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SENATE BILL DRS15377-LRa-157B

Short Title: Protect Special Ops Forces/No Doxing/Funds. (Public)

Sponsors: Senators McInnis, Lazzara, and Britt (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO EXEMPT FROM PUBLIC RECORDS REQUIREMENTS THE DISCLOSURE
3 OF IDENTIFICATION AND LOCATION INFORMATION OF CURRENT AND
4 FORMER SPECIAL OPERATIONS FORCES PERSONNEL AND THEIR
5 DEPENDENTS, TO EXPAND THE ADDRESS CONFIDENTIALITY PROGRAM TO
6 COVER THOSE PERSONS, TO ENACT THE CIVIL LIABILITY FOR DOXING ACT,
7 AND TO APPROPRIATE FUNDS TO EFFECTUATE THE PURPOSES OF THIS ACT.

8 The General Assembly of North Carolina enacts:

9 SECTION 1.1.(a) Chapter 132 of the General Statutes is amended by adding a new
10 section to read:

11 "§ 132-1.15. Identification and location information of current and former special
12 operations personnel exempt from disclosure.

13 (a) Definitions. – The following definitions apply in this section:

14 (1) Identification and location information or information. – Includes the
15 following:

16 a. Home addresses, telephone numbers, and dates of birth of current and
17 former special operations personnel and the telephone numbers
18 associated with the personal communication devices of current and
19 former special operations personnel.

20 b. Home addresses, telephone numbers, and dates of birth of the spouses
21 and dependents of current and former special operations personnel,
22 and the telephone numbers associated with the personal
23 communication devices of such spouses and dependents.

24 c. Names and locations of schools attended by the spouses of current and
25 former special operations personnel and schools or daycare facilities
26 attended by dependents of current and former special operations
27 personnel.

28 (2) Servicemember. – A member of the active and reserve component forces of
29 the United States military services.

30 (3) Special operations force. – The active and reserve component forces of the
31 United States military services specifically organized, trained, and equipped
32 to conduct and support special operations, as designated by the Secretary of
33 Defense, operating within any component of the United States Special
34 Operations Command (USSOCOM).



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- 1 (5) Person. – Any individual, corporation, limited liability company, partnership,
2 trust, estate, or other association or any state, the United States, or any
3 subdivision thereof.
- 4 (6) Program participant. – An individual accepted under this Article to participate
5 in the Address Confidentiality Program established in Chapter 15C of the
6 General Statutes.
- 7 (7) Public record. – A public record as defined in Chapter 132 of the General
8 Statutes.
- 9 (8) Special operations personnel. – As defined in G.S. 132-1.15.
- 10 (9) Substitute address. – An address designated by the Attorney General under
11 the Address Confidentiality Program.

12 **"§ 114-76. Address Confidentiality Program.**

13 (a) The Address Confidentiality Program (Program) established in the Office of the
14 Attorney General, pursuant to Chapter 15C of the General Statutes, shall protect program
15 participants from disclosure of certain publicly available information as provided by that Chapter.

16 To participate in the Program, special operations personnel shall file an application with the
17 Attorney General. The application shall be dated, signed, and verified by the applicant. An
18 application assistant is not required to sign the application of an individual who applies to
19 participate in the Program under this Article. The application shall contain all of the following:

- 20 (1) A statement indicating that the applicant qualifies as special operations
21 personnel as defined by G.S. 132-1.15, or the spouse or dependent of special
22 operations personnel.
- 23 (2) A statement that attests to the following:
- 24 a. Disclosure of the applicant's address would endanger the applicant's
25 safety or the safety of the applicant's spouse or dependents.
- 26 b. That the applicant has or will confidentially relocate in North Carolina.
- 27 c. A designation of the Attorney General as an agent for the applicant for
28 purposes of service of process and the receipt of first-class mail or
29 certified or registered mail.
- 30 d. The mailing address and telephone number where the applicant can be
31 contacted by the Attorney General.
- 32 e. The address that the applicant requests not to be disclosed by the
33 Attorney General.
- 34 f. A statement by the applicant that to the best of the applicant's
35 knowledge, the information contained in the application is true.
- 36 (3) A letter or other communication from the applicant's commanding officer or
37 unit adjutant certifying the accuracy of the statements required by
38 subdivisions (1) and (2) of this subsection.

39 (b) Upon the filing of a properly completed application, the Attorney General shall certify
40 the applicant as a program participant. Upon certification, the Attorney General shall issue a
41 Program authorization card to the program participant. The Program authorization card shall
42 remain valid for so long as the program participant remains certified under the Program.
43 Applicants shall be certified for four years following the date of filing unless the certification is
44 withdrawn or canceled prior to the end of the four-year period. A program participant may
45 withdraw the certification by filing a request for withdrawal acknowledged before a notary with
46 the Attorney General. A certification may be renewed by filing an application containing the
47 information required by G.S. 15C-3 with the Attorney General at least 30 days prior to expiration
48 of the current certification.

49 **"§ 114-77. Change of name, address, or telephone number.**

50 (a) A program participant shall notify the Attorney General within 30 days after the
51 program participant has obtained a legal name change by providing the Attorney General a

1 certified copy of any judgment or order evidencing the change or any other documentation the
2 Attorney General deems to be sufficient evidence of the name change. If the program participant
3 fails to notify the Attorney General of a name change in the manner provided in this subsection,
4 the Attorney General shall cancel the certification of the program participant in the Program.

5 (b) A program participant shall notify the Attorney General of a change in address or
6 telephone number from the address or telephone number listed for the program participant on the
7 application at least seven days before the change occurs. If the program participant fails to notify
8 the Attorney General of a change in address or telephone number in the manner provided in this
9 subsection, the Attorney General shall cancel the certification of the program participant in the
10 Program.

11 **"§ 114-78. Falsifying application information.**

12 An applicant who falsely attests in an application or who knowingly provides false
13 information when applying for certification or renewal shall lose certification in the Program.
14 The Attorney General shall investigate violations of this section. Upon finding that a violation
15 has occurred, the Attorney General shall assess a civil penalty against the applicant not to exceed
16 five hundred dollars (\$500.00).

17 **"§ 114-79. Certification cancellation; records.**

18 (a) The Attorney General shall cancel the certification of a program participant under any
19 of the following circumstances:

- 20 (1) The program participant files a request for withdrawal of the certification.
- 21 (2) The program participant fails to notify the Attorney General of a change in the
22 program participant's name, address, or telephone number listed on the
23 application.
- 24 (3) The program participant submitted false information in applying for
25 certification to the Program.
- 26 (4) Mail forwarded to the program participant by the Attorney General is returned
27 as undeliverable.

28 (b) The provisions of Article 3 of Chapter 150B of the General Statutes do not apply to
29 any cancellation of certification by the Attorney General pursuant to subsection (a) of this
30 section.

31 (c) The Attorney General shall send notice of cancellation to the program participant.
32 Notice of cancellation shall set out the reasons for cancellation. The program participant shall
33 have 30 days to appeal the cancellation decision under procedures developed by the Attorney
34 General.

35 (d) Any records or documents pertaining to a program participant shall be maintained in
36 accordance with The General Schedule for State Agencies as established by the Department of
37 Natural and Cultural Resources.

38 (e) An individual who ceases to be a program participant is responsible for notifying
39 persons who use the substitute address designated by the Attorney General as the program
40 participant's address that the designated substitute address is no longer the individual's address.

41 **"§ 114-80. Address use by State or local agencies.**

42 (a) The program participant, and not the Attorney General, is responsible for requesting
43 that agencies of North Carolina use the address designated by the Attorney General as the
44 substitute address of the program participant.

45 (b) Except as otherwise provided in this section, when a program participant submits a
46 current and valid Address Confidentiality Program authorization card to an agency of North
47 Carolina, the agency shall accept the address designation by the Attorney General on the
48 authorization card as the program participant's substitute address when creating a new public
49 record.

50 (c) An agency may request a waiver from the requirements of the Address Confidentiality
51 Program by submitting a waiver request to the Attorney General. The agency's waiver request

1 shall be in writing and include an explanation of why the agency cannot meet its statutory or
2 administrative obligations by possessing or using the substitute address and an affirmation that,
3 if the Attorney General accepts the waiver, the agency will only use the program participant's
4 actual address for those statutory or administrative purposes.

5 (d) The Attorney General's acceptance or denial of an agency's waiver request shall be
6 made in writing and include a statement of specific reasons for acceptance or denial. Acceptance
7 or denial of an agency's waiver request is not subject to further review.

8 (e) A board of elections shall use the actual address of a program participant for all
9 election-related purposes and shall keep the address confidential from the public under the
10 provisions of G.S. 163-82.10(e). Use of the actual address on letters placed in the United States
11 mail by a board of elections shall not be considered a breach of confidentiality. The substitute
12 address designation provided by the Attorney General shall not be used as an address for voter
13 registration or verification purposes.

14 (f) For purposes of levying and collecting property taxes on motor vehicles pursuant to
15 Article 22A of Chapter 105 of the General Statutes, the Attorney General shall issue to the
16 county, city, or town assessor or tax collector a list containing the names and actual addresses of
17 program participants residing in that county, city, or town. This list shall be used only for the
18 purposes of listing, appraising, or assessing taxes on motor vehicles and collecting property taxes
19 on motor vehicles in the county, city, or town. The county, city, or town assessor or tax collector
20 or any current or former officer, employee, or agent of any county, city, or town, who in the
21 course of service to or employment by the county, city, or town has access to the name and actual
22 address of a program participant, shall not disclose this information to any other person.

23 (g) The substitute address designated by the Attorney General shall not be used for
24 purposes of listing, appraising, or assessing taxes on property and collecting taxes on property
25 under the provisions of Subchapter II of Chapter 105 of the General Statutes.

26 (h) The substitute address designated by the Attorney General shall not be used as an
27 address by any register of deeds on recorded documents or for the purpose of indexing land
28 registered under Article 4 of Chapter 43 of the General Statutes in the index of registered
29 instruments pursuant to G.S. 161-22.

30 (i) A local school administrative unit shall use the actual address of a program participant
31 for any purpose related to admission or assignment pursuant to Article 25 of Chapter 115C of the
32 General Statutes and shall keep the actual address confidential from the public under the
33 provisions of this Article. The substitute address designated by the Attorney General shall not be
34 used as an address for admission or assignment purposes. For purposes of student records created
35 under Chapter 115C of the General Statutes, the substitute address designated by the Attorney
36 General shall be used.

37 (j) Except as otherwise provided in this section, a program participant's actual address
38 and telephone number maintained by an agency of North Carolina is not a public record within
39 the meaning of Chapter 132 of the General Statutes. A program participant's actual address or
40 telephone number maintained by the Attorney General or disclosed by the Attorney General
41 pursuant to this Chapter is not a public record within the meaning of Chapter 132 of the General
42 Statutes.

43 **"§ 114-81. Disclosure of address prohibited.**

44 (a) The Attorney General is prohibited from disclosing any address or telephone number
45 of a program participant other than the substitute address designated by the Attorney General,
46 except under the following circumstances:

47 (1) The information is requested by a federal, State, or local law enforcement
48 agency for official use only.

49 (2) The information is required by direction of a court order. However, any person
50 to whom a program participant's address or telephone number has been

1 disclosed shall not disclose the address or telephone number to any other
2 person unless permitted to do so by order of the court.

3 (3) Upon request by an agency to verify the participation of a specific program
4 participant when the verification is for official use only.

5 (4) Upon request by an agency, in the manner provided for by G.S. 15C-8.

6 (5) The program participant is required to disclose the program participant's
7 actual address as part of a registration required by Article 27A of Chapter 14
8 of the General Statutes.

9 (b) The Attorney General shall provide immediate notification of disclosure to a program
10 participant when disclosure is made pursuant to subdivision (2) or (4) of subsection (a) of this
11 section.

12 (c) If, at the time of application, an applicant is subject to a court order related to divorce
13 proceedings, child support, child custody, or child visitation, the Attorney General shall notify
14 the court that issued the order of the certification of the program participant in the Address
15 Confidentiality Program and the substitute address designated by the Attorney General. If, at the
16 time of application, an applicant is involved in a court action related to divorce proceedings, child
17 support, child custody, or child visitation, the Attorney General shall notify the court having
18 jurisdiction over the action of the certification of the applicant in the Address Confidentiality
19 Program and the substitute address designated by the Attorney General.

20 (d) No person shall knowingly and intentionally obtain a program participant's actual
21 address or telephone number from the Attorney General or an agency knowing that the person is
22 not authorized to obtain the address information.

23 (e) No employee of the Attorney General or an agency shall knowingly and intentionally
24 disclose a program participant's actual address or telephone number to a person known to the
25 employee to be prohibited from receiving the program participant's actual address or telephone
26 number, unless the disclosure is permissible by law. This subsection only applies when an
27 employee obtains a program participant's actual address or telephone number during the course
28 of the employee's official duties and, at the time of disclosure, the employee has specific
29 knowledge that the actual address or telephone number disclosed belongs to a program
30 participant.

31 (f) Any person who knowingly and intentionally obtains or discloses information in
32 violation of this Chapter shall be guilty of a Class 1 misdemeanor and assessed a fine not to
33 exceed two thousand five hundred dollars (\$2,500).

34 **"§ 114-82. Limited liability.**

35 The State, agencies of North Carolina, and their officers, officials, employees, and agents,
36 both past and present, in their official and individual capacities, shall be immune and held
37 harmless from any liability in any action brought by or on behalf of any person injured or harmed
38 by the actions or inactions of these entities and individuals in implementing this Chapter.
39 However, if an employee's actions resulting in harm were not within the course and scope of the
40 employee's duties, then that employee may be subject to suit as an individual to the extent
41 permitted by the laws of the State of North Carolina.

42 **"§ 114-83. Rulemaking authority.**

43 The Attorney General may adopt any rules deemed necessary to carry out the provisions of
44 this Chapter.

45 **"§ 114-84. Additional time for action.**

46 Whenever the laws of this State provide a program participant a legal right to act within a
47 prescribed period of 10 days or less after the service of a notice or other paper upon the program
48 participant, and the notice or paper is served upon the program participant by mail pursuant to
49 this Chapter, five days shall be added to the prescribed period."

50 **SECTION 3.1.(a)** This section shall be known, and may be cited, as the "Civil
51 Liability for Doxing Act."

1 SECTION 3.1.(b) Effective October 1, 2026, Chapter 1 of the General Statutes is
2 amended by adding a new Article to read:

3 "Article 54.

4 "Civil Liability for Doxing.

5 **"§ 1-670. Definitions.**

6 The following definitions apply in this Article:

- 7 (1) Close relation. – A current or former spouse or domestic partner, parent, child,
8 sibling, stepchild, stepparent, grandparent, any person who regularly resides
9 in the household or who within the prior six months regularly resided in the
10 household, or any person with a significant personal or professional
11 relationship.
- 12 (2) Course of conduct. – A pattern of conduct composed of two or more acts,
13 evidencing a continuity of purpose.
- 14 (3) Doxing. – Unauthorized publication of identification and location information
15 with intent or knowledge that the information will be used to harm the
16 individual whose information is published or with reckless disregard for the
17 risk that the information will be used to harm the individual whose
18 information is published.
- 19 (4) Electronic communication. – The transmission of information by wire, radio,
20 optical cable, electromagnetic, or other similar means. The term includes
21 email, internet-based communications, pager service, and electronic text
22 messaging.
- 23 (5) Identification and location information or information. – As defined in
24 G.S. 132-1.15.
- 25 (6) Publish. – To circulate, deliver, distribute, disseminate, post, transmit, or
26 otherwise make available to another person, through any oral, written, visual,
27 or electronic communication.
- 28 (7) Regularly resides. – Residing in the household with some permanency or
29 regular frequency in the resident's living arrangement.
- 30 (8) Special operations force. – As defined in G.S. 132-1.15.
- 31 (9) Special operations personnel. – As defined in G.S. 132-1.15.
- 32 (10) State agency. – A unit of the executive, legislative, or judicial branch of State
33 government, such as a department, institution, division, commission, board,
34 council, community college, or The University of North Carolina System. The
35 term includes a unit of local government as defined in G.S. 143C-1-1.
- 36 (11) Substantial life disruption. – When a person significantly modifies their
37 actions, routines, employment, residence, appearance, name, or contact
38 information to avoid or protect against an actor who has obtained or is using
39 the person's information, or because of the course of conduct of an actor who
40 has obtained or is using the person's personal identifying information.
41 Examples include, without limitation, changing a phone number, changing an
42 electronic mail address, deleting personal electronic accounts, significantly
43 decreasing use of the internet, moving from an established residence,
44 changing daily routines, changing routes to and from work, changing
45 employment or work schedule, or losing time from work or a job.

46 **"§ 1-671. Civil liability for doxing special operations personnel.**

47 (a) Doxing special operations personnel is unlawful. A person may be held civilly liable
48 for publishing an individual's identification and location information under the following
49 circumstances:

- 1 (1) Without the express consent of the individual whose information is published
2 with intent or knowledge that the information will be used to harm the
3 individual whose information is published; or
4 (2) In reckless disregard of the risk that the information will be used to harm the
5 individual whose information is published; and
6 (3) The publication causes the individual whose information is published to suffer
7 one or more of the following:
8 a. Physical injury.
9 b. Significant economic injury.
10 c. Mental anguish.
11 d. Fear of serious bodily injury or death for themselves or a close relation
12 to themselves.
13 e. A substantial life disruption.
14 (b) A person is not civilly liable for providing identification and location information as
15 follows:
16 (1) When reporting criminal activity, which the person making the report
17 reasonably believes occurred, to an employee of a law enforcement agency,
18 intelligence agency, or other government agency in the United States; or in
19 connection with any existing investigative, protective, or intelligence activity
20 of any law enforcement agency, intelligence agency, or other government
21 agency in the United States. This subdivision only applies if the person
22 providing the information reasonably believes it to be accurate and provides
23 the information in good faith and not for a malicious, fraudulent, or unlawful
24 purpose.
25 (2) In connection with an exercise of the right of freedom of speech or of the
26 press, the right to assemble or petition, or the right of association, guaranteed
27 by the United States Constitution or the North Carolina Constitution.
28 (3) To, or in the course of acting as, or on behalf of the news media.
29 (4) When required to do so by any federal, State, or local law or regulation, or
30 court rule or court order. This subdivision only applies if the person providing
31 the information reasonably believes it to be accurate and provides the
32 information in good faith and not for a malicious, fraudulent, or unlawful
33 purpose.
34 (5) In connection with a lawful requirement for a court filing or recording,
35 including recording judgments or filing liens, unless otherwise specifically
36 allowed by law.
37 (6) Under the Gramm-Leach-Bliley Act and Consumer Financial Protection
38 Bureau Regulation P, 12 C.F.R. Part 1016, consistent with privacy policy
39 disclosures provided pursuant to that regulation.
40 (7) In compliance with the Fair Credit Reporting Act (15 U.S.C. § 1681, et seq.);
41 or the Fair Debt Collection Practices Act (91 Stat. 874; 15 U.S.C. § 1692, et
42 seq.).
43 (8) In a consumer alert or public notice arising from a regulatory, civil, or criminal
44 investigation, complaint, or enforcement action. This subdivision only applies
45 to publications made by government agencies.
46 (9) Within or to a government agency, corporation, company, partnership, labor
47 union, or another legal entity, or to any employees or agents thereof, but only
48 if all of the following requirements are satisfied:
49 a. The information is provided for a legitimate and lawful purpose,
50 including without limitation the reporting of criminal or fraudulent

1 activity, facilitating a lawful commercial transaction, or furthering an
2 existing business relationship.

3 b. The personal identifying information is provided through a private
4 channel of communication and is not provided to the public.

5 c. The person providing the personal information:

6 1. Reasonably believes it to be accurate; or

7 2. Has reasonable suspicion to believe it is being used
8 fraudulently; and

9 3. The person providing the personal identifying information
10 provides it in good faith, and not for a malicious or fraudulent
11 purpose.

12 (10) On behalf of a State agency under exigent circumstances if the information
13 was provided in a manner legally permitted under federal or State law.

14 (c) It is not a defense that the identification and location information at issue was
15 voluntarily given to the publisher, has been previously publicly disclosed, or is readily
16 discoverable through research or investigation.

17 (d) This section is not intended to allow actions to be brought for constitutionally
18 protected activity.

19 (e) Nothing in this section shall be construed in any manner to:

20 (1) Conflict with 47 U.S.C. § 230;

21 (2) Conflict with 42 U.S.C. § 1983; or

22 (3) Prohibit any activity protected under the Constitution of the United States or
23 the North Carolina Constitution.

24 (f) An individual whose identification and location information is published in violation
25 of this Article may bring a civil action against (i) the person or persons who published the
26 personal identifying information and (ii) any person who knowingly benefits, financially or by
27 receiving anything of value, from participation in a venture that the person knew or should have
28 known has engaged in an act in violation of this Article.

29 (g) A prevailing claimant who brings a civil action pursuant to this Article is entitled to
30 recover any or all of the following remedies upon request: (i) compensatory damages; (ii)
31 punitive damages; (iii) statutory damages of five thousand dollars (\$5,000) per violation; (iv)
32 costs and reasonable attorneys' fees; (v) injunctive relief; and (vi) any other relief deemed
33 appropriate by the court.

34 (h) When an action is brought under this Article, a court may, on its own motion or upon
35 the motion of any party, issue a temporary restraining order, or a temporary or permanent
36 injunction, to restrain and prevent the disclosure or continued disclosure of a party's personal
37 identifying information.

38 (i) A civil action may be brought in any county in which an element of any violation of
39 this Article occurred, or in which an individual resides who is the subject of the information
40 published in violation of this Article.

41 **"§ 1-672. Severability.**

42 If any section or provision of this Article is declared unconstitutional or invalid by the courts,
43 it does not affect the validity of this act as a whole or any part other than the part so declared to
44 be unconstitutional or invalid."

45 **SECTION 4.** Effective July 1, 2026, there is appropriated from the General Fund to
46 the Department of Justice (DOJ) the sum of one hundred fifty thousand dollars (\$150,000) in
47 nonrecurring funds for the 2026-2027 fiscal year to extend coverage under Chapter 15C of the
48 General Statutes (Address Confidentiality Program) to special operations personnel as defined in
49 G.S. 132-1.15, as enacted by this act. By March 1, 2027, and then annually thereafter, the
50 Attorney General shall report to the General Assembly and Fiscal Research Division on DOJ's
51 progress in extending coverage under this act.

1 **SECTION 5.** Effective July 1, 2026, there is appropriated from the General Fund to
2 the Department of Military and Veterans Affairs the sum of one hundred fifty thousand dollars
3 (\$150,000) in nonrecurring funds for the 2026-2027 fiscal year to inform servicemembers,
4 veterans, and the general public about the protections available under this act.

5 **SECTION 6.** Effective July 1, 2026, there is appropriated from the General Fund to
6 the Department of Information Technology (DIT) the sum of two hundred fifty thousand dollars
7 (\$250,000) in nonrecurring funds for the 2026-2027 fiscal year to provide technical assistance to
8 State agencies and local political subdivisions of the State that may be required for their
9 compliance with the provisions of this act.

10 **SECTION 7.** Except as otherwise provided, this act is effective when it becomes
11 law.