



House of Representatives

General Assembly

File No. 413

February Session, 2024

Substitute House Bill No. 5447

House of Representatives, April 10, 2024

The Committee on Government Administration and Elections reported through REP. BLUMENTHAL of the 147th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT EXEMPTING THE RESIDENTIAL ADDRESSES OF EMPLOYEES OF THE OFFICE OF THE ATTORNEY GENERAL FROM DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT.

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

1 Section 1. Subsection (a) of section 1-217 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective October*
3 *1, 2024*):

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

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

15 (4) An attorney-at-law who represents or has represented the state in
16 a criminal prosecution;

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

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

21 (7) A firefighter;

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

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

24 (10) An employee of the judicial branch;

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

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

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

31 (14) An employee of the office of the Attorney General.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2024	1-217(a)

Statement of Legislative Commissioners:

The title was changed.

GAE Joint Favorable Subst. -LCO

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill expands existing exemptions from residential address disclosure to employees of the Office of the Attorney General, and results in no fiscal impact to the state or municipalities.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 5447*****AN ACT EXEMPTING THE RESIDENTIAL ADDRESSES OF EMPLOYEES OF THE OFFICE OF THE ATTORNEY GENERAL FROM DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT.*****SUMMARY**

This bill adds Office of the Attorney General (OAG) employees to the list of individuals covered by the Freedom of Information Act's (FOIA) limitation on disclosing home addresses (see BACKGROUND). In doing so, it prohibits OAG from disclosing its employees' home addresses from the office's personnel, medical, or similar files.

The bill also allows OAG employees to request address confidentiality from other public agencies (and from OAG with respect to records besides those described above). To do so, OAG employees must follow existing law's procedures for other covered individuals, including by submitting to the agency a written request with his or her business address.

An agency that receives a FOIA request about an OAG employee who requested address confidentiality must redact the employee's home address only from records provided in response to a request that specifically names the covered individual. Additionally, the agency must make reasonable efforts to redact their address from (1) an existing list derived from a readily accessible electronic database and (2) any list that the agency voluntarily creates in response to a request for disclosure. The law permits disclosure of a covered individual's residential address in any other type of record (other than OAG's personnel, medical, or similar files, as described above).

As under existing law for other covered individuals, the disclosure

prohibition also does not apply to home addresses of OAG employees contained in (1) documents eligible to be recorded in municipal land records; (2) any list required by the state's election laws (e.g., voter registry lists, petition forms, and logs of absentee ballot applications); or (3) municipal grand lists.

EFFECTIVE DATE: October 1, 2024

BACKGROUND

Covered Individuals

The following public officials and employees, among others, are covered by FOIA's home address disclosure limitation:

1. Connecticut Superior and Appellate Court judges, Supreme Court justices, and family support magistrates;
2. sworn members of municipal police departments or the State Police;
3. employees of the judicial branch and the departments of Correction and Children and Families;
4. attorneys who represent the state in a criminal prosecution;
5. Public Defender Services Division attorneys and social workers;
6. Division of Criminal Justice inspectors;
7. firefighters;
8. members and employees of the Board of Pardons and Paroles and the Commission on Human Rights and Opportunities; and
9. Department of Mental Health and Addiction Services employees who provide direct patient care.

Related Bills

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 5410, favorably reported by the Government Administration and Elections Committee, exempts from disclosure under FOIA (1) public agency records on investigations into the agency’s employee’s alleged sexual harassment or discriminatory practice, including the name of anyone providing information about it, and (2) Department of Emergency Services and Public Protection records in the registry of state residents with cognitive challenges to help recover missing or wandering persons (i.e., the Bring Me Back Home registry).

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.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable

Yea 14 Nay 5 (03/22/2024)