



General Assembly

January Session, 2025

**Raised Bill No. 6882**

LCO No. 4330



Referred to Committee on GOVERNMENT OVERSIGHT

Introduced by:  
(GOS)

**AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE  
FREEDOM OF INFORMATION COMMISSION FOR REVISIONS TO THE  
FREEDOM OF INFORMATION ACT.**

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

1 Section 1. Subsection (e) of section 1-205 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective October*  
3 *1, 2025*):

4 (e) The Freedom of Information Commission shall conduct training  
5 sessions, at least annually, for members of public agencies for the  
6 purpose of educating such members as to the requirements of this  
7 section and sections [1-7 to 1-14, inclusive, 1-16 to 1-18, inclusive,] 1-200  
8 to 1-202, inclusive, as amended by this act, [1-205] 1-205a, 1-206, 1-210 to  
9 [1-217] 1-219, inclusive, as amended by this act, 1-225 to 1-232, inclusive,  
10 as amended by this act, and 1-240 [ 1-241 and 19a-342] to 1-242,  
11 inclusive.

12 Sec. 2. Subdivision (17) of subsection (b) of section 1-210 of the general  
13 statutes is repealed and the following is substituted in lieu thereof  
14 (*Effective October 1, 2025*):

15 (17) [Educational] Education records which are not subject to  
16 disclosure under the Family Educational Rights and Privacy Act, 20  
17 USC 1232g;

18 Sec. 3. Subsection (d) of section 1-210 of the general statutes is  
19 repealed and the following is substituted in lieu thereof (*Effective October*  
20 *1, 2025*):

21 (d) Whenever a public agency, except the Judicial Department or  
22 Legislative Department, receives a request from any person for  
23 disclosure of any records described in subdivision (19) of subsection (b)  
24 of this section under the Freedom of Information Act, the public agency  
25 shall promptly notify the Commissioner of Administrative Services or  
26 the Commissioner of Emergency Services and Public Protection, as  
27 applicable, of such request, in the manner prescribed by such  
28 commissioner, before complying with the request as required by the  
29 Freedom of Information Act. If the commissioner, after consultation  
30 with the chief executive officer of the applicable agency, believes the  
31 requested record is exempt from disclosure pursuant to subdivision (19)  
32 of subsection (b) of this section, the commissioner may direct the agency  
33 to withhold such record from such person. In any appeal brought under  
34 the provisions of section 1-206 of the Freedom of Information Act for  
35 denial of access to records for any of the reasons described in  
36 subdivision (19) of subsection (b) of this section, such appeal shall be  
37 against (1) the chief executive officer of the executive branch state  
38 agency or the municipal, district or regional agency that maintains or  
39 has custody of the requested record, and (2) the commissioner who  
40 issued the directive to the public agency that maintains or has custody  
41 of such record to withhold such record pursuant to subdivision (19) of  
42 subsection (b) of this section, [exclusively, or,] except in the case of  
43 records concerning Judicial Department facilities, such appeal shall be  
44 against the Chief Court Administrator [or] and, in the case of records  
45 concerning the Legislative Department, such appeal shall be against the  
46 executive director of the Joint Committee on Legislative Management.

47 Sec. 4. Subsection (g) of section 1-212 of the general statutes is

48 repealed and the following is substituted in lieu thereof (*Effective October*  
49 *1, 2025*):

50 (g) Any individual may copy a public record through the use of a  
51 hand-held scanner. A public agency may establish a fee structure not to  
52 exceed twenty dollars for an individual to pay each time the individual  
53 copies records at the agency with a hand-held scanner. As used in this  
54 section, "hand-held scanner" means a battery operated electronic  
55 scanning device the use of which (1) leaves no mark or impression on  
56 the public record, and (2) does not unreasonably interfere with the  
57 operation of the public agency. "Hand-held scanner" includes, but is not  
58 limited to, a mobile telephone, a camera or any other portable device  
59 capable of capturing an image of a public record.

60 Sec. 5. Section 1-200 of the general statutes is repealed and the  
61 following is substituted in lieu thereof (*Effective October 1, 2025*):

62 As used in this chapter, the following words and phrases have the  
63 following meanings, except where such terms are used in a context  
64 which clearly indicates the contrary:

65 (1) "Public agency" or "agency" means:

66 (A) Any executive, administrative or legislative office of the state or  
67 any political subdivision of the state and any state or town agency, any  
68 department, institution, bureau, board, commission, authority or official  
69 of the state or of any city, town, borough, municipal corporation, school  
70 district, regional district or other district or other political subdivision of  
71 the state, including any committee of, or created by, any such office,  
72 subdivision, agency, department, institution, bureau, board,  
73 commission, authority or official, and also includes any judicial office,  
74 official, or body or committee thereof but only with respect to its or their  
75 administrative functions, and for purposes of this subparagraph,  
76 "judicial office" includes, but is not limited to, the Division of Public  
77 Defender Services;

78 (B) Any person to the extent such person is deemed to be the

79 functional equivalent of a public agency pursuant to law; or

80 (C) Any "implementing agency", as defined in section 32-222.

81 (2) "Meeting" means any hearing or other proceeding of a public  
82 agency, any convening or assembly of a quorum of a multimember  
83 public agency, and any communication by or to a quorum of a  
84 multimember public agency, whether in person or by means of  
85 electronic equipment, to discuss or act upon a matter over which the  
86 public agency has supervision, control, jurisdiction or advisory power.  
87 "Meeting" does not include: Any meeting of a personnel search  
88 committee for executive level employment candidates; any chance  
89 meeting, or a social meeting neither planned nor intended for the  
90 purpose of discussing matters relating to official business; strategy or  
91 negotiations with respect to collective bargaining; a caucus of members  
92 of a single political party notwithstanding that such members also  
93 constitute a quorum of a public agency; an administrative or staff  
94 meeting of a single-member public agency; and communication limited  
95 to notice of meetings of any public agency or the agendas thereof. A  
96 quorum of the members of a public agency who are present at any event  
97 which has been noticed and conducted as a meeting of another public  
98 agency under the provisions of the Freedom of Information Act shall not  
99 be deemed to be holding a meeting of the public agency of which they  
100 are members as a result of their presence at such event.

101 (3) "Caucus" means (A) a convening or assembly of the enrolled  
102 members of a single political party who are members of a public agency  
103 within the state or a political subdivision, or (B) the members of a  
104 multimember public agency, which members constitute a majority of  
105 the membership of the agency, or the other members of the agency who  
106 constitute a minority of the membership of the agency, who register  
107 their intention to be considered a majority caucus or minority caucus, as  
108 the case may be, for the purposes of the Freedom of Information Act,  
109 provided (i) the registration is made with the office of the Secretary of  
110 the State for any such public agency of the state, in the office of the clerk  
111 of a political subdivision of the state for any public agency of a political

112 subdivision of the state, or in the office of the clerk of each municipal  
113 member of any multitown district or agency, (ii) no member is  
114 registered in more than one caucus at any one time, (iii) no such  
115 member's registration is rescinded during the member's remaining term  
116 of office, and (iv) a member may remain a registered member of the  
117 majority caucus or minority caucus regardless of whether the member  
118 changes his or her party affiliation under chapter 143.

119 (4) "Person" means natural person, partnership, corporation, limited  
120 liability company, association or society.

121 (5) "Public records or files" means any recorded data or information  
122 relating to the conduct of the public's business prepared, owned, used,  
123 received or retained by a public agency, or to which a public agency is  
124 entitled to receive a copy by law or contract under section 1-218, as  
125 amended by this act, whether such data or information be handwritten,  
126 typed, tape-recorded, videotaped, printed, photostated, photographed  
127 or recorded by any other method.

128 (6) "Executive sessions" means a meeting of a public agency at which  
129 the public is excluded for one or more of the following purposes: (A)  
130 Discussion concerning the appointment, employment, performance,  
131 evaluation, health or dismissal of a public officer or employee, provided  
132 that such individual may require that discussion be held at an open  
133 meeting; (B) strategy and negotiations with respect to pending claims or  
134 pending litigation to which the public agency or a member thereof,  
135 because of the member's conduct as a member of such agency, is a party  
136 until such litigation or claim has been finally adjudicated or otherwise  
137 settled; (C) matters concerning security strategy or the deployment of  
138 security personnel, or devices affecting public security; (D) discussion  
139 of the selection of a site or the lease, sale or purchase of real estate by the  
140 state or a political subdivision of the state when publicity regarding such  
141 site, lease, sale, purchase or construction would adversely impact the  
142 price of such site, lease, sale, purchase or construction until such time as  
143 all of the property has been acquired or all proceedings or transactions  
144 concerning same have been terminated or abandoned; and (E)

145 discussion of any matter which would result in the disclosure of public  
146 records or the information contained therein described in subsection (b)  
147 of section 1-210, as amended by this act.

148 (7) "Personnel search committee" means a body appointed by a public  
149 agency, whose sole purpose is to recommend to the appointing agency  
150 a candidate or candidates for an executive-level employment position.  
151 Members of a "personnel search committee" shall not be considered in  
152 determining whether there is a quorum of the appointing or any other  
153 public agency.

154 (8) "Pending claim" means a written notice to an agency which sets  
155 forth a demand for legal relief or which asserts a legal right stating the  
156 intention to institute an action in an appropriate forum if such relief or  
157 right is not granted.

158 (9) "Pending litigation" means (A) a written notice to an agency which  
159 sets forth a demand for legal relief or which asserts a legal right stating  
160 the intention to institute an action before a court if such relief or right is  
161 not granted by the agency; (B) the service of a complaint against an  
162 agency returnable to a court which seeks to enforce or implement legal  
163 relief or a legal right; or (C) the agency's consideration of action to  
164 enforce or implement legal relief or a legal right.

165 (10) "Freedom of Information Act" means this chapter.

166 [(11) "Governmental function" means the administration or  
167 management of a program of a public agency, which program has been  
168 authorized by law to be administered or managed by a person, where  
169 (A) the person receives funding from the public agency for  
170 administering or managing the program, (B) the public agency is  
171 involved in or regulates to a significant extent such person's  
172 administration or management of the program, whether or not such  
173 involvement or regulation is direct, pervasive, continuous or day-to-  
174 day, and (C) the person participates in the formulation of governmental  
175 policies or decisions in connection with the administration or  
176 management of the program and such policies or decisions bind the

177 public agency. "Governmental function" shall not include the mere  
178 provision of goods or services to a public agency without the delegated  
179 responsibility to administer or manage a program of a public agency.]

180 [(12)] (11) "Electronic equipment" means any technology that  
181 facilitates real-time public access to meetings, including, but not limited  
182 to, telephonic, video or other conferencing platforms.

183 [(13)] (12) "Electronic transmission" means any form or process of  
184 communication not directly involving the physical transfer of paper or  
185 another tangible medium, which (A) is capable of being retained,  
186 retrieved and reproduced by the recipient, and (B) is retrievable in paper  
187 form by the recipient.

188 Sec. 6. Section 1-218 of the general statutes is repealed and the  
189 following is substituted in lieu thereof (*Effective October 1, 2025*):

190 (a) For purposes of this section, "governmental function" means the  
191 administration or management of a program of a public agency, which  
192 program has been authorized by law to be administered or managed by  
193 a person, where (1) the person receives funding from the public agency  
194 for administering or managing the program, (2) the public agency is  
195 involved in or regulates to a significant extent such person's  
196 administration or management of the program, whether or not such  
197 involvement or regulation is direct, pervasive, continuous or day-to-  
198 day, and (3) the person participates in the formulation of governmental  
199 policies or decisions in connection with the administration or  
200 management of the program and such policies or decisions bind the  
201 public agency. "Governmental function" does not include the mere  
202 provision of goods or services to a public agency without the delegated  
203 responsibility to administer or manage a program of a public agency.

204 (b) Each contract in excess of two million five hundred thousand  
205 dollars between a public agency and a person for the performance of a  
206 governmental function shall (1) provide that the public agency is  
207 entitled to receive a copy of records and files related to the performance  
208 of the governmental function, and (2) indicate that such records and files

209 are subject to the Freedom of Information Act and may be disclosed by  
210 the public agency pursuant to the Freedom of Information Act. No  
211 request to inspect or copy such records or files shall be valid unless the  
212 request is made to the public agency in accordance with the Freedom of  
213 Information Act. Any complaint by a person who is denied the right to  
214 inspect or copy such records or files shall be brought to the Freedom of  
215 Information Commission in accordance with the provisions of sections  
216 1-205, as amended by this act, and 1-206.

217 Sec. 7. Subsection (b) of section 1-211 of the general statutes is  
218 repealed and the following is substituted in lieu thereof (*Effective October*  
219 *1, 2025*):

220 (b) Except as otherwise provided by state statute, no public agency  
221 shall enter into a contract with, or otherwise obligate itself to, any person  
222 if such contract or obligation impairs the right of the public under the  
223 Freedom of Information Act to inspect or copy the agency's nonexempt  
224 public records existing on-line in, or stored on a device or medium used  
225 in connection with, a computer system owned, leased or otherwise used  
226 by the agency. [in the course of its governmental functions.]

227 Sec. 8. Subsection (d) of section 1-225 of the general statutes is  
228 repealed and the following is substituted in lieu thereof (*Effective October*  
229 *1, 2025*):

230 (d) (1) Notice of each special meeting of every public agency, except  
231 for the General Assembly, either house thereof or any committee  
232 thereof, shall be posted not less than twenty-four hours before the  
233 meeting to which such notice refers on the public agency's Internet web  
234 site, if available, and given not less than twenty-four hours prior to the  
235 time of such meeting by filing a notice of the time and place thereof in  
236 the office of the Secretary of the State for any such public agency of the  
237 state, in the office of the clerk of such subdivision for any public agency  
238 of a political subdivision of the state and in the office of the clerk of each  
239 municipal member for any multitown district or agency.

240 (2) The secretary or clerk shall cause any notice received under this



241 section to be posted in his or her office, and in the case of a notice of a  
242 public agency of the state filed with the secretary, on the Secretary of the  
243 State's Internet web site. Such notice shall be given not less than twenty-  
244 four hours prior to the time of the special meeting; provided, in case of  
245 emergency, except for the General Assembly, either house thereof or  
246 any committee thereof, any such special meeting may be held without  
247 complying with the foregoing requirement for the filing of notice but a  
248 copy of the minutes of every such emergency special meeting  
249 adequately setting forth the nature of the emergency and the  
250 proceedings occurring at such meeting shall be filed with the Secretary  
251 of the State, the clerk of such political subdivision, or the clerk of each  
252 municipal member of such multitown district or agency, as the case may  
253 be, not later than seventy-two hours following the holding of such  
254 meeting. The notice shall specify the time and place of the special  
255 meeting and the business to be transacted. No other business shall be  
256 considered at such meetings by such public agency.

257 (3) In addition, such written notice shall be delivered by electronic  
258 transmission or by mail to the usual place of abode of each member of  
259 the public agency so that the same is received prior to such special  
260 meeting. The requirement of delivery of such written notice may be  
261 dispensed with as to any member who at or prior to the time the meeting  
262 convenes files with the clerk or secretary of the public agency a written  
263 waiver of delivery of such notice. Such waiver may be given by  
264 [telegram] electronic transmission or by mail. The requirement of  
265 delivery of such written notice may also be dispensed with as to any  
266 member who is actually present at the meeting at the time it convenes.

267 (4) Nothing in this section shall be construed to prohibit any agency  
268 from adopting more stringent notice requirements.

269 Sec. 9. Subdivision (1) of section 4d-30 of the general statutes is  
270 repealed and the following is substituted in lieu thereof (*Effective October*  
271 *1, 2025*):

272 (1) "Contract" means a contract for state agency information system

273 or telecommunication system facilities, equipment or services, which is  
274 awarded pursuant to this chapter, [or subsection (e) of section 1-205,]  
275 subsection (c) of section 1-211, [subsection (b) of section 1-212, section 4-  
276 5,] subsection (a) of section 10a-151b [,] or subsection (b) of section 19a-  
277 110.

278 Sec. 10. Section 4d-47 of the general statutes is repealed and the  
279 following is substituted in lieu thereof (*Effective October 1, 2025*):

280 With respect to any state employee whose position is eliminated or  
281 who is laid off as a result of any contract or amendment to a contract  
282 which is subject to the provisions of this chapter and [subsection (e) of  
283 section 1-205,] subsection (c) of section 1-211, [subsection (b) of section  
284 1-212, section 4-5,] section 4a-50, 4a-51, subsection (b) of section 4a-57,  
285 subsection (a) of section 10a-151b [,] or subsection (b) of section 19a-110,  
286 or any subcontract for work under such contract or amendment, (1) the  
287 contractor shall hire the employee, upon application by the employee,  
288 unless the employee is hired by a subcontractor of the contractor, or (2)  
289 the employee may transfer to any vacant position in state service for  
290 which such employee is qualified, to the extent allowed under the  
291 provisions of existing collectively bargained agreements and the general  
292 statutes. If the contractor or any such subcontractor hires any such state  
293 employee and does not provide the employee with fringe benefits which  
294 are equivalent to, or greater than, the fringe benefits that the employee  
295 would have received in state service, the state shall, for two years after  
296 the employee terminates from state service, provide to the employee  
297 either (A) the same benefits that such employee received from the state,  
298 or (B) compensation in an amount which represents the difference in the  
299 value of the fringe benefits that such employee received when in state  
300 service and the fringe benefits that such employee receives from the  
301 contractor or subcontractor.

302 Sec. 11. Section 4d-48 of the general statutes is repealed and the  
303 following is substituted in lieu thereof (*Effective October 1, 2025*):

304 No contract or subcontract for state agency information system or

305 telecommunication system facilities, equipment or services may be  
306 awarded to any business entity or individual pursuant to this chapter or  
307 [subsection (e) of section 1-205,] subsection (c) of section 1-211,  
308 [subsection (b) of section 1-212, section 4-5,] subsection (a) of section 10a-  
309 151b [,] or subsection (b) of section 19a-110, if such business entity or  
310 individual previously had a contract with the state or a state agency to  
311 provide information system or telecommunication system facilities,  
312 equipment or services and such prior contract was finally terminated by  
313 the state or a state agency within the previous five years for the reason  
314 that such business entity or individual failed to perform or otherwise  
315 breached a material obligation of the contract related to information  
316 system or telecommunication system facilities, equipment or services. If  
317 the termination of any such previous contract is contested in an  
318 arbitration or judicial proceeding, the termination shall not be final until  
319 the conclusion of such arbitration or judicial proceeding. If the fact-  
320 finder determines, or a settlement stipulates, that the contractor failed  
321 to perform or otherwise breached a material obligation of the contract  
322 related to information system or telecommunication system facilities,  
323 equipment or services, any award of a contract pursuant to said chapter  
324 or sections during the pendency of such arbitration or proceeding shall  
325 be rescinded and the bar provided in this section shall apply to such  
326 business entity or individual.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2025</i>	1-205(e)
Sec. 2	<i>October 1, 2025</i>	1-210(b)(17)
Sec. 3	<i>October 1, 2025</i>	1-210(d)
Sec. 4	<i>October 1, 2025</i>	1-212(g)
Sec. 5	<i>October 1, 2025</i>	1-200
Sec. 6	<i>October 1, 2025</i>	1-218
Sec. 7	<i>October 1, 2025</i>	1-211(b)
Sec. 8	<i>October 1, 2025</i>	1-225(d)
Sec. 9	<i>October 1, 2025</i>	4d-30(1)
Sec. 10	<i>October 1, 2025</i>	4d-47
Sec. 11	<i>October 1, 2025</i>	4d-48

**GOS**      *Joint Favorable*