contract indigent defense
9 counsel and includes an assistant or deputy federal public defender, county
10 public defender or county legal defender.