
OLR Bill Analysis

sHB 5410

AN ACT EXEMPTING INFORMATION CONCERNING CERTAIN VULNERABLE INDIVIDUALS FROM DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT.

SUMMARY

This bill exempts from disclosure under the Freedom of Information Act (FOIA):

1. a public agency's records on an investigation of alleged sexual harassment or an alleged discriminatory practice regarding an employee of the agency, including the name of anyone providing information about the alleged harassment or discrimination, and
2. records in the registry of state residents with cognitive challenges created by the State Police to help recover missing or wandering people (i.e., the "Bring Me Back Home" registry).

More specifically, the exempted records on alleged sexual harassment pertain to violations of the law that generally prohibits employers and labor organizations from harassing an employee, person seeking employment, or member on the basis of sex or gender identity or expression. The exempted records on alleged discriminatory practices pertain to those practices that violate the human rights law administered by the Commission on Human Rights and Opportunities (e.g., the laws that set criteria for awarding certain public contracts, establish set-aside programs for small contractors and minority businesses, and prohibit discriminatory employment practices).

EFFECTIVE DATE: October 1, 2024

BACKGROUND

Related Bills

sSB 234, favorably reported by the Public Safety and Security Committee, among other things expands the FOIA disclosure exemption for law enforcement agency records created in detecting or investigating crime that are not otherwise available to the public when disclosure would not be in the public interest, to include (1) the identity of mandated reporters not otherwise known and (2) sworn witness statements.

SB 394, favorably reported by the Government Administration and Elections Committee, exempts from disclosure under FOIA records maintained or kept by or for public higher education institution faculty or staff arising out of teaching or research on medical, artistic, scientific, legal, or other scholarly issues, including legal clinic or center records, but not financial records.

SB 436, favorably reported by the Government Administration and Elections Committee, generally expands the FOIA limitation on home address disclosure to include all public agency employees, rather than just specified groups of employees and individuals. It also broadens the limitation to apply to an agency's personnel, medical, or similar files for any covered individual (rather than applying only to those records for an agency's own employees).

sHB 5447, favorably reported by the Government Administration and Elections Committee, adds Office of the Attorney General (OAG) employees to the list of individuals covered by the FOIA's limitation on disclosing home addresses and allows OAG employees to request address confidentiality from other public agencies.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 19 Nay 0 (03/26/2024)