



House of Representatives

General Assembly

File No. 571

February Session, 2016

Substitute House Bill No. 5616

House of Representatives, April 11, 2016

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 CONCERNING NOTICES AND PUBLIC INFORMATION.

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

1 Section 1. Section 1-225 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2017*):

3 (a) The meetings of all public agencies, except executive sessions, as
4 defined in subdivision (6) of section 1-200, shall be open to the public.
5 The votes of each member of any such public agency upon any issue
6 before such public agency shall be reduced to writing and made
7 available for public inspection within forty-eight hours and shall also
8 be recorded in the minutes of the session at which taken. Not later than
9 seven days after the date of the session to which such minutes refer,
10 such minutes shall be available for public inspection and posted on
11 such public agency's Internet web site, if available, and on an Internet
12 web site designated by the Secretary of the State, except that no public
13 agency of a political subdivision of the state shall be required to post
14 such minutes on an Internet web site. Each public agency shall make,

15 keep and maintain a record of the proceedings of its meetings.

16 (b) Each such public agency of the state shall electronically file, not
17 later than January thirty-first of each year, [in] with the office of the
18 Secretary of the State, in a manner prescribed by the Secretary of the
19 State, the schedule of the regular meetings of such public agency for
20 the ensuing year and shall post such schedule on such public agency's
21 Internet web site, if available, and on an Internet web site designated
22 by the Secretary of the State, except that such requirements shall not
23 apply to the General Assembly, either house thereof or [to] any
24 committee thereof. Any other provision of the Freedom of Information
25 Act notwithstanding, the General Assembly at the commencement of
26 each regular session in the odd-numbered years [,] shall adopt, as part
27 of its joint rules, rules to provide notice to the public of its regular,
28 special, emergency [or] and interim committee meetings. The
29 chairperson or secretary of any such public agency of any political
30 subdivision of the state shall file, not later than January thirty-first of
31 each year, with the clerk of such subdivision the schedule of regular
32 meetings of such public agency for the ensuing year, and no such
33 meeting of any such public agency shall be held sooner than thirty
34 days after such schedule has been filed. The chief executive officer of
35 any multitown district or agency shall file, not later than January
36 thirty-first of each year, with the clerk of each municipal member of
37 such district or agency [,] the schedule of regular meetings of such
38 public agency for the ensuing year, and no such meeting of any such
39 public agency shall be held sooner than thirty days after such schedule
40 has been filed.

41 (c) The agenda of the regular meetings of [every] each public
42 agency, except for the General Assembly, shall be available to the
43 public and shall be filed, not less than twenty-four hours before the
44 meetings to which they refer, (1) in such agency's regular office or
45 place of business, and (2) [in] electronically with the office of the
46 Secretary of the State in a manner prescribed by the Secretary of the
47 State for any such public agency of the state, [in] with the office of the
48 clerk of such subdivision for any public agency of a political

49 subdivision of the state or [in] with the office of the clerk of each
50 municipal member of any multitown district or agency. For any such
51 public agency of the state, such agenda shall be posted by the public
52 agency on the public agency's [and the Secretary of the State's web
53 sites] Internet web site, if available, and on an Internet web site
54 designated by the Secretary of the State. Upon the affirmative vote of
55 two-thirds of the members of a public agency present and voting, any
56 subsequent business not included in such filed agendas may be
57 considered and acted upon at such meetings.

58 (d) Notice of each special meeting of [every] each public agency,
59 except for the General Assembly, either house thereof or any
60 committee thereof, shall be posted not less than twenty-four hours
61 before the meeting to which such notice refers on the public agency's
62 Internet web site, if available, and given not less than twenty-four
63 hours prior to the time of such meeting by filing a notice of the time
64 and place thereof [in] with the office of the Secretary of the State for
65 any such public agency of the state, [in] with the office of the clerk of
66 such subdivision for any public agency of a political subdivision of the
67 state and [in] with the office of the clerk of each municipal member
68 [for] of any multitown district or agency, except that any such notice
69 filed with the Secretary of the State shall be filed electronically. Any
70 notice filed by a public agency of the state under this section shall be
71 posted by such public agency, in a manner prescribed by the Secretary
72 of the State, on an Internet web site designated by the Secretary of the
73 State. The [secretary or] clerk of a political subdivision of the state or
74 the clerk of each municipal member of a multitown district or agency,
75 as the case may be, shall cause any notice received under this section to
76 be posted in his office. Such notice shall be given not less than twenty-
77 four hours prior to the time of the special meeting; provided, in case of
78 emergency, except for the General Assembly, either house thereof or
79 any committee thereof, any such special meeting may be held without
80 complying with the foregoing requirement for the filing of notice, but a
81 copy of the minutes of [every] each such emergency special meeting
82 adequately setting forth the nature of the emergency and the
83 proceedings occurring at such meeting shall be filed with the Secretary

84 of the State, the clerk of such political subdivision [,] or the clerk of
85 each municipal member of such multitown district or agency, as the
86 case may be, not later than seventy-two hours following the holding of
87 such meeting, except that any such copy of the minutes filed with the
88 Secretary of the State shall be filed electronically. The notice shall
89 specify the time and place of the special meeting and the business to be
90 transacted. No other business shall be considered at such meetings by
91 such public agency. In addition, such written notice shall be delivered
92 to the usual place of abode of each member of the public agency so that
93 the same is received prior to such special meeting. The requirement of
94 delivery of such written notice may be dispensed with as to any
95 member who at or prior to the time the meeting convenes files with the
96 clerk or secretary of the public agency a written waiver of delivery of
97 such notice. Such waiver may be given by [telegram] means of
98 electronic communication. The requirement of delivery of such written
99 notice may also be dispensed with as to any member who is actually
100 present at the meeting at the time it convenes. Nothing in this section
101 shall be construed to prohibit any agency from adopting more
102 stringent notice requirements.

103 (e) No member of the public shall be required, as a condition to
104 attendance at a meeting of any such body, to register the member's
105 name, [or] furnish other information, [or] complete a questionnaire or
106 otherwise fulfill any condition precedent to the member's attendance.

107 (f) A public agency may hold an executive session, as defined in
108 subdivision (6) of section 1-200, upon an affirmative vote of two-thirds
109 of the members of such body present and voting, taken at a public
110 meeting and stating the reasons for such executive session, as defined
111 in section 1-200.

112 (g) In determining the time within which or by when a notice,
113 agenda, record of votes or minutes of a special meeting or an
114 emergency special meeting are required to be filed under this section,
115 Saturdays, Sundays, legal holidays and any day on which the office of
116 the agency, the Secretary of the State, [or] the clerk of the applicable

117 political subdivision or the clerk of each municipal member of any
118 multitown district or agency, as the case may be, is closed, shall be
119 excluded.

120 (h) Any provision of this section requiring a public agency of the
121 state to file with the Secretary of the State any meeting schedule,
122 agenda, notice of special meeting or minutes of an emergency special
123 meeting shall be deemed to require such public agency of the state to
124 post, in a manner prescribed by the Secretary of the State, such
125 meeting schedule, agenda, notice of special meeting or minutes of an
126 emergency special meeting on an Internet web site designated by the
127 Secretary of the State. The Secretary of the State shall designate an
128 Internet web site for the purposes of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2017	1-225

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***

This bill, which requires the Secretary of State to designate a website on which public agencies must post meeting schedules, agendas, and minutes, will not result in a fiscal impact.

The Out Years***State Impact:*** None***Municipal Impact:*** None

OLR Bill Analysis

sHB 5616

AN ACT CONCERNING NOTICES AND PUBLIC INFORMATION.

SUMMARY:

Under current law, state agencies must file with the secretary of the state (SOTS) (1) a schedule of their regular meetings for the calendar year, (2) agendas for each regular meeting, (3) notices of each special meeting, and (4) minutes of each emergency special meeting.

This bill instead requires the secretary to designate a website on which state agencies must post these records. It additionally requires the agencies to post on the SOTS-designated website minutes of all meetings, not just minutes of emergency special meetings.

The bill requires state agencies to post these records in accordance with existing law's deadlines for filing such records with SOTS. It thus requires agencies to post (1) a schedule of regular meetings for the calendar year annually by January 31, (2) agendas for each regular meeting and notices of each special meeting at least 24 hours before the meeting, and (3) minutes of each emergency special meeting within 72 hours after the meeting. For minutes of all other meetings (i.e., regular and special meetings), the bill requires state agencies to post them on the SOTS-designated website within seven days after the meeting, which conforms to the deadline by which agencies must post these minutes on their own websites.

A special meeting is one that is held to consider business that (1) was unforeseen when scheduling regular meetings and (2) should be addressed before the next such meeting. Agencies must provide at least 24 hours' notice of a special meeting. An emergency special meeting is one that is held without advance notice to take up matters requiring immediate consideration. The minutes of such a meeting

must set forth the nature of the emergency.

EFFECTIVE DATE: July 1, 2017

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 14 Nay 0 (03/21/2016)