

State of Wisconsin



2025 Senate Bill 169

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2025 WISCONSIN ACT 25

AN ACT *to renumber and amend* 19.55 (2) (cm) and 757.07 (1) (g); *to amend* 19.36 (15), 59.43 (1r), 757.07 (1) (a) 12., 757.07 (1) (k), 757.07 (4) (b) 1. a., 757.07 (4) (b) 2., 757.07 (4) (d), 757.07 (4) (e) 3., 757.07 (4m) (a), 757.07 (4m) (b) and 757.07 (5) (a); *to repeal and recreate* 757.07 (5) (b); *to create* 757.07 (1) (am), 757.07 (1) (g) 2m., 757.07 (1) (im), 757.07 (3) (c) 2. c., 757.07 (4) (dm) 2., 757.07 (4) (e) 2. d. to h., 757.07 (4) (e) 5. and 6., 757.07 (4m) (c), 757.07 (5) (cm), 757.07 (5) (d) and 757.07 (5m) of the statutes; **relating to:** privacy protections for judicial officers and providing a penalty.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 19.36 (15) of the statutes is amended to read:

19.36 (15) PRIVACY PROTECTIONS FOR JUDICIAL OFFICERS. If a judicial officer, as defined in s. 757.07 (1) (e), submits a written request under s. 757.07 (4), an authority shall not provide access under s. 19.35 (1) to a certification of residence under s. 8.10 (8) or to the personal information, as defined in s. 757.07 (1) (g), of a judicial officer, except as provided under s. 8.10 (8) (b). An authority shall not provide access under s. 19.35 (1) to any form, blank or completed, that is prescribed by the director of state courts under s. 757.07 (4) and used for the submission of written requests or for consent to release personal information otherwise protected by a judicial officer's written request.

SECTION 2. 19.55 (2) (cm) of the statutes, as created by 2023 Wisconsin Act 235, is renumbered 19.55 (2) (cm) (intro.) and amended to read:

19.55 (2) (cm) (intro.) If a judicial officer, as defined in s. 757.07 (1) (e), submits to the commission a

written request under s. 757.07 (4), the personal information, as defined in s. 757.07 (1) (g), except information filed with the commission under subch. III of ch. 13, of ~~a~~ the judicial officer, including information contained in statements any of the following:

1. A statement of economic interests, reports of economic transactions, and filed under s. 19.43.

2. A registration statement or campaign finance reports that are report filed with the commission by the judicial officers officer or the candidate committees committee of the judicial officers officer. The commission shall quarterly review the electronic campaign finance information system for the personal information of judicial officers and remove such information from the system. In addition, before providing, upon a request, a statement of economic interests of a judicial officer, the commission shall remove the personal information of the judicial officer.

SECTION 3. 59.43 (1r) of the statutes, as created by 2023 Wisconsin Act 235, is amended to read:

59.43 (1r) PERSONAL INFORMATION OF JUDICIAL OFFICERS. The register of deeds shall shield from dis-

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

closure and keep confidential documents containing personal information covered by a written request of a judicial officer under s. 757.07, if the judicial officer specifically identifies the document number of any document to be shielded under this subsection. ~~This Notwithstanding the scope of protection generally provided under s. 757.07 with regard to publicly available content, as defined in s. 757.07 (1) (h), this subsection applies only to electronic images of electronic recorded documents specifically identified by a judicial officer as covered by a written request under s. 757.07. The register of deeds may allow access to ~~a~~ an electronic recorded document subject to protection under this subsection only if the judicial officer consents to the access or access is otherwise permitted as provided under s. 757.07 (4) (e). This subsection does not apply to documents that are not electronic recorded documents. The requirements of this subsection supersede any statutory requirement that a government agency publicly post, display publicly available content, or permit inspection and copying under s. 19.35.~~

SECTION 4. 757.07 (1) (a) 12. of the statutes, as created by 2023 Wisconsin Act 235, is amended to read:

757.07 (1) (a) 12. Law enforcement agencies or law enforcement support organizations and vendors that provide data support services to law enforcement agencies. For purposes of this subdivision, law enforcement support organizations does not include charitable organizations.

SECTION 5. 757.07 (1) (am) of the statutes is created to read:

757.07 (1) (am) “Designated officer” means an officer or employee of a government agency in a position designated in writing by the government agency to fulfill its duties under this section. In the absence of a written designation, “designated officer” means the highest ranking officer or employee for the government agency.

SECTION 6. 757.07 (1) (g) of the statutes, as created by 2023 Wisconsin Act 235, is renumbered 757.07 (1) (g) 1., and 757.07 (1) (g) 1. a. and g., as renumbered, are amended to read:

757.07 (1) (g) 1. a. A home address, when directly associated with or displayed with a judicial officer’s name.

g. The ~~identification names~~ of children under the age of 18 of a judicial officer or an immediate family member of a judicial officer.

SECTION 7. 757.07 (1) (g) 2m. of the statutes is created to read:

757.07 (1) (g) 2m. “Personal information” does not include addresses without owner or occupant names associated with the address on public facing land records

websites for address verification, including for utilities and emergency services.

SECTION 8. 757.07 (1) (im) of the statutes is created to read:

757.07 (1) (im) “Secondary residence” means a place that is not a person’s permanent residence, but where a person regularly lives for at least 14 days each year.

SECTION 9. 757.07 (1) (k) of the statutes, as created by 2023 Wisconsin Act 235, is amended to read:

757.07 (1) (k) “Written request” means written notice signed by a judicial officer or a representative of the judicial officer’s employer requesting a government agency, business, association, or other person to refrain from publicly posting or displaying publicly available content that includes the personal information of the judicial officer or judicial officer’s immediate family completed and filed pursuant to sub. (4).

SECTION 10. 757.07 (3) (c) 2. c. of the statutes is created to read:

757.07 (3) (c) 2. c. The business may transfer personal information otherwise protected by a written request if the business falls within one of the exceptions set forth in sub. (1) (a) 1. to 12., the transfer is to a 3rd party based on a business need of the business, and the transferred information would not be publicly posted or displayed by either the business or the 3rd party.

SECTION 11. 757.07 (4) (b) 1. a. of the statutes, as created by 2023 Wisconsin Act 235, is amended to read:

757.07 (4) (b) 1. a. Sends the written request directly to the designated officer of a government agency; or directly to a person, data broker, business, or association.

SECTION 12. 757.07 (4) (b) 2. of the statutes, as created by 2023 Wisconsin Act 235, is amended to read:

757.07 (4) (b) 2. In each quarter of a calendar year, the director of state courts shall provide to the ~~appropriate designated officer with ultimate supervisory authority~~ appropriate designated officer for a government agency a list of all judicial officers who have submitted a written request under subd. 1. b. The designated officer shall promptly provide a copy of the list to the government agencies under his or her supervision. Receipt of the written request list compiled by the director of state courts office by the designated officer of a government agency shall constitute a written request to that agency for purposes of this subsection.

SECTION 13. 757.07 (4) (d) of the statutes, as created by 2023 Wisconsin Act 235, is amended to read:

757.07 (4) (d) A judicial officer’s written request shall be made on a form prescribed by the director of state courts ~~and, shall specify what identify with reasonable specificity the personal information shall be maintained as private to be protected, and shall be notarized.~~

If a judicial officer wishes to identify a secondary residence as a home address, the designation shall be made in the written request, but the judicial officer may identify no more than 2 secondary residences for protection under this section. A judicial officer's written request shall disclose the identity of the officer's immediate family and indicate that the personal information of these family members shall also be excluded to the extent that it could reasonably be expected to reveal personal information of the judicial officer.

~~(dm) 1.~~ Any person receiving a written request form submitted by or on behalf of a judicial officer under ~~this paragraph~~ par. (d) shall treat the submission as confidential.

SECTION 14. 757.07 (4) (dm) 2. of the statutes is created to read:

757.07 (4) (dm) 2. The form prescribed by the director of state courts under par. (d), whether blank or completed, shall be kept confidential, but the fact that a written request exists or has been submitted or received is not confidential.

SECTION 15. 757.07 (4) (e) 2. d. to h. of the statutes are created to read:

757.07 (4) (e) 2. d. If the personal information is contained in a record that a government agency provides to any other government agency, provided that the record may not be made publicly available. A government agency that provides a record to another government agency under this subd. 2. d. shall, notwithstanding par. (d), provide the receiving government agency all written requests applicable to such records and notice to the judicial officer of the transmission in the manner indicated on the judicial officer's written request. Upon receipt of any such written request, the receiving government agency shall be considered to have received the written request pursuant to par. (b) 1. a.

e. If the release is part of the publication of a notice, including a notice of an administrative hearing or appeal, that is required by law.

f. If the release is to a title insurance company, as defined in s. 708.15 (1) (v), an authorized agent of a title insurance company, a professional land surveyor licensed in this state, or an attorney licensed to practice law in this state, provided that the record may not be made publicly available.

g. If the release is to adjacent land owners seeking land records, provided that the record may not be made publicly available.

h. If the release is a notice of sex offender registration or any associated notice relating to sex offender registration.

SECTION 16. 757.07 (4) (e) 3. of the statutes, as created by 2023 Wisconsin Act 235, is amended to read:

757.07 (4) (e) 3. A judicial officer or immediate family member of the judicial officer may consent to release personal information otherwise protected by a judicial officer's written request if the consent is made in writing on a form prescribed by the director of state courts and is notarized. An immediate family member of the judicial officer may only consent to the release of his or her own personal information. The form prescribed by the director of state courts under this subdivision, whether blank or completed, shall be kept confidential, but the fact that a consent to release exists or has been submitted or received is not confidential.

SECTION 17. 757.07 (4) (e) 5. and 6. of the statutes are created to read:

757.07 (4) (e) 5. Notwithstanding subd. 1., 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. A judicial officer shall provide written notice within 90 days of the property ceasing to be a permanent or secondary residence to the government agency that received the written request for protection of personal information relating to the property.

6. An entity that receives a written request under par. (d) or a consent under subd. 3. to release personal information otherwise protected by a judicial officer's written request may maintain a list of judicial officers who submitted a written request or a consent to release and may share the list with any subunits within their organization.

SECTION 18. 757.07 (4m) (a) of the statutes, as created by 2023 Wisconsin Act 235, is amended to read:

757.07 (4m) (a) In this subsection, "land records website" means a public website or a public land records database linked from such a website that allows users to search and retrieve a real estate property database or geographic records, but does not include the register of deeds index.

SECTION 19. 757.07 (4m) (b) of the statutes, as created by 2023 Wisconsin Act 235, is amended to read:

757.07 (4m) (b) Any provider of a public-facing land records website shall establish a process for judicial officers and immediate family members of judicial officers to opt out from the display and search functions of their names on the provider's public-facing land records website. In order to opt out from the display and search functions of the judicial officer's name or the names of the judicial officer's immediate family members under this subsection, a judicial officer or a representative from the judicial officer's employer on the judicial officer's behalf shall submit a written request to the provider of the public-facing land records website. Only

a judicial officer or a representative from the judicial officer's employer on the judicial officer's behalf may use the opt out process established under this paragraph to submit a written request to opt out of the display and search functions of the judicial officer's name and the names of the judicial officer's immediate family members. An immediate family member of a judicial officer may not submit a written request to opt out of the display and search functions of the family member's name under this paragraph.

SECTION 20. 757.07 (4m) (c) of the statutes is created to read:

757.07 (4m) (c) A provider of a public-facing land records website that establishes an opt out process under par. (b) does not violate this section 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 name.

SECTION 21. 757.07 (5) (a) of the statutes, as created by 2023 Wisconsin Act 235, is amended to read:

757.07 (5) (a) A judicial officer ~~whose personal information is made public as a result of a violation of this section~~ may bring an action seeking injunctive or declaratory relief in any court of competent jurisdiction. ~~Notwithstanding s. 814.04, if the court grants injunctive or declaratory relief, the governmental agency, against any business, association, data broker, or other person responsible for the violation shall be required to pay the judicial officer's costs and reasonable attorney fees of this section, except that if the violation alleged has been committed by a government agency, the judicial officer may bring an action only as set forth under par. (b).~~

SECTION 22. 757.07 (5) (b) of the statutes is repealed and recreated to read:

757.07 (5) (b) Whenever a judicial officer believes that a government agency has violated the requirements under this section, the judicial officer may bring an action for a writ of mandamus.

SECTION 23. 757.07 (5) (cm) of the statutes is created to read:

757.07 (5) (cm) If a judicial officer prevails in an action under par. (a) or (b), the court shall, notwithstanding the limitations under s. 814.04, award costs and reasonable attorney fees to the judicial officer. For an action under par. (a), costs and reasonable attorney fees shall be paid by the business, association, data broker, or other person responsible for the violation. For an action under par. (b), costs and reasonable attorney fees shall be paid by the government agency responsible for the violation.

SECTION 24. 757.07 (5) (d) of the statutes is created to read:

757.07 (5) (d) Any person who intentionally submits false information on a written request for protection form under sub. (4) (d) or on a form under sub. (4) (e) 3. for consent to release personal information otherwise protected by a judicial officer's written request may be prosecuted for a violation of s. 946.32.

SECTION 25. 757.07 (5m) of the statutes is created to read:

757.07 (5m) The provisions of this section supersede any statutory requirement that a government agency publicly post or display publicly available content.

SECTION 26. Initial applicability.

(1) The treatment of s. 757.07 (4) (d) and (e) 3. as it applies to notarization requirements, the treatment of s. 757.07 (4) (d) as it applies to the requirement to identify with reasonable specificity the personal information to be protected, and the treatment of s. 757.07 (4) (b) 1. a. as it applies to the requirement to submit a written request to the designated officer of a government agency first apply to a written request, as defined in s. 757.07 (1) (k), submitted on the effective date of this subsection.