



General Assembly

January Session, 2019

**Committee Bill No. 5110**

LCO No. 4346



Referred to Committee on GOVERNMENT ADMINISTRATION  
AND ELECTIONS

Introduced by:  
(GAE)

**AN ACT APPLYING THE SECURITY EXEMPTION UNDER THE  
FREEDOM OF INFORMATION ACT TO THE CONNECTICUT AIRPORT  
AUTHORITY AND CONNECTICUT PORT AUTHORITY.**

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

1 Section 1. Subdivision (19) of subsection (b) of section 1-210 of the  
2 general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective October 1, 2019*):

4 (19) Records when there are reasonable grounds to believe  
5 disclosure may result in a safety risk, including the risk of harm to any  
6 person, any government-owned or leased institution or facility or any  
7 fixture or appurtenance and equipment attached to, or contained in,  
8 such institution or facility, except that such records shall be disclosed  
9 to a law enforcement agency upon the request of the law enforcement  
10 agency. Such reasonable grounds shall be determined (A) (i) by the  
11 Commissioner of Administrative Services, after consultation with the  
12 chief executive officer of an executive branch state agency, with respect  
13 to records concerning such agency; and (ii) by the Commissioner of  
14 Emergency Services and Public Protection, after consultation with the

15 chief executive officer of a municipal, district or regional agency, with  
16 respect to records concerning such agency; (B) by the Chief Court  
17 Administrator, with respect to records concerning the Judicial  
18 Department; [and] (C) by the executive director of the Joint Committee  
19 on Legislative Management, with respect to records concerning the  
20 Legislative Department; (D) by the executive director of the  
21 Connecticut Airport Authority, with respect to records concerning the  
22 Connecticut Airport Authority; and (E) by the executive director of the  
23 Connecticut Port Authority, with respect to records concerning the  
24 Connecticut Port Authority. As used in this section, "government-  
25 owned or leased institution or facility" includes, but is not limited to,  
26 an institution or facility owned or leased by a public service company,  
27 as defined in section 16-1, other than a water company, as defined in  
28 section 25-32a, a certified telecommunications provider, as defined in  
29 section 16-1, or a municipal utility that furnishes electric or gas service,  
30 but does not include an institution or facility owned or leased by the  
31 federal government, and "chief executive officer" includes, but is not  
32 limited to, an agency head, department head, executive director or  
33 chief executive officer. Such records include, but are not limited to:

34 (i) Security manuals or reports;

35 (ii) Engineering and architectural drawings of government-owned  
36 or leased institutions or facilities;

37 (iii) Operational specifications of security systems utilized at any  
38 government-owned or leased institution or facility, except that a  
39 general description of any such security system and the cost and  
40 quality of such system may be disclosed;

41 (iv) Training manuals prepared for government-owned or leased  
42 institutions or facilities that describe, in any manner, security  
43 procedures, emergency plans or security equipment;

44 (v) Internal security audits of government-owned or leased  
45 institutions or facilities;

46 (vi) Minutes or records of meetings, or portions of such minutes or  
47 records, that contain or reveal information relating to security or other  
48 records otherwise exempt from disclosure under this subdivision;

49 (vii) Logs or other documents that contain information on the  
50 movement or assignment of security personnel; and

51 (viii) Emergency plans and emergency preparedness, response,  
52 recovery and mitigation plans, including plans provided by a person  
53 to a state agency or a local emergency management agency or official.

54 Sec. 2. Subsection (d) of section 1-210 of the general statutes is  
55 repealed and the following is substituted in lieu thereof (*Effective*  
56 *October 1, 2019*):

57 (d) Whenever a public agency, except the Judicial Department, [or]  
58 Legislative Department, Connecticut Airport Authority or Connecticut  
59 Port Authority receives a request from any person for disclosure of any  
60 records described in subdivision (19) of subsection (b) of this section  
61 under the Freedom of Information Act, the public agency shall  
62 promptly notify the Commissioner of Administrative Services or the  
63 Commissioner of Emergency Services and Public Protection, as  
64 applicable, of such request, in the manner prescribed by such  
65 commissioner, before complying with the request as required by the  
66 Freedom of Information Act. If the commissioner, after consultation  
67 with the chief executive officer of the applicable agency, believes the  
68 requested record is exempt from disclosure pursuant to subdivision  
69 (19) of subsection (b) of this section, the commissioner may direct the  
70 agency to withhold such record from such person. In any appeal  
71 brought under the provisions of section 1-206 of the Freedom of  
72 Information Act for denial of access to records for any of the reasons  
73 described in subdivision (19) of subsection (b) of this section, such  
74 appeal shall be against (1) the chief executive officer of the executive  
75 branch state agency or the municipal, district or regional agency that  
76 issued the directive to withhold such record pursuant to subdivision  
77 (19) of subsection (b) of this section, exclusively, [or,] (2) the Chief

78 Court Administrator, in the case of records concerning Judicial  
 79 Department facilities, [the Chief Court Administrator or,] (3) the  
 80 executive director of the Joint Committee on Legislative Management,  
 81 in the case of records concerning the Legislative Department, [the  
 82 executive director of the Joint Committee on Legislative Management]  
 83 (4) the executive director of the Connecticut Airport Authority, in the  
 84 case of records concerning Connecticut Airport Authority facilities, or  
 85 (5) the executive director of the Connecticut Port Authority, in the case  
 86 of records concerning Connecticut Port Authority facilities.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2019	1-210(b)(19)
Sec. 2	October 1, 2019	1-210(d)

**Statement of Purpose:**

To include the Connecticut Airport Authority and Connecticut Port Authority under the security exemption to the Freedom of Information Act.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

Co-Sponsors: REP. ZAWISTOWSKI, 61st Dist.

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