

Senate Bill 386

By: Senators Albers of the 56th, McKoon of the 29th, Hufstetler of the 52nd, Millar of the 40th, Harper of the 7th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 11 of Title 9 of the Official Code of Georgia Annotated, relating to civil
2 practice, so as to prohibit the public disclosure of social security numbers, taxpayer
3 identification numbers, and financial account numbers in court documents; to provide for
4 procedures for such filings; to provide for exceptions; to provide for related matters; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 style="text-align:center">**SECTION 1.**

8 Chapter 11 of Title 9 of the Official Code of Georgia Annotated, relating to civil practice,
9 is amended by adding a new Code section to read as follows:

10 "9-11-8.1.

11 (a) **Redacted filings.** Unless the court orders otherwise, in a filing with the court that
12 contains a social security number, a taxpayer identification number, or a financial account
13 number, a party or nonparty making the filing shall include only:

14 (1) The last four digits of such social security number;

15 (2) The last four digits of such taxpayer identification number; or

16 (3) The last four digits of such financial account number.

17 (b) **Exemptions from the redaction requirement.** The redaction requirement of
18 subsection (a) of this Code section shall not apply to the following:

19 (1) A financial account number that identifies property allegedly subject to forfeiture in
20 a civil forfeiture proceeding;

21 (2) The record of a federal or state administrative or agency proceeding;

22 (3) The record of a federal or state court or tribunal, if that record was not subject to
23 federal or state redaction requirements when originally filed; and

24 (4) Filings made under seal.

25 (c) Filings made under seal. The court may order a party or nonparty who made a filing
 26 under seal to file a version for the public record that is redacted in accordance with
 27 subsection (a) of this Code section.

28 (d) Protective Orders. For good cause, the court may by order in a case:

29 (1) Require redaction of additional information; or

30 (2) Limit or prohibit a nonparty's remote electronic access to a document filed with the
 31 court.

32 (e) Option for additional unredacted filing under seal. A person making a redacted
 33 filing may also file an unredacted copy under seal. The court shall retain the unredacted
 34 copy as part of the record.

35 (f) Option for filing a reference list. A filing that contains redacted information may be
 36 filed together with a reference list that identifies each item of redacted information and
 37 specifies an appropriate identifier that uniquely corresponds to each item listed. The list
 38 shall be filed under seal and may be amended as of right. Any reference in the case to a
 39 listed identifier shall be construed to refer to the corresponding item of information.

40 (g) Waiver of Protection of Identifiers. A party or nonparty waives the protection of this
 41 Code section as to the party or nonparty's own information by filing it without redaction
 42 and not under seal."

43 **SECTION 2.**

44 Said chapter is further amended by revising subsection (a) of Code Section 9-11-133, relating
 45 to forms meeting requirements for civil case filing and disposition, as follows:

46 "(a) The forms set out in subsections (b), (c), (d), and (e) of this Code section or forms
 47 substantially similar to such forms are sufficient to meet the requirements for civil case
 48 filing and disposition forms; provided, however, that civil case filing forms shall contain
 49 an acknowledgment by the filer that the redaction requirements of Code Section 9-11-8.1
 50 have been met. The civil case forms set out in Exhibit F of the 'Report and
 51 Recommendations of the 1997-1998 Court Filings Committee' published by the State Bar
 52 of Georgia and dated May 15, 1998, are substantially similar to the forms set out in this
 53 Code section."

54 **SECTION 3.**

55 All laws and parts of laws in conflict with this Act are repealed.