



SENATE BILL 416: Personal Privacy Protection Act.

2025-2026 General Assembly

Committee:	Senate Judiciary. If favorable, re-refer to Rules and Operations of the Senate	Date:	May 6, 2025
Introduced by:	Sens. Daniel, Hise, Moffitt	Prepared by:	Amy Darden
Analysis of:	First Edition		Committee Counsel

OVERVIEW: *Senate Bill 416 would create the Personal Privacy Protection Act that would prohibit public agencies from collecting, disclosing, or releasing personal information about members, volunteers, and donors to 501(c) nonprofit organizations, except as required by law.*

BILL ANALYSIS:

Sections 1 and 2 of the bill would title the Personal Privacy Protection Act (Act) and establish its purpose.

Section 3 would define the following:

- Nonprofit organization: An entity that is exempt from federal income tax under section 501(c) of the Internal Revenue Code, has applied with the IRS for recognition of an exemption under 501(c), or is a not-for-profit business entity recognized under State law.
- Person: As defined under G.S. 12-3.
- Personal information: Any list, record, register, registry, roll, roster, or other compilation of data of any kind that directly or indirectly identifies a person as a member, supporter, volunteer, or donor of financial or nonfinancial support to any nonprofit organization.
- Public agency: Any State or local government unit and its employees, however designated, including but not limited to, this State; any department, agency, office, commission, board, division, or other entity of the State.

Section 4 of the bill would prohibit public agencies from doing the following:

- Requiring any person or nonprofit organization to provide the agency with personal information or to compel the release of personal information.
- Release, publicize, or otherwise publicly disclose personal information in possession of the agency.
- Request or require a current or prospective contractor or grantee with the agency to provide a list of nonprofit organizations to which the current or prospective contractor or grantee has provided financial or nonfinancial support.

Section 5 would exempt the following from the Personal Privacy Protection Act:

- Any report or disclosure required by State law.
- Any lawful warrant for personal information issued by a court of competent jurisdiction.

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- A request for discovery of personal information in litigation if both of the following conditions are met:
 - The requestor demonstrates a compelling need for the personal information by clear and convincing evidence.
 - The requestor obtains a protective order barring disclosure of personal information to any person not named in the litigation.
- Admission of personal information as relevant evidence before a court of competent jurisdiction. No court shall publicly reveal personal information absent a specific finding of good cause.
- Releasing personal information by a public agency that was voluntarily released to the public by the person or the nonprofit organization to which it relates.
- Collection of information disclosing the identity of any director, officer, registered agent, or incorporator of a nonprofit organization in any report or disclosure required by statute to be filed with the Secretary of State, except that information that directly identifies a person as a donor of financial support to a nonprofit organization shall not be collected or disclosed.
- Disclosure of personal information derived from a donation to a nonprofit organization that is affiliated with a public agency and required by statute, if the person has not previously requested anonymity.
- Nothing in this Act shall apply to a national securities association that is registered pursuant to 15 U.S.C. §78o-3, any regulations adopted under it, or any information that the national securities association is required to provide pursuant to State law.

Section 6 would provide penalties for violations of the Act. A person alleging a violation of the Act may bring a civil action for injunctive relief, damages, or both. Damages may be awarded as follows 1) compensatory damages not less than \$2,500 for each violation; and 2) a sum not to exceed three times the sum of the above amount for an intentional violation. Court costs, including reasonable attorney fees and witness fees, may also be awarded if the court deems it appropriate. A person who knowingly violates this Article is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than one thousand dollars (\$1,000) or both.

Section 7 of the bill contains severability language.

EFFECTIVE DATE: Except as otherwise provided, the bill becomes effective October 1, 2025.