

**FINAL REPORT PUBLIC ACCESS AND ACCOUNTABILITY LEGISLATION  
CONNECTICUT GENERAL ASSEMBLY  
2020 REGULAR & SPECIAL SESSIONS**

By  
Paula Sobral Pearlman, Staff Attorney & Legislative Director  
Connecticut Freedom of Information Commission  
(October 21, 2020)

Less than two months into the 2019 regular legislative session, the General Assembly came to an unexpected and unprecedented halt as the COVID-19 pandemic spread globally. The General Assembly recessed on March 11, 2020, and briefly reconvened on the last day of session to formally adjourn. Prior to recessing in March, hundreds of bills had been introduced and scheduled for public hearings including bills that would impact transparency and open government in Connecticut. Among these bills was House Bill 5407, *An Act Concerning the Supersedence of Collective Bargaining Agreements and the Freedom of Information Act*, which the Freedom of Information (FOI) Commission strongly supported.

House Bill 5407 sought to amend Conn. Gen. Stat. §5-278 and prohibit certain collective bargaining agreements or arbitration awards approved by the General Assembly from containing provisions that supersede the public records and meetings provisions of the FOI Act. For over thirty years, pursuant to Conn. Gen. Stat. §5-278, a term of a collective bargaining agreement or arbitration award between the State of Connecticut and Connecticut state employees may supersede a statute, including the FOI Act, provided that the appropriate statutory procedure has been followed.<sup>1</sup>

The provisions of Conn. Gen. Stat. §5-278 are very powerful and have actually yielded overrides of the FOI Act.<sup>2</sup> And, on at least one known occasion, a collective bargaining agreement containing provisions superseding the FOI Act was approved without a public hearing.<sup>3</sup> Most recently, in 2019, the General Assembly approved an arbitration award between

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<sup>1</sup> See Conn. Gen. Stat. §5-278; Public Act 75-566, *An Act Concerning Collective Bargaining Agreements for State Employees*; and Public Act 86-411, *An Act Concerning Collective Bargaining and Impasse Resolution for State Employees* (added “arbitration awards”).

<sup>2</sup> See e.g., Docket # FIC 2006-211; William T. George v. State of Connecticut, Human Resources Department, Southern Connecticut State University; Connecticut State University, American Association of University Professors; and Docket # FIC 2009-020; Richard Stevenson v. Joan M. Ellis, Administrator, State of Connecticut, Department of Correction, Freedom of Information Office; and State of Connecticut, Department of Correction, where the Commission necessarily concluded that the respective collective bargaining agreements superseded the disclosure provisions of the FOI Act, by operation of §5-278, resulting in nondisclosure of such items as the contents of the personnel files of university teachers and reports of arrests or summons maintained in the personnel files of Department of Correction employees.

<sup>3</sup> See Senate Resolution 21 and House Resolution 24, *Resolution Proposing Approval of an Interest Arbitration Award between the State of Connecticut and the Connecticut State Employees Association – SEIU Local 2001, NP-8 Bargaining Unit* (2009).

the State of Connecticut and the State Police Union (NP-1) that contained provisions superseding the FOI Act, and exempted from disclosure the personnel files and internal affairs investigations of state troopers.<sup>4</sup>

Over the years, the Commission has attempted to raise this supersedence issue with legislators, but to no avail. In January 2020, the Commission again reached out to legislators and submitted a proposal to the Government Administration and Elections (GAE) Committee to amend Conn. Gen. Stat. §5-278 to prohibit collective bargaining agreements or arbitration agreements from containing provisions that supersede the FOI Act. A similar proposal was submitted by the Connecticut Council on Freedom of Information. Then, in February 2020, the GAE Committee introduced House Bill 5407, which received a public hearing. Due to the shortened session, however, there was very little time for the committee to take any action on bills.

Subsequently, following incidences of police brutality and protests nationwide, the Judiciary Committee, as part of an extensive effort to provide for greater police accountability and transparency, held a virtual “listening session” on July 17, 2020, at which time the public had the opportunity to provide testimony on Draft LCO No. 3471, *An Act Concerning Police Accountability*. The language in section 8 of Draft LCO No. 3471 was almost identical to the language in House Bill 5407.

Shortly after the listening session, during the July 2020 special session, the House and Senate considered and passed House Bill 6004 (Public Act 20-1), *An Act Concerning Police Accountability*. Like House Bill 5407 and Draft LCO No. 3471 (section 8), section 8 of House Bill 6004 sought to amend Conn. Gen. Stat. §5-278 to prohibit any collective bargaining agreements or arbitration awards between the state and state employees from superseding the FOI Act. House Bill 6004, however, appears to be narrower in scope and applies only to contract provisions “pertaining to the disclosure of disciplinary matters or alleged misconduct”. House Bill 6004 also contains a new provision barring any collective bargaining agreement or arbitration award between the state and any State Police bargaining unit from prohibiting “the disclosure of any disciplinary action based on a violation of the code of ethics” contained in a sworn member's personnel file. These provisions apply to contracts approved before, on or after the effective date of the bill. House Bill 6004 was signed by the Governor on July 31, 2020.

Although the language in House Bill 6004 (section 8) is not as broad as the language in House Bill 5407 and Draft LCO No. 3471 (section 8), its passage should yield greater accountability and transparency in government relative to state employees. To continue to permit parties to a collective bargaining agreement or arbitration award to supersede the records and meetings requirements of the FOI Act, merely by agreement, would seriously erode the broad public policy mandates embodied in the FOI Act and ignore the recognition by the General Assembly and the Connecticut Supreme Court that matters relating to the performance of public

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<sup>4</sup> See Senate Resolution 30 and House Resolution 33, *Resolution Proposing Approval of an Interest Arbitration Award between the State of Connecticut and the Connecticut State Police Union (NP-1)* (2019).

employees are presumptively legitimate matters of public concern.<sup>5</sup> The public's right to access public records and meetings should not be contracted away by collective bargaining agreements and arbitration awards. Rather, such decisions should only be made after robust debate, deliberation, and enactment of statute.

Notably, House Bill 6004 is the subject of a pending lawsuit. The State Police Union is suing the state over the portion of House Bill 6004 that affects their current contract, claiming that the new law is unconstitutional.<sup>6</sup>

*Below is a brief description of additional bills of note:*

**SB 25, AN ACT ESTABLISHING THE CONNECTICUT INFRASTRUCTURE BANK AND PUBLIC-PRIVATE PARTNERSHIPS FOR STATE-FUNDED INFRASTRUCTURE IMPROVEMENT PROJECTS.**

The FOI Commission did not oppose Senate Bill 25 which sought to establish the CT Infrastructure Bank (Bank) as a quasi-public agency and public-private partnerships for state-funded infrastructure improvement projects. The Commission did however suggest that in order to ensure transparency, the proposed bill should be amended to add language that clearly states that the Bank is a public agency, and that records relating to public-private partnerships and agreements are public records subject to the disclosure provisions in the FOI Act.

The bill was scheduled to be heard by the Banking Committee, but the hearing was canceled.<sup>7</sup>

**SB 234, AN ACT CONCERNING VOTER PRIVACY PROTECTION.**

Senate Bill 234 marks the fifth year in a row that bills have been proposed to restrict access to voter records.<sup>8</sup>

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<sup>5</sup> See Conn. Gen. Stat. §1-210(b)(2); Perkins v. Freedom of Information Commission, 228 Conn. 158 (1993).

<sup>6</sup> See CT Mirror Article (August 12, 2020): <https://ctmirror.org/2020/08/12/state-police-union-sues-connecticut-over-police-accountability-bill/>.

<sup>7</sup> A similar bill was introduced during the 2019 session which was voted on favorably by the Banking Committee. Senate Bill 70 was amended by the Senate to provide the Executive Director of the Bank with the authority to determine whether there are reasonable grounds to believe that disclosure of records concerning the Bank may result in a safety risk under the FOI Act. Senate Bill 70 was never taken up by the House.

<sup>8</sup> See e.g., Senate Bill 27, *An Act Prohibiting the Internet Publication of Voter Information* (2015); Senate Bill 703, *An Act Exempting Voter Personally Identifiable Information from the Freedom of Information Act* (2015); House Bill 5169, *An Act Prohibiting the Disclosure of Voter Birth Date Information* (2015); House Bill 5789, *An Act Protecting Voter Privacy* (2015); House Bill 6098, *An Act Protecting the Identity of Law Enforcement Officers* (2015); House Bill 5613, *An Act Prohibiting Disclosure of Date of Birth Information on Voter Records* (2016); House Bill 5616, *An Act Concerning Notices and Public*

As drafted, Senate Bill 234 prohibited the use of any voter registration information obtained under Title 9 of the general statutes for “any commercial purpose, as determined by the Secretary of the State.” The proposal provided examples of “commercial purposes” that are deemed to be prohibited (e.g., “reproduction in print, audio or video broadcast or display on the Internet or any computer terminal of such information”).

In addition, under Senate Bill 234, whenever voter registration information maintained under Title 9 was disclosed, the disclosure of a voter’s date of birth would be limited to only the year of birth, unless such voter registration information was requested and used for a “governmental purpose”, as determined by the Secretary of the State, in which case the voter’s complete date of birth would be provided. Senate Bill 234 also imposed a fine of ten cents per voter registration record upon those who obtain or use voter registration information not in accordance with the proposal.

As in previous years, the FOI Commission, among others, objected to the proposal and advocated that transparency in the area of voter information is important because transparency (1) is meant to deter voter fraud and provide a means to detect it; and (2) guards against election fraud by ensuring that registration and election officials, who are charged with entering, updating and maintaining voter data, are accountable, and carry out their roles in accordance with the law.

The FOI Commission raised additional concerns with Senate Bill 234. The Commission believed that (1) outlawing specific uses for public information sets a dangerous precedent, and questioned what will be the next purposes that are deemed to be distasteful or concerning; (2) the proposal failed to provide true definitions of “commercial purpose” and “governmental purpose”; (3) the provisions concerning the imposition of fines were vague; (4) the proposal raised constitutional concerns regarding the dissemination of information that is publicly revealed or in the public domain; and (5) Senate Bill 234 empowered one public official (i.e., the Secretary of State) to be the sole decisionmaker as to whom access to public records is allowed and to whom it is not. Such discretion is too subjective and could lead to abuse in the future. The Commission contended that, at a minimum, the month and year of birth should be disclosed.

Senate Bill 234 did not make it out of the GAE Committee.

### **SB 367, AN ACT SUBJECTING THE PARTNERSHIP FOR CONNECTICUT, INC. TO THE FREEDOM OF INFORMATION ACT AND STATE ETHICS CODE.**

Senate Bill 367, which was heard by the GAE Committee, sought to subject The Partnership for Connecticut, Inc. (Partnership), to the FOI Act and the state ethics code. Senate Bill 367 provided, in part, that the Partnership shall be considered *to perform a governmental function* for purposes of the FOI Act.

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*Information* (2016); House Bill 5947, *An Act Protecting the Identity of Law Enforcement Officers* (2017); House Bill 5173, *An Act Protecting the Privacy of Voters* (2018); House Bill 5176, *An Act Protecting Municipal Police Officers and their Families* (2018); HB 7321, *An Act Concerning Elections and Security* (2019); and HB 7392, *An Act Concerning Voter Privacy* (2019).

At the end of the 2019 legislative session, the General Assembly established the Partnership, a nonprofit corporation, and a 13-member governing board, including five state officials - the Governor, House Speaker, Senate President Pro Tem, and House and Senate minority leaders, to oversee the expenditure of a \$100 million contribution from the philanthropic foundation of Raymond Dalio (Dalio Philanthropies), a matching \$100 million allocation of taxpayer money and another \$100 million, to be contributed by other private donors over the next five years. The funds were to be allocated for significant “public purposes”, including, but not limited to “improvements in public education”, “supporting financial inclusion and social entrepreneurship” and “promoting upward mobility in Connecticut by connecting at-risk high school-aged youths and young adults to educational and career opportunities.”<sup>9</sup> Despite the public purposes for which the Partnership was created, however, neither the corporation itself nor the 13-member governing board were subject to the public records and open meetings requirements of the FOI Act with respect to how either of them function and allocate taxpayer funds.

The FOI Commission supported the intent of Senate Bill 367 to provide for more transparency and accountability regarding the allocation of taxpayer funds. The Commission, however, suggested that a more straightforward approach would avoid any confusion relative to the intent of the proposal, and recommended substitute language that clearly subjected the Partnership to the FOI Act. Senate Bill 367 did not make it out of the GAE Committee.

Subsequently, on May 19, 2020, Governor Lamont and Dalio Philanthropies announced that they were disbanding the Partnership. Media reports indicated that the decision to disband was “due to a breach of trust” and “political infighting.”<sup>10</sup> The Partnership was formally dissolved on June 5, 2020.<sup>11</sup>

## **SB 422, AN ACT STRENGTHENING HOME CARE SERVICES.**

Senate Bill 422 required the Department of Consumer Protection to establish and maintain a directory of employees of homemaker-companion agencies, and to provide the public with access to certain information (i.e., employee’s full name, identification number, name of any homemaker-companion agency employer and a list of home care trainings completed by the employee).

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<sup>9</sup> See House Bill 7424 (Public Act 19-117), *An Act Concerning the State Budget for the Biennium Ending June Thirtieth, 2021, and Making Appropriations Therefor, and Implementing Provisions of the Budget.*

<sup>10</sup> See CT Mirror Article (May 19, 2020): <https://ctmirror.org/2020/05/19/lamont-to-announce-end-to-cts-education-partnership-with-dalio-philanthropies/>; CT News Junkie Article (May 19, 2020): [https://www.ctnewsjunkie.com/archives/entry/20200519\\_dalio\\_lamont\\_disband\\_partnership\\_for\\_connecticut/](https://www.ctnewsjunkie.com/archives/entry/20200519_dalio_lamont_disband_partnership_for_connecticut/); and Hartford Courant Article (May 19, 2020): <https://www.courant.com/politics/government-watch/hc-pol-dalio-partnership-20200519-o5vwjta33zactlbbmctkybtqnyy-story.html>.

<sup>11</sup> See CT Mirror Article (June 5, 2020): <https://ctmirror.org/2020/06/05/public-private-education-partnership-dissolved-despite-objections-from-its-embattled-ceo/>.

The FOI Commission did not oppose Senate Bill 422, but was concerned with language related to safety concerns. Specifically, the bill provided, in relevant part: “Except as otherwise required by law, the commissioner [of Consumer Protection] may withhold from disclosure information in the public record about an employee listed in the directory whenever the commissioner has reasonable cause to believe that release of such information would place the employee in imminent danger.”

The Commission believed that the language regarding safety determinations should track language in §§1-210(b)(18) and 1-210(b)(19) of the FOI Act which sets certain standards for withholding public records based on safety and security concerns. The Commission also requested that the proposed language be amended to make clear that the Commissioner of Consumer Protection’s determination is reviewable by the FOI Commission.

The bill was scheduled to be heard by the Human Services Committee, but the hearing was canceled.<sup>12</sup>

**HB 5191, AN ACT CONCERNING THE DISCLOSURE OF INFORMATION BY THE CONNECTICUT AIRPORT AUTHORITY UNDER THE FREEDOM OF INFORMATION ACT, SECURITY SERVICES AT BRADLEY INTERNATIONAL AIRPORT AND A STUDY OF STRUCTURES TO BE ERECTED PROXIMATE TO GENERAL AVIATION AIRPORTS.**

The FOI Commission supported House Bill 5191, as it related to the FOI Act. Over the past several years, legislators have introduced bills proposing to provide the Executive Director of the Connecticut Airport Authority with the authority to determine whether there are reasonable grounds to believe disclosure of records concerning the security infrastructure at Connecticut Airport Authority airports may result in a safety risk under the FOI Act.<sup>13</sup>

The Commission believed the Executive Director, who necessarily interacts with federal law enforcement agencies regarding security concerns, both foreign and domestic, is the appropriate public official to make such determinations under §1-210(b)(19) of the FOI Act, which statute currently provides a process for reviewing an agency’s claims regarding security-based exemptions prior to the filing of a complaint, and makes the reviewer the entity that must defend the decision to withhold public records before the Commission, in the event a complaint is filed.

The bill was heard by, but did not make it out of, the Transportation Committee.

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<sup>12</sup> A similar bill was introduced last session (Senate Bill 1051), which was voted on favorably by the Human Services Committee, and later died on the Senate calendar.

<sup>13</sup> *See* SB 177, *An Act Applying the Security Exemption Under the Freedom of Information Act to the Connecticut Airport Authority* (2018); HB 5110, *An Act Applying the Security Exemption under the Freedom of Information Act to the Connecticut Airport Authority and Connecticut Port Authority* (2019); and SB 869 (P.A. 19-123), *An Act Concerning Recommendations by the Connecticut Airport Authority Regarding Nonbudgeted Expenditures, the Connecticut Airport and Aviation Account and Exempt Records Under the Freedom of Information Act* (2019).

**HB 5277, AN ACT DECREASING FEES FOR COPYING PUBLIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT.<sup>14</sup>**

House Bill 5277 proposed to expand the definition of hand-held scanner in the FOI Act to include a mobile telephone or camera, and any similar devices. The bill also proposed to decrease fees for copying public records to 15 cents per page, and to eliminate the \$20 charge associated with the use of a hand-held scanner, with exception. In the case of land records, a public agency would be permitted to charge up to \$20 per day for the scanning of such records using a hand-held scanner.

The FOI Commission supported the Committee’s proposal to reduce these fees, and believed the proposed fee structure was reasonable, allowed for greater access to public records at a modest cost to the public, and would likely reduce the amount of agency time and resources spent copying public records in response to FOI requests. In addition, the expansion of the definition of hand-held scanner would align the law with modern day technology and permit the utilization of such technology in a way that enhances public access, without causing harm to or damaging public records.

The bill was heard by, but did not make it out of, the GAE Committee.

A second proposal - HB 5004, *An Act Decreasing Fees for Copying Public Records* – did not receive a public hearing.

**HB 5409, AN ACT CONCERNING THE NONDISCLOSURE OF RESIDENTIAL ADDRESSES OF ATTORNEY GENERAL EMPLOYEES.**

House Bill 5409 revived an exhaustive debate in the General Assembly that has been held on an almost annual basis. The bill sought to amend §1-217 of the FOI Act and add yet another classification of worker whose home address would be “protected” (i.e., employees of the office of the Attorney General).

Every year, it seems, another agency or another profession attempts to have the addresses of its employees included in §1-217, without really understanding the limited scope of the statute, which should not be viewed as a cure for safety and privacy concerns. Section 1-217 is not the panacea that many believe it to be, and only protects the residential addresses of protected employees in personnel, medical or similar files.

House Bill 5409 received a public hearing, but did not make it out of the GAE Committee. A similar bill concerning the nondisclosure of the residential address of an investigator employed by the Division of Public Defender Services (Senate Bill 315) was raised by the Judiciary Committee, but did not receive a public hearing.

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<sup>14</sup> A similar proposal was introduced during the 2019 legislative session (HB 6876, *An Act Concerning the Copying of Public Records by Using a Hand-Held Scanner*).

**HB 5412, AN ACT CONCERNING ELECTRONIC NOTICE OF SPECIAL MEETINGS UNDER THE FREEDOM OF INFORMATION ACT.**

Under §§1-225(d) and 1-228 of the FOI Act, respectively, notices of special meetings and notices of adjournment must be delivered to the usual place of abode of each member of the public agency. House Bill 5412 proposed to amend such provisions to allow such notices to be *emailed* to the members. The bill received a public hearing, but did not make it out of the GAE Committee.

**HB 5413, AN ACT REVISING TRAINING REQUIREMENTS OF THE FREEDOM OF INFORMATION COMMISSION.**

House Bill 5413 proposed to revise the training requirements of the FOI Commission under §1-205(e) of the FOI Act.

Under §1-205(e), the Commission must provide FOI training to public agencies. Such section requires that the Commission train agencies on Conn. Gen. Stat. §§1-7 to 1-18, which are not part of the FOI Act and are under the purview of the Public Records Administrator. The Commission is also charged with training on Conn. Gen. Stat. §19a-342, which concerns smoking and vaping at public buildings, and not access to public records and meetings.

House Bill 5413 eliminated the requirement that the FOI Commission train agencies on §§1-7 to 1-18, and §19a-342.

The bill received a public hearing, but did not make it out of the GAE Committee.

**HB 5433, AN ACT CONCERNING THE CREATION OF A SPECIAL EDUCATION EXCESS COST COOPERATIVE.**

House Bill 5433 proposed to establish a captive insurance company as a not-for-profit entity for the purpose of providing reimbursement payments to local and regional boards of education, pursuant to Conn. Gen. Stat. §10-76g, State Aid for Special Education.

The captive insurance company, which would have among its incorporators and directors government officials and appointees of elected officials,<sup>15</sup> would be the ultimate arbiter of reimbursement payments to local or regional boards of education for special education purposes.

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<sup>15</sup> Under House Bill 5433, the incorporators are: the Commissioner of Education or designee; the Secretary of the Office of Policy and Management or designee; an appointee of the Speaker of the House; an appointee of the minority leader of the House; an appointee of the President Pro Tempore of the Senate; and an appointee of the minority leader of the Senate. In addition, the company's board of directors consists of the following members: the Commissioner of Education or designee; the Secretary of the Office of Policy and Management or designee; a representative from each municipal member group; two representatives from the Connecticut Conference of Municipalities; two representatives from the Connecticut Council of Small Towns; one representative from Special Education Equity for Kids of Connecticut; one representative from the Connecticut Association of Public School Superintendents; and three members designated by the incorporators, one of whom shall have expertise on captive insurance;

The company would set contribution rates and accept contribution payments from municipalities, and would make non-appealable reimbursement decisions relating to special education. The company, however, would not be considered a state agency nor considered to perform a governmental function, and therefore not subject to the FOI Act.

The Commission could not discern the need for this wholesale abdication of transparency, and, in a written statement, urged the Education Committee to amend the proposal to provide that this captive insurance company be subject to the FOI Act.

House Bill 5433 was heard by, but did not make it out of, the Education Committee.

**SB 8, AN ACT IMPLEMENTING THE GOVERNOR'S BUDGET RECOMMENDATIONS FOR GENERAL GOVERNMENT;**

**SB 21, AN ACT AUTHORIZING SPORTS WAGERING, INTERNET GAMING, A CASINO GAMING FACILITY IN BRIDGEPORT, ENTERTAINMENT ZONE FACILITIES, INTERNET LOTTERY AND INTERNET KENO;**

**SB 212, AN ACT AUTHORIZING A CASINO GAMING FACILITY IN BRIDGEPORT, SPORTS WAGERING, ENTERTAINMENT ZONES, ONLINE GAMING, ONLINE LOTTERY TICKET SALES AND ONLINE KENO;**

**HB 5168, AN ACT AUTHORIZING SPORTS WAGERING IN THE STATE; and**

**HB 5189, AN ACT CONCERNING ONLINE LOTTERY GAMES IN THE STATE.<sup>16</sup>**

Senate Bill 8 (sections 84 and 87), Senate Bill 21, Senate Bill 212 and House Bill 5189, required the Connecticut Lottery Corporation to establish a program to sell lottery tickets for lottery draw games through the corporation's website, online service or mobile application. House Bill 5189 also required the Lottery Corporation to establish a program for digital keno and interactive instant win games through the corporation's website, online service or mobile application.

Among other requirements, the programs must establish a voluntary self-exclusion process to allow a person to exclude himself or herself from establishing an online lottery account or purchasing a lottery ticket through such programs. Senate Bill 8, Senate Bill 21, Senate Bill 212 and House Bill 5189 also proposed to exempt from disclosure "[t]he name and any personally

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one of whom shall have expertise in claims handling and financial matters; and one of whom shall be an attorney with experience in matters relating to the federal Individuals with Disabilities Education Act.

<sup>16</sup> Similar bills were introduced during the 2017, 2018 and 2019 legislative sessions, respectively. See SB 967, *An Act Concerning Online Multijurisdictional Lottery Games* (2017); SB 277, *An Act Concerning Online Lottery Draw Games* (2018); SB 540, *An Act Authorizing Sports Wagering and Online Lottery Draw Games in the State* (2018); SB 1015, *An Act Concerning Online Lottery Draw Games in the State* (2019); and HB 7331, *An Act Concerning Sports Wagering in the State* (2019).

identifying information of a person who is participating or has participated in the corporation's voluntary self-exclusion process.” The proposal, however, also allowed the corporation to disclose “the name and any records of such [participant] if such person claims a winning lottery ticket from the use of the online lottery program.”

House Bill 5168 contained similar provisions proposing to permit the redaction, with exception, of any personally identifying information of a participant in a sports wagering voluntary self-exclusion process.

The FOI Commission did not object to the redaction of the name and personally identifying information of the individual participating in the voluntary self-exclusion process, with limitation. The proposed language was narrow in its application, and would not completely remove such information from the realm of public records subject to the FOI Act.

The Commission, however, was concerned about another confidentiality provision contained in section 6(c) of House Bill 5168 to the extent that it would apply to the Lottery Corporation. Such section stated that records that directly or indirectly identify a sports bettor shall not be disclosed. This language conflicted with those provisions permitting the president of the Lottery Corporation to disclose the name and any records of a person who is a participant in the sports wagering voluntary self-exclusion process if that person claimed winnings from placing a sports wager. The proposal did not address the disclosure of the names of other winners. As written, the name of a winner who is not participating in the voluntary self-exclusion process, could not be disclosed.

Senate Bill 21, House Bill 5168 and House Bill 5189 received public hearings, but none made it out of the Public Safety Committee.

### **Acknowledgements:**

We would like to provide special recognition to Liz Gemski, Michele Jacklin, Jeff Daniels, Matt Kauffman and Mike Savino, for their efforts during the legislative session to advocate for freedom of information and good government.

We also give a special thank you to the following individuals for their assistance this year: Representative Daniel J. Fox (148<sup>th</sup> District); Senator Mae Flexer, Deputy President Pro Tempore & Federal Relations Liaison (29<sup>th</sup> District); and Senator Gary Winfield, Chief Deputy Majority Leader (10<sup>th</sup> District).

### **Bill Tracking:**

During the 2020 legislative regular and special sessions, we monitored 101 bills. A total of 75 received or were scheduled for public hearings and FOI Commission staff prepared statements for and/or testified on 19 of those bills. Three of the 101 bills monitored became Public Acts.