



General Assembly

February Session, 2008

**Raised Bill No. 5935**

LCO No. 3263

\*03263\_\_\_\_\_JUD\*

Referred to Committee on Judiciary

Introduced by:  
(JUD)

**AN ACT CONCERNING THE DISCLOSURE OF POLICE AND OTHER PUBLIC RECORDS AND THE TOLLING OF TIME PERIODS FOR BRINGING A CIVIL ACTION WHILE POLICE INVESTIGATIONS ARE PENDING.**

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

1 Section 1. Subsection (b) of section 1-213 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2008*):

4 (b) Nothing in the Freedom of Information Act shall be deemed in  
5 any manner to:

6 (1) Affect the status of judicial records as they existed prior to  
7 October 1, 1975, [nor to limit] or affect the rights of litigants, including  
8 parties to administrative proceedings, under the laws of discovery of  
9 this state;

10 (2) Require disclosure of any record of a personnel search committee  
11 which, because of name or other identifying information, would reveal  
12 the identity of an executive level employment candidate without the  
13 consent of such candidate; or

14 (3) Require any public agency to transcribe the content of any voice  
15 mail message and retain such record for any period of time. As used in  
16 this subdivision, "voice mail" means all information transmitted by  
17 voice for the sole purpose of its electronic receipt, storage and  
18 playback by a public agency.

19 Sec. 2. (NEW) (*Effective October 1, 2008*) In any civil action in which  
20 the state police, a local police department or other law enforcement  
21 agency has conducted an investigation of any factual circumstances  
22 underlying the claim, any applicable time period for bringing such  
23 action shall be tolled until the date such department or agency makes  
24 its report of such investigation public. For the purposes of this section,  
25 "time period for bringing such action" includes any statute of  
26 limitation, any statute of repose, any period for providing notice  
27 including the notice requirements of sections 7-308, 7-465, 13a-144 and  
28 13a-149 of the general statutes, and any other statutory, regulatory or  
29 common law time period that provides a time limit for the initiation of  
30 a legal action or claim.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2008</i>	1-213(b)
Sec. 2	<i>October 1, 2008</i>	New section

**Statement of Purpose:**

To provide that the Freedom of Information Act does not affect the rights of litigants in criminal or civil cases under the laws of discovery and to provide that any time period for bringing a civil action does not begin to run until any report of a related police investigation is made public.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*