



House of Representatives

General Assembly

File No. 133

February Session, 2014

Substitute House Bill No. 5125

House of Representatives, March 26, 2014

The Committee on Government Administration and Elections reported through REP. JUTILA of the 37th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT LIMITING ACCESS TO CERTAIN INFORMATION
REGARDING PROBATION OFFICERS UNDER THE FREEDOM OF
INFORMATION ACT.***

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

1 Section 1. (NEW) (*Effective July 1, 2014*) Any personal information of
2 a current or former probation officer employed by the Judicial Branch
3 that is not related to the performance of such officer's duties or
4 employment, including, but not limited to, such officer's (1) date of
5 birth, (2) Social Security number, (3) current or former electronic mail
6 address, telephone number or residential address, (4) photograph, and
7 (5) driver's license information, shall not be subject to disclosure under
8 the Freedom of Information Act, as defined in section 1-200 of the
9 general statutes, to any individual under the supervision of the Court
10 Support Services Division or any individual committed to the custody
11 or supervision of the Commissioner of Correction pursuant to section
12 53a-32 of the general statutes for a violation of probation.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2014</i>	New section

Statement of Legislative Commissioners:

Subdiv. designators were added for clarity and the reference to section 53a-32 was reworded for accuracy.

GAE *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill, which exempts certain information about current and former probation officers from disclosure to certain individuals, has no fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 5125*****AN ACT LIMITING ACCESS TO CERTAIN INFORMATION REGARDING PROBATION OFFICERS UNDER THE FREEDOM OF INFORMATION ACT.*****SUMMARY:**

This bill exempts from disclosure under the Freedom of Information Act (FOIA) personal information about current and former probation officers employed by the Judicial Branch to people (1) under the supervision of the Court Support Services Division or (2) under Department of Correction custody or supervision for violating probation. The bill applies to personal information not related to the officer's duties or employment, including his or her date of birth; Social Security number; current and former e-mail addresses, telephone numbers, and home addresses; photographs; and driver's license information.

By law, unless specifically exempted, public employees' personnel, medical, and similar files are subject to disclosure under FOIA unless disclosure would constitute an invasion of personal privacy (CGS § 1-210(b)(2)). Under case law, disclosing these files is an invasion of privacy if the (1) records are not of legitimate public concern and (2) information in the files would be highly offensive to a reasonable person (*Perkins v. FOIC*, 228 Conn. 158 (1993)).

EFFECTIVE DATE: July 1, 2014

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 13 Nay 0 (03/07/2014)