



House of Representatives

General Assembly

File No. 359

February Session, 2006

Substitute House Bill No. 5583

House of Representatives, April 4, 2006

The Committee on Government Administration and Elections reported through REP. CARUSO of the 126th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE DISCLOSURE OF THE RESIDENTIAL ADDRESSES OF CERTAIN PUBLIC EMPLOYEES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 1-217 of the 2006 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective from passage*):

4 (a) No public agency [may] shall disclose, under the Freedom of
5 Information Act, the residential address of any [of the following
6 persons:

7 (1) A] official or employee of such public agency, federal court
8 judge, federal court magistrate, [judge of the Superior Court, Appellate
9 Court or Supreme Court of the state, or family support magistrate;

10 (2) A sworn member of a municipal police department or a sworn
11 member of the Division of State Police within the Department of Public
12 Safety;

- 13 (3) An employee of the Department of Correction;
- 14 (4) An] attorney-at-law who [represents or] has represented the state
15 in a criminal prosecution, [;
- 16 (5) An attorney-at-law who is] or attorney-at-law who has been
17 employed by the Public Defender Services Division. [or a social worker
18 who is employed by the Public Defender Services Division;
- 19 (6) An inspector employed by the Division of Criminal Justice;
- 20 (7) A firefighter;
- 21 (8) An employee of the Department of Children and Families;
- 22 (9) A member or employee of the Board of Pardons and Paroles;
- 23 (10) An employee of the judicial branch; or
- 24 (11) A member or employee of the Commission on Human Rights
25 and Opportunities] Nothing in this subsection shall be construed to
26 prohibit the disclosure of the residential address of an elected official
27 or the disclosure of the residential address of an official or employee of
28 a public agency when such address is disclosed by means of appearing
29 on a grand list, tax delinquency list, voter registration or enrollment
30 application form, voter registry or enrollment list or any other record
31 that is otherwise required by law to be disclosed to the public.
- 32 (b) The business address of any person described in this section
33 shall be subject to disclosure under section 1-210, as amended. The
34 provisions of this section shall not apply to Department of Motor
35 Vehicles records described in section 14-10, as amended.

This act shall take effect as follows and shall amend the following sections:		
Section 1	from passage	1-217

Statement of Legislative Commissioners:

In Subsec. (a) the phrase "official or employee of such public agency," was inserted for clarity and conforming grammatical changes were made throughout Subsec. (a).

GAE *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

This bill, which makes technical revisions to the Freedom of Information Act with regards to the disclosure of residential addresses, has no fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 5583*****AN ACT CONCERNING THE DISCLOSURE OF THE RESIDENTIAL ADDRESSES OF CERTAIN PUBLIC EMPLOYEES.*****SUMMARY:**

This bill (1) narrows the Freedom of Information Act (FOIA) exemption for the residential addresses of certain currently protected public employees and (2) extends it to cover other public officials and employees. For both groups, the exemption applies under limited circumstances.

The bill excludes from the exemption certain documents containing public officials' and employees' residential addresses, but is unclear whether this exclusion impacts disclosure by public agency employers.

Under existing law, unchanged by the bill, public officials' and employees' business addresses are subject to disclosure.

EFFECTIVE DATE: Upon passage

DISCLOSURE BY AGENCIES

Under current law, FOIA prohibits every public agency, other than the Department of Motor Vehicles (DMV), from disclosing the residential addresses of certain categories of non-elected public officials and employees. Those protected employees are: federal and state judges and magistrates, past and present state prosecutors and public defenders, police officers, Departments of Correction and Children and Families employees, Criminal Justice Division inspectors, firefighters, parole board members and employees, Judicial Branch employees, and Commission on Human Rights and Opportunities members and employees.

The bill changes the exemption by prohibiting every public agency from disclosing the residential addresses of its public officials and employees only, regardless of whether they are presently protected.

Narrower Application

With some exceptions, the bill narrows the protection for employees whose home addresses are presently protected by requiring agencies with this information, other than those in which they work, to disclose it unless a federal or other state law prohibits them from doing so. But the home addresses of federal court judges and magistrates and past state prosecutors and public defenders remain exempt from disclosure by any agency but DMV.

Broader Application

By prohibiting every agency from disclosing the home addresses of its own employees, the bill expands the exemption to cover public officials and employees whose addresses are currently disclosable.

DISCLOSURE ON GRAND LISTS AND OTHER DOCUMENTS

The bill's exemptions do not prohibit the disclosure of public officials' or employees' residential addresses that appear on certain public documents. Those documents are: grand lists, tax delinquency lists, voter registration or enrollment applications or lists, and any other records that must be disclosed by law.

It is unclear whether the bill's exception for these lists affects the prohibition against address disclosures by public agency employers. One possible reading is that the employers do not have to protect the addresses of any official or employee whose address appears on one of the lists. Another possible reading is that while employers cannot disclose the addresses of the employees, agencies that maintain the lists can.

BACKGROUND

Department of Motor Vehicles Records

By law, personal information in DMV records is disclosable to

government agencies and anyone who agrees to use it for specified limited purposes.

Related Bill

HB 5535, reported favorably by the Government Administration and Elections Committee, adds Judicial Branch employees to the list of public employees who may ask the DMV commissioner to substitute their business address for their residential address on DMV records available for public disclosure or inspection.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 18 Nay 0 (03/17/2006)