
Wisconsin Legislative Council

AMENDMENT MEMO



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Contact: Amber Otis, Senior Staff Attorney

2025 Senate Bill 169

Senate Substitute Amendment 1

BACKGROUND

2023 Wisconsin Act 235 provides certain privacy protections for the personal information of judicial officers upon the submission of a written request. Very generally, Act 235 does the following:

- Prohibits a government agency from publicly posting or displaying a judicial officer's personal information, provided the government agency has received a written request that it refrain from disclosing that information.
- Prohibits a data broker from knowingly selling, licensing, trading, purchasing, or otherwise making available for consideration the personal information of a judicial officer or a judicial officer's immediate family, provided the judicial officer has made a written request to the data broker.
- Prohibits any person, business, or association from publicly posting or displaying on the internet publicly available content that includes the personal information of a judicial officer or a judicial officer's immediate family members, provided the judicial officer has made a written request to the person, business, or association that it refrain from disclosing or acquiring the personal information.
- Establishes a procedure for completing a written request for the protection of a judicial officer's personal information.
- Requires any provider of a public-facing land records website to establish a process for judicial officers and their immediate family members to opt out from the display and search functions of their names on the website.
- Creates penalties and a procedure for enjoining violations. A judicial officer whose personal information is made public as a result of a violation may bring an action seeking injunctive or declaratory relief, and certain violations are punishable as a Class G felony.
- Exempts from disclosure under the Public Records Law personal information of a judicial officer held by an authority or held by the Ethics Commission in certain types of documents, if the judicial officer submits a written request.

2025 SENATE BILL 169

2025 Senate Bill 169 makes several changes to Act 235's provisions, including those relating to the procedure for submitting a written request, the prohibition against publicly posting or displaying a judicial officer's personal information, the requirement that an operator of a land records website establish an opt-out process, and the enforcement mechanisms.

SENATE SUBSTITUTE AMENDMENT 1

Senate Substitute Amendment 1 makes the following changes to current law:

- Amends the definition of “personal information” to refer to a home address that is directly associated or displayed with a judicial official’s name, but does not include addresses without owner or occupant names associated with the address on certain websites; and further clarifies the meaning of a secondary residence and limits a judicial officer to identifying no more than two secondary residences as personal information covered by a written request.
- Modifies the procedure for a judicial officer completing a written request for the protection of personal information, as follows:
 - Requires that a judicial officer’s written request identify with reasonable specificity the personal information to be protected, and further requires a judicial officer to submit the written request directly to a government agency’s “designated officer,” as defined in the amendment, and directly to a person, data broker, business, or association.
 - Requires that both the written request and a consent to release personal information otherwise protected by a written request be notarized.
 - Specifies that the forms prescribed by the Director of State Courts for written requests and consents to release, whether blank or completed, must be kept confidential, including under the Public Records Law, but the fact that a written request or consent to release exists or has been submitted or received is not confidential.
 - Specifies that a written request for protection of a judicial officer’s personal information relating to property expires, with respect to any information regarding the property, within 90 days of the property ceasing to be a permanent or secondary residence.
- Modifies the general prohibition on the sale of or public posting or display by a data broker or other person or business of the personal information of a judicial officer or judicial officer’s immediate family that is subject to a written request, including by allowing a business to transfer personal information, otherwise protected by written request, if the business meets one of the exceptions in the definition of “data broker,” the transfer is to a third party based on a business need, and the transferred personal information would not be publicly posted or displayed by either party.
- Establishes additional exceptions for when personal information subject to a written request may otherwise be released, such as if the information is contained in a record that a government agency provides to another government agency, provided the record is not made publicly available and other requirements are met, or the release is a publication of a notice or a notice of sex offender registration, among others.
- Modifies the requirement that a provider of a land records website establish a process that allows judicial officers to opt out from the display and search functions of their names, as follows:
 - Expands the definition of “land records website” to include a public land records database linked from a website, not just a public website, that allows users to search and retrieve a real estate property database or geographic records, but further clarifies that the definition does not include the register of deeds index.
 - Maintains the requirement that a provider of a public-facing land records website establish a process for opting out and further clarifies that, in order to opt out from the display and search functions, a judicial officer or representative from the judicial officer’s employer on the judicial officer’s behalf (but not an immediate family member) must submit a written request.

- Specifies that a provider that establishes an opt-out process does not violate the judicial privacy law by continuing to display an address if a name is removed, provided that the link between the name and address is severed and precludes a search and retrieval that displays a name.
- Provides that any personal information of a judicial officer in the Ethics Commission's possession is not subject to public inspection, except for information related to lobbying, provided the judicial officer has submitted a written request to the Ethics Commission. Under current law, a judicial officer's personal information contained in a statement of economic interest, report of economic transactions, or campaign finance report filed with the Ethics Commission is not subject to public inspection, provided the judicial officer has submitted a written request to the Ethics Commission.
- Specifies that the current law requirement that a county register of deeds shield from disclosure and keep confidential documents containing information covered by a judicial officer's written request only applies to personal information that is included in electronic recorded documents, and that the requirements applicable to county registers of deeds supersede any statutory requirements under the Public Records Law.
- Regarding violations, does the following:
 - Specifies that a writ of mandamus is the only type of action that a judicial officer may take against a government agency, and repeals a provision stating that, when an employee of a government agency has generally complied with the judicial privacy law, it is not a violation if an employee of a government agency publishes personal information, in good faith, on the website of the government agency in the ordinary course of carrying out public functions.
 - Provides that if a judicial officer prevails in a general enforcement action or writ of mandamus, the court shall order the person who committed the violation to pay the judicial officer's costs and reasonable attorney fees.
 - Expressly provides that any person who intentionally submits false information on a written request, or on a form to consent to the release of personal information otherwise protected by a written request, may be prosecuted under the current law crime of false swearing.

BILL HISTORY

Senator Wanggaard offered Senate Substitute Amendment 1 on May 21, 2025. On June 4, 2025, the Senate Committee on Judiciary and Public Safety recommended adoption of the amendment, and passage of the bill, as amended, on votes of Ayes, 8; Noes, 0.

For a full history of the bill, visit the Legislature's [bill history page](#).

AO:jal