

**FREEDOM OF INFORMATION COMMISSION STATEMENT ON RAISED BILL 5613,
AN ACT PROHIBITING DISCLOSURE OF DATE OF BIRTH INFORMATION ON
VOTER RECORDS**

March 14, 2016

The Freedom of Information Commission opposes Raised Bill 5613, which provides that municipal registrars of voters must redact the dates of birth from voter records before disclosing such records, either to the public or to other public agencies.

Dates of birth are necessary to determine voter eligibility and to guard against voter fraud. Additionally, a date of birth is an important identifier when more than one person with the same name (Example: John Smith) appears on the voter lists.

The Commission is also concerned that the bill does not clearly define “record of an elector.” Does the proposal include records covered under Title 9 of the General Statutes? Are there additional voter records from which the dates of birth must be redacted? In addition, the bill is broad and prohibits disclosure to “*any* member of the public or public agency, as defined in section 1-200 of the general statutes” (emphasis added), including, for example, the State Elections Enforcement Commission and the Secretary of the State.¹

The bill also fails to address the process by which a member of the public or a public agency could inspect the records and at what cost. Generally, under current law, there is no fee for inspecting public records. Under the proposal, if a request is made to inspect, does the registrar of voters have to first make a copy of the record, redact the information and then make another copy?

This bill would substantially change the public’s ability to inspect voter records – a right which has been available to them for decades. The Commission asks the GAE Committee to carefully consider the consequences of this proposed change which would diminish electoral transparency.

For further information contact: Colleen M. Murphy, Executive Director and General Counsel or Mary Schwind, Managing Director and Associate General Counsel, at (860) 566-5682.

¹ Section 1-200(1) defines “public agency” as :

(A) Any executive, administrative or legislative office of the state or any political subdivision of the state and any state or town agency, any department, institution, bureau, board, commission, authority or official of the state or of any city, town, borough, municipal corporation, school district, regional district or other district or other political subdivision of the state, including any committee of, or created by, any such office, subdivision, agency, department, institution, bureau, board, commission, authority or official, and also includes any judicial office, official, or body or committee thereof but only with respect to its or their administrative functions, and for purposes of this subparagraph, “judicial office” includes, but is not limited to, the Division of Public Defender Services; (B) Any person to the extent such person is deemed to be the functional equivalent of a public agency pursuant to law; or (C) Any “implementing agency”, as defined in section 32-222.