

SENATE BILL NO. 409

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR KOENIG.

1682S.051

ADRIANE D. CROUSE, Secretary

AN ACT

To amend chapter 130, RSMo, by adding thereto one new section relating to the disclosure of personal information to the Missouri ethics commission, with a penalty provision.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 130, RSMo, is amended by adding thereto
2 one new section, to be known as section 130.040, to read as
3 follows:

130.040. 1. This section shall be known and may be
2 cited as "The Personal Privacy Protection Act".

3 2. As used in this section, the term "personal
4 information" means any list, record, register, registry,
5 roll, roster, or other compilation of data of any kind that
6 directly or indirectly identifies a person as a member,
7 supporter, or volunteer of, or donor of financial or
8 nonfinancial support to, any entity exempt from federal
9 income tax under Section 501(c) of the Internal Revenue Code
10 of 1986, as amended.

11 3. (1) Except to the extent such information is
12 required to fulfill a requirement of this chapter, the
13 Missouri ethics commission shall not:

14 (a) Require any individual to provide the commission
15 with personal information or otherwise compel the release of
16 personal information; or

17 (b) Require any entity exempt from federal income
18 taxation under Section 501(c) of the Internal Revenue Code

19 of 1986, as amended, to provide the commission with personal
20 information or otherwise compel the release of personal
21 information;

22 (c) Release, publicize, or otherwise publicly disclose
23 personal information in possession of the commission.

24 (2) All personal information in the possession of the
25 commission shall be considered a closed record under chapter
26 610 except to the extent it is included as part of a report
27 or disclosure otherwise required by this chapter.

28 4. (1) A person or entity alleging a violation of
29 this section may bring a civil action for appropriate
30 injunctive relief, damages, or both. Damages awarded under
31 this section may include one of the following, as
32 appropriate:

33 (a) A sum of money not less than two thousand five
34 hundred dollars to compensate for injury or loss caused by
35 each violation of this section; and

36 (b) For an intentional violation of this section, a
37 sum of money not to exceed three times the sum described in
38 paragraph (a) of this subdivision.

39 (2) A court, in rendering a judgment in an action
40 brought under this section, may award all or a portion of
41 the costs of litigation, including reasonable attorney fees
42 and witness fees, to the complainant in the action if the
43 court determines that the award is appropriate.

44 (3) A person who knowingly violates this section is
45 guilty of a class B misdemeanor.

✓