



General Assembly

January Session, 2023

Raised Bill No. 6912

LCO No. 6043



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

***AN ACT CONCERNING NONDISCLOSURE OF INFORMATION
REGARDING AND CONDUCT TOWARD CERTAIN ELECTION
WORKERS.***

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

1 Section 1. Section 1-217 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2023*):

3 (a) No public agency may disclose, under the Freedom of Information
4 Act, from its personnel, medical or similar files, the residential address
5 of any of the following persons employed by such public agency:

6 (1) A federal court judge, federal court magistrate, judge of the
7 Superior Court, Appellate Court or Supreme Court of the state, or
8 family support magistrate;

9 (2) A sworn member of a municipal police department, a sworn
10 member of the Division of State Police within the Department of
11 Emergency Services and Public Protection or a sworn law enforcement
12 officer within the Department of Energy and Environmental Protection;

- 13 (3) An employee of the Department of Correction;
- 14 (4) An attorney-at-law who represents or has represented the state in
15 a criminal prosecution;
- 16 (5) An attorney-at-law who is or has been employed by the Division
17 of Public Defender Services or a social worker who is employed by the
18 Division of Public Defender Services;
- 19 (6) An inspector employed by the Division of Criminal Justice;
- 20 (7) A firefighter;
- 21 (8) An employee of the Department of Children and Families;
- 22 (9) A member or employee of the Board of Pardons and Paroles;
- 23 (10) An employee of the judicial branch;
- 24 (11) An employee of the Department of Mental Health and Addiction
25 Services who provides direct care to patients;
- 26 (12) A member or employee of the Commission on Human Rights
27 and Opportunities; or
- 28 (13) A state marshal appointed by the State Marshal Commission
29 pursuant to section 6-38b.
- 30 (b) The business address of any person described in this section shall
31 be subject to disclosure under section 1-210. The provisions of this
32 section shall not apply to Department of Motor Vehicles records
33 described in section 14-10.
- 34 (c) (1) Except as provided in subsections (a) and [(d)] (e) of this
35 section, no public agency may disclose the residential address of any
36 person listed in subsection (a) of this section from any record described
37 in subdivision (2) of this subsection that is requested in accordance with
38 the provisions of said subdivision, regardless of whether such person is
39 an employee of the public agency, provided such person has (A)

40 submitted a written request for the nondisclosure of the person's
41 residential address to the public agency, and (B) furnished his or her
42 business address to the public agency.

43 (2) Any public agency that receives a request for a record subject to
44 disclosure under this chapter where such request (A) specifically names
45 a person who has requested that his or her address be kept confidential
46 under subdivision (1) of this subsection, shall make a copy of the record
47 requested to be disclosed and shall redact the copy to remove such
48 person's residential address prior to disclosing such record, (B) is for an
49 existing list that is derived from a readily accessible electronic database,
50 shall make a reasonable effort to redact the residential address of any
51 person who has requested that his or her address be kept confidential
52 under subdivision (1) of this subsection prior to the release of such list,
53 or (C) is for any list that the public agency voluntarily creates in
54 response to a request for disclosure, shall make a reasonable effort to
55 redact the residential address of any person who has requested that his
56 or her address be kept confidential under subdivision (1) of this
57 subsection prior to the release of such list.

58 (3) Except as provided in subsection (a) of this section, an agency shall
59 not be prohibited from disclosing the residential address of any person
60 listed in subsection (a) of this section from any record other than the
61 records described in subparagraphs (A) to (C), inclusive, of subdivision
62 (2) of this subsection.

63 (d) Except as provided in subsections (a) and (e) of this section, no
64 public agency of a municipality may disclose, under the Freedom of
65 Information Act, from a public record, including any record described
66 in subdivision (2) of subsection (c) of this section, the residential address
67 of any person who is a municipal clerk, registrar of voters, deputy
68 registrar of voters, election official described in section 9-258, primary
69 official described in 9-436 or audit official described in section 9-320f,
70 regardless of whether such person is an employee of the public agency,
71 provided such person has (1) submitted a written request for the
72 nondisclosure of the person's residential address to the public agency,

73 and (2) furnished his or her business address to the public agency.

74 [(d)] (e) The provisions of this section shall not be construed to
75 prohibit the disclosure without redaction of any document, as defined
76 in section 7-35bb, any list prepared under title 9, or any list published
77 under section 12-55.

78 [(e)] (f) No public agency or public official or employee of a public
79 agency shall be penalized for violating a provision of this section, unless
80 such violation is wilful and knowing. Any complaint of such a violation
81 shall be made to the Freedom of Information Commission. Upon receipt
82 of such a complaint, the commission shall serve upon the public agency,
83 official or employee, as the case may be, by certified or registered mail,
84 a copy of the complaint. The commission shall provide the public
85 agency, official or employee with an opportunity to be heard at a
86 hearing conducted in accordance with the provisions of chapter 54,
87 unless the commission, upon motion of the public agency, official or
88 employee or upon motion of the commission, dismisses the complaint
89 without a hearing if it finds, after examining the complaint and
90 construing all allegations most favorably to the complainant, that the
91 public agency, official or employee has not wilfully and knowingly
92 violated a provision of this section. If the commission finds that the
93 public agency, official or employee wilfully and knowingly violated a
94 provision of this section, the commission may impose against such
95 public agency, official or employee a civil penalty of not less than twenty
96 dollars nor more than one thousand dollars. Nothing in this section shall
97 be construed to allow a private right of action against a public agency,
98 public official or employee of a public agency.

99 Sec. 2. (NEW) (*Effective July 1, 2023*) (a) As used in this section,
100 "election worker" includes any municipal clerk, registrar of voters,
101 deputy registrar of voters, election official described in section 9-258 of
102 the general statutes, primary official described in section 9-436 of the
103 general statutes and audit official described in section 9-320f of the
104 general statutes, and "personal identifying information" has the same
105 meaning as provided in section 53a-129a of the general statutes.

106 (b) Any person who harasses or intimidates, or attempts to harass or
107 intimidate, any election worker in the performance of any duty under
108 the provisions of title 9 of the general statutes related to election
109 administration, including through publicly disclosing or threatening to
110 publicly disclose personal identifying information of such election
111 worker, and in doing so interferes with the orderly process of voting,
112 shall be guilty of a class D felony.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2023</i>	1-217
Sec. 2	<i>July 1, 2023</i>	New section

Statement of Purpose:

To (1) allow certain election workers to request that their residential addresses be exempt from disclosure under the Freedom of Information Act, and (2) prohibit certain intimidating or harassing conduct toward election workers performing election-related duties.

[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.]