



House of Representatives

General Assembly

File No. 496

January Session, 2021

Substitute House Bill No. 5879

House of Representatives, April 19, 2021

The Committee on Government Administration and Elections reported through REP. FOX of the 148th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT EXEMPTING CERTAIN CONTACT INFORMATION FROM DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT.

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

1 Section 1. Subsection (b) of section 1-210 of the general statutes is
2 amended by adding subdivision (29) as follows (*Effective October 1,*
3 *2021*):

4 (NEW) (29) Any portion of a list of contact information that contains
5 the residential or mailing address, electronic mail address or telephone
6 number of any individual where such list is (A) created or modified by
7 a member of the General Assembly or such member's staff for purposes
8 related to the member's public office, and (B) in the custody or control
9 of such member or such member's staff.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2021</i>	1-210(b)
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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 adds to the list of documents that are exempt from disclosure under the Freedom of Information Act, has no fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 5879*****AN ACT EXEMPTING CERTAIN CONTACT INFORMATION FROM DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT.*****SUMMARY**

This bill adds to the list of documents that are exempt from disclosure under the Freedom of Information Act (FOIA). Specifically, it exempts any portion of a contact information list containing an individual's residential or mailing address, email address, or phone number, if the list is (1) created or modified by a legislator or his or her staff for the legislator's public office purposes and (2) in the legislator's or staff person's custody or control.

EFFECTIVE DATE: October 1, 2021

BACKGROUND***Related Rulings***

In Declaratory Ruling # 90 (1998), the Freedom of Information Commission (FOIC) ruled that, generally, correspondence between legislators and constituents is (1) not disclosable under FOIA if it relates to casework (e.g., a request to assist the constituent with a matter involving a state agency) but (2) disclosable under FOIA if it relates to enacting legislation.

In 2014, FOIC ruled in two contested cases that constituents' town and zip code information was disclosable when contacting a legislator about a bill because, among other things, the information demonstrated that a person was a constituent and was generally widely available. On the other hand, the commission ruled that constituents' email addresses were not disclosable because, among other things, the information did not demonstrate whether a person was a constituent and was not widely available (FIC2013-0183 and FIC2013-0194).

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 13 Nay 6 (03/31/2021)