



House of Representatives

File No. 624

General Assembly

February Session, 2006

(Reprint of File No. 359)

Substitute House Bill No. 5583
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
April 24, 2006

**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2 statutes is repealed and the following is substituted in lieu thereof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 federal court judge, federal court magistrate, judge of the
8 Superior Court, Appellate Court or Supreme Court of the state, or
9 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] official or employee of such public agency, attorney-at-law
15 who [represents or] has represented the state in a criminal prosecution,
16 [;]

17 [(5) An] or an attorney-at-law who [is or] has been employed by the
18 Public Defender Services Division, [or a social worker who is
19 employed by the Public Defender Services Division;

20 (6) An inspector employed by the Division of Criminal Justice;

21 (7) A firefighter;

22 (8) An employee of the Department of Children and Families;

23 (9) A member or employee of the Board of Pardons and Paroles;

24 (10) An employee of the judicial branch; or

25 (11) A member or employee of the Commission on Human Rights
26 and Opportunities.] Nothing in this subsection shall be construed to
27 prohibit the disclosure of the residential address of an elected official
28 or the disclosure of the residential address of an official or employee of
29 a public agency when such disclosure is made by means of appearing
30 on a grand list, tax delinquency list, voter registration or enrollment
31 application form, voter registry or enrollment list or any other record
32 that is otherwise required by law to be disclosed to the public.

33 (b) No public agency shall disclose, under the Freedom of
34 Information Act, the residential address of any federal court judge,
35 federal court magistrate, judge of the Superior Court, Appellate Court
36 or Supreme Court of the state, or a family magistrate.

37 [(b)] (c) The business address of any person described in this section
38 shall be subject to disclosure under section 1-210, as amended. The
39 provisions of this section shall not apply to Department of Motor
40 Vehicles records described in section 14-10, as amended.

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

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

House "A" strikes the language in the underlying bill, it makes technical revisions to the Freedom of Information Act with regards to the disclosure of residential addresses that have no fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 5583 (as amended by House "A")******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 officials and employees and (2) extends it to cover others. For both groups, the exemption applies under limited circumstances. It maintains the exemption at the current level for a group of specified public officials and employees.

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.

*House Amendment "A" reinstates existing law regarding the residential addresses of state judges and family magistrates.

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 leaves the law in place for: past state prosecutors and public defenders; federal court judges and magistrates; state Superior, Appellate, and Supreme Court judges; and family magistrates.

For every other public agency official and employee, it prohibits the agency in which they work from disclosing their residential address. This means the bill:

1. narrows the protection for officials and employees whose home addresses are presently exempt (other than the attorneys and judges listed above) by requiring agencies with this information, except for those in which they work, to disclose it unless a federal or other state law prohibits them from doing so; and
2. expands the protection to cover officials and employees whose addresses are currently disclosable by prohibiting every agency from disclosing the home addresses of its own employees.

DISCLOSURE ON GRAND LISTS AND OTHER DOCUMENTS

The bill's exemptions do not prohibit the disclosure of the residential addresses of elected officials, or public agency officials or employees, when the disclosure is made by means of appearing on certain public documents. Those documents are: grand lists, tax delinquency lists, voter registration or enrollment applications or lists, or 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 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)

Transportation Committee

Joint Favorable Substitute

Yea 26 Nay 1 (04/20/2006)