



General Assembly

February Session, 2012

Raised Bill No. 5463

LCO No. 2047

02047_____GAE

Referred to Committee on Government Administration and Elections

Introduced by:
(GAE)

AN ACT CONCERNING REQUESTS FOR RECORDS UNDER THE FREEDOM OF INFORMATION ACT AND APPOINTMENTS TO THE FREEDOM OF INFORMATION COMMISSION.

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

1 Section 1. Subsection (a) of section 1-205 of the 2012 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective July 1, 2012*):

4 (a) There shall be established, within the Office of Governmental
5 Accountability established under section 1-300, a Freedom of
6 Information Commission consisting of nine members. (1) Five of such
7 members shall be appointed by the Governor, with the advice and
8 consent of either house of the General Assembly. Such members shall
9 serve for terms of four years from July first of the year of their
10 appointment, except that of the members appointed prior to and
11 serving on July 1, 1977, one shall serve for a period of six years from
12 July 1, 1975, one shall serve for a period of four years from July 1, 1975,
13 and one shall serve for a period of six years from July 1, 1977. Of the
14 two new members first appointed by the Governor after July 1, 1977,

15 one shall serve from the date of such appointment until June 30, 1980,
16 and one shall serve from the date of such appointment until June 30,
17 1982. (2) On and after July 1, 2011, four members of the commission
18 shall be appointed as follows: One by the president pro tempore of the
19 Senate, one by the minority leader of the Senate, one by the speaker of
20 the House of Representatives and one by the minority leader of the
21 House of Representatives. Such members shall serve for terms of [two]
22 four years from July first of the year of their appointment. (3) No more
23 than five members of the commission shall be members of the same
24 political party. Any vacancy in the membership of the commission
25 shall be filled by the appointing authority for the unexpired portion of
26 the term.

27 Sec. 2. Subsection (a) of section 1-212 of the 2012 supplement to the
28 general statutes is repealed and the following is substituted in lieu
29 thereof (*Effective October 1, 2012*):

30 (a) Any person applying in writing or by oral request under this
31 chapter shall receive, promptly upon such written or oral request, a
32 plain, facsimile, electronic or certified copy of any public record. The
33 public agency may require that such request be made in writing. The
34 type of copy provided shall be within the discretion of the public
35 agency, except (1) the agency shall provide a certified copy whenever
36 requested, and (2) if the applicant does not have access to a computer
37 or facsimile machine, the public agency shall not send the applicant an
38 electronic or facsimile copy. The fee for any copy provided in
39 accordance with the Freedom of Information Act:

40 (A) By an executive, administrative or legislative office of the state, a
41 state agency or a department, institution, bureau, board, commission,
42 authority or official of the state, including a committee of, or created
43 by, such an office, agency, department, institution, bureau, board,
44 commission, authority or official, and also including any judicial office,
45 official or body or committee thereof but only in respect to its or their
46 administrative functions, shall not exceed twenty-five cents per page;

47 and

48 (B) By all other public agencies, as defined in section 1-200, shall not
49 exceed fifty cents per page. If any copy provided in accordance with
50 said Freedom of Information Act requires a transcription, or if any
51 person applies for a transcription of a public record, the fee for such
52 transcription shall not exceed the cost thereof to the public agency.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2012	1-205(a)
Sec. 2	October 1, 2012	1-212(a)

Statement of Purpose:

To change the term of the legislatively appointed members of the Freedom of Information Commission from two years to four years, and to clarify that requests under the Freedom of Information Act may be oral rather than written.

[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.]