



Senate Bill No. 879

Public Act No. 13-85

**AN ACT CONCERNING THE CONFIDENTIALITY OF INFORMATION
OBTAINED BY THE ATTORNEY GENERAL DURING THE COURSE
OF ANTITRUST INVESTIGATIONS.**

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

Section 1. Section 35-42 of the general statutes is amended by adding subsection (i) as follows (*Effective October 1, 2013*):

(NEW) (i) Notwithstanding the prohibition against public disclosure of documentary material and other information provided in subsections (c) and (e) of this section, any confidential material may be used by the Attorney General, or the Attorney General's designee, in connection with the taking of oral testimony conducted pursuant to this section, when the Attorney General, or the Attorney General's designee, reasonably determines that it is necessary to disclose such confidential material to a person providing oral testimony in order to adduce evidence of a suspected violation of a provision of this chapter and reasonably believes that the person providing oral testimony: (1) Is an author or recipient of the confidential material, (2) has read the confidential material, or (3) is otherwise aware of the substance of the confidential material. The permissible use of confidential material in connection with the taking of oral testimony provided under this subsection shall not apply to investigations of proposed mergers or

Senate Bill No. 879

acquisitions. No copy or original of the confidential material described or shown to a person providing oral testimony pursuant to this section shall be retained by such person. For purposes of this subsection, "confidential material" means documentary material, responses to interrogatories or written transcripts of oral testimony, or copies thereof, or other information produced pursuant to a demand made under this section or furnished voluntarily.

Approved June 6, 2013