



Senate

General Assembly

File No. 486

January Session, 2007

Substitute Senate Bill No. 542

Senate, April 16, 2007

The Committee on Government Administration and Elections reported through SEN. SLOSSBERG of the 14th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE POSTING OF PUBLIC MEETING NOTICES ON PUBLIC AGENCY WEB SITES.

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

1 Section 1. Subsection (c) of section 1-225 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2007*):

4 (c) The agenda of the regular meetings of every public agency,
5 except for the General Assembly and any judicial office, official, body
6 or committee, shall be available to the public and shall be filed, not less
7 than twenty-four hours before the meetings to which they refer, (1) in
8 such agency's regular office or place of business, [or, if there is no such
9 office or place of business,] and (2) in the office of the Secretary of the
10 State for any such public agency of the state, in the office of the clerk of
11 such subdivision for any public agency of a political subdivision of the
12 state or in the office of the clerk of each municipal member of any
13 multitown district or agency. For any such public agency of the state,

14 such agenda shall be posted on the public agency's and the Secretary of
15 the State's web sites. Upon the affirmative vote of two-thirds of the
16 members of a public agency present and voting, any subsequent
17 business not included in such filed agendas may be considered and
18 acted upon at such meetings.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2007	1-225(c)

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 chamber thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill requires every public agency, except for the General Assembly and any judicial office, official, body or committee, to post the agenda of their regular meetings on the agency's and the Secretary of the States' web sites. The bill will not result in a fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sSB 542*****AN ACT CONCERNING THE POSTING OF PUBLIC MEETING NOTICES ON PUBLIC AGENCY WEB SITES.*****SUMMARY:**

This bill requires state agencies, other than the General Assembly and Judicial offices, officials, bodies, or committees, to file agendas of their regular meetings with the secretary of the state. It requires local agencies to file their agendas with the town clerk or the clerk of a multi-town district or agency, whichever is applicable. By law, agencies must file notices at least 24 hours in advance of the meetings.

The bill requires state agencies and the secretary of the state to post the agendas on their websites but does not specify when the postings must occur.

By law, unchanged by the bill, state and local agencies have to file the agendas in their respective offices. Under current law, they have to file their agendas only with the secretary of the state or the appropriate clerk if they have no regular office or place of business. The General Assembly is exempt from the filing requirement.

EFFECTIVE DATE: October 1, 2007

BACKGROUND***Freedom of Information Act***

By law, FOIA applies to the Judicial Branch and the Division of Criminal Justice, but only with respect to their administrative functions. However, "administrative function" is not currently defined in statute.

What constitutes an "administrative function" was at issue in a

recent state Supreme Court decision. In *Clerk of the Superior Court, Geographical Area Number Seven v. Freedom of Information Commission*, 278 Conn. 28 (2006), the Court held that records related to the branch's adjudicatory functions are categorically exempt from disclosure, and "administrative functions" are those relating to the branch's budget, personnel, facilities, and physical operations of the courts.

Related Bill

The Government Administrative and Elections Committee also favorably reported sSB 1064. That bill, among other things, defines "administrative function" for purpose of FOIA.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 13 Nay 0 (03/30/2007)