
OLR Bill Analysis

sHB 5211

AN ACT CONCERNING THE APPLICATION OF THE FREEDOM OF INFORMATION ACT TO CERTAIN CEMETERY ASSOCIATIONS.

SUMMARY

This bill deems a cemetery association to be a public agency under the Freedom of Information Act (FOIA) if it (1) is incorporated under state law as a nonstock corporation and (2) receives or spends public funds.

Under the bill, “public funds” are moneys collected or received by, or in the custody of, any person and belonging to, or held in trust for, a municipality, including money the municipality holds in trust or for some public or charitable purpose.

Generally, under FOIA, a “public agency” is any (1) state, municipal, regional, or quasi-public agency or (2) entity that is deemed to be the functional equivalent of these agencies (CGS § 1-200(1)).

Among other things, FOIA requires public agencies, with limited exceptions, to (1) make their records and files available to the public for inspection and copying, (2) post their meeting agendas and minutes, and (3) allow the public to attend their meetings (CGS §§ 1-210 & 1-225).

The bill also makes technical changes.

EFFECTIVE DATE: July 1, 2022

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 24 Nay 15 (03/29/2022)