



General Assembly

Substitute Bill No. 6912

January Session, 2023



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 Section 1-217 of the general statutes is repealed and the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
4 Information Act, from its personnel, medical or similar files, the
5 residential address of any of the following persons employed by such
6 public agency:

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

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

15 (3) An employee of the Department of Correction;

16 (4) An attorney-at-law who represents or has represented the state

17 in a criminal prosecution;

18 (5) An attorney-at-law who is or has been employed by the Division
19 of Public Defender Services or a social worker who is employed by the
20 Division of Public Defender Services;

21 (6) An inspector employed by the Division of Criminal Justice;

22 (7) A firefighter;

23 (8) An employee of the Department of Children and Families;

24 (9) A member or employee of the Board of Pardons and Paroles;

25 (10) An employee of the judicial branch;

26 (11) An employee of the Department of Mental Health and
27 Addiction Services who provides direct care to patients;

28 (12) A member or employee of the Commission on Human Rights
29 and Opportunities; or

30 (13) A state marshal appointed by the State Marshal Commission
31 pursuant to section 6-38b.

32 (b) The business address of any person described in this section
33 shall be subject to disclosure under section 1-210. The provisions of this
34 section shall not apply to Department of Motor Vehicles records
35 described in section 14-10.

36 (c) (1) Except as provided in subsections (a) and ~~[(d)]~~ (e) of this
37 section, no public agency may disclose the residential address of any
38 person listed in subsection (a) of this section from any record described
39 in subdivision (2) of this subsection that is requested in accordance
40 with the provisions of said subdivision, regardless of whether such
41 person is an employee of the public agency, provided such person has
42 (A) submitted a written request for the nondisclosure of the person's
43 residential address to the public agency, and (B) furnished his or her

44 business address to the public agency.

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

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

65 (d) (1) Except as provided in subsections (a) and (e) of this section
66 and subject to the provisions of subdivision (2) of this subsection, no
67 public agency of a municipality may disclose, under the Freedom of
68 Information Act, from a public record, including any record described
69 in subdivision (2) of subsection (c) of this section, the residential
70 address of any person who is a municipal clerk, registrar of voters,
71 deputy registrar of voters, election official described in section 9-258,
72 primary official described in 9-436 or audit official described in section
73 9-320f, regardless of whether such person is an employee of the public
74 agency, provided such person has (A) submitted a written request for
75 the nondisclosure of the person's residential address to the public
76 agency, and (B) furnished (i) his or her business address to the public

77 agency, or (ii) if such person does not have a business address, the
78 address of the town or city hall or the municipal building in which the
79 office of the registrars of voters of such municipality is located.

80 (2) The prohibition in subdivision (1) of this subsection against
81 disclosing a person's residential address shall take effect upon such
82 person's submission of the written request to a public agency pursuant
83 to subparagraph (A) of said subdivision and shall expire ninety days
84 after such submission. Such person may seek an extension of an
85 additional ninety days for such prohibition, and such public agency
86 may grant such extension if such public agency finds that such person
87 has demonstrated good cause for such extension.

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

92 [(e)] (f) No public agency or public official or employee of a public
93 agency shall be penalized for violating a provision of this section,
94 unless such violation is wilful and knowing. Any complaint of such a
95 violation shall be made to the Freedom of Information Commission.
96 Upon receipt of such a complaint, the commission shall serve upon the
97 public agency, official or employee, as the case may be, by certified or
98 registered mail, a copy of the complaint. The commission shall provide
99 the public agency, official or employee with an opportunity to be
100 heard at a hearing conducted in accordance with the provisions of
101 chapter 54, unless the commission, upon motion of the public agency,
102 official or employee or upon motion of the commission, dismisses the
103 complaint without a hearing if it finds, after examining the complaint
104 and construing all allegations most favorably to the complainant, that
105 the public agency, official or employee has not wilfully and knowingly
106 violated a provision of this section. If the commission finds that the
107 public agency, official or employee wilfully and knowingly violated a
108 provision of this section, the commission may impose against such
109 public agency, official or employee a civil penalty of not less than

110 twenty dollars nor more than one thousand dollars. Nothing in this
111 section shall be construed to allow a private right of action against a
112 public agency, public official or employee of a public agency.

113 Sec. 2. (NEW) (*Effective July 1, 2023*) (a) As used in this section,
114 "election worker" includes any municipal clerk, registrar of voters,
115 deputy registrar of voters, election official described in section 9-258 of
116 the general statutes, primary official described in section 9-436 of the
117 general statutes and audit official described in section 9-320f of the
118 general statutes, and "personal identifying information" has the same
119 meaning as provided in section 53a-129a of the general statutes.

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

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| 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 |

GAE *Joint Favorable Subst.*