

Judiciary Committee JOINT FAVORABLE REPORT

Bill No.: HB-5211

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

Vote Date: 3/29/2022

Vote Action: Joint Favorable

PH Date: 3/4/2022

File No.:

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SPONSORS OF BILL:

Judiciary Committee

Co-Sponsors:

Rep. Craig C. Fishbein, 90th Dist.

REASONS FOR BILL:

The bill provides that any cemetery association that receives public funds shall be a "public agency" and thus subject to the provisions of the Freedom of Information Act. The bill seeks to ensure transparency of publicly funded cemetery associations.

RESPONSE FROM ADMINISTRATION/AGENCY:

None Expressed.

NATURE AND SOURCES OF SUPPORT:

Freedom of Information Commission

The Freedom of Information Commission supports the bill. They welcome any proposal that increases transparency in government. Specifically, they are happy the bill would provide that any cemetery association that receives or expends public funds shall be a "public agency" subject to the provisions of the FOI Act.

Connecticut Council on Freedom of Information, President, Michael Savino

Michael Savino, President of the Connecticut Council on Freedom of Information, supports the bill. Mr. Savino notes support of making certain cemetery commissions subject to the Freedom of Information Act (FOIA), so long as the cemetery receives public dollars to

oversee publicly owned land or other assets. Mr. Savino believes those commissions should be subject to public meeting and disclosure requirements. Not all cemetery committees receive public funding or oversee publicly owned land. This means that the bill will need to define when a committee is subject to the FOIA. The Freedom of Information Commission is open to working with the Committee to ensure a workable piece of legislation that will accomplish what it intends to.

NATURE AND SOURCES OF OPPOSITION:

Center Street Cemetery Association, Volunteer, Robert Gross

Mr. Gross, a volunteer at Center Street Cemetery Association, speaking for himself, opposes the bill. Mr. Gross believes this bill is very narrow in scope and feels that it is being used to circumvent the court system. He also feels as if the Center Street cemetery association is being harassed by this bill as it targets cemetery associations, and not any other organizations that would receive public funding, to be subject to the FOI requirements.

OTHER:

CT Resident, David Godbout

Mr. Godbout opposed the bill, stating that the virtual committee process constitutes a violation of his Fourth Amendment rights.

Reported by: Luke Tressy

Date: 04/04/2022