



State of Wisconsin
2025 - 2026 LEGISLATURE

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2025 SENATE BILL 169

April 3, 2025 - Introduced by Senator WANGGAARD, cosponsored by Representatives TUSLER, DITTRICH, GUNDRUM, KREIBICH, MURPHY, O'CONNOR, PENTERMAN, SINICKI and SUBECK. Referred to Committee on Judiciary and Public Safety.

AN ACT *to repeal* 757.07 (4m) (a); *to renumber* 757.07 (6); *to renumber and amend* 59.43 (1r); *to amend* 757.07 (1) (g) 1., 757.07 (1) (i), 757.07 (1) (k), 757.07 (2) (a), 757.07 (4) (b) 1. a., 757.07 (4) (b) 2., 757.07 (4) (d), 757.07 (4) (e) 1., 757.07 (4m) (b) and 757.07 (5) (b); *to create* 59.43 (1r) (b) 3., 757.07 (1) (am), 757.07 (1) (em), 757.07 (1) (im), 757.07 (2) (c), 757.07 (4) (e) 2. d., 757.07 (4m) (c) and 757.07 (6) (b) of the statutes; **relating to:** privacy protections for judicial officers.

Analysis by the Legislative Reference Bureau

2023 Wisconsin Act 235, effective April 1, 2025, established certain privacy protections for judicial officers upon submission of a written request. A “written request,” under Act 235, is a 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 the judicial officer’s immediate family. The bill modifies the definition of a “written request” to include a requirement for notarization. Under the bill, a “written request” means a notarized written notice signed by a judicial officer or a

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representative of the judicial officer's employer completed and filed under the procedures established by Act 235 and amended under the bill. The bill adds a requirement that a judicial officer describe with reasonable particularity in a written request the records the judicial officer believes to contain personal information.

Act 235 provides that a written request is valid if the judicial officer sends the request to the director of state courts and the director of state courts has a policy and procedure for filing the requests, or if the judicial officer sends the request directly to a government agency, person, data broker, business, or association. The bill modifies the latter option, specifying that the judicial officer must send the request directly to the designated officer of a government agency. The bill defines a "designated officer" to mean the officer or employee of a government agency, the register of deeds, or a provider of a land records website designated in writing to the director of state courts, or, in the absence of a written designation, the highest ranking officer or employee for any of these entities. The bill also changes a requirement that the director of state courts must, each quarter, provide to the appropriate officer with ultimate supervisory authority for a government agency a list of judicial officers who have submitted a written request for privacy protections to instead require that the director of state courts provide the designated officer for a government agency with such a list.

The bill provides that a home address constitutes personal information as defined in the bill only if it is directly associated with or displayed with the judicial officer's name. The bill requires a judicial officer to update a written request within 90 days of the date any home address identified in the request ceases to be a home address for any reason. The bill also defines a secondary residence for purposes of the bill to mean a residence for personal use that is not a person's permanent residence but where a person regularly resides.

The bill modifies the definition of the phrase "publicly post or display" established in Act 235 to expressly exclude direct communications with a judicial officer or any immediate family member of a judicial officer. The bill also adds an exception to the prohibition on a government agency publicly posting or displaying a judicial officer's personal information subject to protections upon a written request, providing that a government agency may publicly post or display such information if required by law to do so.

The bill also makes several changes to provisions of Act 235 relating to the register of deeds and land records websites, including adding clarification that a land records website does not include a website administered by the register of deeds. The bill adds to the list of exceptions under which the register of deeds may allow third-party access to a document otherwise subject to protection, including providing an exception to allow access by a title insurance company, an authorized agent of a title insurance company, or an attorney licensed to practice in the state.

The bill adds liability protections for government agencies and employees of government agencies, providing that no government agency and no employee of a government agency is generally or personally liable or subject to any liability or accountability by reason of a violation of the privacy protections set forth under Act

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235, unless the liability or accountability is the result of intentional or reckless actions. The bill provides that nothing in the privacy protections established under Act 235 and amended in the bill prohibits a government agency from sharing information with other government agencies for any legitimate governmental purpose.

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

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

59.43 (1r) (a) The Except as otherwise required by law, the register of deeds shall shield from disclosure and keep confidential documents containing personal information covered by a written request of a judicial officer under s. 757.07 (4), if the judicial officer specifically identifies the document number of any document to be shielded under this subsection. This subsection applies only to electronic images of documents specifically identified by a judicial officer as covered by a written request under s. 757.07 (4).

(b) The register of deeds may allow a 3rd party access to a document subject to protection under this subsection only if the at least one of the following is true:

1. The judicial officer consents to the access ~~or access.~~
2. Access is otherwise permitted as provided under s. 757.07 (4) (e).

SECTION 2. 59.43 (1r) (b) 3. of the statutes is created to read:

59.43 (1r) (b) 3. The 3rd party meets any of the following criteria:

- a. Possesses a signed consent document described under s. 757.07 (4) (e) 3.
- b. Is subject to the requirements of 15 USC 6801, et seq.
- c. Executes a confidentiality agreement with the register of deeds.
- d. Is a title insurance company, as defined in s. 708.15 (1) (v), an authorized

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agent of a title insurance company, or any attorney licensed to practice law in this state.

SECTION 3. 757.07 (1) (am) of the statutes is created to read:

757.07 (1) (am) “Designated officer” means the officer or employee of a government agency, the register of deeds, or a provider of a land records website designated in writing to the director of state courts. In the absence of a written designation to the director of state courts, “designated officer” means the highest ranking officer or employee for a government agency, the register of deeds, or any provider of a land records website.

SECTION 4. 757.07 (1) (em) of the statutes is created to read:

757.07 (1) (em) “Land records website” means a public website or public online database that allows the general public to search and retrieve a real estate property database or geographic records. “Land records website” does not include a website administered by the register of deeds.

SECTION 5. 757.07 (1) (g) 1. of the statutes, as created by 2023 Wisconsin Act 235, is amended to read:

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

SECTION 6. 757.07 (1) (i) of the statutes, as created by 2023 Wisconsin Act 235, is amended to read:

757.07 (1) (i) “Publicly post or display” means to intentionally communicate or otherwise make available to the general public, but does not include a direct communication with a judicial officer or any immediate family member of a judicial

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officer, including a written communication mailed to a judicial officer's home address.

SECTION 7. 757.07 (1) (im) of the statutes is created to read:

757.07 (1) (im) "Secondary residence" means a residence for personal use that is not a person's permanent residence but where a person regularly resides.

SECTION 8. 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 a notarized 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 9. 757.07 (2) (a) of the statutes, as created by 2023 Wisconsin Act 235, is amended to read:

757.07 (2) (a) A government agency may not publicly post or display publicly available content that includes a judicial officer's personal information, provided that the government agency has received a written request in accordance with sub. (4) that it refrain from disclosing the judicial officer's personal information. After a government agency has received a written request, that agency shall remove the judicial officer's personal information from publicly available content within 10 business days. After the government agency has removed the judicial officer's personal information from publicly available content, the agency may not publicly post or display the information, and the judicial officer's personal information shall

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be exempt from inspection and copying under s. 19.35 unless the government agency has received consent as provided under sub. (4) (e) to make the personal information available to the public or unless the government agency is required by law to publicly post or display the judicial officer's personal information.

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

757.07 (2) (c) Paragraph (a) does not apply to a register of deeds or a land records website.

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, 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~~ 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 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

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prescribed by the director of state courts and shall specify what personal information shall be maintained as private to the extent permitted in this section and s. 59.43 (1r) and shall describe with reasonable particularity the records the judicial officer believes to contain the personal information. If a judicial officer wishes to identify a secondary residence as a home address, the designation shall be made in the written request. 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. Any person receiving a written request form submitted by or on behalf of a judicial officer under this paragraph shall treat the submission as confidential.

SECTION 14. 757.07 (4) (e) 1. of the statutes, as created by 2023 Wisconsin Act 235, is amended to read:

757.07 (4) (e) 1. A judicial officer's written request is valid for 10 years or until the judicial officer's death, whichever occurs first, provided that a judicial officer updates his or her written request within 90 days of the date any home address identified in the judicial officer's written request ceases to be a home address for any reason.

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

757.07 (4) (e) 2. d. As otherwise expressly permitted under this section.

SECTION 16. 757.07 (4m) (a) of the statutes, as created by 2023 Wisconsin Act 235, is repealed.

SECTION 17. 757.07 (4m) (b) of the statutes, as created by 2023 Wisconsin Act 235, is amended to read:

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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~~ Judicial officers may opt out from the display and search functions of their names and the names of their immediate family members on the any provider's public-facing land records website by submitting a written request under sub. (4) to the provider.

SECTION 18. 757.07 (4m) (c) of the statutes is created to read:

757.07 (4m) (c) Notwithstanding par. (b), a provider of a land records website may permit display and search functions of a home address regardless of the receipt of a written request so long as the names of judicial officers or immediate family members of judicial officers subject to a written request are not included in those display and search functions.

SECTION 19. 757.07 (5) (b) of the statutes, as created by 2023 Wisconsin Act 235, is amended to read:

757.07 (5) (b) Provided that an employee of a government agency has complied with the conditions set forth in sub. (2), it is not a violation of this section 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. No government agency and no employee of a government agency is generally or personally liable or subject to any liability or accountability by reason of a violation of this section, unless the liability or accountability is the result of intentional or reckless actions.

SECTION 20. 757.07 (6) of the statutes, as created by 2023 Wisconsin Act 235, is renumbered 757.07 (6) (a).

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SECTION 21. 757.07 (6) (b) of the statutes is created to read:

757.07 (6) (b) Nothing in this section shall prohibit a government agency from providing access to records containing the personal information of a judicial officer to another government agency for any legitimate governmental purpose.

SECTION 22. Effective date.

(1) This act takes effect on the day after publication, or on April 1, 2025, whichever is later.

(END)