

**FREEDOM OF INFORMATION COMMISSION STATEMENT ON SB 188,
AN ACT ESTABLISHING UNIFORM PROCEDURES REGARDING
NEW HOME CONSTRUCTION CONTRACTOR AND
HOME IMPROVEMENT CONTRACTOR AND SALESMAN
RELATED COMPLAINTS.**

The Freedom of Information Commission (FOIC) does not take a position on the merits of this proposal to establish uniform Department of Consumer Protection (DCP) new home construction contractor and home improvement contractor and salesman related complaint procedures. The FOIC, however, is concerned that the language of the bill is unclear and may have negative implications on the right to access public records, insofar as the bill references removing complaints from the database under certain circumstances and points in time. It is unclear whether removal from the database would mean that such information can no longer be accessed by members of the public. If that is the intention, it ought to be clearly stated and thought ought to be given as to what would be an appropriate time period for such removal to occur, while taking into account the public's right to know.

The Commission particularly recommends eliminating certain language relating to complaints that will not be posted on the DCP's web site. That provision says such complaints will not "otherwise [be] made available to the public, except as required pursuant to chapter 14 of the general statutes" found in Section 1(d). Chapter 14, which is the Freedom of Information Act, governs access to public records. The quoted language is unnecessary, counterintuitive and confusing.

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