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## 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)