



General Assembly

February Session, 2016

Substitute Bill No. 5499

* _____HB05499GAE____032116_____*

AN ACT CONCERNING THE PRESERVATION OF HISTORICAL RECORDS AND ACCESS TO RESTRICTED RECORDS IN THE STATE ARCHIVES.

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

1 Section 1. (NEW) (*Effective October 1, 2016*) Any record transferred to
2 the state archives established in section 11-1c of the general statutes
3 that the State Archivist determines to be a record of historical value
4 shall be retained for posterity and title to such record shall vest in the
5 state archives.

6 Sec. 2. (NEW) (*Effective October 1, 2016*) (a) For purposes of this
7 section:

8 (1) "Government record" means any recorded data or information
9 prepared, owned, used, received or retained by a state or local
10 government agency that has been deemed confidential, classified or
11 private;

12 (2) "Medical record" means any information, whether oral or
13 recorded in any form or medium, that: (A) Is created or received by a
14 health care provider, health plan, employer, life insurer, school or
15 university, or health care clearinghouse, as defined in 45 CFR 160.103;
16 and (B) relates to (i) the past, present, or future physical or mental
17 health or condition of an individual; (ii) the provision of health care to
18 an individual; or (iii) the past, present, or future payment for the

19 provision of health care to an individual; and

20 (3) "State archives" means the official state archives established in
21 section 11-1c of the general statutes.

22 (b) Notwithstanding any provision of the general statutes, any
23 prohibition against viewing a government record, other than a medical
24 record, that has been deposited in the state archives shall be lifted
25 seventy-five years after the creation of such record.

26 (c) Notwithstanding any provision of the general statutes, any
27 prohibition against viewing a medical record that has been deposited
28 in the state archives shall be lifted fifty years after the death of the
29 individual who is the subject of such record.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2016	New section
Sec. 2	October 1, 2016	New section

Statement of Legislative Commissioners:

In Section 2(a)(3), the definition of "state archives" was rephrased for accuracy and clarity.

GAE *Joint Favorable Subst. -LCO*