



General Assembly

**Substitute Bill No. 5643**

February Session, 2008

\* \_\_\_\_\_HB05643GAE\_\_\_\_031908\_\_\_\_\_\*

**AN ACT EXEMPTING CERTAIN PUBLIC SERVICE COMPANY  
RECORDS FROM DISCLOSURE.**

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

1 Section 1. Subdivision (19) of subsection (b) of section 1-210 of the  
2 2008 supplement to the general statutes is repealed and the following  
3 is substituted in lieu thereof (*Effective October 1, 2008*):

4 (19) Records when there are reasonable grounds to believe  
5 disclosure may result in a safety risk, including the risk of harm to any  
6 person, any government-owned or leased institution or facility or any  
7 fixture or appurtenance and equipment attached to, or contained in,  
8 such institution or facility, except that such records shall be disclosed  
9 to a law enforcement agency upon the request of the law enforcement  
10 agency. Such reasonable grounds shall be determined (A) (i) by the  
11 Commissioner of Public Works, after consultation with the chief  
12 executive officer of an executive branch state agency, with respect to  
13 records concerning such agency; and (ii) by the Commissioner of  
14 Emergency Management and Homeland Security, after consultation  
15 with the chief executive officer of a municipal, district or regional  
16 agency, with respect to records concerning such agency; (B) by the  
17 Chief Court Administrator with respect to records concerning the  
18 Judicial Department; and (C) by the executive director of the Joint  
19 Committee on Legislative Management, with respect to records

20 concerning the Legislative Department. As used in this section,  
21 "government-owned or leased institution or facility" includes, but is  
22 not limited to, an institution or facility owned or leased by a public  
23 service company, as defined in section 16-1 of the 2008 supplement to  
24 the general statutes, a certified telecommunications provider, as  
25 defined in section 16-1 of the 2008 supplement to the general statutes, a  
26 water company, as defined in section 25-32a, or a municipal utility that  
27 furnishes electric, gas or water service, but does not include an  
28 institution or facility owned or leased by the federal government, and  
29 "chief executive officer" includes, but is not limited to, an agency head,  
30 department head, executive director or chief executive officer. Such  
31 records include, but are not limited to:

32 (i) Security manuals or reports;

33 (ii) Engineering and architectural drawings of government-owned  
34 or leased institutions or facilities;

35 (iii) Operational specifications of security systems utilized at any  
36 government-owned or leased institution or facility, except that a  
37 general description of any such security system and the cost and  
38 quality of such system, may be disclosed;

39 (iv) Training manuals prepared for government-owned or leased  
40 institutions or facilities that describe, in any manner, security  
41 procedures, emergency plans or security equipment;

42 (v) Internal security audits of government-owned or leased  
43 institutions or facilities;

44 (vi) Minutes or records of meetings, or portions of such minutes or  
45 records, that contain or reveal information relating to security or other  
46 records otherwise exempt from disclosure under this subdivision;

47 (vii) Logs or other documents that contain information on the  
48 movement or assignment of security personnel;

49 (viii) Emergency plans and emergency preparedness, response,

50 recovery and mitigation plans, including plans provided by a person  
51 to a state agency or a local emergency management agency or official;  
52 and

53 (ix) With respect to a water company, as defined in section 25-32a,  
54 that provides water service or to a public service company, as defined  
55 in section 16-1 of the 2008 supplement to the general statutes;  
56 Vulnerability assessments and risk management plans, operational  
57 plans, portions of water supply plans submitted pursuant to section  
58 25-32d that contain or reveal information the disclosure of which may  
59 result in a security risk to a water company, inspection reports,  
60 technical specifications and other materials that depict or specifically  
61 describe critical water company or public service company operating  
62 facilities, collection and distribution systems or sources of supply.

63 Sec. 2. Subsection (d) of section 1-210 of the 2008 supplement to the  
64 general statutes is repealed and the following is substituted in lieu  
65 thereof (*Effective October 1, 2008*):

66 (d) Whenever a public agency, except the Judicial Department or  
67 Legislative Department, receives a request from any person for  
68 disclosure of any records described in subdivision (19) of subsection  
69 (b) of this section under the Freedom of Information Act, the public  
70 agency shall promptly notify the Commissioner of Public Works or the  
71 Commissioner of Emergency Management and Homeland Security, as  
72 applicable, of such request, in the manner prescribed by such  
73 commissioner, before complying with the request as required by the  
74 Freedom of Information Act and for information related to a water  
75 company, as defined in section 25-32a, or to a public service company,  
76 as defined in section 16-1 of the 2008 supplement to the general  
77 statutes, the public agency shall promptly notify the water company or  
78 public service company before complying with the request as required  
79 by the Freedom of Information Act. If the commissioner, after  
80 consultation with the chief executive officer of the applicable agency or  
81 after consultation with the chief executive officer of the applicable  
82 water company for information related to a water company, as defined

