



# Senate

General Assembly

**File No. 432**

February Session, 2024

Senate Bill No. 394

*Senate, April 11, 2024*

The Committee on Government Administration and Elections reported through SEN. FLEXER of the 29th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

***AN ACT ESTABLISHING AN EXEMPTION FROM DISCLOSURE FOR CERTAIN HIGHER EDUCATION RECORDS PERTAINING TO TEACHING OR RESEARCH UNDER THE FREEDOM OF INFORMATION ACT.***

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

1 Section 1. Subsection (b) of section 1-210 of the 2024 supplement to  
2 the general statutes is amended by adding subdivision (29) as follows  
3 (*Effective July 1, 2024*):

4 (NEW) (29) Records maintained or kept on file by or for the faculty  
5 or staff of a public institution of higher education arising out of teaching  
6 or research on medical, artistic, scientific, legal or other scholarly issues,  
7 including any such records of legal clinics or centers, but excluding any  
8 financial records of such institution.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2024</i>	1-210(b)(29)
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**GAE**      *Joint Favorable*

*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.*

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**OFA Fiscal Note****State Impact:** None**Municipal Impact:** None**Explanation**

The bill makes adjustments to Freedom of Information Act applicability to certain public higher education facility records, and results in no fiscal impact to the state or municipalities.

**The Out Years****State Impact:** None**Municipal Impact:** None

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**OLR Bill Analysis****SB 394*****AN ACT ESTABLISHING AN EXEMPTION FROM DISCLOSURE FOR CERTAIN HIGHER EDUCATION RECORDS PERTAINING TO TEACHING OR RESEARCH UNDER THE FREEDOM OF INFORMATION ACT.*****SUMMARY**

This bill exempts from disclosure under the Freedom of Information Act (FOIA) records maintained or kept on file 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. However, it also explicitly excludes the institutions' financial records from the exemption.

EFFECTIVE DATE: July 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 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).

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

Yea 13    Nay 6    (03/26/2024)